

Attachment B

<h2>Plan of Management</h2>



34 Pirrama Road, Pyrmont

Plan of Management – Function Centre Mode

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Figure 2: Function Centre floor plan – ground floor plan – indicative round table configuration

Part 1 – Purpose

The purpose of this Plan of Management (PoM) is to establish performance criteria for various aspects of the operation of a function centre which is proposed to operate at 34 Pirrama Road, Pyrmont in the 'Arrow Marine' Building. The building and site has consent to operate as a restaurant and as a function centre. When being operated as a function centre the building will not be operated as a restaurant.

The function centre will be licenced and the proprietor will join the local Liquor Accord. The function centre is to operate in the area covered by the plan at Figure 1.



Figure 1: Function Centre area covered by this PoM

When the premises is being operated in function mode there will be no external seating on the open terraced areas and the seating removed and stored within the Doltone House premises at Jones Bay Wharf.

All staff shall be made familiar with this PoM and a copy of the PoM is to be kept available on the premises at all times.

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Part 2 – The Site and locality

The function centre is located at 34 Pirrama Road, Pyrmont. The site and building are heritage listed and comprise a single storey brick building with pitched roof form. The building is known as the former Arrow Marine Building and has been adapted for restaurant use.

The site is a waterfront building with a maritime association with the working harbour and the wharf precinct.

The main late-night venue which operates within 200m of the site is Doltone House which is a large-scale function venue located in Jones Bay Wharf. Other restaurants operate on the wharf until midnight as well as numerous charter boats which operate from the wharf.

In the broader vicinity (greater than 200m away) there are multiple late-night venues which operate from the Star Casino and several pubs within Pyrmont.

To the west of the site are residential apartments fronting Pirrama Road which enjoy northerly outlooks towards Jones Bay.

The operation and management of the function centre will have regard to these residential properties and is reflected in the proposed limitation of the outdoor areas in the western courtyard to 8.00pm to respect the residential amenity and minimise noise generation.

Part 3 – Hours of Operation and Capacity and Management

The function centre is to operate in accordance with the approved hours under the condition of consent as follows:

- The indoor hours of operation are
- 7.00am to 10.30pm Monday to Thursday
- 7.00am to 11.30pm Friday and Saturdays
- 7.00am to 10.00pm Sundays
- The outdoor hours of operation are 7.00am to 8.00pm seven (7) days per week; and
- The maximum total capacity of the function centre is 110 patrons.

The site's primary entrance during operation is to the north (waterfront side) adjacent to the outdoor terrace area. Patrons will arrive and leave from the waterfront entrance to the building so that interaction with patrons arriving and leaving is maximised and noise and behaviour can be readily monitored and if necessary managed.

Intoxicated, disruptive, violent or anti-social behaviour is not permitted within, or directly outside, of the premises. The Manager will ensure that this type of behaviour is prevented by:

- (a) Not allowing any intoxicated person to enter or remain upon the premises;
- (b) Refusing service to patrons considered to be intoxicated because of legal, safety or security issues;
- (c) Zero tolerance for behaviour which the management considers undesirable both inside and outside of the premises;
- (d) Maintaining that patrons leave the premises in a quiet and orderly manner taking due regard to the local residents and businesses to ensure the quiet and good order of the neighbourhood is upheld; and
- (e) Identifying problems and taking action to prevent them from escalating.

No persons (such as those commonly known as spruikers) or recordings or other devices which have the effect of spruiking are to be located on Council owned property.

Management will at all times monitor the number of persons within the premises to ensure that the maximum number of patrons is not exceeded.

The method of checking the number of persons permitted in the premises will be determined by ensuring that no patron is admitted who is not assigned a seat as the maximum occupancy is equal to provided seating.

Management will at all times ensure that all people entering and leaving the premises do so in a manner that respects the nature of the surrounding locality. When the function centre is cleared at the end of service, the Duty Manager will ensure this is undertaken in a safe and orderly manner through the direction of and the provision of assistance to patrons.

Management and will ensure that all fire escapes and exits are kept clear of person(s) and/or objects at all times.

All staff will actively participate in communicating with management to ensure early detection of any problems.

Part 4 – Amenity of the Neighbourhood

Management will take all reasonable actions to ensure that the conduct of the business does not have a negative impact on the neighbourhood.

Management will take all reasonable measures to prevent patrons from disturbing the neighbourhood as they leave.

