

Attachment C

<h2>Plan of Management</h2>

York St

18-20 York St, Sydney NSW 2000

Plan of Management

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Plan of Management Purpose & Premises	3
Site & Locality	3
Principal Activities	3
Proposed Liquor Licence	4
Capacity Control	4
Hands-Off Policy, Deescalation and Response Protocol	4
Incident & Complaints Registers and Cause for Reporting	4
Crime Scene Preservation	5
Principles & Procedure of Crime Scene Preservation	6
Hours of Operation	6
Closure Procedure	6
Signage	6
Noise Emissions	7
Sound Lock - Ingress & Egress	7
Neighbourhood Amenity and Waste Management	7
Queuing	8
Impact of the Premises	8
The Police and the Community	9
Responsible Service of Alcohol	9
Security Staff	10
General Security Measures	11
Closed Circuit Television (CCTV)	12
Fire Safety and Essential Services	14
Amendment to this Plan	14
Site Plan	15

Plan of Management Purpose & Premises

The purpose of this plan of management is to establish performance criteria for the operation and management of York St, with regard to the relevant matters under the Environmental Planning and Assessment Act 1979, the Liquor Act 2007 and relevant Regulations under that legislation, and the advice of the Council of the City of Sydney, NSW Police and Liquor and Gaming, and the Sydney City Liquor Accord.

This document has been prepared and established in collaboration with the NSW Police, City of Sydney Council, members of the Sydney City Liquor Accord, the Night Time Industry Association, the Australian Hotels Association, and acts as an operational guidepoint for all management personnel at York St for safe, efficient and conscious operation of the venue.

All staff involved in the sale and supply of liquor as well as security personnel shall be made familiar with this plan. A copy of this plan is to be made available on the premises at all times and able to be produced for inspection upon request by NSW Police or Council Officers. Up-to-date copies of the Liquor Licence, prevailing DA and any additional Liquor & Gaming, Police or Council approvals, will be kept on site and produced upon a request by NSW Police or Council Officers.

This plan must be adhered to at all times during the execution of the duty of all staff members. Disregarding the provisions of this plan may lead to disciplinary action or summary dismissal.

Site & Locality

The York St site is situated within City of Sydney Council's [Late Night Management](#) planning control area. It is 130 metres from Wynyard Train Station on the primary commercial strip of York St; and 1.1km metres from The Rocks Police Station.

Principal Activities

A casual fine dining restaurant on the ground floor; a live music space in the basement level.

Access to Premises

Primary access to the venue is through the existing glass doors along York St, into the restaurant space. After a meal in the restaurant has been had, guests will be taken down via the lift to a table in the live music space. Alternatively, patrons may access the basement live music space via a dedicated secondary entrance, through the heritage red doors on York St, and down the old cart ramp. There is also a dedicated DDA access to both levels, via the southern entrance along York St.

Proposed Liquor Licence

York St will make an application to Service NSW for an On-Premises Licence (Restaurant; Live Music Venue) in accordance with its primary operational functions of providing high quality food and drinks, and facilitating small live music sets, entertainment by local artists.

Capacity Control & Patron Movement

Venue management will ensure at all times that capacity within the premises does not exceed the capacity limit on DA. Capacity will be recorded via the use of digital and/or analogue clickers by venue management staff and security personnel. Capacity limits for each level is as follows:

Ground Floor: 111 (101 patrons and 10 staff)

Basement: 260 (250 patrons and 10 staff and security)

Total: 371

Hands-Off Policy, Deescalation and Response Protocol

All personnel employed and contracted to work at York St are to adhere to a total hands-off policy at all times and are to make all safe attempts to de-escalate disorderly or quarrelsome behaviour. Where safe and reasonable attempts to de-escalate are unsuccessful within a 10 minute period, contact is to be made with the Sydney City Police Station (9550 8199) or emergency services (where there is reasonable cause) to report the situation, with all safe and reasonable attempts made to insulate patrons, staff, contractors and the public from the troublesome patron(s) via physical barriers.

Security personnel are to be coached at all practicable times to act with exemplary conduct which prioritises de-escalation and/or prevention of disputes through clear communication and provision of information on local police presence and the prevalence of public and private transport options for departure of troublesome persons.

