

**PLAN OF MANAGEMENT
FOR THE OPERATIONS OF

Cumberland
Small Bar Premise at,
17-19 Central Avenue, MANLY**

February 2019

1. Purpose

The purpose of this Plan of Management is to control various aspects of the operations of the Small Bar situated on Basement Level, 17-19 Central Avenue, Manly. Of principal importance will be ensuring compliance with the following:

- (i) That various practices are in place to minimise any adverse impacts to the area in which the Small Bar is situated including ensuring that patrons behave in an orderly manner whilst at and when leaving the immediate vicinity of the premises to ensure the operations of the premises do not cause disturbance to any nearby neighbours, adjoining businesses etc.
- (ii) A variety of practices will be in place and complied with at all times to ensure that intoxicated persons do not gain access to the premises, that liquor is served and consumed responsibly on the premises, and that intoxication on the premises is prevented.
- (iii) That various practices are in place to ensure that minors do not gain access to liquor.
- (iv) That the conditions of any Council approvals and any liquor licence are complied with.

2. Use of Premises

- (i) The premises will operate in accordance with the use permitted by Council and the relevant Liquor Authority. The liquor licence approved for the premises is that of a Small Bar License.

3. Council Development Approvals and Liquor Licence

- (i) Management and staff will be made aware of the relevant requirements of the Council approvals in place for the premises and the liquor licence.

4. Hours of Operation

- (i) The premises are to be operated in accordance with the hours specified in this Plan of Management, being the sale of liquor permitted between the hours of;
 - a. 10am-12am daily Monday through Thursday
 - b. 10am through 1am on Friday through Saturday
 - c. 10am-10pm Sundays,with 30 minutes grace period following the cessation of alcohol sales, for patrons to exit the premises.

5. Patron Entry

- (i) The venue shall operate over two floors with guests entering the premises via the Ground floor (17-19 Central Avenue) entrance (Picture 1.1). Patrons gain access to basement floor (Picture 1.1) bar via the Deli and staircase on the east facing wall.
- (ii) The premises shall operate in accordance to the house policy consisting of both a walk in and a reservation basis.

6. Patron Capacity

The premises are to be operated in accordance with any patron capacity imposed by Council or the Liquor Authority.

7. Noise

(i) Management will comply with any noise conditions imposed by Council and the relevant Liquor Licensing Authority.

(ii) At the time of the preparation of this Plan, no noise condition applies, as no live music is proposed. Soft background music will be provided but the basement location will mitigate any noise to neighbours or other residential premises within the building.

8. Amenity of Neighbourhood

(i) Ensuring that the premises are operated in a responsible manner so as to avoid any undue disturbance or interference with our neighbours is paramount. It is noted that the premises is located within the CBD district.

(ii) Notwithstanding the same, special care and attention will be taken to ensuring that the operation of the premises does not cause any undue adverse impact on neighbouring businesses or residents in the area.

(iii) Signage will be displayed at each exit point from the premises advising patrons to leave the area quickly and quietly and to have regard to our neighbours.

(iv) As detailed below, when security are provided, their duties will include ensuring that patrons do not cause disturbance to the area, and do not loiter in the immediate vicinity after leaving.

(v) Staff and security will ensure that patrons do not take any liquor off the premises including any bottles containing liquor. Signage will be displayed at each exit point from the licensed premises advising patrons.

(vi) Staff will use their best endeavours to ensure that patrons behave in an orderly manner whilst at and when leaving the premises. On nights, regardless if/when security are provided, staff will ensure that when patrons leave the premises and immediate area, they do so in a quickly and quietly manner, and do not congregate in any common strata areas or the immediate vicinity of the premises.

(vii) Staff will be provided with adequate training in respect of the above to ensure that the same occurs and that patrons do not cause undue disturbance or congregate in the immediate vicinity of the premises after leaving.

(viii) If patrons at any one time are waiting to enter the premises, staff will ensure a small queue is established, in a southbound direction on Central Avenue, and not exceed ten (10) patrons at any one time. Staff will ensure any further congregation of patrons awaiting entry to be moved on from the immediate vicinity.

(ix) As detailed below, the licensee will join the Local Liquor Accord. The licensee will also endeavour to participate in any relevant precinct meetings relating to the immediate area.

9. Staffing

- (i) At least one (1) staff member trained in the responsible service of alcohol is to be provided when venue is operating.
- (ii) In addition to the above, either the licensee or a designated manager is also to be in attendance.
- (iii) Upon commencing their employment all staff members are to be provided with a copy of this Plan of Management, a copy of the liquor licence and relevant council approvals, so that they are aware of the contents of the same.
- (iv) At any time, alcohol will not be permissible to pass across licensed boundaries, unless in possession by a member of staff.