Management shall ensure that the immediate vicinity in front of the premises is kept clean and tidy during operational hours.

Staff shall consider the amenity of neighbours and shall take all reasonable measures to ensure the conduct of the business does not impact adversely on the surrounding area.

Staff will take all reasonable measures to ensure that the behaviour of staff and patrons when entering or leaving the premises does not detrimentally affect the amenity of the neighbourhood. Management shall provide training to all new staff (and existing staff from time to time as required) in how to manage customers who prove difficult to move.

The business shall be conducted in such a manner as not to interfere with, or materially affect, the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil, or otherwise.

Staff shall ensure that the entry points and immediate vicinity are kept clean and tidy during the use of the premises.

Staff shall take all reasonable steps to control the behaviour of patrons of the premises as they enter and leave and minimise disturbance from the outdoor dining area. In this regard:

- (i) No seating is provided on the outdoor areas when the site is being used as a function centre
- (ii) Prior to 8.00pm the western terrace area is able to be used for greeting of guests on arrival and the serving of drinks and canapes. Once served guests will be encouraged to join the function within the premises.
- (iii) Prior to 8.00pm, function centre staff will monitor guest numbers on the western terrace and northern terrace.
- (iv) Guest numbers on the western terrace after 6.00pm are not to exceed 18 persons. At no time is there to more than 28 Patrons on the northern terrace.
- (v) Should numbers on the western and northern terrace be nearing the capacity outlined in (iv) above, staff will direct patrons to join the function indoors, or if capacity permits, move to the northern terrace area (maintaining the maximum permitted at any time of 28 patrons on the northern terrace).
- (vi) Limiting numbers on the western terrace will be prioritised by staff to ease the closure of this area to patrons after 8.00pm other than its use as an exit thoroughfare. Should guests access the western terrace other than as an exit path staff will direct them back to the northern terrace or indoors.
- (vii) The limitations on the use of the external terrace areas will be communicated to clients at the time of booking a function. ;
- (viii) After 8.00pm the western deck will not be used for any purpose other than as an exit thoroughfare for guests leaving the premises having exited the internal space via the western terrace;

- (ix) The northern deck will not be provided with seating when the premises is being used for functions but will provide access to the amenities for the premises;
- (x) With the arrival of large groups of patrons for example, birthday bookings, staff are to ensure that they enter the premises and are seated as quickly and quietly as possible so as not to disturb the surrounding area; and
- (xi) Between 10.00pm and midnight staff, are to monitor patrons leaving the premises and provide corrective advice to any patron in the immediate vicinity of the premises acting in a manner which may adversely impact on the surrounding area.

4.1 Noise

The premises shall operate to comply with the following acoustic criteria:

- (a) The LA10, 15 minute noise level emitted from the use must not exceed the background noise level (LA90, 15minute) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 5dB between the hours of 7.00am and 12.00 midnight when assessed at the boundary of any affected residence.
- (b) The LA10, 15minute noise level emitted from the use must not exceed the background noise level (LA90, 15 minute) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) between the hours of 12.00 midnight and 7.00am when assessed at the boundary of any affected residence.
- (c) Notwithstanding compliance with (a) and (b) above, noise from the use when assessed as an LA10, 15 minute enters any residential use through an internal to internal transmission path is not to exceed the existing internal LA90, 15minute (from external sources excluding the use) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) when assessed within a habitable room at any affected residential use between the hours of 7.00am and 12midnight. Where the LA10, 15 minute noise level is below the threshold of hearing, Tf at any Octave Band Centre Frequency as defined in Table 1 of International Standard ISO 226 : 2003-Normal Equal-Loudness-Level Contours then the value of Tf corresponding to that Octave Band Centre Frequency shall be used instead.
- (d) Notwithstanding compliance with (a), (b) and (c) above, the noise from the use must not be audible within any habitable room in any residential use between the hours of 12.00 midnight and 7.00am.
- (e) The LA10, 15 minute noise level emitted from the use must not exceed the background noise level (LA90, 15 minute) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 3dB when assessed indoors at any affected commercial premises.

All doors on the southern, western and eastern façade are to be closed at all times during trade.

All doors and windows on the northern façade are to be closed between the hours of 10.00pm and midnight if the premises is trading. To facilitate access to the external amenities after 10.00pm exit and entry will be via the eastern most doors which are closest to the external amenities. Discreet internal way finding signage will be provided adjacent to these doors indicating access to the amenities.