Incident & Complaints Registers and Cause for Reporting

The licensee or manager shall ensure that the details of the following are recorded in the venue's Incident Register on the same day as a complaint and/or incident occurs:

- Any incident involving antisocial or violent behaviour occurring in and/or around the venue;
- Any incident of which the licensee is aware, that involves violence or antisocial behaviour occurring in the immediate vicinity of the venue and that involves a person who has recently left, or been refused admission to, the venue;

- Any person refused entry to, asked to leave, or turned away from the premises for any reason, including:
 - For being intoxicated, violent, quarrelsome or disorderly;
 - Whose presence on the licensed premises renders the licensee liable to a penalty under the Liquor Act;
 - Who smokes within an area of the venue that is a smoke-free area;
 - Who uses, or has in their possession, while in the venue any substance suspected of being prohibited under Law, Regulation, or Controls;
- Any incident that results in a patron or staff member of the venue requiring medical assistance;
- Any incident that results in a patron or staff member of the hoel requiring medical assistance;
- Any incidents that occurred either in the venue or in the immediate vicinity, which have involved the committing of a crime, or required the intervention of security;
- Any visits by any NSW Police officers, Liquor and Gaming inspectors, and Council officers, noting their agencies or departments, reasons for the visits and results of the visits.

The licensee or manager shall ensure that the details of the following are recorded in the venue's Complaints Register:

- Any complaints made directly to the management or staff of the venue by local residents or business people, about the operation of the venue or the behaviour of its patrons;

The following details of complaints made to the venue are to be recorded in the Complaints Register:

- Date and time of the incident;
- Nature of the incident
- Address and contact details of the complainant;
- Actions proposed to deal with the complaint; and
- The actions taken and the time and date when that was reported to the complainant.

Crime Scene Preservation

Immediately after the licensee or staff member becomes aware of an incident on or within the reasonable control of the licensed premises involving acts of violence causing injury to a person or the perpetration of a crime, all reasonable steps are to be taken to preserve and keep intact the area where the incident occurred and that any implement or other thing associated with the act of violence or perpetration of a crime is retained in accordance with the guidelines issued by the NSW Police Force relating to the preservation of crime scenes.

The Inner West Police Area Command is to be advised of the incident by the licensee or, in their stead, a manager, and any directions given by police to the licensee or other staff to preserve or keep intact the area where the incident occurred are to be complied with.

Principles & Procedure of Crime Scene Preservation

The [Crime Scene Preservation Guidelines for Licensed Premises](#) issued by the NSW Police Force is attached to this Plan of Management and those Guidelines are to be implemented into all management and security training inductions, and adhered to in response to any incidence of perpetration or suspected perpetration of a crime in and/or around the premises as soon as is reasonably practicable after staff, security and management personnel have been notified.

Hours of Operation

The hours of operation of the venue are established in accordance with the City of Sydney Council Planning Regulations in a Late Night Management Area as follows:

Monday to Sunday 10:00am to 4:00am

Closure Procedure

At the conclusion of the specified trading hours, pre-closure procedures are:

- Liquor sales shall cease 15 minutes prior to close;
- Staff and security will advise patrons to finish drinks as the venue is about to close and remind patrons to leave quietly and with regard for nearby residents;
- The security guard is to remain until at least 15 minutes past the point of venue closure to ensure all patrons are moved on in the direction of the Late Night Management zones and with a preference for the Sydney City Train Station and neighbouring venue The Bank on the primary commercial strip of King Street to provide safe and nearby access to public transport (trains and buses) and private transport (Taxis, rideshare services such as Uber).

Signage

Signage shall be erected and maintained in a clear and prominent position adjacent to all points of egress, requesting that patrons depart the premises in a manner respectful to the amenity of the neighbourhood, with wording to that effect.

All signage required under the Liquor Act 2007 and as prescribed by Liquor and Gaming NSW shall be displayed and maintained in a prominent position.

Signage denoting the availability and manner of ordering food is to be prominent within the venue at all times.

Noise Emissions

York St's operations must not give rise to "offensive noise" as defined under the Protection of the Environment Operations Act 1997.

Signage and operational protocol are in place to mitigate the potential for noise emissions from the venue to negatively impact the amenity of the neighbourhood. These include management procedures for monitoring the exterior of the premises at hourly intervals to ensure patron ingress and egress is kept prompt and that patrons are notified of the need to enter and exit the venue in a manner courteous to the community. A sound lock has been installed at the entrance for insulation and prevention of sound leakage arising from ingress and egress.

