

PLANNING

I N G E N U I T Y

OPERATIONAL PLAN OF MANAGEMENT

46 Prince Alfred Parade,
Newport

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1. Introduction

1.1 OVERVIEW OF THE PROPOSAL

The Royal Motor Yacht Club Broken Bay (the Facility) is located at 46 Prince Alfred Parade, Newport and a registered club under the *Registered Clubs Act 1976* and a licensed premises under the *Liquor Act 2007*.

The Facility will operate between the hours of 8:00am to midnight, seven days a week. Operating times for specific uses will vary with different hours for the restaurant, bar, marina, swimming pool.

The Facility has operated from the shores of Pittwater since the 1920s and has transformed its facilities to meet the changing needs of its membership and the local community.

1.2 PURPOSE OF THE PLAN OF MANAGEMENT

This Plan of Management (the Plan) provides guidelines and controls for the operation and management of the Facility. It has been prepared to ensure the Facility will run consistently with good management practices, and in a way that minimises any potential impacts on neighbouring properties and the locality as far as practicable.

The objectives of this Plan are to:

1. Ensure that the Facility is managed to provide an acceptable level of amenity and services to meet the reasonable needs of its members and other visitors;
2. Ensure that the operation of the Facility and its activities do not generate unreasonable levels of noise transfer to surrounding residential properties;
3. Provide operational guidelines with regards to use of the Facility by staff and other visitors to the site;
4. Provide a mechanism by which the management practices and procedures can be assessed, reviewed and improved on an ongoing basis to provide an acceptable outcome to all stakeholders; and
5. Put in place suitable procedures to deal with emergencies and complaints.

Where there is any conflict between the provisions of this Plan and the objectives, the conflict will be resolved in a way which best gives effect to the objectives.

The operation of the Facility is to be undertaken in accordance with the procedures and requirements set out in this Plan.

1.3 DISSEMINATION OF THE PLAN OF MANAGEMENT

A copy of this Plan will be kept in a readily accessible place on the premises at all times.

A copy of this Plan will be provided to all persons involved in the operation and management of the Facility.

A copy of this Plan will be displayed in a location that is accessible to all attendees of the Facility so as to achieve compliance with its terms.

The contents of this Plan shall be discussed frequently with staff and management so as to explain its contents and convey the importance of compliance with its terms.



1.4 CONTENTS OF PLAN OF MANAGEMENT

The remainder of this Plan sets out controls for:

- Hours of Operation;
- Operation and Activities;
- Communications;
- Noise Management;
- Car Parking and Traffic Management;
- Security and Management;
- Lighting and Signage;
- Member and Guest Behaviour;
- Waste Management;
- Emergency Procedures;
- Complaints Procedure;
- Annual Review of Plan of Management; and
- Operational Rules.





2. Hours of Operation

2.1 AIM OF POLICY

To ensure the Facility operates during the approved hours of operation and in accordance with the relevant Council provisions and conditions of consent to minimise potential impacts on neighbouring properties and the locality.

2.2 IMPLEMENTATION

- a) The hours of operation of the facility are generally between the hours of 8:00am to midnight daily.
- b) The facility may operate until midnight on Friday and Saturday evenings for functions and booked events.
- c) The operation of the premises must adhere to any relevant conditions of consent imposed by Northern Beaches Council.

The specific hours of operation of the designated parts of the Facility are as follows:

Area of Site	Hours of operation
Lounge and Bar	Midday to Midnight
Restaurant and Dining	Midday to 10pm
Function Room	6pm to Midnight
Gaming Area	Midday to Midnight
Providore	8am to 7pm
Health and wellness centre / Gym	7am to 7pm
Outdoor Pool	7am to 7pm
Brokerage	9am to 5pm



3. Operation and Activities

3.1 AIM OF POLICY

To ensure the Facility and its activities run successfully for day-to-day operations, in order to maximise benefit for its users whilst minimising potential impacts on neighbouring properties and the locality.

