

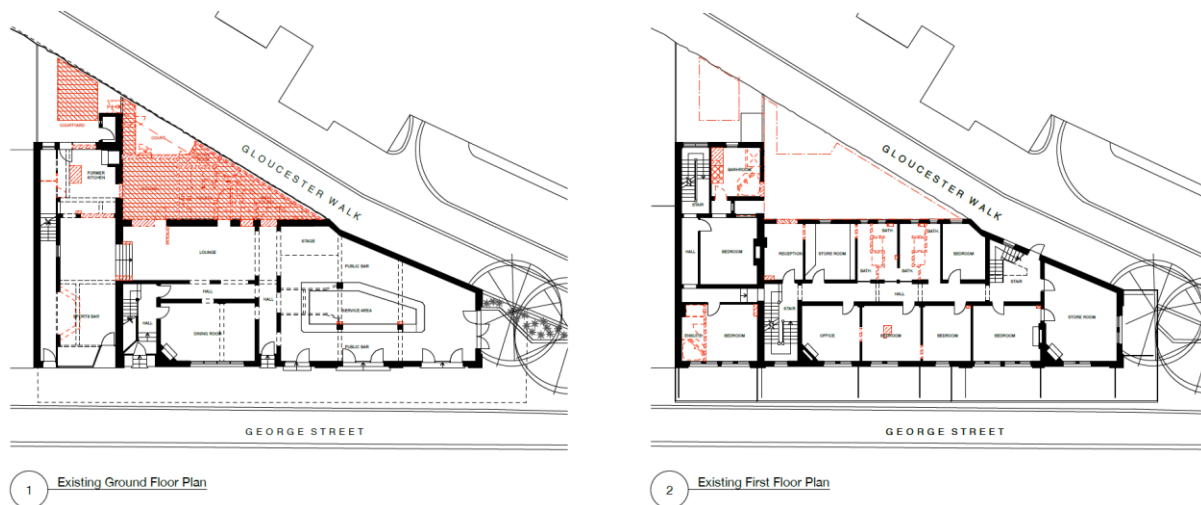
DRAFT Plan of Management – The Mercantile Hotel

25 – 27 George Street, The Rocks, NSW 2000

1. Site Information

The Mercantile Hotel operates primarily as a place of entertainment with a strong emphasis on accommodation. Ground floor, outside area, including outdoor seating (adjacent to building), courtyard (south end of building from east to west) and rooftop (level 3) operate as a food, beverage and public entertainment (including live music) venue. Ground level also includes a gaming area. Levels 1 and 2 operate as short term stay accommodation.

Figure 1: Existing Ground and First Floor Plans (red hatching indicates demolition per SSD proposal)



The ground floor, outside area and rooftop have a maximum capacity of 431 people.

Waste storage areas are located on the west side of the building ground floor (near toilets) and the southeast end of rooftop (level 3). This includes general waste, bottle recycling and cardboard/paper recycling. General waste is removed from the premises on a daily schedule. Glass and cardboard/paper is removed twice per week.

Air conditioning units, exhaust fan systems and other mechanical plant equipment are located on southeast of the rooftop. CCTV systems operate throughout the building. A CCTV system operates at each main entrance to the venue including the following areas:

- All public entrances and exits,
- Staircases,
- All portions of the floor area accessible to the public where entertainment is provided,
- Toilets external entrances,
- All public accessible areas within the premises excluding toilets and accommodation rooms,
- The footpath area adjacent to the premises, and
- Courtyard and smoking areas.

Security alarms are armed at the close of business every day and monitored by a security company. The office space contains its own alarm system. This is also connected to and monitored by the security company.

The site does not have an on-site car park. Transport is most available in the form of taxis and trains. Taxis operate along George Street directly opposite the hotel, facing south. A taxi rank can also be found 150m south on George Street outside Holiday Inn Old Sydney Hotel. Trains operate until midnight with Circular Quay train station located 650m south of the hotel. Access on foot is mostly obtained to and from the hotel on the George Street route.

Other late-night operating premises near The Mercantile Hotel include The Harbour View Hotel located 170m north of the hotel on 18 Lower Fort Street, Dawes Point, NSW 2000 and The Observer Hotel located 180m south of the hotel on 69 George Street, The Rocks, NSW 2000.