In the event that patrons are advised to quieten down and are unwilling or unable to reasonably comply, thus becoming disorderly or quarrelsome, they are to be asked to leave and must not remain in the vicinity (at least 50 metres) of the premises for a minimum of 6 hours and may not re-enter the premises for at least 24 hours. Staff are to address these situations with the manager on shift. Any incident of this nature is to be recorded in the venue's incident register before close of business on the same day.

Additionally, the venue's management staff maintain a complaints register by which any and all complaints from the community are logged and addressed routinely to refine the venue's procedures for controlling noise emissions.

Neighbourhood Amenity and Waste Management

Management personnel and staff are to ensure that the exterior of the venue is maintained to a clean and tidy standard during and after the venue's hours of operation and prior to open and close procedures.

Staff are to examine the floor of the footway along Wilson Street, within and reasonably outside of the approved boundary, for general rubbish, scraps and litter, and are to dispose of this matter in a general waste bin within the premises.

Disposal of rubbish into the bin storage area will be done in a manner that minimises noise impacts on the adjoining properties.

Adequate bins and ashtrays are to be provided in smoking areas for patrons to properly dispose of cigarette butts.

The venue shall be cleaned daily by a contracted cleaning company or more frequently as the need arises.

Queuing

Venue management will, at busy periods and when appropriate, erect a series of bollards 500mm from the wall at the entrance of the premises along York Street, facing towards Wynyard Station, to facilitate a queue consisting of not more than ten prospective patrons at any given time, which will be managed in an orderly fashion by venue management staff and/or security personnel where appropriate, to protect the amenity of the neighbourhood from offensive noise.

These management staff and security personnel shall monitor the queue whenever it is present, advising those in the queue to remain orderly and to not shout, carry on, or cause disturbances to the amenity of any commercial or residential premises, where relevant. Numbers in the queue will be monitored via a head count system.

Where the queue grows to a group of prospective patrons larger than ten people, venue management and/or security personnel are to advise those additional people to leave the vicinity and return at a time when the queue has become small enough to facilitate their quiet and orderly gathering. Instructions are to be given as to neighbouring hospitality venues, as well as the location of the local train station, for easy departure from the vicinity.

Impact of the Premises

The licensee will speak to the commercial and residential neighbours along York St and provide them with a direct contact number to ensure that the neighbouring residents are able to freely and readily discuss any concerns or complaints regarding the operation of York St.

Venue management staff are to monitor the sound levels along the exterior of the premises at Wilson Street, to report any instance of sound leakage to venue staff, which may be reduced using the controls of the venue's sound systems, where necessary.

The operators of York St value their own and their venue's relationship with the Sydney City community, operating multiple venues along the King Street commercial strip, and seek to foster open communication with neighbouring residents to ensure that, in the case that noise or other emissions cause a nuisance and the aforementioned procedures do not address it, management personnel and staff can be made aware and promptly address the issue. This will also assist the staff in amending or refining policies and procedures relating to noise minimisation and/or waste management.

The licensee will keep and maintain a register of any and all complaints made by members of the community relating to the operation of the outdoor dining area. This register will comprise the following data:

1. date and time of the complaint and date and time of the cause of the complaint;
2. description of the cause of complaint;

3. name, number and/or email address of the person making the complaint;
4. description of the actions taken by the management of the premises in response to the complaint;
5. date and time of follow-up with the person making the complaint;
6. description of the community member's satisfaction with the response to the complaint;
7. any information pertaining to a follow-up by the community member or the staff of the premises.

The Police and the Community

York St will join the Sydney City Liquor Accord and will continue to maintain that membership. The licensee and/or a representative of the venue will attend all Accord meetings, where they may discuss matters including the management of upcoming events, any recent incidents in the community, and where improvements can be made with respect to security and venue management procedures. Through the Liquor Accord the venue will also address the concerns of the local community. In addition, this plan has a section which deals with complaints in the community, should they arise, labelled **Incident & Complaints Registers and Cause for Reporting**.