No music is to be played in the outdoor courtyards after 8.00pm.

Speakers in the premises are to be vibration isolated from the building structure using Embelton NRD Mounts or similar.

External disposal of bottles / waste must be undertaken prior to 10.00pm, but not before 7.00am.

4.2 End of Function Exit Procedures

When a function is ending the following procedures are to be followed:

- Fifteen minutes prior to the end of a function, staff are to thank guests for their attendance and remind them that there are residential neighbours nearby and to please leave quietly to avoid disturbance to neighbouring properties. It will be suggested to guests that ride share or taxi booking be completed now to avoid congregation of groups on Pirrama Road after exit from the premises;
- A staff member is to be positioned on the western deck exit to reinforce to guests exiting the premises the need to leave quietly and requesting guests to move to their transport quietly;
- Guests catching public transport are to be directed to the Star and the public transport services available at that location which is away from residential properties to the west of the premises;

- The staff member at the western exit is to monitor function guests who have left the premises and if necessary request that noise be minimised and encourage them to proceed to their transport and to leave the area; and
- A function centre staff member is to monitor the forecourt between the Arrow Marine Building and Jones Bay Wharf for at least 20 minutes after the end of a function to monitor for noise making behaviour and if necessary ask patrons to move on.

Part 5 – Complaints

Any complaints received will be referred to the Manager to be addressed. If they are absent then the Duty Manager will take their place in dealing with such matters.

All noise complaints should be investigated. The General Manager will be available for local residents to contact immediately regarding any sound issues.

Should a complaint be received from an adjacent resident or business then the matter is to be referred to the Manager and recorded in a noise complaint register held on site. If they are unable to attend to the issue then a time is to be arranged as to when the call will be returned. The complaint is to be dealt with in a sensitive and respectable manner, and the Manager is to inform the resident of the most effective way to deal with the complaint. The Manager is to be proactive in asking residents or business if solutions can be met.

When it is considered necessary for follow up procedures, residents or local business are to be contacted to ascertain whether the solution to the complaint has been successful. If it is deemed that the complaint's solution has not been successful, then the Licensee/Duty Manager is to seek an alternative solution.

Part 6 – Behaviour of Patrons and the Responsible Service of Alcohol

The Duty Manager and staff shall take all reasonable steps to control the behaviour of the patrons as they enter and leave by:

- (a) Erecting signs at both exits requesting patrons to leave quietly; and
- (b) From about 30 minutes before it closes on any night at regular intervals instruct the staff to request patrons to leave the premises and the vicinity quickly and quietly so as to avoid disturbance of the neighbourhood.

The Duty Manager and staff shall take all reasonable steps to ensure that there is no loitering by persons seeking admittance to the premises in the vicinity of its entrance.

The Duty Manager and staff shall take all reasonable steps to ensure that there is no patron(s) on the outdoor area being loud or acting with unruly behaviour.

The Liquor Licence granted in respect of the premises shall be exercised in accordance with the provisions of the *Liquor Act 2007*.

The following operational policies for the responsible service of alcohol shall apply with the “Liquor Promotion Guidelines”:

- (a) The Licensee will maintain a register containing copies of the certificates showing the satisfactory completion of the Responsible Service of Alcohol course undertaken by the Licensee and all staff required to complete that course. That register shall be made available for inspection on request by a NSW Police officer or special inspector.
- (b) The Licensee shall not engage in any liquor promotion that is likely to promote irresponsible service of liquor.
- (c) The Function Centre shall not serve alcohol to any person who is intoxicated.
- (d) Any person who is intoxicated shall be denied entry to the premises.
- (e) No person under the age of 18 years is to consume alcohol on the premises. Where a patron appears to be under 25 years of age, valid photo identification is to be checked by staff before service. Identification is to be requested in the form of a valid:
 - (i) Passport;
 - (ii) Driver’s License; or
 - (iii) Proof of Age card.
- (f) The Duty Manager and staff will not permit intoxication or any indecent, violent or quarrelsome conduct by patrons on the premises. Any person causing such a disturbance shall be refused service and asked to leave the premises. Any patron whose behaviour is either extreme or repeatedly objectionable may be barred from entering the premises for a period determined by the Licensee.

- (g) Low alcohol beer and non-alcoholic beverages (including water) will be available at all times when full strength liquor is available.
- (h) The Licensee will ensure all required legislative signage are prominently displayed throughout the premises.
- (i) The Duty Manager or staff will arrange (without charge) for taxis to collect any patron from Pirrama Road in front of the premises if requested to do so.

