

# **PLAN OF MANAGEMENT**

**FOR THE OPERATION OF**

**BARANGAROO HOUSE**  
**(BUILDING R1)**

**35 BARANGAROO AVENUE**  
**BARANGAROO, NSW 2000**

7th DECEMBER 2017

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### **Annexure A – Site Plan (s)**

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## **PART 1 - Purpose**

1. The purpose of this Plan of Management is to establish performance criteria for various aspects of the operations of Barangaroo House (Building R1, Barangaroo), having regard to the relevant matters under the Environmental Planning and Assessment Act, 1979 and the Liquor Act, 2007, and to the accompanying development application.

## **PART 2 – Site Locality**

2. Barangaroo House (35 Barangaroo Avenue, Barangaroo), is situated in the Barangaroo South precinct. This Plan of Management encompasses the entire building that is to be licensed under the one General Bar licence. The building is situated on the west side of Barangaroo Avenue.
3. Barangaroo House is in a location that is a mix of commercial and residential premises. Other mixed commercial uses in the area directly blend with the offering Barangaroo House is providing and include restaurants, cafés and other late trading licensed premises.
4. The attached plans (Annexure A), shows the layout of the venue indicating the following in relation to the management of the venue:
  - Transport pick-up and drop off points.
  - Pedestrian routes.
  - Internal and external areas.
  - Staff and service areas.
5. The nearest commercial premises within the Barangaroo South Precinct is the restaurant precinct under buildings R8 and R9, the closest of which is situated 15 meters to the north of Barangaroo House.

## **PART 3 – Licensing**

6. The Venue will be governed by a General Bar Hotel Licence. The primary purpose of this licence is the sale and supply of alcohol. Under this licence type the venue will not provide gaming or take away liquor sales.
7. The venue will have approx. 80 staff and management across all levels and up to 9 security on duty on busy nights as required. The venue is managed by Solotel Hospitality Management. Solotel has experience in similar venues both within and external of the City of Sydney LGA.

## **PART 4 - Hours of Operation**

8. The hours of operation must be restricted to between:
  - a) 7am to Midnight, Monday to Sunday for all levels both internally and externally.
  - b) The hours of operation are subject to a 12 month trial period in accordance with the Consent Condition A5
9. On all days that the venue is in Operation, last drinks are to be served no later than 11:45pm, lights are to be turned up any time before 11:55pm and all patrons are not permitted to remain on the premises after 12.15pm. On special events nights last drinks are to be served no later than 15 minutes before closing, lights are to be turned up no later than 5 minutes prior closing and all patrons are not to be permitted to remain on the premises 15 minutes after closing time.
10. Barangaroo House (Building R1) provides an upmarket food and bar concept providing a mix of lunch and dinner trade and bar facilities to cater for the local, international and corporate markets. The venue may also be open for breakfast. The Ground floor bar will include a large alfresco space for drinking and eating with an indoor outdoor feel. The alfresco area is within the envelope of the tenancy and no additional footway license is required. The 1st floor restaurant will accommodate a signature “grill” dining concept, and the top level bar will accommodate a high end cocktail and champagne bar with bar and table service of quality food and drinks.

## **PART 5 - Amenity of Neighbourhood**

11. Neighbourhood Amenity (DA Condition F21)
  - 1) Sign must be placed in clearly visible positions within the licensed premises requesting patrons upon leaving the premises to do so quickly and quietly, having regard to maintaining the amenity of the area. The signage shall be in bold letters not less than 25mm in height on a contrasting background.
  - 2) The management/licensee must ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood.
12. At all times the licensee of the Venue shall consider the amenity of its neighbours and shall take reasonable measures to ensure that the premises does not have an adverse impact on the immediate vicinity of the premises.
13. Emissions. The use of the premises must not give rise to the emission of gases, vapours, dusts or other impurities which are a nuisance, injurious or prejudicial to health, as outlined in the DEC ‘Approved

Methods for Modelling and Assessment of Air Pollutants in NSW' published 2017 or its successor and 'Assessment and Management of Odour from Stationary Sources in NSW (2006) or its successor) (Condition F15). The fitout of the premises has been carried out to ensure that approved methods are adhered to.

14. Entrance and exit to the first and top floor areas will be via Barangaroo Ave, running along the eastern side of the building. This ensures minimal disruption to local residents as there is direct access to transport and current and proposed taxi ranks.
15. From 10pm on Friday and Saturday, entrance to the ground floor will be from one entry point. This will ensure a singular entrance for the purpose of responsible service of alcohol and general crowd control measures.
16. On busy nights, bollards are to be erected to manage queues. Security or management will continually monitor these queues to ensure the efficient movement and general control.
17. Exit from the ground floor will be restricted to one point, on the western side of the premises after 10pm on Friday and Saturday nights. Management and security will direct patrons upon exiting the venue to walk south along the western side of the building and then turn left, heading towards Lime Street. This will encourage patrons away from local residents and towards commercial and other late night trading venues, as well as transport options.
18. Management will call Taxi's for any person at their request. Management and security will be aware of direction and timetables of public transport options to ensure the safe and quick exit for patrons from the vicinity.
19. No smoking signage will be displayed where applicable in the internal and external areas of the venue to ensure with the compliance of the Smoke Free Environment Act 2000. Patrons will be provided ash trays in accordance with the act.
20. The removal of recycled bottles and glasses from the basement shall be managed as part of the Barangaroo South stage 1A precinct waste management regime. The basement operates 24/7 as a managed facility.
21. Any live or other entertainment or music that may occur within the premises will be restricted by the use of the in house audio system. This system will have noise limiter settings set to the predetermined limit as advised in the Acoustic Group report. Entertainment may be scheduled for all levels of the building at any time during trading hours, depending on business needs. Further:
  - 1) There will be no dedicated dance floor on the premises

- 2) The premises will not be promoted or operated as a nightclub
- 3) There will be no strobe lighting or disco balls

22. Complaints Procedure. The applicant must ensure that the following facilities are available to handle community complaints:

- 4) a 24-hour, toll free telephone number on which complaints about the operation of the premises Project may be registered;
- 5) the postal address of 'Barangaroo House, 35 Barangaroo Avenue, Barangaroo, 2000' to which written complaints may be sent; and/or
- 6) the email address "mail@barangaroohouse.com.au" to which electronic complaints may be transmitted.

The applicant must ensure that the telephone number, postal address and/or email address are advertised to the local community and any potentially affected neighbours prior to the commencement of operations. If a complaint is conveyed out of hours and not answered at that time then it must be responded to as soon as possible after business next resumes. (DA Condition F19)

23. Complaints Book (DA Condition F20)

- 1) The Manager/licensee must maintain a "Complaints Book" recording details of any Incident that occurs including the date and time of the Incident, a detailed description of the Incident and any actions taken by the management of the Premises in response to the Incident. All complaints must include the details of the person reporting the incident including a contact phone number so that management may follow up any complaint. The Complaints Book is to have printed page numbers to ensure it is an accurate record of incidents at the premises. The Complaints book shall be kept in a secure place on the Premises and a photocopy or electronic backup shall be made at the end of each calendar month and the backup shall be retained for at least three years.
- 2) The Complaints Book must be updated within 24 hours of any Incident. The Licensee must review and initial and date all entries made in the Complaints Book in his absence whenever they are next on the Premises.

- 3) The Complaints Book must be made available to the Department, Council officers or the NSW Police for inspection upon request.
- 4) Complaints must remain in the Complaints Book for a minimum period of two years from the date of reporting.
- 5) A Manager shall be available at all times during trading hours to deal with any Incident as to the operation and management of the premises. Any such Incident shall be dealt with as soon as possible.
- 6) In the event of an Incident of a serious nature, the Manager must contact the Licensee immediately and the Incident must be reported to the NSW Police. For the avoidance of doubt an Incident is of a serious nature if it involves violence causing injury or requires the intervention of the NSW Police or any emergency service.
- 7) If an Incident constitutes a valid complaint in relation to noise, the Manager must:
  - (a) rectify the situation immediately.
  - (b) contact the individual who reported the Incident to verify that the problem has been addressed.
  - (c) take all reasonable steps to stop or reduce the source of the noise to prevent future occurrences.
- 8) The Licensee must review the Complaints Book monthly and where appropriate consult with the Department, Council and the Police and if necessary seek consent to amend the plan of management or any House Rules so as to eliminate the possibility of the Incident recurring or to minimise the impacts of the incident should it recur.