2. Operational Information

Staffing levels (including security) of the hotel range from the below:

- Monday to Wednesday: 15
- Thursday: 18
- Friday: 23
- Saturday and Sunday: 32

The Licensee of The Mercantile Hotel works closely with governing bodies and local stakeholders in the area. This includes Property NSW on a regular basis including local rangers. The Licensee of The Mercantile Hotel also liaises regularly with Local Police (The Rocks Local Area Command), Council (City of Sydney) and Property NSW on a regular basis particularly pertaining to events in the area including big calendar events throughout the year and any trade out/extended trading applications and special events. The Mercantile Hotel is also a member of the City North Liquor Accord (CNLA) where the Licensee or hotel representative attends regular meetings.

In relation to the liquor license freeze provisions of the Liquor Act 2007 we provide the following commentary:

- The Mercantile Hotel is located within the 'Sydney CBD Entertainment Precinct' liquor license freeze 'prescribed precinct'.
- A portion of the rooftop area is included within the existing premises license boundary. However, since the proposal includes a rooftop bar, the premises license boundary will need to be amended to include the entire rooftop area.
- Clause 47G of the Liquor Act 2007 provide that the Authority may change the specified boundaries during the freeze period if it will not result in an increase to patron capacity of the subject premises.
- We can confirm that the existing maximum patron capacity of 431 will be retained under the proposal scheme (i.e. no increase). The proponent is willing to accept a condition of consent in this regard.
- After the planning approval (determination) has been granted, the proponent will separately seek a change to the premises boundary with Liquor and Gaming NSW.

3. Hours of Operation

George Street Footway Area

Monday	10:00 AM to 12:00 Midnight
Tuesday	10:00 AM to 12:00 Midnight
Wednesday	10:00 AM to 12:00 Midnight
Thursday	10:00 AM to 12:00 Midnight
Friday	10:00 AM to 12:00 Midnight
Saturday	10:00 AM to 12:00 Midnight
Sunday	10:00 AM to 12:00 Midnight

Other Areas Within Licenced Premises

Monday	10:00 AM to 12:00 Midnight
Tuesday	10:00 AM to 12:00 Midnight
Wednesday	10:00 AM to 12:00 Midnight
Thursday	10:00 AM to 12:00 Midnight
Friday	10:00 AM to 12:00 Midnight
Saturday	10:00 AM to 12:00 Midnight
Sunday	10:00 AM to 12:00 Midnight

Ground Floor Excluding George Street Footway

Monday	05:00 AM to 01:00 Tuesday
Tuesday	05:00 AM to 01:00 Wednesday
Wednesday	05:00 AM to 01:00 Thursday
Thursday	05:00 AM to 01:00 Friday
Friday	05:00 AM to 01:00 Saturday
Saturday	05:00 AM to 01:00 Sunday
Sunday	10:00 AM to 12:00 Midnight

Live Music Performance – Ground Floor

Monday	10:00 AM to 00:30 AM Tuesday
Tuesday	10:00 AM to 00:30 AM Wednesday
Wednesday	10:00 AM to 00:30 AM Thursday
Thursday	10:00 AM to 00:30 AM Friday
Friday	10:00 AM to 00:30 AM Saturday
Saturday	10:00 AM to 00:30 AM Sunday
Sunday	10:00 AM to 23:30 PM

Rooftop Area (PROPOSED)

Monday	10:00 AM to 01:00 AM Tuesday
Tuesday	10:00 AM to 01:00 AM Wednesday
Wednesday	10:00 AM to 01:00 AM Thursday
Thursday	10:00 AM to 01:00 AM Friday
Friday	10:00 AM to 01:00 AM Saturday
Saturday	10:00 AM to 01:00 AM Sunday
Sunday	10:00 AM to 12:00 Midnight

** rooftop to be enclosed from 12 midnight to 1AM to achieve acoustic compliance per recommendations of consultant*

4. Noise

The Mercantile Hotel is a place of public entertainment. Sound emitted from patron activity, music (pre-recorded music, acoustic and live music bands), waste disposal and mechanical plant and equipment are monitored and controlled always by use of reasonable measures.

