

14th February 2020

Submission response to the **Application for Development Consent and Liquor Licence, Keirle Park Manly.**

Northern Beaches Licensing Police have received notification from Liquor and Gaming NSW and the Event Manager as to the By the C to be held on Sunday 20<sup>th</sup> March 2022 at Keirle Park.

Keirle Park is normally used as a sporting field therefore does not have specific permanent infrastructure other than small sporting sheds/ buildings. The field is open and normally used by local sporting clubs and the community.

The park is located north of Manly town centre on Pittwater Road, there is limited public transport on the Northern Beaches particularly in this area. Patrons attending this event either are able to use local bus services or private cars/ uber/ taxi. There is limited parking in the surrounding residential area.

NSW Police have deemed this Festival as being High Risk due to By The Sea fulfilling components listed in the Music Festival Act 2019.

As a result the Event Manager has prepared Event Safety Plans, Health Management Plans, Security Management Plans, Alcohol Management Plans. The statutory and recommended conditions for the liquor licence which is listed as follows:

- 1) Food of a nature and quantity consistent with the responsible service of alcohol must be available during liquor trading hours
- 2) Minor must not be permitted entry into designated bar area
- 3) No more than four (4) alcoholic drinks may be sold/ supplied or served to a patron per visit to the bar
- 4) No shots, shooters, slammers or bombs to be supplied/ sold
- 5) No drinks containing any more than 4% ABV spirits/ Liquor
- 6) No drinks/ spirits of a alcohol by volume of over 4% can be supplied
- 7) All drinks must be supplied in a plastic/ polycarbonate or aluminium vessel
- 8) Sale of alcohol must cease 30 minutes prior to the end of the event
- 9) The licensee and their staff must comply with any lawful direction relating to the sale and supply of liquor made by a NSW Police Officer, being the senior officer on site or

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Inspector from Liquor and Gaming NSW

- 10) The licensee must ensure that immediately after the licensee is aware of an incidence of violence causing an injury to a person on the premises the following steps are adhered to : - Take all reasonable steps to preserve the crime scene
- Inform the NSW Police Force of the incident
  - Comply with any directions given by Police to preserve or keep intact the area where the violence occurred.

Police request the inclusion of a CCTV requirement and that this covers:

Main entry/ exit , main bar area and main stage/ front of stage

The CCTV should be recorded and retained for a minimum of 30 days.

The CCTV must be made available to Police and Inspectors from Liquor and Gaming NSW and Northern Beaches Council upon request within 24 hours.

Police also recommend to the Event Manager and Licensee applicant to utilise 2.4m fencing around the entire event area to discourage unlawful entry to the site and in particular to minors. Police have also requested that User Pays Police be sought by the organiser to ensure the safety of the event.

The following conditions are being also proposed for the Liquor Licence

- Free drinking water will be available from all bars during the entire event
- The licensee must ensure that immediately after the licensee or a staff member becomes aware of events (over any incident involving an act of violence causing an injury to a person on the premises, the following is adhered to:
  - a) Take all practical steps to preserve and keep intact the area where the act of violence occurred, retain all material and implements associated with the act of violence;
  - b) Inform the NSW Police Force of the incident;
  - c) Comply with any directions given by a police officer to preserve or keep intact the area where the violence occurred. In this condition, 'staff member' includes any person conducting activities as a crowd controller or bouncer at the function.
- The licensee & their staff must comply with any lawful direction relating to the sale & supply of liquor made by a NSW Police Officer, being a senior officer on-site, or inspector from Liquor and Gaming NSW.
- Security guards on duty at the function must display their security licence clearly at all times.
- Security to be provided at a rate of at least 1 security guard per 150 patrons.
- Security to be positioned as per Security Plan supplied in conjunction with the application.
- The following drinks must not be sold or supplied: Large scale
  - a) drinks commonly referred to as shots, shooters, slammers, and/or bombs;
  - b) any drink containing more than 40% spirits or liqueur;

- c) beer / cider and pre-mixed spirit beverages of alcohol by volume of more than 4.0%; or
- d) wine or champagne in a pour more than 150ml (ie, no more than 1.5 standard drinks) or by the bottle.
- e) any drink prepared on the premises that contains more than 30 m l of spirits or liqueur.

- Licensee to utilise CCTV and is required to cover:
  - Main entry/ exit , main bar area and main stage/ front of stage
  - The CCTV is to be recorded and retained for a minimum of 30 days.
  - The CCTV must be made available to Police and Inspectors from Liquor and Gaming NSW and Northern Beaches Council upon request within 24 hours.

Police are seeking the following conditions in line with previous events granted for this area:

### **Sale of food and drink**

All food vendors of any food and drink for sale (or given away as promotion) shall apply in advance (14 days' min) of the event for food vending approval from Councils Environmental Health Team. Application forms are available on line at Councils Web site. "Temporary Food Stalls" Any packaged foods must be appropriately labelled- see NSW Food Authority web site for requirements.

