

PLAN OF MANAGEMENT

OPERA BAR

1.0 INTRODUCTION

- 1) The purpose of this Plan of Management (*the Plan*) is to establish performance criteria for the various aspects of the operations of (*the Premises*) having regard to the relevant matters under the Liquor Act 2007 and any relevant Regulation under that legislation.
- 2) All staff involved with the sale or supply of liquor or security, shall be made familiar with this Plan.
- 3) A copy of this Plan shall be available on site at all times and immediately produced for inspection, upon request by Police or Council Officers or Sydney Opera House Trust (the Trust). Copies of the most recent the Licence will be kept on site and produced upon a request by Police or Council Officers or the Trust.

2.0 OPERATIONAL DETAILS

2.1 ORGANISATIONAL

- 4) This premises will at all times comply with the Trust's Liquor Code of Management and will consult with the Trust on the operational procedures surrounding this.

2.2 THE POLICE AND THE COMMUNITY

- 5) The licensee will be an active member of the Liquor Accord and will continue to maintain that membership.
- 6) The management team for the premises will meet amongst themselves on a regular basis and with the Licensing Unit of the NSW Police Force, as requested. Matters discussed range from the management of upcoming events, recent incidents and where improvements could be made with respect to security and management procedures.
- 7) In addition, this Plan has a section to deal with neighbour complaints should they arise.

2.3 USE OF PREMISES

- 8) The premises is permitted to trade in the license area boundary as shown on the Plan of Management.
- 9) Prior to closure of the premises during extended trading hours the premises management will ensure that all staff are managing the service of alcohol to ensure that no patron is stockpiling drinks and that safe close down procedures occur.

2.4 CAPACITY

- 10) The capacity of the Premises is 1,800. This capacity relates to the license area boundary as shown in the Plan of management.

2.5 THE RESPONSIBLE SERVICE OF ALCOHOL

- 11) The licence attached to the Premises shall be exercised – at all times – in accordance with the provisions of the Liquor Act and Regulation;

The following operational policies for the Responsible Service of Alcohol shall apply:-

- i) All staff involved in the sale and supply of liquor or security shall have first completed an approved course in the Responsible Service of Alcohol.
- ii) The licensee will maintain a register as required as required by the Liquor Act, containing copies of the RSA certificates showing the satisfactory completion of Responsible Service of Alcohol courses undertaken by the licensee, all staff and

- security. This is only a requirement for staff who do not have an approved RSA Competency card. That Register shall be made available for inspection on request by a NSW Police Officer or OLGR Special Inspector;
- iii) All staff are required to have on their person at all times they are working, their RSA Competency Card. Failing to produce your RSA Competency Card if requested by the Police or OLGR Special Inspector may result in a fine of **\$550** for the employee, not the Premises.
 - iv) The licensee shall not engage in any liquor promotion that is likely to promote irresponsible service of liquor.
 - v) Any person who is intoxicated shall not be served alcohol.
 - vi) Any person who is intoxicated shall be denied entry to the Premises.
 - vii) The licensee will not permit intoxication, violent, quarrelsome or disorderly conduct by patrons in the Premises. Any person causing such a disturbance shall be refused service and asked to leave. Any patron whose behaviour is either extreme or repeatedly objectionable may be barred from the Premises for a period determined by the licensee.
 - viii) No person under the age of 18 shall be served alcohol on the Premises. Production of photographic identification will be required where age is an issue. The only acceptable proofs of age identification are:
 - Photo driver's licence;
 - RMS photo ID card;
 - Current passport; or
 - Keypass Identity Card
 - ix) Low alcohol beer and non-alcoholic beverages shall be available at all times when full strength liquor is available.
 - x) Free drinking water shall be available at all times when liquor is available.
 - xi) Food of a nature and quality consistent with the responsible sale, supply and service of alcohol will be available whenever liquor is sold or supplied.
 - xii) All liquor promotions provided at the Premises shall be in accordance with the Liquor Promotion Guidelines issued by the Office of Liquor Gaming and Racing (see **Appendix B**).
 - xiii) Liquor will only be sold or supplied for consumption on the licensed premises.
- 12) A person is to be considered intoxicated if the person's speech, balance, co-ordination or behaviour is noticeably affected and it is reasonable in the circumstances to believe that the affected speech, balance, co-ordination or behaviour is the result of the consumption of liquor.
- 13) Staff are not permitted to consume alcohol during work hours.