Responsible Service of Alcohol

The licensee attached to the venue shall be exercised - at all times - in accordance with the provisions of the Liquor Act and Regulation;

The following operational policies for the Responsible Service of Alcohol shall apply:

- All staff involved in the sale and supply of liquor or security shall have first completed an approved course in the Responsible Service of Alcohol.
- The Licensee must attend the Licensee Training Course and if required the Licensee Advanced Training Course as required by Liquor & Gaming.
- Any person who is intoxicated shall be denied entry to the venue.
- Any person approaching the point of intoxication shall not be served alcohol and instead offered water and food.
- The licensee or manager will not permit intoxication, violent, quarrelsome or disorderly conduct by patrons on the venue.
- Any person causing such a disturbance shall be refused service and asked to leave the venue. Any patron whose behaviour is either extreme or repeatedly objectionable may be barred from entering the venue for a period determined by the licensee.

No person under the age of 18 years shall be permitted to be served an alcoholic beverage and age verification procedures are in place to enforce this. The only acceptable proof of age identification shall be an Australian driver's licence; NSW Photo ID Card (or digital equivalents); Australian Post Keypass or current Passport.

- Non-alcoholic beverages shall be available at all times when full strength liquor is available.
- Free drinking water shall be available at all times.
- Hot food must be available at all times the alcohol is available for consumption at the venue, with clear signage indicating this availability and the methods and manner of ordering.

A person is to be considered intoxicated if the person's speech, balance, co-ordination or behaviour is noticeably affected and it is reasonable in the circumstances to believe that the affected speech, balance, co-ordination or behaviour is the result of the consumption of liquor.

Local Police should be notified if a patron is asked to leave the venue and refuses and/or becomes quarrelsome and/or remains in the immediate vicinity of the venue.

Security Staff

A minimum of two licensed security guards shall be engaged by the licensee on every occasion the venue trades past 12:00am. The Security guards will commence from 8:00pm and continue until at least fifteen minutes after the closure of the venue or until the last patron has left the immediate vicinity.

Upon closure of the venue, the security guard with the assistance of the licensee/manager are to patrol the outside area and main entry until the last patron has left the immediate vicinity. During this patrol, the licensee or management personnel and security guard are to clean the immediate vicinity of the venue, and assist with the quiet and good order of departing patrons and to offer advice on transport options.

There is to be a consistently communicated guideline confining patron egress toward the Council's Late Night Management zone. The above are minimum provisions for security staff. The licensee at their discretion may have more than this number should circumstances warrant such action.

The duties of security identified above shall include (but not be limited to) assessing patrons upon entry, controlling patron numbers and patrolling any areas of the venue which are open to the public and patrolling the footpaths surrounding the venue. The responsibilities of each security person shall be nominated by the licensee or manager prior to the start of the shift. Security shall also monitor the activity of patrons and persons in the vicinity of the venue and act as required, within the scope of their powers.

Any person carrying out a security activity must hold a level 1C security licence as a minimum requirement under the Security Industry Amendment Act 2007 as well as having completed an approved training course in the Responsible Service of Alcohol. Both of these licences must not be expired.

The licensee and senior managers are to consistently monitor the upcoming events in the community due to potential impact on the venue's patronage on those occasions. This information will be used to determine security and staffing requirements to uphold the venue's responsibilities to the community in terms of neighbourhood amenity, controlling noise emissions, mitigating operational risks, and maintaining compliance and the good and clean order of the venue and its immediate vicinity.

General Security Measures

The licensee shall require any security personnel at the venue to:

- Be dressed in readily identifiable uniform so that they may be visible to patrons, displaying identification as a security guard and to be appropriately licensed.
- Fill in a timesheet (with start and finish times) which is to be approved by the licensee or manager.
- Report to the manager/licensee to obtain a briefing on any specific duties to be addressed throughout the shift.
- Ensure that persons entering the venue are suitably attired in accordance with the venue's dress code, which shall require patrons, at least, to be dressed in casual wear, with footwear.
- Prevent any person detected as intoxicated from entering the venue and bring to notice of the licensee or manager, any person at the venue who might be considered to be in, or approaching, a state of intoxication.
- Prevent patrons leaving the venue with glasses or other opened drinking containers, aside from non-alcoholic drinks in disposable containers (e.g., soft drink cans/water bottles).
- At discretion, prevent patrons entering the venue with alcoholic drinks, unless the licensee or manager is notified and the alcoholic drinks are stored with the licensee or manager (e.g., an unopened bottle of liquor may be stowed with the venue management on entry and returned to the patron when leaving or used as a BYO product).
- Monitor patron behaviour in and in the vicinity of the venue until all patrons have left, taking all practical steps to ensure the quiet and orderly departure of patrons.
- Cooperate with the Police operating in the vicinity of the venue.