Reason: To comply with Food Legislation

### **Community Notification of Event**

The event organisers are required to notify all residents, businesses and relevant sporting clubs within a 500 metre radius of the event (from the main stage) of the upcoming event. The notification is to be in writing and is to include the following:

- Bump-in (start to end of set-up) dates and times
- Event date and times
- Bump-out (finish, removal of all structures and departure) dates and
- A contact number of the organiser that is accessible for the duration of the event from bump-in to bump-out.

Reason: To ensure clear public communication and notification of the event.

### **Fire Safety Matters and Emergency Egress**

1. The event organisers are to provide suitable fire extinguishers and fire blankets (and where required, other firefighting essential services), on site for the duration of each event day. Such fire safety provisions are to be located in key areas around the outdoor event space (i.e. Stages, Screens, Bars, Offices, Generators, and Mobile Food Stalls etc), and be placed in all high risk areas, be well signposted, and in key locations as per the applicants Fire Safety Plan.
2. All exits and pathways to exits are to be clearly marked, accessible at all times and 'site wardens' are to be engaged to ensure clear pathways are maintained in the event of an emergency occurring.
3. A back-up emergency lighting system should be made available to ensure lighting is provided to the degree necessary, for all required 'egress pathways and exits'.

Reason: To protect persons using/attending the event and to facilitate their egress from the site in the event of an emergency or fire, and to restrict the spread of fire.

**Cleaning and maintenance of toilets during the event**

A dedicated cleaner shall be allocated to ensure continual service, cleaning and maintenance of the event toilets to minimise, blockages and spills, and ensure adequate water supply, toilet paper and liquid soap at all times.

Reason: To provide hygienic sanitary services and protect public health.

**Noise Management**

1. Compliance with all recommendations contained within the Acoustic Assessment and Noise Management Plan by Noise Consulting & Management Pty Ltd ref 3520 21 Jan 2019 and the Statement of Environmental Effects (SEE) undated submitted with the DA.
2. A Council allocated officer is to be provided with a contact name phone number to the sound management staff/contractor on the day to ensure direct communication to deal with any complaints or issues that may arise during the event and after the event until 12 midnight.
3. A report containing the results of the noise monitoring, any complaints, the effectiveness of the noise control measures and recommendations on how to better manage/mitigate/avoid such impacts for future events is to be presented to Council within 30 days of the event.

Reason: To minimise the noise impact on residential receivers.

**Compliance with Police Requirements**

The event organisers are to comply with the requirements of NSW Police at all times during the music event and for the period from bump-in to bump-out as specified.

Reason: To ensure compliance with the requirements of NSW Police.

**Bushland Protection Fencing**

Prior to the commencement of any onsite building works, the boundary between the natural bushland zone and the festival construction area as shown on the submitted plans - is to be surveyed and marked clearly on the ground. A temporary 1.8 metre steel mesh fence is to be erected between the natural bushland zone and the construction area for the duration of festival works. The fencing must be a minimum of 5m from the dripline (canopy) of existing trees along the northern, western and southern boundaries of the festival grounds. Details demonstrating compliance, including photographic evidence, is to be submitted to the Principal Certifying Authority prior to commencement of works.

Reason: To ensure that the vegetation in the restricted development area is protected during and after construction.

**Physical Barrier to be placed at Landward Edge of Riparian Zones**

Prior to commencement, temporary fencing must be provided to the rear of the portable toilets along the waterway, a minimum distance of 5m from vegetation. The physical barrier shall be constructed of non-combustible materials and shall not be less than 1.8 metres in height in order to prevent entry into environmentally sensitive areas. Details demonstrating compliance are to be submitted to the Certifying Authority prior to commencement.

Reason: To promote the long-term sustainability of ecosystem functions

**Security fencing**

2.4m high fencing is to be provided around the entire event to discourage unlawful entry to the site.

Reason: To enhance security on the site and neighbouring sites.

### **Toilet Facilities and Sanitation**

The number of toilets facilities must be a minimum of:

- Males 16 water closets plus 50 urinals and females 60 water closets (minimum of 126 toilets)
- Separate toilets with hand wash facilities must be available for food handlers.
- There must be hand washing facilities with soap in close proximity to the toilets.
- There must be adequate sanitary disposal facilities.
- Toilets must be monitored, kept clean and provided with toilet paper.

### **NSW Public Health Requirements**

The recommendations of NSW HEALTH for Major Events and the Public Health Order shall be complied with as specified for the event.

Reason: To ensure Public Health is not compromised by the event and activities.

### **Post Event Performance Report**

A post event performance report is to be produced within two (2) weeks after the conclusion of the event and is to be submitted to Northern Beaches Council and NSW Police by 4 April 2022.

Reason: To improve on future event(s) and address issues/concerns raised during the event.

Regards



Bradley DUKE  
Acting Sergeant  
Northern Beaches Police Area Command  
14th February 2022