3.0 MANAGEMENT MEASURES

3.1 GENERAL AMENITY

- 14) The licensee shall consider the amenity of neighbours and shall take all reasonable measures to ensure the conduct of the premises does not impact adversely on the surrounding area.
- 15) The licensee will take all reasonable measures to ensure that the behaviour of staff and patrons when entering or leaving the Premises does not detrimentally affect the amenity of the neighbourhood.
- 16) The Premises shall be conducted in such a manner as not to interfere with, or materially affect, the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil, or otherwise.
- 17) The licensee shall use their best endeavours to ensure that the entry points and the immediate vicinity are kept clean and tidy during the Premises' hours of operation and that patrons do not take glass or open containers of liquor off the licensed premises.
- 18) The Incident Register is to be reviewed monthly by the licensee to ensure that complaints, where possible, are being dealt with appropriately.
- 19) Any recurring complaints should be dealt with, if attributable to the Premises through new management procedures and incorporated in this Plan.
- 20) If necessary a queuing system will be implemented.

3.2 NOISE CONTROLS

- 21) Noise likely to result from the operation of the Premises includes noise from patrons entering and leaving the premises, patrons smoking in the immediate external areas outside Opera Bar, entertainment related noise and from the removal of waste. Any noise complaints need to be recorded as directed in this Plan and brought to the attention of management so noise controls can be checked and confirmed they are working.
- 22) The licensee will work with the Sydney Opera House Trust to ensure that the amenity of the neighbourhood is maintained.

3.3 COMPLAINTS AND THE INCIDENT REGISTER

- 23) The licensee or manager shall ensure that details of the following are recorded in the Premises Incident Register:
 - i) Any incident involving violence or anti-social behaviour occurring in the Premises;
 - ii) Any incident of which the licensee or manager is aware, that involves violence or anti-social behaviour occurring in the immediate vicinity of the Premises and that involves a person who has recently left, or been refused admission to the Premises;
 - iii) Any incident where premises security makes forcible physical contact with, or physically restrains, a member of the public;
 - iv) Any person who is restrained by security, refused entry to, or turned out of the premises:
 - (a) For being intoxicated, violent, quarrelsome or disorderly;
 - (b) Whose presence on the licensed premises renders the licensee liable to a penalty under the Liquor Act; or

- (c) Who uses, or has in his or her possession, while in the Premises any substance suspected of being a prohibited plant or prohibited drug.
 - v) Any incident that results in a patron of the Premises requiring medical assistance;
 - vi) Any incident that occurred whether in the Premises or in the immediate vicinity, which have involved the committing of a crime, or required the intervention of premises security;
 - vii) Any complaints made directly to the management or staff of the Premises by local residents or business people, about the operation of the Premises or the behaviour of its patrons; and
 - viii) Any visits by any NSW Police Officers, OLGR Special Inspectors and Council or Trust Officers noting their agencies or departments, reasons for the visits and results of the visits.
- 24) The licensee shall make the Incident Register available to NSW Police Officers and OLGR Special Inspectors on request. If directed to do so, the Premises will permit NSW Police Officers and OLGR Special Inspectors to make copies of the Incident Register or remove it from the Premises.
- 25) The following details of complaints made to the Premises are to be recorded in the Incident Register:
- i) Date and time of the incident;
 - ii) Nature of the complaint;
 - iii) Address and contact details of the complainant;
 - iv) Any actions proposed to deal with the complaint; and
 - v) The actions taken and the time and date when that was reported to the complainant.
- 33) Management is to provide a contact phone number that persons can use to contact the Premises, in order to make a complaint during all hours of its operation. Any staff member answering such a call must do so in a polite, sympathetic and courteous manner. Where possible, action shall be immediately taken to address any complaint so made, including follow- up action, such as returning the call to let them know what has been done to address the concerns/ complaints expressed. The contact number for the premises as published on its website is 9247 1666.
- 34) Note that premises security are defined as security that are employed by the licensee or their agents. The Trust employs security personnel that are guided by the Operating Procedures of the Sydney Opera House Trust.