3.2 IMPLEMENTATION

3.2.1 General Operation

- a) The overall management of the Facility will be the responsibility of the Club’s Chief Executive Officer.
- b) The Facility will be managed in accordance with this Operational Plan of Management, any Development consent issued by Northern Beaches Council and associated reports associated with the development consent (ie acoustic report, traffic report, lighting impact report, etc).
- c) The Facility will adhere to any conditions contained within a Development Consent and Occupation Certificate issued under the Environmental Planning and Assessment Act 1979.
- d) The Facility will provide car parking for 290 vehicles and will adhere to any approval issued by Northern Beaches Council or Transport for NSW under the Roads Act 1993.
- e) The facility will operate strictly in accordance with any licence issued by Liquor and Gaming NSW under the Liquor Act 2007.
- f) In accordance with the Land and Environment Court’s approval of DA 379/15, the function room (including the Executive Board Room, Top Deck Function Room, Horseshoe Cove Room and Lounge Bar) shall be limited to a total capacity of 270 people at any one time.
- g) In accordance with the Land and Environment Court’s approval of DA 379/15, no additional events will be held in any of the function rooms at the same time as any of the following events: (a) Opening of the sailing season, (b) Timber Boat Show, (c) New Years Eve (evening functions) and (d) Christmas Day.
- h) In accordance with the Land and Environment Court’s approval of DA 379/15 no vessels offering entertaining or recreational tours are permitted at the marina to pick up or drop off passengers.
- i) The maximum patron numbers for the Facility are indicated in Table 1 below. Management will ensure that these numbers are not exceeded.

Table 1 Maximum Patron Numbers

<i>Area of Facility</i>	<i>Maximum permitted patrons</i>
Lounge and bar	50 persons
Dining and kitchen	40 persons
Function Rooms	120 persons
Roof Terrace	Refer to above



Table 1 Maximum Patron Numbers

Outdoor Swimming Pool area	62 persons
Providore	10 persons

j) The staffing numbers for the Facility are indicated in Table 2 below.

Table 2 Staffing Numbers

<i>Area of Facility</i>	<i>Indicative Staffing Numbers</i>
Lounge and bar	3 staff
Dining and kitchen	6 staff
Function Rooms	6 staff
Roof Terrace	Refer to above
Outdoor Swimming Pool area	1 staff
Providore	3 staff
Brokerage	2 staff





4. Communication

4.1 AIM OF POLICY

To ensure the patrons of the Facility are well informed on the operations of the Facility and its activities.

To ensure successful day-to-day operations, in order to maximise benefit for its users whilst minimising potential impacts on neighbouring properties and the locality.

4.2 IMPLEMENTATION

- a) Rules of the RMYC will be available to members both at the club premises and on its website.
- b) Specific rules for the use of the swimming pool will be displayed in the swimming pool area and upon request in the club reception area. Club staff will be required to enforce these rules.
- c) Specific rules for the use of the gymnasium will be displayed in the gymnasium area and upon request in the club reception area. Club staff will be required to enforce these rules.
- d) Specific rules for the use of the marina facility will be displayed at the marina building and upon request in the club reception area. Marina staff will be required to enforce these rules.



5. Noise Management

5.1 AIM OF POLICY

To implement strategies in order to limit noise emitted from the operation of the Facility.

5.2 IMPLEMENTATION

- a) The Facility is only to operate during the approved hours specified in the Development Consent issued by Northern Beaches Council and this Plan of Management to reduce noise impact to surrounding neighbours.
- b) Signage shall be erected at all Facility exits and car park areas to remind attendees/visitors to minimise noise when departing the premises, especially before 8.00am and after 10:00pm.
- c) Offensive noise is to be kept to a minimum whilst entering and leaving.
- d) The use of amplified speakers at the Facility must only be in accordance with the requirements of the applicable noise criteria.
- e) All amplified music played on the Facility must adhere to relevant noise criteria set out in the development consent issued by Northern Beaches Council and the acoustic report submitted with the development application.
- f) Any cleaning of the premises, and internal or external maintenance, shall take place between 8:00am and 6:00pm daily to minimise noise impact.
- g) The following operational measures identified in the acoustic report prepared by *Acoustic Directions* and dated 1 March 2023 form part of the consent of DA2023/0951 and are to be complied with at all times:
 - The ground floor outdoor casual dining area shall not operate after 10:00pm.
 - Amplification for music on the rooftop terrace will be provided by a small portable system and will cease at 10:00 pm. The musical content shall be background accompaniment rather than foreground i.e. music levels must not exceed 77 dB (LAeq) when measured at 10 m on axis to the loudspeaker.
 - When the second-floor function room is being utilised, we recommend that the doors are closed to minimise noise egress to the outdoor terrace, particularly if there is a live musician situated inside the function area.
 - The doors between the internal area of the club and the outdoor and semi-outdoor areas should remain closed except for ingress and egress of customers and staff. Staff shall be reminded to ensure that this door remains closed wherever possible.
 - Staff should be reminded that after close each evening, they should pack away any outdoor furniture in a quiet and prompt manner.
 - Rubbish, especially glass, shall not be disposed externally between 10:00 pm and 7:00 am (8:00 am on Sundays and public holidays).



6. Car Parking and Traffic Management

6.1 AIM OF POLICY

To minimise impacts of traffic movements and car parking associated with the Facility on the surrounding neighbourhood and road network.