These measures include:

- The building is effectively soundproofed to ensure the level of amplified sound emitted therefrom shall not exceed a mean peak sound pressure level of 55db when measured at the boundary of the nearest residential premises.
- A sound compressor to be installed and maintained to the satisfaction of the Council which automatically commences operation when the sound pressure reaches 97db and reduces noise to below that level.
- Ground floor windows of the hotel premises facing north are kept closed during the provision of entertainment or use of sound reproductive equipment.
- Live music is supervised at all times.
- At the close of venue, employees are provided to monitor behaviour of patrons upon leaving the hotel; to ensure no undue disturbance occurs to the residential amenity or to the good order of the neighbourhood within the hotel premises, to ensure all hotel patrons depart from the hotel not later than fifteen (15) minutes after the closure of the hotel, to ensure patrons standing on footpaths in the vicinity of the hotel shall not obstruct the passage of travel for pedestrians using the said footpaths and patrons do not remove any of the hotel's drinking vessels from the hotel environment.
- Any entertainment provided, whether live or by means of sound reproductive equipment, is to cease on Mondays to Saturdays by 12:30 AM on the following morning.
- No amplified music shall be played in the hotel after the hotel's closing time.

With specific regard to the proposed rooftop bar, the following parameters apply:

- The rooftop bar may accommodate up to 100 patrons in an outdoor terrace area and up to 70 patrons (but no more than 150 patrons in total).
- The rooftop bar will be enclosed on the north, west and south sides and the roof, and have openable concertina-type doors facing east.
- The following operational conditions are proposed (from 7am to midnight):
 - No more than 150 patrons in the rooftop bar area in total;
 - No more than 100 patrons in the outdoor terrace area at any time;
 - No more than 70 patrons in the partially-enclosed area at any time;
 - Speakers must be located within the partially enclosed area only;
 - Music levels must not exceed the values shown in Table 8 and Table 9 (below):

Table 8 Maximum Noise Levels for Sound System – three speakers

Noise Level Descriptor	Maximum Venue Noise Levels, dBA LA10									Overall Level, dBA
	Octave Band Centre Frequency (Hz)									
	31.5	63	125	250	500	1000	2000	4000	8000	
SWL ¹ LA10, dBA LAw	57	68	76	77	80	82	78	70	58	86
SPL ¹ at 1 m, dBA LA10	46	57	65	66	69	71	67	59	47	75

1. The difference between the sound power level (SWL) and the sound pressure level (SPL) at 1 m can vary depending on loudspeaker location / room arrangement. The above should be taken as indicative. Final setting of the SPL should be confirmed by an acoustical consultant.

Table 9 Octave Band Spectral Adjustment for Number of Speakers

Number of Speakers in Sound System	Adjustment Added to Maximum Noise Level, dBA								
	Octave Band Centre Frequency (Hz)								
	31.5	63	125	250	500	1000	2000	4000	8000
1	+5	+5	+5	+5	+5	+5	+5	+5	+5
2	+2	+2	+2	+2	+2	+2	+2	+2	+2
3 ¹	0	0	0	0	0	0	0	0	0
4	-1	-1	-1	-1	-1	-1	-1	-1	-1
5	-2	-2	-2	-2	-2	-2	-2	-2	-2
6	-3	-3	-3	-3	-3	-3	-3	-3	-3

1. Assessment was based on the SLR assumption of three speakers within the partially enclosed area.

- The following operational conditions are proposed (from midnight to 1am):
 - The east-facing doors must be closed;
 - No patrons in the outdoor terrace area;
 - The patron numbers within the enclosed area must not exceed 70; and
 - No music is allowed.
- External mechanical plant located on the rooftop must be compliant with the INP noise limit.

5. Security and Safety

In line with a common understanding with local police and stakeholders, security is provided at a ratio of 1:100 patrons during weekend activity and higher volume trade periods. The number of security personnel on duty depends on the time of week and special event days. As many as up to six security guards can patrol on a standard weekend day. Two remain on entrances, two patrolling ground Level (inside, outside seating area and courtyard) and two patrolling rooftop level and monitoring the number of patrons on rooftop. Liaising with local police occurs on any special events days where specific measures and conditions are put in place relating to security and safety. Security personnel can start as early as 12pm and finish after the last patron leaves the premises up to an hour after the closure of the venue. Ground floor outside area is defined by barricades on weekends and special event days.