3.4 SIGNAGE

- 35) Signage shall be erected and maintained in a clear and prominent position adjacent to all points of egress, requesting that patrons depart the Premises in a manner respectful of the surrounding area, or wording to that effect.
- 36) An appropriately located sign visible from outside the building shall specify a telephone number to which any complaints should be directed.

- 37) All signage required under the Liquor Act 2007 and Regulation, shall be displayed and maintained in a prominent position, in accordance with those legislative requirements.
- 38) Signage notifying patrons that CCTV is used on premises must be located at the entrance to each level of the Premises.

4.0 SECURITY

4.1 SECURITY STAFF

- 39) The licensee shall require any security personnel when employed at the premises to:
- i) Be dressed in readily identifiable uniform so that a member of the public would readily be aware of their position and duties. This may include a particular uniform or badge.
 - ii) Fill in a time sheet (with start and finish times) which is to be initialled by the manager/ licensee on duty.
 - iii) Report to the manager/ licensee to obtain a briefing on any specific duties to be addressed before commencing duty.
 - iv) Ensure that persons entering the premises are suitably attired in accordance with the premises's dress code, which shall require patrons, at least, to be neatly dressed in casual wear, with footwear and to be clean. No person wearing any clothing, jewellery or accessories indicating association with any gang, including colours, patches, abbreviations, etc., including 1%, or 1%er insignia are to be permitted entry.
 - v) Prevent any person, detected as intoxicated, entering the premises and bring to notice of the licensee or manager, any person on the premises who might be considered to be in, or approaching, a state of intoxication.
 - vi) Prevent patrons leaving the premises with glasses or any alcoholic drinks.
 - vii) Monitor patron behaviour in, and in the vicinity of, the premises until all patrons have left, taking all practical steps to ensure the quiet and orderly departure of patrons.
 - viii) Collect any rubbish in the vicinity of the premises that may be associated with the business.
 - ix) Collect any glass located in the vicinity of the premises to remove potential weapons.
 - x) Co-operate with the Police, Sydney Opera House Security and other private security personnel operating in the vicinity of the premises.
 - xi) Patrol all toilets, at random intervals, notifying the licensee or management of any suspected illegal activity, or if the toilets need attention in regard to cleanliness. If there are no female security personnel on duty, then prior to entry into the female toilets, an announcement is to be made of the incoming patrol by knocking on the door and clearly stating that these toilets are about to be inspected by a male security person.
 - xii) In the event of an incident, clearly identify themselves as security belonging to the premises and attempt to rectify the problem.

- xiii) Continually apply a “hands off policy”. Patrons are only to be asked to leave at the direction of management and forced removal from the premises must only occur at the direction of management and with reasonable force only. Immediate hands on action may still be used in self-defence or in the defence of another patron.
 - xiv) Make a written note with details of any incidents in the premises Incident Register, as required by this Plan. The details should be immediately entered in the Incident Register or, where it is not practical to do this, written in a notebook and copied into the Incident Register at the end of the shift.
- 40) For the purpose of this Plan, the description, “the vicinity of the premises” shall be the area immediately adjoining the premises.