## PART 6 – Stakeholder Engagement

24. The licensee will be an active member of the local liquor accord and a representative of the venue will attend all accord meetings.
25. The licensee will engage with all community stakeholders and will be actively involved with any community groups that are involved with the good amenity of the neighbourhood.
26. The licensee will regularly liaise with Police and other parties to ensure compliance of the premises with all relevant authorities.

## PART 7 – Noise – Entertainment and Patrons

27. Noise – Licenced Premises Use (Compliance DA Condition F6) will comply with the following:

Noise associated with the use as a licensed premises (including patron noise and music noise) must not exceed the relevant levels in (a) and (b) below:

- (a) External noise levels at receivers, to be measured one (1) metre from the building façade. Receivers are individual residential units and the most affected façade of commercial buildings.

Receiver	Time	Source of Noise Generated by R1 (L <sub>Aeq, 15 min</sub> , dB)		
		Patrons	Music	Total
Residential Receivers within Barangaroo	8am – 10pm	66 dB(A)	58 dB(A) / 65 dB(Z) @ 63 Hz	-
	10pm – Midnight	64 dB(A)	56 dB(A) / 65 dB(Z) @ 63 Hz	-
All other residential receivers	8am – Midnight	-	45 dB(A) / 55 dB(Z) @ 63 Hz	-
Commercial Receivers	When in Use	-	-	65 dB(A) / 70 dB(Z) @ 63 Hz

- (b) Notwithstanding the requirements of subcondition (a) above,
  - i. Music levels from any R1 external speaker, or total noise levels from any R1 building opening should not exceed 75 dB(A) or 80 dB(Z) in the 63 Hz octave band when measured at three (3) metres from any speaker mounted externally or from any opening where music noise may escape; and
  - ii. In relation to commercial buildings located outside the Barangaroo precinct, music from Building R1 should not exceed the background 63 Hz octave level by more than three (3) dB when measured inside an



office area when in normal use with doors and windows closed and mechanical ventilation operating.

28. Noise Limiters (Compliance with DA Condition F7) will comply with the following:

All sound amplification equipment must comply with the following:

- a) All sound amplification equipment used in the venue must be controlled by Root Mean Square (RMS) noise limiters with an attack time constant not exceeding 0.5 seconds, a release time constant not less than 1 second and a compression ratio greater than or equal to 20:1. The limiters shall be set by a suitably qualified acoustic consultant in accordance with the manufacturer's specification to ensure that resultant amplified sound complies with the requirements of Condition F6.
- b) The limiters and all post-limiter equipment including power amplifiers must be tamper proof and only operable by the acoustic consultant, licensee and business owner.

29. Compliance with Acoustic Report (DA Condition F8)

1) The licensee will ensure compliance with the following:

- a) The building façade glazing must be a minimum thickness of 10.38mm
  - b) The underside of the external balconies have acoustic absorption above the horizontal plan of slotted timbers, excluding those areas above which are translucent panels. The extension of the acoustic absorption into the outer curved section of the slotted timbers (with respect to a cross-section elevation) shall be subject to the practicalities of installing such absorption having regards to the egress of rain. Such absorptions shall have a Noise Reduction Coefficient (NRC) not less than 0.85
  - c) No speakers may be placed on the northern balconies and terrace
  - d) Any external speakers on the southern and western balconies and terraces must be located in the ceiling and directed downwards
  - e) The glass facades on the northern side of building must be closed when music greater than 75dB(A) at three (3) metres from any speaker is played inside the building
- 2) No external drop down blinds or shield walls are approved to be installed

## **PART 8 - Behaviour of Patrons and Responsible Service of Alcohol**

30. The licensee and staff shall take all reasonable steps to control the behaviour of the patrons of the Hotel as they enter and leave the premises. To affect this, the licensee shall:
- a) erect signs at the exits of the Venue requesting patrons to leave quietly because there are dwellings close to the Venue;
  - b) request patrons to leave the Venue and the vicinity quickly and quietly so as to avoid disturbance of the neighbourhood; and
  - c) assign staff or security persons to ensure that patrons, when leaving the vicinity of the Venue at closing time, do so promptly and as quietly as is reasonably possible.
31. The licensee and staff shall take all reasonable steps to ensure that persons, who may have unsuccessfully sought admittance to the Venue, do not loiter in its vicinity.
32. The licensee and staff shall comply with the Office of Liquor, Gaming and Racing (OLGR) Liquor Promotions Guidelines (see Annexure B) and the measures for responsible service of liquor set out hereunder:-
- a) The licensee shall take all reasonable steps to prohibit or restrict activities (such as promotions or discounting) that could encourage misuse or abuse of liquor (such as binge drinking or excessive consumption).
  - b) All staff engaged in the service of alcohol shall complete a course (approved by the Office of Liquor Gaming and Racing) in the Responsible Service of Alcohol prior to their engagement at the venue.
  - c) The licensee is to maintain a register that is to contain a copy of all staff members RSA Competency Cards who are involved in the same and supply of Alcohol. Staff members are to have this card available at all times when on duty. The licensee must, as a minimum, continually apply the house policy and harm minimisation and responsible service of alcohol practices. A copy of the house policy is to be maintained in the register in which the certificates of completion of the responsible service of alcohol course are filed. The house policy must be updated to reflect legislative requirements or Licensing Court, Office of Liquor, Gaming and Racing or industry recommendations.
  - d) The Liquor Promotions Guidelines (available from the Office of Liquor, Gaming and Racing) must be adopted in respect of the premises. A copy of the Guidelines must be displayed in a position in the premises where it will be readily available to, and noticed by, all staff involved in the sale and supply of liquor.
  - e) Low alcohol beer and non-alcoholic beverages must be available at all times when full strength liquor is available. The pricing structure

of low alcohol beverages is to reflect the lower wholesale cost of those beverages.

- f) Light meals must be available whenever liquor is available for consumption on the licensed premises.
- g) Alcoholic liquor must not be served to any person who is intoxicated.
- h) The Venue's management will decline entry to any person who is already intoxicated.
- i) The Venue's management will advise its patrons of the availability of non-alcoholic beverages and food in the Venue.
- j) The Venue's management, upon receipt of a request from a patron, will arrange (without charge for the phone call) for a taxi to be available for that patron.
- k) The Venue's management will not permit intoxication or any indecent, violent or quarrelsome conduct on the premises. Any person causing such disturbance shall be refused service and asked to leave the premises. Any patron whose behaviour is either extreme or repeatedly objectionable may be barred from entering the premises for a period to be determined by the licensee.
- l) No person under the age of 18 years shall be served liquor at the Venue. Production of photographic identification will be required for any person who is assessed to be under the age of 25. The only acceptable proof of age identification shall be:
  - 1) Photo driver's licence;
  - 2) Proof of age card (RTA); or
  - 3) Current passport

No sales of packaged liquor for consumption off the premises shall be permitted

## **PART 9 - Deliveries and Waste Removal and Management**

- 33. All loading and unloading of service vehicles in connection with the use of the premises shall be carried out wholly within the Barangaroo South site all times. (DA Condition F2)
- 34. All vehicle access areas, driveways and parking areas shall be unobstructed at all times. Driveways and car spaces shall not be used for manufacture, storage or display of goods, materials or any other equipment and shall be used solely for vehicular access and for the parking of vehicles associated with the use of the premises. (DA Condition F2)
- 35. All glass bottles and other glass waste must be reduced to glass shards (by way of a glass crusher located inside the premises or inside

the Barangaroo Stage 1A basement) prior to the removal of such waste from the premises. (DA Condition F10)