10. Security - Provision of Licensed Security Personnel

- (i) Many small restaurants & bars that operate pursuant to a Small Bar licence are not the subject of any requirements to provide licensed security personnel as the same has not found to be necessary.
- (ii) Notwithstanding the same, a uniformed licensed security officer will be provided on Friday and Saturday evenings from 8pm until 1am, aswell as an RSA Marshal from 7pm until 1am.
- (iii) Security officers when employed will undertake various duties including ensuring patrons behave in an orderly manner whilst at and when leaving the premises, that the conditions of the licence are complied with, that intoxicated persons do not gain access to the premises etc.
- (iv) When security personnel are provided, arrangements will be as follows:
- (v) any security officer must be in the possession of a current security licence and must clearly display their photo security licence at all times;
- (vi) the security officer will be uniformed so as to be clearly identifiable;
- (vii) the security officer will be required to conduct himself/herself in accordance with the industry code of practice;
- (viii) the security officer will assist to monitor the occupancy levels and patrol the crowd in a responsible manner;
- (ix) the responsible service of alcohol guidelines will be a criteria for admitting, refusing to admit customers and the removal of customers, who are intoxicated;
- (x) the security officer will refuse entry to the premises to any person who they detect is intoxicated;
- (xi) the security officer will remove any patron who exhibits unacceptable and/or anti-social behaviour;
- (xii) security will ensure that patrons do not take any liquor off the premises or open containers of liquor;

(xiii) security will ensure as far as reasonably practicable that patrons do not deposit any rubbish when leaving the premises and where possible will also conduct patrols in Sydney Road, Central Avenue, and the rear entry to ensure patrons leave the area and do not deposit any bottles/rubbish;

(xiv) whilst final patrols are being conducted the security officer will collect any rubbish on the footpath immediately outside the premises which may be associated with the premises;

(xv) an incident register is being kept at the premises and security when provided will insert in the register any incident that they become aware of and are involved in that is required to be recorded in that register;

(xvi) the security officer and management will be required to co-operate with the Police and Council at all times.

11. Incident Register

(i) Management will keep an incident register in the form approved by the relevant Liquor Authority and ensure that any incident of a nature that is necessary to be included within that incident register is recorded in the register.

(ii) Incidents to be recorded include the following:

(iii) Any incident involving violence or anti-social behaviour occurring on the licensed premises;

(iv) Any incident which the licensee is aware that involves violence or anti-social behaviour occurring in the immediate vicinity of the licensed premises and it involves the person who has recently left, or been refused admission to, the premises;

(v) Any incident that results in a person being turned out of the licensed premises under Section 77 of the Liquor Act;

(vi) Section 77 (2) of the Liquor Act 2007, provides that an authorised person may refuse to admit to, or may turn out of, licensed premises any person:

(vii) who is at the time intoxicated, violent, quarrelsome or disorderly, or

(viii) whose presence on the licensed premises renders the licensee liable to a penalty under this Act; or

(ix) who smokes, within the meaning of the Smoke-Free Environment Act 2000, while on any part of the licensed premises that is a smoke-free area within the meaning of that Act; or

(x) who uses, or has in his or her possession, while on the premises any substance that authorised person suspects of being a prohibited plant or prohibited drug, or

(xi) whom the authorised person, under the conditions of the licence or according to a term (of the kind referred to in section 134) of a local liquor accord, is authorised or required to refuse access to the licensed premises.

(xii) Further, clause 42 of the Liquor Regulation 2018 provides that for the purposes of Section 56(2)(D) of the Act, any incident that results in a patron of a licensed premises requiring medical assistance is prescribed as an incident that must, if it occurs outside of the standard trading period

for the premises (i.e. after 1am Monday to Saturday and after 10.00pm Sunday), be recorded in the incident register required to be maintained under that section.

(xiii) Incidents will be recorded by security officers who are involved in the relevant incidents or the licensee or manager on duty.

12. CCTV Surveillance System

(i) Management shall maintain a CCTV surveillance system in accordance with the requirements of any regulatory body.

(ii) Tapes/discs must be kept for a period of 28 days and made available to the Police or Special Inspectors upon request. The system should record for a period of at least 30 minutes after closure of the Small Bar.

13. Responsible Service of Liquor/Prevention of Sale and Supply of Liquor to Minors/Behaviour of Patrons

(i) As stated above, the primary purpose of this Management Plan is to ensure that patrons behave in an orderly manner whilst entering, during, and when leaving the premises, that liquor is served responsibly and that minors do not gain access to liquor.

Behaviour of Patrons

(a) See above in this regard. Management, staff and security, will take all reasonable steps to control the behaviour of patrons of the premises as they enter and leave the premises.

Responsible Service of Alcohol

(a) Management and staff will comply with the measure for the responsible service of liquor set out below, and further will take all reasonable steps to ensure there is no loitering of persons who have been refused admittance to or have been ejected from the premises.

(b) The following operational policies for the responsible service of liquor will apply whilst ever they are a requirement and any new policies that replace them will be implemented immediately:

(i) The premises will adopt and promote any liquor industry Code of Practice for the responsible promotion of liquor products.

