



NSW Police Force

Development Application – REV2023/0010

RE: St. Alma – Alterations and Additions

LOC: St. Alma

Add: 20 Albert Street FRESHWATER NSW 2096

Northern Beaches Licensing Police have received a Review of Determination of Application DA2022/1320 in relation to the use of premise at 20 Albert Street FRESHWATER NSW 2096, the DA application is for alteration and additions to an existing restaurant and change of hours.

Proposed Development

The proposed development relates to alterations and additions to an existing restaurant to provide an outdoor seating area. Furthermore, a change in the hours of operation is sought as follows;

Indoor Seating Area:

- Monday to Friday – 12:00pm to 12:00am
- Saturday – 12:00pm to 12:00am
- Sunday and Public Holidays – 12:00pm to 10:00pm

Outdoor Seating Area:

- Monday to Thursday – 12:00pm to 8:00pm
- Friday and Saturday – 12:00pm to 10:00pm
- Sunday and Public Holidays – 12:00pm to 8:00pm

To note the proposed outdoor seating area incorporates a fixed shut awning that will be constructed of a Polycarbonate roofing system, specifically Danpal Seamless Roof System with Danpalon Multicell Panels, which has a documented acoustic rating of Rw (C,Ctr) 26(0,-3).

The current liquor licence trading hours are as follows:

Consumption on premises

Day	Start Time	End Time	Start Date	End Date
Monday	11:30AM	10:00PM	15/12/2021	
Tuesday	11:30AM	10:00PM	15/12/2021	
Wednesday	11:30AM	10:00PM	15/12/2021	
Thursday	11:30AM	10:00PM	15/12/2021	
Friday	11:30AM	10:00PM	15/12/2021	
Saturday	11:30AM	10:00PM	15/12/2021	
Sunday	11:30AM	10:00PM	15/12/2021	

The liquor licence is unable to be updated to the proposed hours until the Development Application is approved.

Provided the application to Liquor and Gaming is successful and the changes to the trading hours are permitted, Police **DO NOT OBJECT** to the application.

Northern Beaches PAC

3 Belgrave Street Manly NSW 2095

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If granted, Police seek the following conditions to be added for the sole purpose of **Public Safety**:

1. Plan of management:

The premises is to be operated at all times in accordance with the Plan of Management dated **<insert date>** and may be varied from time to time after consultation with NSW Police. A copy of the Plan of Management is to be kept on the premises and made available for inspection on the request of a police officer, council officer, Liquor and Gaming NSW inspector, or any other person authorised by the Independent Liquor and Gaming Authority.

2. CCTV Footage

CCTV footage on premises:

The Licensee shall maintain a CCTV system that meets the following minimum requirements:

- 1) A camera must be located at the main entrance to the venue and positioned to record any person entering through this entrance. The CCTV recordings of this camera must be sufficient to enable an individual to be identified, beyond reasonable doubt, when:
 - a. the person represents not less than 100% of the screen height, and
 - b. there is an unobstructed view of the person's face.
- 2) In addition, CCTV cameras must be maintained throughout the premises with camera coverage to specifically record images of the following areas:
 - a. all other public entrances and exits, whether or not in use at the time,
 - b. staircases,
 - c. all portions of the floor area accessible to the public where entertainment is provided,
 - d. toilet external entrances,
 - e. all public accessible areas within the premise excluding toilets
- 3) Camera views are not to be obstructed by temporary or permanent structures, signage or other impediments.
- 4) 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.
- 5) Recordings should be retained for a period of 30 days before being reused or destroyed. The licensee shall ensure that no person is able to delete or alter any recordings within the 30 day period.
- 6) When the venue is open and trading, at least one person shall be at the venue that is capable of accessing the CCTV system and is able to immediately review recordings and produce copies.
- 7) Immediate access to the CCTV system and the ability to review recordings is to be granted to NSW Police, OLGR Inspectors or other regulatory officers upon request.

3. Crime Scene Preservation

Immediately after the person in charge of the Licensed Premises become aware of an incident involving an act of violence causing an injury to a person on the premises, the person must:

- i. Take all practical steps to preserve and keep intact the area where the act of violence occurred
- ii. Retain all materials and implements associated with the act of violence in accordance with the crime scene preservation guidelines issued by the NSW Police
- iii. Make direct and personal contact with the Local Area Command or his/her delegate and advise the Commander or delegate of the incident and

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- iv. Comply with any directions given by the Commander or delegate to preserve or keep intact the area where the violence occurred.

4. Venue Theme

The Licensed Premises are not to be themed or operated as a Nightclub. No DJ styled booth, no disco lighting systems and no dance floor area are to be utilised at any time in the premises.

5. Neighbourhood Amenity

- a. The management of the premises:
 - i. Shall ensure patrons do not crowd or loiter in the vicinity of the premises in such manner that pedestrian movement is obstructed or hindered.
 - ii. Shall ensure that the manner in which the business of the premises is conducted and/or the behaviour of persons entering and leaving the premises does not cause undue disturbance to the amenity of the neighbourhood. In this regard, the management shall be responsible for the control of noise and litter generated by persons and/or premises operations.
 - iii. Shall record in an Incident Register full details of any disturbance complaint/s made by a person to management or staff in respect to the manner in which the business of the premises is conducted and/or the behaviour of persons entering or leaving the premises. Such recording will include time, date, nature of the complaint/s and any complainant details if provided.
 - iv. Shall respond to any disturbance complaint/s in a timely and effective manner. All actions undertaken by management / staff to resolve such complaint/s shall be recorded in an Incident Register.

6. Liquor Accord

The licensee must join and be an active participant in the **local liquor accord**.

7. Development Consent

A copy of the current development consent is to be kept on the premises and made available for inspection on the request of a police officer, council officer, Liquor & Gaming inspector, or any other person authorised by the Independent Liquor & Gaming Authority.

If you have any further questions, feel free to contact me on 9976 8019 or nblicensing@police.nsw.gov.au

Daniel LUCZYNSKI
Constable
Northern Beaches PAC
03/08/2023

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