

**PLAN OF MANAGEMENT  
FOR THE OPERATIONS OF**

**“Market Lane Live”  
Market Lane, Manly**

**October 2021**

Plan of Management;

V1-15.10.21

## **1. Purpose**

The purpose of this Plan of Management is to control various aspects of the operations of the General Bar known as "Market Lane Live", situated within the Market Lane precinct in Manly CBD. 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 General 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 General Bar 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 General Bar will operate in accordance with the approval permitted by Council and the relevant Liquor Authority. The liquor licence approved for the premises will be that of a General 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 general bar and the liquor licence.

## **4. Hours of Operation**

- (i) The general bar is to be operated in accordance with the hours specified in any Council approvals and the liquor licence.
- (ii) It is noted that at the time of the preparation of this updated Plan, the approved hours of operation for the sale of liquor, were as follows:

Hours of Operation are;

- 12:00pm to 10:00pm (Sunday through Thursday)
- 12:00pm to 10.30pm (Friday & Saturday)
- A 30 minute grace period will be applicable for patrons to exit the premises

## **5. Patron Capacity**

The premises is to be operated in accordance with any patron capacity imposed by Council, the Liquor Authority, or any other regulatory body (Health Orders referencing COVID). At the time of the license's application, the proposed capacity is no greater than 200 persons. Management of capacity will be monitored by staff and marshals, with a further contingency to reduce the entry points to 1, to maintain compliance.

## **6. Noise**

- (i) Management will comply with any noise conditions imposed by Council and the relevant Liquor Licensing Authority.
- (ii) It is noted, staff and management will take proactive steps to ensure the immediate vicinity is not negatively impacted.

## **7. Amenity of Neighbourhood**

- (i) Ensuring that the general bar is operated in a responsible manner so as to avoid any undue disturbance or interference with our neighbours is paramount. It is noted that the general bar is located in primarily a commercial area and many of the businesses around are closed during the trading hours of an evening.
- (ii) Notwithstanding the same, special care and attention will be taken to ensuring that the operation of the general bar does not cause any undue adverse impact on neighbouring businesses or residents in the area.
- (iii) Signage will be displayed advising patrons to leave the area quickly and quietly and to have regard to our neighbours.
- (iv) As detailed below, when RSA marshals 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, management and RSA marshals will ensure that patrons do not take any liquor off the premises including any bottles containing liquor.
- (vi) Staff will use their best endeavours to ensure that patrons behave in an orderly manner whilst at and when leaving the general bar. Staff and RSA marshals will ensure that patrons leave the area quickly and quietly and do not congregate in the immediate vicinity of the general bar.
- (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 general bar after leaving.
- (viii) The licensee will also endeavour to participate in any relevant precinct meetings relating to the immediate area immediately prior and during the period of the general bar.

## **8. Staffing Levels**

- (i) At least one (1) staff member trained in the responsible service of alcohol is to be provided when venue is operating.
- (ii) A designated COVID marshal (if required) is to be in attendance when capacity exceeds 50 patrons at any one time (refer to any Covid Safe Plans).
- (iii) Upon commencing their employment all staff members are to be provided with a copy of this Plan of Management, any Development Consents, and a copy of the liquor licence so that they are aware of the contents of the same.

## **9. 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:

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

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

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

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

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

(b) whose presence on the licensed general bar renders the licensee liable to a penalty under this Act; or

(c) who smokes, within the meaning of the Smoke-Free Environment Act 2000, while in any part of the licensed general bar that is a smoke-free area within the meaning of that Act; or

(d) who uses, or has in their possession, while in the general bar, any substance that authorised person suspects of being a prohibited drug, or

(e) 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 general bar.

(iv) Further, clause 27 of the Liquor Regulation 2008 provides that for the purposes of Section 56(2)(D) of the Act, any incident that results in a patron of a licensed general bar 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 10.00pm Sunday), be recorded in the incident register required to be maintained under that section.

(v) Incidents will be recorded by the licensee or manager on duty.

## **10. Security - Provision of Licensed Security Personnel**

(i) Many premises that operate pursuant to general bar licence are not the subject of any requirements to provide licensed security personnel as the same has not found to be necessary.