6.2 IMPLEMENTATION

- a) In accordance with the Land and Environment Court's approval of DA 379/15, a total of 290 car parking spaces are provided on the site.
- b) The use of the car parking areas are to be in accordance with any conditions set out in the development consent issued by Northern Beaches Council.
- c) Some access to the car park will be limited to Licence Plate Recognition (LPR) for members and a full time security guard will be present overnight during the hours of 9:00pm to 5:00am 7 days per week. It is intended to continue the use of LPR technology for the whole carpark in the future.
- d) Loading areas are to be solely for the purpose of loading and unloading of goods.
- e) Disabled parking spaces are to be provided and signposted in accordance with any requirements of Northern Beaches Council.
- f) Traffic control and club buses will be provided during peak periods to ensure that all attendees arrive and exit the premises in a safe, quick and quiet manner, as follows:
 - Vehicles will be directed to available spaces; and
 - Additional Carparking will be made available at other locations with a shuttle bus provided. This has been implemented and successful on certain events days at the club.
- g) Loitering in the carpark will be discouraged and reported to management where required.
- h) Signage shall be erected at all Facility exits and car park areas to remind attendees/visitors to minimise noise when departing the premises, especially before 6:00am and after 10:00pm.
- i) When large events are being held at the Facility and on peak trading days, special arrangements for car parking will be put into effect. These arrangements include opening the boom gate to the lower parking level and the placement of signage to direct patrons and visitors to the parking area at the lower part of the site.





7. Security and Management

7.1 AIM OF POLICY

To ensure the day to day operations of the Facility are carried out in an organised manner and in accordance with this Plan of Management (including the Rules of Operation) and any conditions of consent so as to minimise impacts of noise, traffic movements and car parking associated with the club on the surrounding neighbourhood and road network.

7.2 IMPLEMENTATION

- a) The security of the site is to be managed in accordance with this Operational Plan of Management and the recommended CPTED measures identified in the CPTED report prepared by Planning Ingenuity.
- b) All Facility staff will be provided with security training and awareness of the club's operating procedures.
- c) The Facility (public areas and car park) is to be provided with a CCTV system to monitor activity on the site.
- d) Facility staff will be trained to respond to and deal with anti-social behaviour.
- e) No alcohol is to be consumed on the grounds except in certain designated areas included in the venue's liquor licence.
- f) All security issues are to be reported to the Club's management or security guard when on duty.





8. Lighting and Signage

8.1 AIM OF POLICY

To ensure the operation of the facility does not result in unnecessary light spill and adverse impacts to occupants of surrounding properties.

8.2 IMPLEMENTATION

- a) The operation of building and carpark lighting shall be managed in accordance with the DA conditions and approved site plans.
- b) The use of lighting in the external areas of the site is limited to the operation of security lighting and carpark/footpath lighting to ensure the safety and security of members, guests and staff.
- c) Any complaints regarding nuisance lighting shall be referred to the club management for investigation and a response to the complainant.
- d) Lighting of all external illuminated signage on the site is to be managed (timing and density of illumination) so as to avoid adverse light spill impacts on occupants of neighbouring properties.





9. Member and Visitor Behaviour

9.1 AIM OF POLICY

To inform members and visitors on the expected standard of behaviour and manage any incidents of anti-social behaviour.

9.2 IMPLEMENTATION

- a) All members and visitors to the Facility are to behave in an appropriate manner.
- b) Members and visitors are to follow and obey the directions of the Club's management.
- c) Participants and spectators who fail to obey directions of the Club's management will be asked to leave the Facility.
- d) Anti-social behaviour such as inappropriate language, violence, damage to the Facility's property, other criminal acts or by members and visitors will not be tolerated and may result in a report to NSW Police.
- e) Incidents of threatening behaviour, verbal abuse and inappropriate language will result in members and visitors being removed from the facility.
- f) Any racist, sexist, or other discriminatory language will result in removal from the facility.





10. Waste Management

10.1 AIM OF POLICY

To ensure the facility is adequately serviced and high health and hygiene levels are maintained.

10.2 IMPLEMENTATION

- a) The Facility will adhere to the approved Waste Management Plan.
- b) Professional companies will be engaged to do regular cleaning and maintenance of the premises and surrounds.
- c) All waste and reuse areas, and waste and recycling bins, will be clearly differentiated through appropriate signage and colour coding to Australian Standards to reflect the materials contained. Each stream will be located in a designated area.
- d) Cleaners will monitor the bin storage area and will attend to all spills immediately, as they occur.
- e) Any waste water discharge from bin washing must be drained to sewer in accordance with the relevant water board.
- f) All facility staff will be provided with information on the proper use of the waste management system and all will be encouraged to maximise the separation of general waste and mixed recyclables to aid the proper disposal of all materials.
- g) A private contractor will provide waste/recycling collection services at a frequency to be determined in consultation with the waste contractor and depending on actual waste generation.
- h) The appointed contraction will service the bins directly from the waste storage area.