Part 7 – Security and Safety

A copy of the current development consent with the latest hours of operation shall be kept in the premises and shall be produced on request for inspection by any member of the Police Service, a Council Officer, or a Special Investigator with the Office of Liquor Gaming & Racing.

For the purpose of the plan, the description, “the immediate vicinity” shall be the footpath 10 metres in any direction from the premises.

The manager shall maintain and record in an Incident Book:

- (a) Any complaints made directly to the management or staff of the premises by local;
- (b) Residents or business people about the operation of the premises or the behaviours of its patrons;
- (c) Any visits by any law enforcement personnel noting their agencies or departments, badge numbers, reasons for the visits and results of the visits; and
- (d) Any details of incidents which required intervention by staff within the premises or in vicinity of the premises.

Part 8 – Signage

Signage will clearly state the Licensee's name and licence number.

The Licensee will ensure that all legally required signage is displayed at all times. This will include signage regarding dress code, responsible service of alcohol and harm minimisation.

Signage will be displayed prominently at all exit points requesting patrons to respect the neighbourhood by leaving in a respectful and quiet manner.

Signage will be displayed on the outdoor dining area requesting patrons to respect the neighbourhood by avoiding the creation of unnecessary noise in the location denoted in figure 2 below

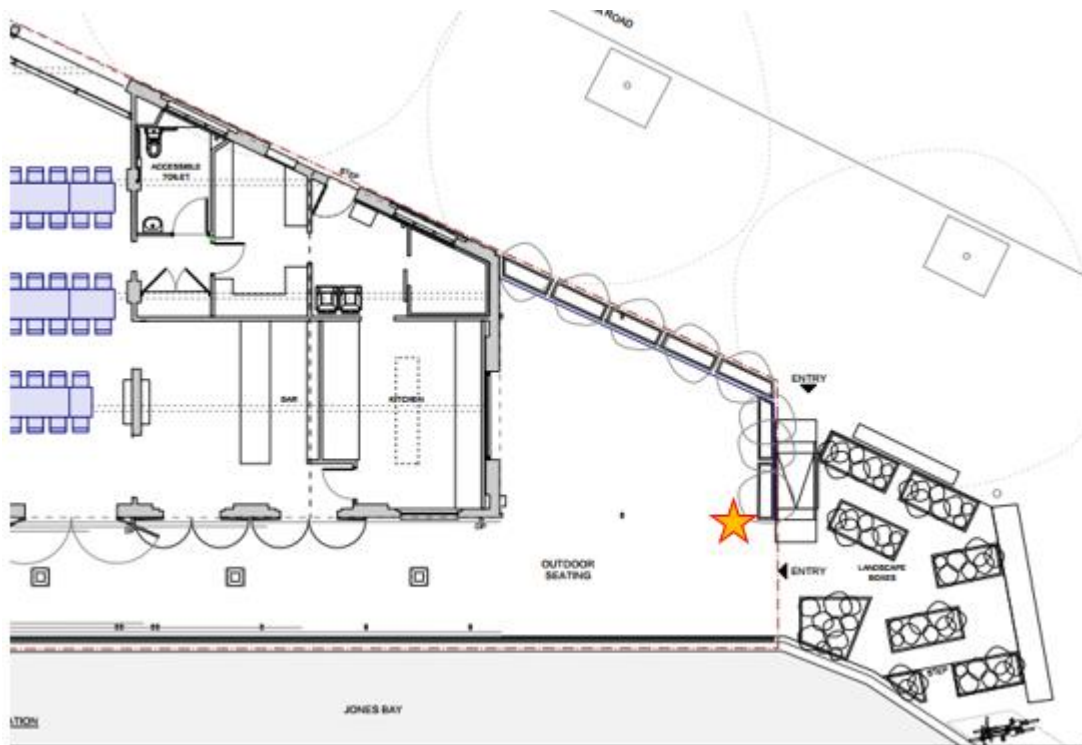


Figure 2: location of signage to be provided at exit to reminding patrons of residential neighbours nearby marked with a star.

Part 9 – Incident Book

The Management shall maintain and record in the Incident Book, in addition to any matters noted elsewhere in this Checklist, the following:

- (a) Any complaints made directly to management or staff of the premises by local residents or business people about the operation of the premises or the behaviours of its patrons; and
- (b) Any visits by any law enforcement personnel noting their agencies, departments, badge numbers, reasons for the visits and results of the visits.