(ii) It is noted that the premises have previously operated pursuant to a pop-up license and during that time there was found to be no requirement to provide licensed security personnel nor

were there any instances of violent conduct or anti-social behaviour, which necessitated the same.

## **11. 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 at 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 and staff will take all reasonable steps to control the behaviour of patrons of the premises as they enter and leave the general bar.

### **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, 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 complete an approved responsible service of alcohol course and ensure that all relevant staff involved in the sale and supply of liquor also complete the same.

(v) Management will maintain a register, which contains a copy of a certificate 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) Free drinking water will be available whenever liquor is consumed at the licensed general bar.

- (ix) Food will be available whenever liquor is consumed at the licensed general bar.
- (x) Management will arrange taxi pick-ups from the premises of any patrons that request such service.
- (xi) No more than four (4) alcoholic drinks may be sold, supplied or served to a patron per visit to the bar.
- (xii) No person under the age of 18 years will be served liquor at the premises and production of photographic identification will be provided in appropriate cases. The only acceptable proof of age identification will be:
- Current drivers license;
  - Current ID Photo Card (RTA)
  - Current Passport

### **Prevention of Sale and Supply of Liquor to Minors**

- (a) It is noted that the premises attract a more mature clientele, and family friendly environment. 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 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.
- (f) At the time of the preparation of this plan, any minor entering the premises must at all times remain in the company of a responsible adult. A "responsible adult" is defined under the Liquor Act as being:
- (i) a parent, step-parent or guardian of the minor, or
  - (ii) the minor's spouse or de facto partner, or
  - (iii) for the time being standing in as the parent of the minor.
- (g) Minors will not be permitted to any designated Bar Areas, unless accompanied and in the presence of a responsible adult.

### **12. 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, in accordance with any local council or regulatory body.

(iii) Unobstructed access shall be provided and maintained to emergency exits at all times.

(iv) Management will ensure that a current list of emergency telephone number are made available to all staff.

(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, in accordance with any local council or regulatory body regulation.

(vi) Any fire control plans required 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.

### **13. 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 and made available to the Police upon request.

### **14. 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) An induction package will 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.

### **15. Transport**

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

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

### **16. Liquor Accord**

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

## **17. Monitoring of the Plan of Management**

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

## **18. Waste Management**

- (i) All staff and Management will abide by conditions specified by Council. Waste bins will be provided at all times and be emptied by an external contractor on a daily basis.
- (ii) Bin storage at the time of this Plan is proposed for the bins to be located inside the provided bin enclosure within the premises during the hours of operation.
- (iii) Bins will be placed out for pickup according to council requirements, and then put away in the proposed bin storage area, as to protect the local amenity.

## **19. Bar Operations**

- (i) The operation of all bar services will be facilitated from the temporary airstream container bar located with the premises.
- (ii) The bar area will not prepare any food offerings.
- (iii) All occupational health & safety guidelines will be followed, including the requirement for hand wash station.
- (iv) Any re-usable glassware will be washed at the adjacent associated premises, known as Donny's. There will be no onsite dishwashers provided.
- (v) The bar is designed with a menu that is majority canned and bottled beverages, thus no requirement for washup facilities.

## **20. Toilet Facilities**

- (i) Toilet facilities will be located in the entry foyer of Manly Library, adjacent to the premises. Management will control the access to these facilities at all times with an access pass provided by Council.
- (ii) A secondary toilet facility is available on the southern side of the Whistler St carpark, which is accessible at all times the premises is trading.

## **21. Power**

- (i) The premises main power switchboard will be located in the Bar Caravan.

## **22. COVID Safe Plan**

- (i) The Licensee will ensure an up to date COVID safe plan is in place at all times (if required under NSW Health Orders).
- (ii) The staff and management will at all times adhere to any/all requirements under NSW Health Orders, including but not limited to the COVID Safe Plan.
- (iii) Upon entry to the premises, every patron will check-in digitally according to the COVID safe plan.
- (iv) The premises will comply with any conditions under the NSW Health Orders.



**Picture 1.1 – Licensed Perimeter of General bar**