(ii) The premises will implement a "House Policy" regarding the responsible service of liquor at the premises, a copy of which will be provided to all staff on commencing employment at the premises.

(iii) Management and all staff will take all reasonable steps to restrict activities, (such as promotions or discounting) that could encourage, misuse or abuse of liquor (such as binge drinking or excessive consumption).

(iv) The licensee will maintain an approved responsible service of alcohol course and ensure that all relevant staff involved in the sale and supply of liquor also maintains the same.

(v) Management will maintain a RSA register, which contains a copy of a certificate and/or competency card of the satisfactory completion of the responsible service of alcohol course by the

Management and for the persons required to complete the course. The Management will ensure that the register is made available for inspection on request by New South Wales Police Officer or Special Inspector.

(vi) Management will encourage patrons to drink responsibly and let them know they will be asked to leave if they become intoxicated, violent or quarrelsome.

(vii) Low alcohol beer and non-alcoholic beverages will be available at all times when full strength liquor is available.

(viii) Water will be available whenever liquor is consumed at the licensed premises.

(ix) Food will be available whenever liquor is consumed at the licensed premises.

(x) Management will arrange taxi pick-ups from the premises of any patrons that request such service.

(xi) No person under the age of 18 years will be allowed on the premises and production of photographic identification will be in appropriate cases. The only acceptable proof of age identification will be:

- Current drivers license;
- Current Government issued proof of age card Photo Card
- Current Passport

Prevention of Sale and Supply of Liquor to Minors

(a) It is noted that the premises attracts a more mature clientele and to date there have been no issues regarding minors gaining access to or being served with liquor.

(b) Notwithstanding the same, all staff are under strict instructions to ensure that liquor is not sold and supplied to persons under the age of 18 years.

(c) As stated above, all staff involved in the sale and supply of liquor will require to have completed a RSA course which courses include instructions in this regard.

(d) In addition, staff will undergo an induction program upon commencing employment as to the requirements of this Security and Management Plan including an emphasis on ensuring that minors do not gain access to liquor.

(e) It will be a policy of management (and all staff will be trained in this policy) that any person suspected of being under the age of 25 years of age will be asked to produce the relevant identification before being supplied with liquor. All staff will adhere to that policy at all times.

14. Fire Prevention/Evacuation

(i) The prime concern of the management will be the total safety of patrons, staff and neighbours.

(ii) Management will ensure that up to date safety procedures and equipment are implemented at all times.

(iii) Unobstructed access shall be provided and maintained to emergency exits at all times, even areas of the premises that are closed.

(iv) Management will ensure that a current list of emergency telephone number are near all phones at all times.

(v) Management will ensure that all staff are aware of the fire safety requirements and the procedures to be followed in the event of a fire at the premises.

(vi) An appropriate qualified fire equipment maintenance contractor will be contracted to provide an ongoing service to maintain all fire prevention and control of equipment at the premises, and ensure all relevant codes are complied with and any recommendations outside of the code which emphasise the safety of patrons will be implemented.

(vii) Any fire control plans will be located in an area the staff have been advised of and staff will be educated and updated in respect of the relevant procedures.

15. Complaint Resolution

(i) Management will keep a complaint register in which is to be noted any complaints received by management and staff as well as action taken in respect of the same.

(ii) Management will endeavour to fully address any reasonable concerns of people in the surrounding area or other third parties without the involvement of the Council or the New South Wales Police Service.

(iii) Management will meet with any complainants and endeavour to fully address reasonable concerns.

(iv) The register will be kept behind the bar or in an office and made available to the Police upon request.

16. Staff Education/Staff Manual

(i) Regular staff meetings will be held to discuss the operations of the premises and any new initiatives being proposed.

(ii) All staff will be made aware of the requirements of the liquor licence, Council approval and this Plan of Management.

(iii) Depending on the number of staff and turnover, if deemed necessary an induction package will be prepared to be provided to staff so that they are aware of the relevant requirements of this Management Plan, conditions of the liquor licence, conditions of the Council consent etc.

17. Transport

(i) There are various forms of public transport in the area available during the approved trading hours of the small bar including bus services and ferry services.

(ii) Management will provide a service of calling taxi companies to collect patrons at their request.

18. Liquor Accord

(i) The licensee or his/her representative will join and be an active participant in any Local Liquor Accord.

19. Monitoring the Management Plan

(i) This Plan will be reviewed and amended and updated when required and any amended Plan provided to both the Police and Council

20. Waste Management

(i) All staff and Management will abide by conditions specified by Council. Waste bins will be stored on strata premises at all times and be emptied by an external contractor.

(ii) Waste bins will be stored while business is trading and filled/emptied according to conditions specified by Council and/or strata to ensure minimal disruption to neighbouring properties.

Pictures 1.1 – Operational & Licensed Premises

RED line identifies the Venue boundaries of the Small Bar premise.

Picture 1.1 – **GROUND & BASEMENT FLOOR (Central Avenue)**