11. Emergency Procedures

11.1 AIM OF POLICY

To reduce the possibility of harm to employees and visitors of the Facility in the event of an emergency.

11.2 IMPLEMENTATION

- a) Care will be taken to ensure that all staff, facility management and volunteers are aware of the Emergency Plan and Evacuation Diagram which will be prominently displayed in the following locations near each exit:
 - At the main entrance to the Facility;
 - In each primary internal area; and
 - In any other area accessed by members of the public.
- b) The Facility will maintain an up-to-date and portable register of emergency services telephone numbers that employees must take with them in an emergency or evacuation. This list will be stored in the office.
- c) Emergency telephone numbers will be displayed throughout the facility in the following locations:
 - At the main entrance to the Facility;
 - In each primary internal area; and
 - In any other area accessed by members of the public.
- d) Staff, management and volunteers will be provided with training on how to use fire extinguishers, fire blankets and other emergency equipment that must be kept throughout the building as required.
- e) Fire extinguishers, fire blankets, and other emergency equipment will be tested by recognised authorities, as recommended by the manufacturer. All tests will be documented.





12. Complaints Procedure

12.1 AIM OF POLICY

To ensure there are adequate systems in place to handle and respond to complaints.

12.2 IMPLEMENTATION

- a) A “Complaints Book” must be maintained to record the details of any complaint received, including the date and time the complaints was made, a description of the complaint and any actions taken by the administration of the Facility in response to the complaint. All complaints must include the details of the person reporting the incident including a contact phone number so that administration may follow up any complaint. The option will be given to a complainant as to whether a complaint is confidential or non-confidential.
- b) The Complaints Book must be made available to Council officers for inspection upon request.
- c) Complaints must remain in the Complaints Book for a minimum period of 2 years from the date of reporting.
- d) The Facility manager will investigate any incident within 1 working day and the complainant will receive a response within 2 working days detailing what action has been taken (if any action is deemed required) addressing the complaint or concern.
- e) The Facility Manager must review the Complaints Book regularly and where appropriate amend this Plan so as to eliminate the possibility of the incident recurring or to minimise the impacts of the incident should it recur.
- f) If a complaint relates to noise, the owner/operator must:
 - Attempt to rectify the situation immediately;
 - Take all reasonable steps to stop or reduce the source of the noise to prevent future occurrences; and
 - Contact the individual who reported the incident to verify that the issue has been addressed.



13. Consideration of the Land and Environment Court Planning Principle

The Land and Environment Court has developed a series of “Planning Principles” that are a statement of desired outcome from a chain of reasoning or list of appropriate matters to be considered in making a planning decision. The Court has developed a Planning Principle for the use of Plans of Management in the planning process and the Planning Principle is provided in *Renaldo Plus 3 Pty Limited v Hurstville City Council* [2005] NSWLEC 315.

The Planning Principle indicates that Plans of Management provide further details on the operation of a particular use that may not necessarily be appropriate as conditions of consent. The content of management plans can be critical to the decision of whether a development application should be approved or refused.

The Land and Environment Court indicated that in considering whether a Management Plan is appropriate for a particular use and situation, the following questions should be considered:

1. Do the requirements in the Management Plan relate to the proposed use and complement any condition of consent?
2. Do the requirements in the Management Plan require people to act in a manner that would be unlikely or unreasonable in the circumstances of the case?
3. Can the source of any breaches of the Management Plan be readily identified to allow for any enforcement action?
4. Do the requirements of the Management Plan require absolute compliance to achieve an acceptable outcome?
5. Can the people the subject of the Management Plan be reasonably expected to achieve an acceptable outcome?
6. Is the Management Plan to be enforced as a condition of consent?
7. Does the Management Plan contain complaint management procedures?
8. Is there a procedure for updating and changing the Management Plan, including advertising of any changes?

The proposed Plan of Management Plan is consistent with the relevant part of the Planning Principle.



14. Annual Review of Plan of Management

14.1 AIM OF POLICY

To ensure the Plan of Management is comprehensive and up-to-date.

14.2 IMPLEMENTATION

- a) Management of the Facility will ensure that this Plan of Management is reviewed on an annual basis in consideration of feedback from all interested parties.
- b) If any additional uses that are not outlined in this Plan are proposed on the premises in the future, Council will be informed of the full details (including type of activity, frequency, times, duration and occupancy rates). This Plan of Management will be updated accordingly.