In addition to the CCTV system mentioned above, at the main entrance to the premises, a CCTV recording of these cameras must be sufficient to enable an individual to be identified, beyond reasonable doubt, when:

- The person represents not less than 100% of the screen height, and
- There is an unobstructed view of the person's face.

In addition, CCTV cameras are maintained throughout the premises and are sufficient to enable the recognition of a person. A viewer can say with a high degree of certainty whether an individual shown is the same as someone they have seen before, when:

- The person represents not less than 50% of the screen height, and
- There is an unobstructed view of the person's face.

Cameras will not be obstructed by temporary or permanent structures, signage or any other impediments and cameras always meet above mentioned standards by way of camera positioning, camera shades and other environmental factors.

Recordings are in digital format and record a minimum of ten (10) frames per second and commence one hour prior to opening and operate continuously until at least one hour after closure. The correct time, date and camera identification is automatically embedded on all recordings and can be read when the image is played back on a different system without interfering with the view of the target area. Recording is retained for a period of 30 days before being reused or destroyed and the licensee ensures that no person is able to delete or alter any recording within the 30 day period. The CCTV system can reproduce a copy of the recordings on Compact Disc, DVD or USB memory stick and is able, upon request, to be provided within one working day to NSW Police, Liquor and Gaming Inspector or other regulatory officers.

Signage, not less than 15mm in height and on a contrasting background, is erected in a prominent position near the principal entry to the premises. The signage states the "approved patron capacity is 431". Signage, not less than 15mm in height and on a contrasting background, is erected near the main entrance to the premises and visible to a person leaving the premises states: "upon leaving please respect residents by minimising noise". Any disturbance complaints made by a person to the management or staff in respect to the way the business of the premises is conducted and/or the behaviour of persons entering or leaving the premises is recorded in a register. The record includes time and date of complaint, complainant details (if provided), nature of complaint and any action taken by premises to resolve the complaint including follow up and outcome.

6. Management Measures

6.1 General Amenity

Any complaints made by a person to the management or staff in respect to the way the business of the premises is conducted and/or the behaviour of persons entering or leaving the premises is recorded in a register. The record includes time and date of complaint, complainant details (if provided), nature of complaint and any action taken by premises to resolve the complaint including follow up and outcome.

Waste storage areas are located on the west side of the building ground floor (near toilets) and the southeast end of rooftop (level 3). This includes general waste, bottle recycling and cardboard/paper recycling. General waste is removed from the premises on a daily schedule before midnight on trading days Monday to Thursday and before 02:00 AM the following day on trading days Friday, Saturday and Sunday. The glass recycling bin is placed on the southeast corner of the rooftop space. Glass is collected twice per week on Tuesday and Friday mornings after 07:00 AM. The cardboard/paper recycling machine is placed on the southeast corner of the rooftop space and collected twice per week on Wednesday and Friday mornings after 07:00 AM.

The ground level footway area will be cleaned daily with rubbish and refuse removed each day. Daily cleaning of the premises will commence as early as 05:00 AM with all windows and doors remaining closed whilst the interior of the premises is being cleaned any time prior to 07:00 AM.

Gaming machines are in a separate room on the west side of the ground level. Access will be from a southern door of this room. Regularly patrolling by staff and security is made throughout trading. All gaming regulatory conditions are upheld always.

The Mercantile Hotel offers much information through our website, social media and staff training informing our location and availability of public transport to and from the hotel, style of transport available and times. Uber transport services can be obtained easily along with taxis that operate on George Street directly opposite the hotel, facing south. A taxi rank can also be found 150m south on George Street outside Holiday Inn Old Sydney Hotel. Trains operate until midnight with Circular Quay train station located 650m south of the hotel.

The rooftop area will remain a smoke free zone. The northern section of the George street footway area can operate as a smoking area. Smoke butt receptacles are made available throughout this area when provided.

6.2 Noise

Refer to Section 4 of this PoM for details of acoustic criteria and mitigation measures, both existing and proposed.

Further measures currently implemented by The Mercantile Hotel include cleaning operations as outlined above with regards to windows and doors remaining closed during internal cleaning before 07:00 AM. Information on waste management outlined above ensuring all necessary waste removal processes occur at a reasonable timeframe to ensure amenity noise impacts are kept to the standards existing in the area. General waste is removed from the premises on a daily schedule before midnight on trading days Monday to Thursday and before 02:00 AM the following day on trading days Friday, Saturday and Sunday. Glass is collected twice per week on Tuesday and Friday mornings after 07:00 AM.