36. Glass must not be emptied or transferred from one receptacle to another anywhere in a public space. All glass must be emptied/transferred inside of the building on the premises or within Barangaroo Stage 1A basement and removed in containers. (DA Condition F11)
37. The collection of waste and recycling must only occur between 7am and 8pm weekdays and 9am and 5pm weekends and public holidays (DA Condition F13)
38. All deliveries and waste removal shall occur via goods lift within R1 direct to the basement under R1. Waste removal from the basement will be managed as part of the Barangaroo South stage 1A precinct waste management regime. The basement operates 24/7 as a managed facility. The removal of wastes and recyclable materials shall be made by City of Sydney Council or a recognised contractor.
39. Waste is to be minimised by separation of trade waste and putrescible waste, with bottles, cardboard, paper and aluminium being collected by a recognised contractor.
40. All waste is stored within the venue or in the basement under R1 and will only be accessed by contractors for collection. Collection will occur 7 days per week.
41. All trade and putrescible wastes will be stored on site at all times.
42. The venue will be cleaned both internally and externally every day, the day after any day of trade. This will occur within hours that will ensure that the amenity of the neighbourhood is not disturbed.

## **PART 10 – Maintenance**

43. The Venue premises shall be kept in a clean and tidy condition. The manager will ensure that the footpath, gutter, building entry and surrounds are kept clean and clear of litter. The Venue will be regularly maintained both, internally and externally. Air Conditioning and other services are contained within the envelope of the building, including the roof, for ease of access and control.
44. In addition to the annual certification requirements of Council in relation to essential systems, those systems will be checked by a recognised contractor every six months.

## **PART 11 - House Policy**

45. The Hotel's house policy relating to matters including:-

- 4) the responsible service of alcohol,
- 5) harm minimisation, and
- 6) the admission of minors shall be displayed both within the premises and on a suitable plaque outside the premises.

**PART 12 – Security Management Plan**

46. Security and Queuing (DA Condition F22)

- 1) Security guards are to be provided at the premises on Friday, Saturdays and any day preceding a public holiday from 7pm at a minimum ratio of 1 security staff member to 100 patrons or part thereof on all levels, but excluding Level 1 when it is used as a restaurant in which patrons have an allocated seat (other than patrons waiting to be seated)
- 2) Security personnel shall remain at the premises for at least 30 minutes after closing and shall assist in ensuring that patrons leave quietly
- 3) All licensed security officers whilst employed at the premises are to wear clearly identifiable security attire at all times with clearly visible identification badge on their arms
- 4) Management staff at the venue shall manage patron queuing to enter the premises in accordance with the Queuing Management Plan
- 5) When more than one security guard is on duty, security officers and management shall communicate by hand held radios at all times

47. Surveillance Cameras (DA Condition F24)

- (1) A CCTV surveillance camera must be located at the main entrance to the venue and position to record any person entering through this entrance. The CCTV recordings of this camera must be sufficient to enable an individual to be identified beyond reasonable doubt when:
  - (a) the person represents not less than 100% of screen height; and
  - (b) there is an unobstructed view of the person's face;
- (2) CCTV cameras must be located throughout the premises with camera coverage to specifically record images of the following areas:
  - (a) all other public entrances and exits, whether or not in use at the time;

- (b) staircases;
  - (c) all portions of the floor area accessible to the public where entertainment is provided;
  - (d) toilet external entrances;
  - (e) all publicly accessible areas within the premises excluding toilets;
  - (f) the footpath area directly adjacent to the premises; and
  - (g) terraces and smoking areas;
- (3) The CCTV recordings of the cameras referred to in sub-condition (2) above must be sufficient to enable the recognition of a person. A viewer must be able to say with a high degree of certainty whether or not an individual shown is the same as someone they have seen before when:
  - (a) the person represents not less than 50% of screen height; and
  - (b) there is an unobstructed view of the person's face;
- (4) Camera views are not to be obstructed by temporary or permanent structures, signage or other impediments;
- (5) Camera recordings must meet the standards set in sub-condition (1) and (3) at all times, either by way of camera positioning, camera shades or other environmental factors;
- (6) Recordings must:
  - (a) be in digital format;
  - (b) record at a minimum of ten (10) frames per second; and
  - (c) commence one hour prior to opening and operate continuously until at least one hour after closure;
- (7) The correct time, date and camera identification must be automatically embedded on all recordings and be able to be read when the image is played back on a different system without interfering with the view of the target area;
- (8) Recordings should be retained for a period of 30 days before being reused or destroyed. The licensee must ensure that no person is able to delete or alter any recordings within the 30 day period;
- (9) When the venue is open and trading, at least one person shall be at the venue that is capable of accessing the CCTV system and is able to immediately review recordings and produce copies;
- (10) Immediate access to the CCTV system and the ability to review recordings on the system is to be granted to NSW Police, OLGR inspectors and other regulatory officers upon request;
- (11) The CCTV system shall be able to reproduce a copy of the recordings on compact disc, DVD, or USB memory stick and must, upon request, be provided within one working day to NSW Police, OLGR inspectors or other regulatory officers; and
- (12) Prior to the commencement of trade each day, the CCTV system shall be checked to ensure the equipment is in full operating order. If during the daily check or at any other time it is discovered that the equipment is not in full operating order, the licensee must notify the Local Area Commander or delegate within two hours. All reasonable steps must be undertaken to repair the system as soon

as practicable. The licensee must record this daily checking activity in the incident register book that meets the standards required by licensing police or Council.

48. Security personnel will assist other venue staff with the following activities:-

- a) checking the ages of those seeking to enter,
- b) ensuring the persons unduly affected by alcohol or like substances are not permitted to enter,
- c) general crowd control within the venue,
- d) monitoring the numbers present on the ground and second floor levels,
- e) monitoring the behaviour of patrons or potential patrons in the vicinity of the venue,
- f) weapon detection,
- g) dress codes will be put into place as required to ensure standards are in line with patron expectations, and
- h) ensure that when patrons are exiting the venue that no alcoholic drinks are taken off the premises that have been purchased at the venue.

49. The Venue shall make and maintain an arrangement with a recognised provider of security services whereby that provider shall supply additional security persons to the Venue at short notice if requested to do so by the licensee or duty manager.

50. The licensee shall require any security person to: -

- a) be appropriately licensed;
- b) be dressed in a readily identifiable suitable mode of dress, displaying identification as a security officer;
- c) fill in a time-sheet (showing start and finish times) which is to be initialled by the manager/licensee on duty;
- d) report to manager/licensee to obtain a briefing on any specific duties to be addressed before commencing duty;
- e) prevent any person, detected as intoxicated from entering the premises and bring to the notice of the manager or licensee any person on the premises who might be considered intoxicated;
- f) prevent patrons leaving the venue with glasses, opened cans, bottles or alcohol that has been purchased from the venue;
- g) at the end of each shift, bring any incidents that have occurred and the actions taken to the attention of the manager/licensee who shall

record the details of incidents reported in an 'Incidents Book' kept by the venue; and

- h) co-operate with the Police or any other private security personnel operating in the vicinity of the Venue.
- i) ensure that security are trained to appropriate levels and have security and RSA licenses.

51. Any security person assigned to monitor the exterior of the premises shall, in addition to the matters set out above:-

- a) not obstruct or interfere with the flow of pedestrians along the footpaths in front of the Venue;
- b) not act as a "spruiker" for the Venue;
- c) patrol or stand in a position where he (or she) can observe conditions on the footpaths abutting the Venue and in nearby areas both on the footpaths and on the adjoining carriageways;
- d) carry a notebook in which are noted the dates and times when any incident that could cause alarm or concern to members of the public occurs in the area being monitored, together with an observation as to whether or not any persons, identifiable as having been patrons at the Venue immediately prior to the incident, were involved. (Entries are to be made as soon as possible after such incidents and to include notes of the actions taken by the security person.);
- e) monitor the behaviours of patrons in the vicinity of the Venue and encourage them to leave its vicinity in a quiet and orderly way; and
- f) collect any rubbish in the area monitored that may be associated with the Venue's activities.