- Patrol all toilets, at a minimum of half-hourly intervals, notifying the licensee or management of any suspected illegal activity, or if the toilets need attention in regard to cleanliness. If there are no female-identifying security personnel on duty, then prior to entry into the female toilets, an announcement is to be made of the incoming patrol by knocking on the door and clearly stating that these toilets are about to be inspected by a male-identifying security person.
- In the event of an incident, clearly identify themselves as security belonging to the venue and attempt to address and rectify the problem and to employ all measures to de-escalate in accordance with the section **Hands-Off Policy, Deescalation and Response Protocol** above.
- Continually apply a hands-off policy. Security, licensees and management are not to use physical force in the course of their duties and Police are to be notified where physical force by a patron is deemed a possibility or likelihood or a patron may not be removed from the venue by non-physical means.
- Make a written note with details of any incidents in the venue's Incident Register, as required by this plan of management. The details should be immediately entered in the Incident Register or, where it is not practical to do this, written in a notebook and copied into the Incident Register at the end of the shift.

For the purpose of this plan of management, the description, "immediate vicinity" or "vicinity," shall be the footpath area surrounding the venue on King Street and Whateley Lane up to 50m from the venue.

Closed Circuit Television (CCTV)

A camera must be located at the primary entrance to the venue and positioned to record any person entering through this entrance or exit. In addition, CCTV camera must be maintained throughout the premises with camera coverage to specifically record images of the following areas:

- Public entrances and exits, whether or not in use at the time;
- Publicly accessible areas excluding toilets;
- Entryways and areas of high patron travel; and
- The footpath area directly outside the premises.

Recordings must:

- Be in digital format;
- Record at a minimum of six (6) frames a second; and
- Commence one (1) hour prior to opening and operate continuously until at least one (1) hour after closure.

The correct time, date and camera identification must be automatically embedded on all recordings and be able to be read when the image is played back on a different system without interfering with the view of the target area.

Recordings shall be retained for a period of 28 days before being reused or destroyed. The licensee shall ensure that no person is able to delete or alter any recordings within the 28 day period.

When the venue is open and trading, at least one person shall be at the premises who is capable of accessing the CCTV system and is able to immediately review recordings and produce copies.

Immediate access to the CCTV system and the ability to review recordings on the system is to be granted where practicable to the NSW Police, Liquor and Gaming inspectors, and other regulatory officers upon request.

The CCTV system must be able to reproduce a copy of the recordings downloadable to a storage device, and must be provided within three hours where practicable, or within a maximum of one working day to NSW Police, Liquor and Gaming inspectors or other regulatory officers upon request except for in the case of technical issues for which troubleshooting is beyond the level of knowledge and expertise of the licensee or manager, at which point all reasonable attempts must be made to resolve said issues and provide requested footage as a matter of urgent priority.

Prior to the commencement and at the conclusion of trade each day, the CCTV system shall be checked to ensure the equipment is in full operating order, including confirming the time, date and camera identification. If during the daily check or at any other time, it is discovered that the equipment is not in full operating order, the licensee is to notify the Local Area Commander or delegate within one working day. All reasonable steps must be undertaken to repair the system as soon as practicable. A log is to be maintained which records the operational status of CCTV facilities, updated at the end of each night.

Fire Safety and Essential Services

The licensee together with the building owners shall ensure that all essential services installed at the venue are certified annually and shall ensure that all services remain in good and working order at all times.

In the event of any malfunctioning of any essential service the licensee shall ensure that it is rectified as soon as possible.

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

Patron Behaviour & Drug Use

Patrons must conduct themselves in accordance with the venue's House Policy at all times. Under section 77 of the Liquor Act, the venue reserves the right to remove any patron from the premises for acting disorderly, quarrelsome, or in violation of house policies. Security would conduct regular patrols of the venue's bathroom facilities to identify and evict patrons engaging in the use of illicit drugs while on premises. If a patron is found to be engaging in the use of illicit drugs, the police will be called immediately, and the patron will be removed from the venue. If a patron is suffering from a medical incident as a result of drug use, 000 will be called and medical care rendered.

Amendment to this Plan

If, in circumstances where better management or improved amenity outcomes can be achieved by amendments to this Plan such amendments must only be made following consultation with the Police and approved in writing.

Site Plan - Ground Floor



Site Plan - Basement