5.0 OTHER RELEVANT MATTERS

5.1 CRIME SCENE PRESERVATION GUIDELINES

- 41) Immediately after the licensee or duty manager in charge of the Premises becomes aware of an incident involving an act of violence causing injury to a person on the premises requiring medical assistance the person must:
- i) Render any required first aid;
 - ii) Immediately contact “000” or the Local Area Commander or delegate to preserve or keep intact the area where the violence occurred.
 - iii) Comply with any directions given by the Commander or delegate to preserve or keep intact the area where the violence occurred.
- 42) Unless directed otherwise by the Local Area Commander or his/ her delegate the following crime scene preservation guidelines must be observed:
- i) Determine the crime scene and remove all persons from the area. Take all practical steps to preserve and keep intact the area where the act of violence occurred. Cordon off the area utilising bar stools, tables or tape. Consider closing off the area completely for such areas such as toilets, hallways or bars. Remember there may be multiple crime scenes.
 - ii) Do not allow any persons to enter this area;
 - iii) DO NOT CLEAN UP ANY CRIME SCENE. You may be destroying vital evidence;
 - iv) Remember some evidence may not be visible to the naked eye such as blood, semen, skin cells, saliva, hair or fingerprints;
 - v) Do not move any items that may have been involved in an offence unless absolutely necessary. Use gloves to stop transference of your DNA or fingerprints;
 - vi) Notify Police if any items have been moved or removed from the crime scene. Items may include bottles, glasses, pool cues, clothing, furniture, weapons or cigarette butts;
 - vii) Make notes in relation to the incident. Time, date, location, description of offender(s), vehicles(s) involved, weapons used, last known direction of offender(s), any movement of items involved in the incident;
 - viii) Secure any CCTV footage and the security sign on sheets;

- ix) Obtain any details of witnesses and try to keep all witnesses separated so as to maintain the integrity of their evidence. Try to persuade witnesses from leaving the premises before Police arrive;
 - x) Hand this information to Police on arrival; and
 - xi) Be prepared to make a statement to Police regarding the incident.
- 43) Interfering with evidence may constitute an offence, leaving you liable to prosecution or disciplinary action, and/ or may result in the closure of the Premises.

5.2 DRUGS AND DRINK SPIKING

- 44) If any person is caught dealing, purchasing or consuming drugs within the Premises, the person (or persons) are to be requested to leave immediately and Premises management and the Police must be informed of this. If the same person is caught again, then the person (or persons) are to be barred for a period determined by the licensee.
- 45) Drinking spiking is often difficult to detect. Below are some things to look out for and what to do:
- i) Any occurrences of a person (or persons) escorting out an obviously affected and lone person. Ask question and engage in conversation with the person escorting the affected patron away, asking for their name, where they are heading to, etc – contact management about any person who goes to length to remain anonymous.
 - ii) An affected person may need medical attention, so ask them. If they are not capable of making that decision – then arrange that medical attention.
 - iii) Any affected person will need to get to a safe place, which may be theirs or a friends place. Ensure people who are showing signs of intoxication are looked after by their friends and not leave them in the company of the person who may have spiked their drink.
 - iv) Contact the Police and thoroughly document the incident in the Premises' Incident Register.
 - v) Remember the most common drug used for drink spiking is alcohol. Be aware of strange drink orders such as beer and a nip of vodka, double shots in short glasses, etc.

5.3 FIRE SAFETY AND ESSENTIAL SERVICES

- 46) Lists of the telephone numbers of all relevant emergency agencies shall be kept near all telephones.
- 47) All managers and other permanent staff shall be made aware of fire safety requirements and the procedures to be followed in the event of an emergency at the Premises.

5.4 AMENDMENT TO THIS PLAN

- 48) If, in circumstances where better management or improved amenity outcomes can be achieved by amendments to this Plan such amendments must only be made, following

consultation with both the Police and the Trust and approved in writing by Trust. Both the Police and the Trust shall be provided with a copy of any modified plan.