52. Incidents – Recording and Notification The manager/licensee will ensure that all incidents involving staff members (including security personnel) are recorded in the incident register maintained on site, including incidents involving physical contact between staff and patrons, physical restraint of patrons and/or the ejection of patrons from the premises (DA Condition F23)

53. The Venue will only engage suitably trained and licensed security staff and will ensure that all such staff are familiar with the provisions of this Security Management Plan.

54. All staff shall be briefed on the procedures they should adopt in the event of there being an attempt to rob the premises. In this briefing, the NSW Workcover publication "Armed holdups and cash handling - A guide to protecting people and profits from armed hold-ups" should be utilised.



55. Any contract or arrangement entered into with a security provider shall be in accordance with:-

- 7) AS4421 - 1996 "Guards and Patrols",
- 8) AS3745 - 1995 "Emergency Control Procedures for Buildings" and
- 9) AS/N2S 4360 - "Risk Management"

56. To improve security at night, the licensee will engage and have regular meeting with the relevant similar businesses within the precinct, including the licensed premises to the south of the venue. The licensee will endeavour to work with the stakeholders in order to manage the patron movement between venues.

57. The venue is fitted with a security system for detection of entry after trading hours. This alarm, if triggered will be an internal alarm. This will be monitored by a third party monitoring company who will advise management when this is triggered.

58. All staff will be trained in the emergency procedures of the premises. This will include evacuation plans and how to manage the quick and controlled dispersal of patrons from the venue in the event of an emergency.

### **PART 13 – Capacity of Premises**

59. The maximum number of persons (including staff, patrons and performers) permitted in the premises at any one time is 850 persons:

The maximum number of persons permitted in individual areas of the premises is:

- Ground Floor: 350 patrons (Internal areas 120 patrons, external areas 230 patrons)
- Level 1: 200 patrons (Internal areas 150 patrons, external areas 50 patrons)
- Level 2: 250 patrons (Internal areas 100 patrons, external areas 150 patrons).
- Across the premises: 50 staff

60. The manager/licensee is responsible for ensuring the number of persons in the premises does not exceed that specified above; and

61. A sign in letters not less than 25mm in height will be fixed at the main entry point to the premises alongside the Licensee's name stating the maximum number of persons, as specified in the development consent, that are permitted in the building.

## **PART 14 – Queuing Management Plan**

62. In accordance with DA Condition A4(2) note the following management procedures to be implemented to manage queuing at the venue:

- 1) Queuing is permitted along Exchange Place for access to the Ground Floor Bar only. This queue is to be aligned with the northern alignment of the licenced area, to a maximum of 1m wide and directed toward the west, to allow equitable access to the main entrance to the ground floor bar. Queuing along other streets/walks must be managed to retain a clear 3 metre width for pedestrian access
- 2) Management and/or security will be required, when necessary, to be positioned at the entry into the ground floor bar on the north-west corner of the licenced area to ensure the patron queue is contained within the space as noted in point 1 above
- 3) Management and/or security are to ensure that patrons waiting to enter the venue are not blocking either Exchange Place (to the north) nor the Wulugul Walk (to the west) of the venue

63. Refer to Annexure C for a detailed plan identifying the location of the queue relative to the premises and surrounding areas. Any changes to the queuing area will require an amended approved plan

## **PART 15 - Amendment to this plan**

64. If, in circumstances where experience shows that it is reasonable or desirable to modify any provision of this plan for the better management of the Venue, that modification shall be made to the plan only with the consent of the Barangaroo Development Authority, City of Sydney Council or Department of Planning, which approval shall not be unreasonably withheld.

## **Declaration of Licensee**

As licensee of the abovementioned premises I confirm that I have read and understand all requirements that are in the Plan of Management. I also confirm that I have provided this Plan of Management to all management staff at the venue to ensure that all requirements are met.

  
Signed \_\_\_\_\_

07/12/17  
\_\_\_\_\_  
Date

## **Annexure A – Site Plan (s)**





EX RL 2.51

RL 3.40

Proposed reduction of planter area  
and addition of seating area

Approved extent of planter

Proposed additional steel  
planter box barrier to north

Proposed table lighting

Proposed revised seating  
configuration

Licensed Area Extent

Proposed revised seating  
configuration

Ground level GFA: 236 sqm

**Key**

- Concept Plan MP06\_0162 Indicative Building Envelope boundary
- Lot 5 DP 876514 Boundary
- Ground level extent of licensed area
- Light grey linework illustrates indicative public domain work outside RT boundary, works not part of this submission

**NSW GOVERNMENT Planning**

Issued under the *Environmental Planning and Assessment Act 1979*

Approved Section 96 (1A) (1) (2) Modification Application

No. 3 granted on the 6 December 2017

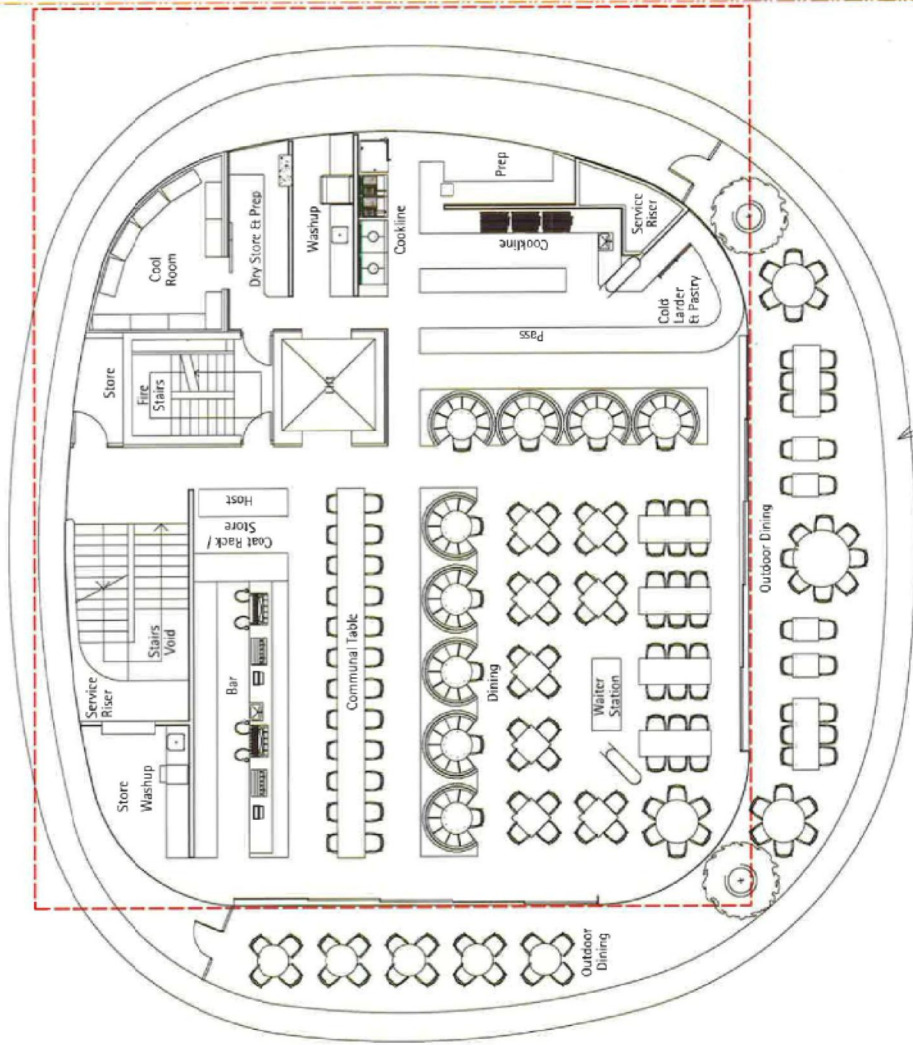
Signed AI in respect to MP SSD 6513

Sheet No. 7 of 26

**Note**

- 1 All ground level outdoor seating is indicative & shown for illustrative purposes only.
- 2 Temporary elements to suit liquor licensing and management requirements, removable as required, visually permeable, subject to local outdoor licence approval.
- 3 Proposed bars and kitchens will be constructed in accordance with the provisions of AS4674-2004 "Design, Construction and Fit out of Food Premises" and "The Food Standards Code" under the "Food Act 2003". All equipment layouts shown are indicative and for the purpose of a Development Application only, and are subject to further design development and coordination.