The Management shall make the Incident Book available for inspection by the Council's officers or the Police at all reasonable times and provide a copy within seven (7) days of receipt of a written request to do so.

Complaints in the incident register shall include the following:

- (a) Complaint time and date;
- (b) Name, contact and address details of person(s) making the complaint;
- (c) Nature of the complaint;
- (d) Names of staff on duty; and
- (e) Action to be taken by premises to resolve the complaint.

Part 10 – Deliveries and Waste Disposal

Waste is to be managed in accordance with the Waste Management Plan prepared by Elephant's Foot Recycling Solutions approved under Consent D/2020/942. The waste storage room is located within the adjacent Jones Bay Wharf.

Staff are to observe the following procedures as identified in the Waste Management Plan:

- All garbage should be bagged and garbage bins should be plastic lined;
- Bagging of recyclables is not permitted;
- Any interim waste storage is located BOH during operations;
- The operator will organise grease interceptor trap servicing;
- A suitable storage area needs to be provided and effectively bunded for chemicals, pesticides and cleaning products;
- Dry basket arrestors need to be provided to the floor wastes in the food preparation and waste storage areas; and
- All flattened cardboard will be collected and removed to the waste room recycling bins.

Waste will be collected regularly by a private waste contractor engaged by the adjacent Jones Bay Wharf strata committee from within Jones Bay Wharf.

Part 11 – Maintenance

The premises shall be kept in a clean and tidy condition and regularly maintained to the satisfaction of Council both internally and externally.

The Owner of the building shall be responsible for the removal of any graffiti from the building within 48 hours of the graffiti appearing.

The Manager of the building shall ensure that all windows on the façade of the building are cleaned regularly and, in any event, not less than annually.

Part 12 – Fire Safety Measures

The Manager shall ensure that all essential services installed at the premises are certified annually and shall ensure that they remain in good working order.

In the event of any malfunctioning of any essential service, the Manager shall ensure that it is rectified as quickly as is reasonably possible.

Lists of the telephone numbers of all relevant emergency agencies shall be kept near all telephones.

All staff shall be made aware of fire safety requirements and the procedures to be followed in the event of an emergency at the premises.

Part 13 – Operation of the Premises

Intoxicated, disruptive, violent or anti-social behaviour is not permitted within, or directly outside, of the premises. The Manager will ensure that this type of behaviour is prevented by:

- (a) Not allowing any intoxicated person to enter or remain upon the premises;
- (b) Refusing service to patrons considered to be intoxicated because of legal, safety or security issues;
- (c) Zero tolerance for behaviour which the management considers undesirable both inside and outside of the premises;
- (d) Maintaining that patrons leave the premises in a quiet and orderly manner taking due regard to the local residents and businesses to ensure the quiet and good order of the neighbourhood is upheld;
and
- (e) Identifying problems and taking action to prevent them from escalating.

No persons (such as those commonly known as spruikers) or recordings or other devices which have the effect of spruiking are to be located on Council owned property.

Management will at all times monitor the number of persons within the premises to ensure that the maximum number of patrons is not exceeded.

The method of checking the number of persons permitted in the premises will be determined by ensuring that no patron is admitted who is not assigned a seat as the maximum occupancy is equal to provided seating.

Management will at all times ensure that all people entering and leaving the premises do so in a manner that respects the nature of the surrounding locality. When the premises is cleared at the end of service, the Duty Manager will ensure this is undertaken in a safe and orderly manner through the direction of and the provision of assistance to patrons.

Management and will ensure that all fire escapes and exits are kept clear of person(s) and/or objects at all times.

All staff will actively participate in communicating with management to ensure early detection of any problems.

Part 14 – Amendment to this plan

If, in circumstances where experience shows that it is reasonable or desirable to modify any provision of this plan for the better management of the premises, that modification may be made to the plan subject to the agreement of the Council.

If an amendment to this plan is only required to maintain compliance with statutory regulations, it may be made without Council agreement. Council is to be provided with a new copy of the plan immediately.

Part 15 – Plan of Management and Development Consent

This PoM is subject to the terms of the active development consent. In the event that there is any inconsistency between this PoM and the active development consent, the development consent it to prevail.

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Part 16 – Owners Declaration

I have read and understood the conditions of this Checklist.

Name: _____

Position: _____

Signature: _____

Date:

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