0m	1m	2m	3m	4m	5m	10m	20m	30m	40m	50m	60m
<p>revision: <b>A</b> 29/05/15 <b>E</b> 22/08/17</p> <p>drawn by: <b>DJ</b> 29/05/15 <b>DJ</b> 22/08/17</p> <p>issue notes: For DA Issued for DA Issued for modification to consent no.2</p> <p>notes: Do not scale dimensions given All dimensions are in millimetres unless otherwise stated All dimensions shall be verified on site by the builder All dimensions to centres unless otherwise shown CET 100 to be notified in writing of any discrepancies</p> <p>project: <b>Lend Lease Barangaroo South Building R1</b></p> <p>drawing title: <b>Ground Level Fitout Plan</b></p> <p>scale: <b>1:150@A3</b></p> <p>drawing number: <b>BR1-ASK-13-00-00</b></p>											



Level 1 GFA: 330 sqm

**Key**

Concept Plan MP08\_0162 Indicative Building Envelope boundary

Lot 5 DP 876514 Boundary

0m 1m 2m 3m 4m 5m 10m

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revision: A

date: 25.06.15

drawn by: DJ

issue notes: For DA

project: Lend Lease Barangaroo South Building R1

drawing title: Level 1 Flout Plan

scale: 1:150 @ A3

drawing number: BR1-ASK-13-01-00

revision: A

**NSW GOVERNMENT Planning**

Issued under the Environmental Planning and Assessment Act 1979

Approved Section 96 (1A) (1) (2) Modification Application

No. 3 granted on the 6 November 2017

in respect to MP 550 6713

Signed: #

Sheet No. 8 of 26





Sheet No. 9 of 26

806 37 989 257 363

\_collinsandturner

Year	Number of cases	Number of deaths	Number of survivors
1990	10	0	10
1991	15	0	15
1992	20	0	20
1993	25	0	25
1994	30	0	30
1995	35	0	35
1996	40	0	40
1997	45	0	45
1998	50	0	50
1999	55	0	55
2000	60	0	60
2001	65	0	65
2002	70	0	70
2003	75	0	75
2004	80	0	80
2005	85	0	85
2006	90	0	90
2007	95	0	95
2008	100	0	100
2009	105	0	105
2010	110	0	110
2011	115	0	115
2012	120	0	120
2013	125	0	125
2014	130	0	130
2015	135	0	135
2016	140	0	140
2017	145	0	145
2018	150	0	150
2019	155	0	155
2020	160	0	160
2021	165	0	165
2022	170	0	170
2023	175	0	175
2024	180	0	180
2025	185	0	185
2026	190	0	190
2027	195	0	195
2028	200	0	200
2029	205	0	205
2030	210	0	210
2031	215	0	215
2032	220	0	220
2033	225	0	225
2034	230	0	230
2035	235	0	235
2036	240	0	240
2037	245	0	245
2038	250	0	250
2039	255	0	255
2040	260	0	260
2041	265	0	265
2042	270	0	270
2043	275	0	275
2044	280	0	280
2045	285	0	285
2046	290	0	290
2047	295	0	295
2048	300	0	300
2049	305	0	305
2050	310	0	310
2051	315	0	315
2052	320	0	320
2053	325	0	325
2054	330	0	330
2055	335	0	335
2056	340	0	340
2057	345	0	345
2058	350	0	350
2059	355	0	355
2060	360	0	360
2061	365	0	365
2062	370	0	370
2063	375	0	375
2064	380	0	380
2065	385	0	385
2066	390	0	390
2067	395	0	395
2068	400	0	400
2069	405	0	405
2070	410	0	410
2071	415	0	415
2072	420	0	420
2073	425	0	425
2074	430	0	430
2075	435	0	435
2076	440	0	440
2077	445	0	445
2078	450	0	450
2079	455	0	455
2080	460	0	460
2081	465	0	465
2082	470	0	470
2083	475	0	475
2084	480	0	480
2085	485	0	485
2086	490	0	490

Do not scale, dimensions govern  
All dimensions are in millimeters unless otherwise stated  
All dimensions shall be verified on site by the builder  
All dimensions to centerlines unless otherwise shown  
C.E.T. are to be notified in writing of any discrepancies

BR1-ASK-13-02-00

A

## **Annexure B – OLGR Liquor Promotions Guidelines**





# LIQUOR PROMOTION GUIDELINES

July 2013



**Trade &  
Investment**  
Office of Liquor, Gaming & Racing

### Disclaimer

This publication avoids the use of legal language. Information about the law may have been summarised or expressed in general statements. This information should not be relied upon as a substitute for professional legal advice or reference to the actual legislation.

This publication is intended as a guide only.  
We suggest you seek professional advice when necessary.

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# Liquor promotion guidelines



Trade & Investment  
Office of Liquor, Gaming & Racing

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## Introduction

Licensees and staff are required to have responsible attitudes and practices regarding the promotion and sale of alcohol. The promotion and activities that surround the sale and supply of alcohol can have a significant influence on patrons and the way they consume alcohol and the way they behave.

A range of negative impacts can result from undesirable alcohol promotions or ones which are not appropriately managed. This can include promotions which encourage excessive, rapid or irresponsible drinking, are offensive or indecent, target minors or are out of step with general community standards. These types of promotions can contribute to alcohol-related anti-social behaviour and violence, have negative impacts on the amenity of the local community, and have health impacts for the individual.

It is important that licensees are mindful of and manage the risks and responsibilities associated with running liquor promotions. These Guidelines are not intended to stifle business innovation or healthy competition, but rather assist in the development of a sustainable and responsible liquor industry by defining clear expectations for the conduct of liquor promotions.

## MORE INFORMATION

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For information, or to make a complaint,  
about liquor promotions please contact OLGR  
Compliance Branch:

Phone: (02) 9995 0837  
Email: [complaints@olgr.nsw.gov.au](mailto:complaints@olgr.nsw.gov.au)

## The Law

Section 102 of the *Liquor Act 2007* gives the Director General, NSW Trade & Investment, the power to issue a notice to a licensee who is involved in a liquor promotion which is considered undesirable.

### The *Liquor Act 2007*

The Act details the types of promotions that may be restricted or prohibited. The Act states:

The Director General may restrict or prohibit any such activity only if the Director General is of the opinion that:

- a) the promotion is likely to have a special appeal to minors because of the use of designs, names, motifs or characters in the promotion that are, or are likely to be, attractive to minors or for any other reason, or
- b) the promotion is indecent or offensive, or
- c) the promotion involves the provision of liquor in non-standard measures or the use of emotive descriptions or advertising that encourages irresponsible drinking and is likely to result in intoxication, or
- d) the promotion involves the provision of free drinks, or extreme discounts or discounts of a limited duration, that creates an incentive for patrons to consume liquor more rapidly than they otherwise might, or
- e) the promotion otherwise encourages irresponsible, rapid or excessive consumption of liquor, or
- f) the restriction or prohibition is otherwise in the public interest.

Before the Director General can exercise this power, publicly available guidelines must be made available that indicate the kinds of activities or promotions that may be

the subject of a notice under section 102. These Guidelines fulfil this requirement.

Examples where the Director General has exercised this power include:

- A nightclub promoted a \$30 door charge which included free house spirits, beer, wine and cider from 9pm til 3am;
- A hotel promoted \$10 cocktail buckets where patrons consumed the cocktail directly from the bucket; and
- A restaurant promoted alcohol served in syringes, cocktails served in oversize novelty vessels and jelly shots.



## The Liquor Promotion Guidelines

These Guidelines are intended to provide guidance as to what issues are considered important in determining whether a liquor promotion is undesirable and may be subject to a notice.

Information is provided on each category listed in the Act. Each category is described in these Guidelines as a principle. **They are not intended to be a definitive list of what can and cannot be done.** Each case must be considered on its merits and against each of the principles.

The Guidelines provide an explanation of each principle and include examples of unacceptable practices. These examples do not include specific detail, such as allowable numbers of free drinks before a promotion becomes unacceptable. Instead the examples provide a description of the types of practices which are clearly contrary to the principle. It is noted that the word 'unacceptable' is used instead of 'undesirable' when listing some of these examples, as this gives clear guidance to industry on those promotional practices that are problematic and that must not be undertaken.

Where relevant, additional information is provided which may assist certain types of licence holders. In some cases there is also information on additional measures which

can be implemented to assist in ensuring that a liquor promotion is appropriately run.

This approach enables licensees to take an informed view of any proposed promotion, as licensees are best placed to assess risk and apply appropriate controls in their own business environment.

The Guidelines aim to be consistent with other codes and guidelines relating to alcohol promotions and advertising, such as the Alcohol Beverages Advertising (and Packaging) Code, the Australian Association of National Advertisers Code of Ethics and the National Health and Medical Research Council Australian Guidelines to Reduce Health Risks for Drinking Alcohol.

---

“ *Each case must be considered on its merits and against each of the principles* ”

---



## Liquor promotion guidelines

These Guidelines apply to ALL licensed premises under the *Liquor Act 2007* that run liquor promotions, including:

- Hotels (pubs, taverns, small bars)
- Clubs (RSL, community and sporting clubs)
- On-Premises (restaurants, cafés, nightclubs, theatres, boats, caterers, etc)
- Packaged (Bottle shops)
- Producer/Wholesaler
- Limited licences.

It is recognised that the consumption of alcohol occurs in many different contexts and circumstances, and that there may be different risks associated with promotional activities in different licensed premises.

A distinction can be made between promotions offering alcohol to be consumed immediately on a licensed premises and promotions offering alcohol that which may be stored for consumption later away from the premises. As a result, the extent to which each principle in this document applies to different licence types will vary accordingly.

Some principles apply to promotions operated by all licence types, such as Principle 1 which ensures liquor promotions do not have a special appeal to minors. Other principles, such as Principle 3, relating to the use of non-standard measures that encourage irresponsible drinking, would generally apply more to licence types where alcohol is consumed immediately on the licensed premise. These different circumstances would be recognised as part of the consideration of whether a liquor promotion is undesirable and should be subject to a notice.

The determination of whether a promotion is undesirable and may be subject to a notice is made by the Director General, NSW Trade & Investment, or a delegate, such as the Director, Compliance, Office of Liquor, Gaming & Racing. Before a determination is made, a licensee may be given the opportunity to comment or offer an explanation on why the promotion should not be considered undesirable. An application can be made to the Independent Liquor & Gaming Authority to review any decision.



## Harm minimisation methods

While each of the principles and examples provide guidance on liquor promotions that are generally considered undesirable, it is in the interests of venues to ensure that all promotions are conducted with harm minimisation measures in place to prevent unacceptable outcomes.

Even a seemingly harmless or mundane promotion can lead to adverse outcomes if appropriate risk-based measures are not put in place.

Adopting harm minimisation measures can reduce risks of harm associated with liquor promotions. Active consideration of possible risks and ways to reduce them is important in developing and running any promotion.

Employing harm minimisation measures does not automatically negate the possibility of liquor promotions being restricted or prohibited, but appropriate management of all promotions is necessary.

It is up to individual licensees to identify, manage and minimise risk within their own business environment for any liquor promotion undertaken and it is up to each licensee to identify which harm minimisation measures are appropriate to reduce potential harms in each circumstance.

A list of harm minimisation measures that may be appropriate include but are not limited to the following:

- RSA marshals
- Service of free food and water is part of the promotion
- Alcohol Management Plan specific to the promotion
- Drink limits
- Signs prominently disclosing the content of mixed alcoholic drinks served to customers
- Appropriate time frame for conduct of promotion
- Alcohol content is measured and discernable
- Limits on the quantity of alcohol that can be purchased at a reduced price.

**There are no mitigating measures that will enable examples of promotions identified as being ‘unacceptable’ in these guidelines from being undertaken.** For those ‘Examples of promotions which require harm minimisation measures’ identified in this guideline, significant risks are apparent with these types of promotions, and licensees are advised to carefully determine the appropriate harm minimisation measures that should be put in place before this type of promotion is undertaken.

likely to encourage the misuse and abuse of liquor. It is noted that this section does not just apply to promotions, but applies to any activity within a licensed premises which is likely to encourage the misuse and abuse of liquor.

Section 102A does not require guidelines and can consider issues more broadly than just promotions. However, where consideration is being given to issuing a notice under section 102A for a liquor promotion related issue, the principles in these Guidelines will provide some guidance as to acceptable and unacceptable practices.

---

“ *The principles in these Guidelines will provide some guidance as to acceptable and unacceptable practices* ”

---

### Section 102A

Section 102A of the *Liquor Act 2007* also allows the Director General to restrict or prohibit activities that are

## Principle 1: Appeal to minors

The promotion must not have a special appeal to minors, because of the designs, names, motifs or characters in the promotion that are, or are likely to be, attractive to minors or for any other reason.

### Explanation

It is illegal to sell alcohol to minors or to supply alcohol to minors on licensed premises.

The effects of alcohol on minors can be significant and can be harmful to their health and physical development as well as having social and emotional effects. The National Health and Medical Research Council outlines research which shows that minors are much more likely than older drinkers to undertake risky or antisocial behaviour connected with their drinking. In addition, alcohol may adversely affect brain development and lead to alcohol-related problems later in life.

For most venues, minors are allowed onto parts of the premises in the company of a responsible adult. As such, venues need to be mindful of the presence of minors on licensed premises when conducting liquor promotions.

### Examples of unacceptable promotions

- Promotions which use characters, imagery, motifs, naming or designs which primarily appeal to minors.
- Promotions that include merchandise that primarily appeals to minors.
- Promotions using interactive games or technology predominantly targeted to minors.

### Additional Information

Care should be taken in using celebrities or other role models that have a special appeal to minors as part of the liquor promotion as this may be construed as having a special appeal to minors under the Act.





## Principle 2: Indecent or offensive

The promotion must not be indecent or offensive.

### Explanation

The use of indecent or offensive material in a liquor promotion is in poor taste and is against general community standards. Licensees should also be aware that indecent and offensive promotions may be a catalyst for crime or violence, including sexual violence against women.

Linking the consumption of alcohol with such material or activities is not appropriate for any licensed venue, function or event.

While a determination of what is indecent or offensive is subjective, licensees should be mindful of what would reasonably be considered offensive in the broader community.

### Additional Information

It is acknowledged that some drinks have provocative names. While the sale of these products is acceptable and the use of their names in that context is acceptable, branding a promotion with these names is likely to be considered undesirable, as the provocative names in the promotional material could be considered insulting or offensive. In addition, caution should be taken regarding the way that these products are advertised or promoted within or externally to the venue to make sure these provocative names do not cause offense.

### Examples of unacceptable promotions

- Promotions which use images, including human bodies, that may be considered offensive to a reasonable adult.
- Promotions which offer free or discounted drinks for participating in an activity that may be offensive to a reasonable adult present on the licensed premises, for example, encouraging participants to remove items of clothing.
- The use of insulting or offensive language in the promotional material.
- Promotions that involve any form of discriminatory, demeaning or vilifying language or imagery.

## Principle 3: Non-standard measures

The promotion must not involve the use of non-standard measures that encourages irresponsible drinking and is likely to result in intoxication.

### Explanation

A standard measure is the level of alcohol used to work out safe drinking levels. Standard measures enable individuals to clearly assess their alcohol intake. Where standard measures aren't used the likelihood of irresponsible drinking is increased as the alcohol content of the drink is unknown.

Where a well recognised vessel, such as a schooner glass, wine glass, tumbler, is not used, consideration needs to be given to whether the vessel itself encourages irresponsible consumption of alcohol or limits the ability of the person to judge how much they have consumed, based on the design (such as a water-pistol, test tubes, jam jars or teapots with no cups).

Promotions which involve the serving of alcohol in ways which encourage skolling, repeated quick consumption of alcoholic drinks or free pouring of alcohol are not acceptable and clearly encourage irresponsible drinking. Free pouring is also contrary to national trade measurement laws which require a range of alcoholic products to be sold by volume measure only.

It is important that alcohol is always served with responsible service of alcohol principles in mind. Where a promotion is being undertaken where a particular alcoholic drink is being promoted and being sold in large volume (such as jugs) or 'novelty' drink ware it is appropriate that the following approach is taken:

- Accurate standard measures are used to pour the drink into the vessel.
- If the drink is meant to be shared, then appropriately sized vessels should be provided to pour the drink into.
- Patrons are clearly made aware of the alcohol content of the drink. (This can be established before the promotion using the standard measures that would be used to make up the drink. Details of the number of standard drinks should be included on the drinks menu or other suitable promotional material on the licensed premises, for example, posters promoting the drink.)

### Examples of unacceptable promotions

- A promotion encouraging the consumption of alcohol in a yard glass for skolling.
- A promotion encouraging the consumption of laybacks, slammers, blasters, bombs or consumption from a water pistol.
- A promotion which encourages an individual to purchase and consume on their own an alcoholic drink intended to be shared (that is, a drink containing a significant number of standard drinks).
- A promotion encouraging the consumption of multiple shooters or shots by an individual.

### Examples of promotions which require harm minimisation measures

- Promotions where the service of alcohol is in non-standard measures such as teapots or jam jars, where the alcohol content of the drink is not apparent or easily discernable.

### Additional Information

Where a company wishes to conduct a product promotion involving jugs of mixed spirits, beer, cider or wine, it is important that the company takes responsibility for ensuring that the promotion does not encourage irresponsible drinking. Developing an alcohol management plan for the promotion, can assist in ensuring that the promotion is consistent with the principles in these Guidelines. It is noted that the use of an alcohol management plan is considered best practice.

This principle predominantly focuses on promotions offering alcohol to be consumed immediately on the licensed premises. There are separate requirements that apply to packaged liquor sales to ensure standard drink information is clearly stated on liquor products (Food Standards Australia New Zealand) and to restrict undesirable liquor products which may encourage irresponsible drinking (section 101 of the *Liquor Act 2007*)

## Principle 4: Emotive descriptions or advertising

The promotion should not use emotive descriptions or advertising that encourages irresponsible drinking and is likely to result in intoxication.

### Explanation

The aim of this principle is to restrict the use of emotive descriptions in a liquor promotion which encourage irresponsible drinking.

Encouraging or glorifying excessive consumption of alcohol is inappropriate. A promotion which primarily focuses on irresponsible drinking is not in the public interest and goes against all responsible service of alcohol principles.

A promotion which focuses on drinking irresponsibly or uses emotive descriptions to encourage excessive drinking can influence actions of consumers and increase the likelihood of intoxication. This then has ramifications for the health and wellbeing of the patron and can increase the risk of anti-social behaviour and violence.

### Examples of unacceptable promotions

- Promotions or events which focus principally on the excessive consumption of alcohol (e.g. Mad Monday, Round the world).
- Labelling or titling of promotions that suggest irresponsible or excessive consumption of alcohol (e.g. 'Drink like a fish', 'Drink 'til you drop').
- The engagement of a person who, as part of the promotion, enthusiastically talks up excessive consumption of alcoholic beverages, encourages intoxication or irresponsible or illegal behaviour.
- A promotion which encourages consumers to get drunk. This may include the use of language, images or slogans such as 'Drink 'til you drop'.

### Additional Information

Product promotions by producers and distributors often focus on the consumption of alcohol (as a particular alcoholic product is being promoted). However, it is important that this type of promotion does not encourage irresponsible drinking or be likely to result in intoxication. This can be achieved by using an alcohol management plan to address risks and appropriate responsible service of alcohol procedures which all venues running the promotion must follow. Particular care should be taken in determining whether the name of the promotion or any promotional material used contains descriptions which encourage irresponsible drinking. It is noted that the use of an alcohol management plan is considered best practice.

In undertaking a promotion, consideration should be given to how this principle applies to your venue, as it is recognised that there may be variability in how this principle applies depending on your business model.

## Principle 5: Extreme discounts

The promotion should not involve the provision of free drinks or extreme discounts, or discounts for a limited duration that creates an incentive for patrons to consume liquor more rapidly than they otherwise might.

### Explanation

Discounting alcohol can be used as a marketing tool for licensees to encourage people into the venue and to stay in the venue or to try a new product or to run down stock of a particular product. However, it is important that in running any such promotion consideration is given to whether the promotion will encourage people to consume more rapidly than they may otherwise have, which could lead to irresponsible drinking and intoxication.

In particular, caution should be exercised when undertaking a promotion involving free drinks. Careful management of the number of free drinks provided to each individual is important to reduce the risk of rapid consumption and intoxication.

The term 'extreme discounts' is not specifically defined in this document. The influence of the level of discount on creating an incentive for patrons to rapidly consume alcohol depends on a range of things, including the type of product being discounted. For example a 75% discount on a bottle of wine may have a different effect to a 75% discount on shots. Generally, a promotion involving a discount over 50% should be undertaken with caution and risks should be properly assessed in relation to whether it will encourage rapid consumption of alcohol.

### Examples of unacceptable promotions

- Promotions providing free drinks which encourage rapid consumption of alcohol (e.g. All you can drink in a limited time frame).
- Drink cards, promotional cards, vouchers or 'shopper docket' which encourage rapid consumption of alcohol over a short period of time (e.g. \$50 voucher redeemable between 9pm and 10pm).
- Happy hours encouraging or facilitating the rapid consumption of alcohol.

### Examples of promotions which require harm minimisation measures

- Promotions linked to unpredictable events (e.g. free drinks until the first points scored).
- Promotions that encourage the purchase of large amounts of alcohol with rewards of free or discounted drinks (e.g. buy six drinks and get 2 free drinks) to be redeemed within the same trading period.
- 'Buy one, get one free' offers promoted through discount vouchers, cards or 'shopper docket' offers without purchase limits or other suitable controls in place.
- Promotions operating for very short periods which create an incentive to consume liquor more rapidly than customers should.
- Promotions where significant discounts are provided over an extended period of time e.g. over two hours.
- All you can drink offers for a set price or excessive periods of free drinks (e.g. \$50 entry and free drinks all night). See additional information section in relation to functions.
- Promotions involving discounts of greater than 50% off the normal retail price.

### Additional Information

Across the hospitality industry, there are a range of businesses which offer function packages that include all drinks for a set price (such as wedding packages, corporate functions etc). The Guidelines do not seek to prevent this type of operation, however, it is the responsibility of the licensee to ensure that any such function is run appropriately and that there is responsible service of alcohol and that patrons do not become intoxicated.

Where product promotions involve the provision of free or discounted drinks, it is important that these promotions do not create an incentive for patrons to consume alcohol more rapidly than they otherwise might. The use of an alcohol management plan to assess the risks in any liquor promotion and provide clear guidance for those undertaking the product promotion is an important tool for ensuring the promotion is undertaken appropriately. It is noted that the use of an alcohol management plan is considered best practice.

In undertaking a promotion, consideration should be given to how this principle applies to your venue, as it is recognised that there may be variability in how this principle applies depending on your business model.

## Principle 6: Irresponsible, rapid or excessive consumption

The promotion should not otherwise encourage irresponsible, rapid or excessive consumption of liquor.

### Explanation

Licensees should always be mindful that any liquor promotion undertaken does not encourage patrons to drink irresponsibly, rapidly or excessively. Consideration needs to be given to the way alcohol is consumed as part of the promotion (water pistols, yard glasses) or whether it involves competitions or games which involve excessive or rapid consumption of alcohol.

Other more general promotions such as the operation of happy hours can also impact on irresponsible, rapid or excessive consumption of alcohol. A happy hour promotion should not create an incentive to drink in greater amounts than a customer otherwise would. This can include extreme discounts for limited periods where drinks are consumed immediately or can be stockpiled.

Similarly, happy hours which are run near the end of the trading period can encourage patrons to continue drinking where they may otherwise have stopped. This may be particularly problematic if the patrons have already been drinking for a significant period of time.

### Examples of unacceptable promotions

- The promotion involves the use of drinkware which encourages rapid consumption, such as test tubes, water pistols, yard glasses.
- The promotion involves drinking games, competitions, challenges, dares, lotteries or games of chance that involve the rapid or excessive consumption of liquor (such as skolling games, boat races, flip and win, 'around the world', 60 shots in 60 minutes', pub golf).
- A promotion in which a consumer is challenged or dared to drink a particular alcoholic drink because of its higher alcohol content.
- Happy hours occurring late into the trading period (or in the early hours of the morning, for those premise operating 24 hours) which encourage patrons who have been drinking for a significant period of time to continue drinking.
- Promotions that encourage the stockpiling of drinks.

### Additional Information

Competitions and games can be a marketing tool for licensees and can add to the atmosphere of a venue. Licensees are encouraged to operate promotions such as these, but offering prizes other than liquor, such as meals, movie tickets or other products. Where liquor is offered as a prize the process should be conducted in a responsible manner.

Consideration also needs to be given to the appropriateness of any promotion for discounted packaged liquor sales. Licensees should be aware of the risk where the promotion of extreme discounts may encourage irresponsible or excessive consumption of alcohol due to the increase in volume purchased, where it is likely to be consumed within a short time frame. Consideration needs to be given to how discount promotions can be responsibly managed, including purchase limits (e.g. two per customer) or other measures to reduce the risk that the promotion will encourage people to drink alcohol excessively or irresponsibly.

In undertaking a promotion, consideration should be given to how this principle applies to your venue, as it is recognised that there may be variability in how this principle applies depending on your business model.



## Principle 7: Not in public interest

The promotion should not be otherwise considered to not be in the public interest.

### Explanation

A range of liquor promotions may not necessarily promote rapid or excessive consumption of alcohol, or meet other principles in the Guidelines, but may still be considered undesirable as they are not in the public interest.

Generally, if something is not in the public interest, it goes against general principles of fairness, equity, decency or lawfulness in society. Public interest is linked to the well being of the community or the risk of detriment to the community at large. It is important that licensees be mindful of whether a particular promotion may be discriminatory or demeaning to a group or individual, whether it promotes or encourages unlawfulness, whether it is misleading or if it inappropriately targets vulnerable groups or individuals.

While a determination of what is in the public interest is subjective, licensees should be mindful of what would reasonably be considered inappropriate to the broader community.

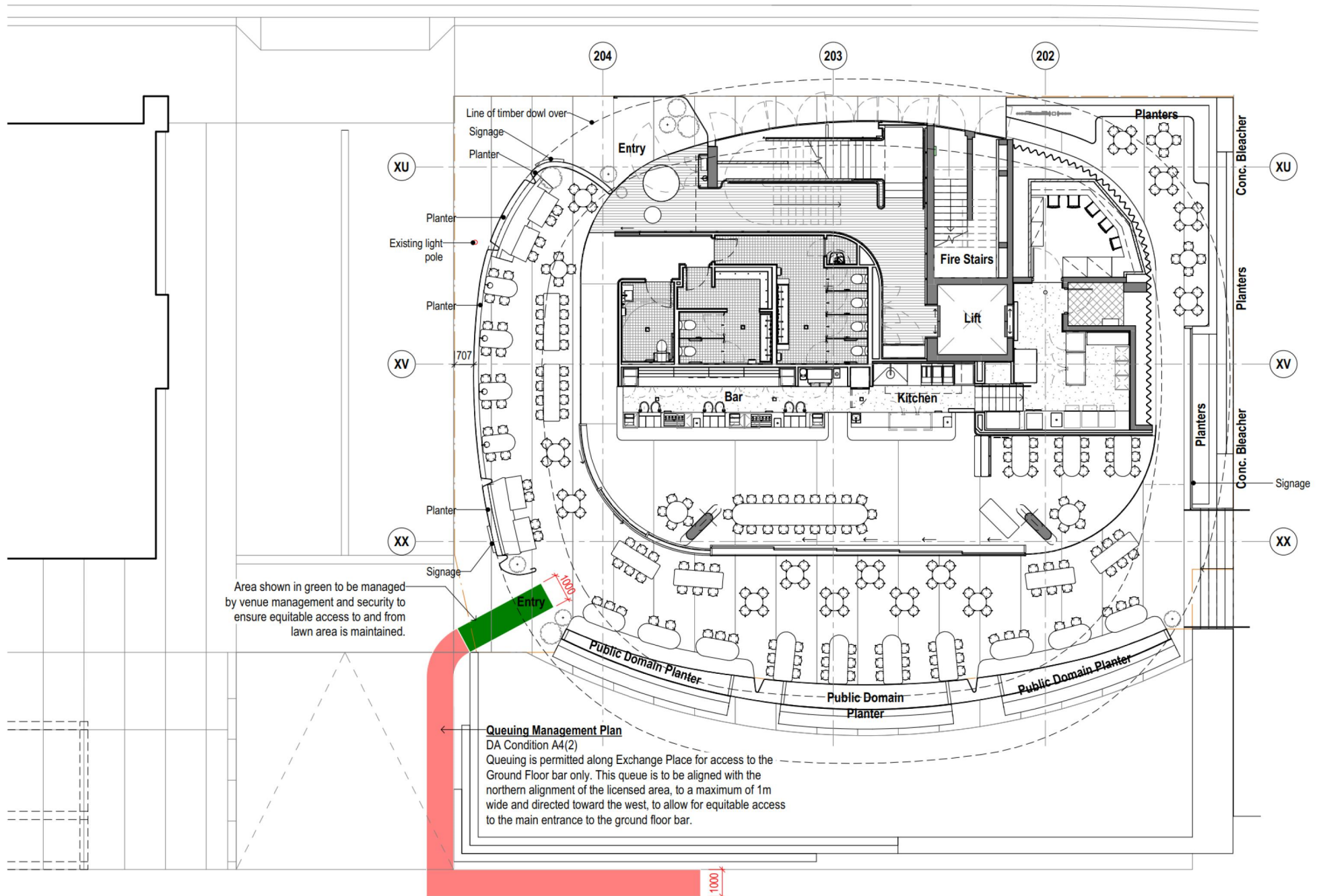
### Examples of unacceptable promotions

- Promotions which use images or messages which could be seen to be encouraging or condoning breaking the law or other anti-social behaviour.
- Promotions which use images or messages which link the promotion of alcohol with illicit drugs or allude to drug taking behaviour.
- A promotion which associates liquor consumption with aggressive or violent behaviour towards other people.
- Any discriminatory promotion (e.g. women drink free).

### Additional Information

The examples provided above apply equally to all licence types. Careful consideration of promotions of packaged liquor sales is required to ensure that it is in the public interest and does not encourage excessive consumption of alcohol due to an increase in the volume purchased where it is likely to be consumed within a short timeframe.

## **Annexure C – Queuing Management Plan**



Barangaroo House (R1) Queuing Management Diagram