Cardboard recycling is collected twice per week on Wednesday and Friday mornings after 07:00 AM.

In addition to above mentioned measures in place to monitor and control noise levels, management and staff will continue to ensure noise levels are maintained by:

- Regular monitoring of sound at nearest residential premises,
- Ensuring above mentioned signage is kept in place to remind patrons of residents,
- Entertainment ceases 30 minutes prior to cease of trade,
- Noise level limiting devices are installed and maintained, and
- Ensuring relevant windows and door remain closed when live entertainment is provided.

6.3 Safety and Security

The Licensee participates in the precinct liquor accord that applies to the Sydney Central precinct designated by the Director-General of Communities NSW under section 136B of the Liquor Act 2007.

Management, staff and security will ensure above mentioned entertainment measures are observed and no undue disturbance occurs to the residential amenity or to the good order of the neighbourhood from within the hotel premises. Management, staff and security will also ensure that patrons standing on footpaths in the vicinity of the hotel do not obstruct the passage of travel for pedestrians using the footpaths and patrons of the hotel do not remove from the hotel environs, any of the hotel's drinking vessels. Security remind patrons to move south on George Street to nearest public transport and away from residents north on George Street.

The number of security personnel on duty depends on the time of week and special event days. As many as up to six security guards can patrol on a standard busy weekend day. Two remain on entrances, two patrolling ground Level (inside, outside seating area and courtyard) and two patrolling rooftop level and monitoring the number of patrons on rooftop. Liaising with local police occurs on any special events days where specific measures and conditions are put in place relating to security and safety. Ground floor outside area is defined by barricades on weekends and special event days.

Management of The Mercantile Hotel ensures patrons do not crowd or loiter in the vicinity of the premises. Management also ensures that the way the business of the premises is conducted and/or the behaviour of persons entering and leaving the premises does not cause undue disturbance to the amenity of the neighbourhood. Management is responsible for noise and litter generated by persons and/or premises operations.

An adequate queuing system for patron is implemented (when required) at the entrance of the premises to ensure that the patrons queuing to gain entry do not obstruct or impede pedestrian traffic flow. Queues are monitored by security and controlled by use of rope barricades. Queues are also controlled by ensuring patrons leaving the premises are made aware they will not regain entry. Patrons queuing are also made aware of expected waiting times to enter the venue and are encouraged to consider other options. Patrons are always made aware of public transport options at these times.

Prior to commencement of trade each day, the CCTV system is 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 will notify the Local Area Commander or Delegate within two hours. All reasonable steps are undertaken to

repair the system as soon as practicable. The Licensee will record this daily checking activity in the incident register book that meets the standards required by the Licensing Police and Council.

Immediately after the person in charge of the licenced premises becomes aware of an incident involving an act of violence causing an injury to a person on the premises, the person will:

- Take all practical steps to preserve and keep intact the area where the act of violence occurred,
- Retain all materials and implements associated with the act of violence in accordance with the crime scene preservation guidelines by the NSW Police,
- Make direct and personal contact with the Local Area command or his/her Delegate and advise the Commander or Delegate of the incident, and
- Comply with any directions given by the Commander or Delegate to preserve or keep intact the area where the violence occurred.

The licence of The Mercantile Hotel is located in the Sydney CBD Entertainment Precinct. An Incident Register is maintained at all times.

The Mercantile Hotel strives to provide responsible, safe and professional service of alcohol. We will endeavour to serve our guests in a responsible, friendly and professional manner and abide by the conditions of our liquor license. Staff is on hand to assist guests in enjoying their time in The Mercantile Hotel and to assist in their decision to drink in moderation and, where appropriate, avoid drinking activities that put guests at harm or risk. Management is committed to adhere to all liquor licensing laws.

The Staff and Management of The Mercantile Hotel promote the enjoyment of the guests and our community by adhering to the following:

- Management reserves the right to cease the sale of any product at any time eg. No more doubles/shots.
- Management reserves the right to limit alcohol purchase to one drink per person on any occasion.
- Management reserves the right to supply beverages in non-breakable containers at any time.
- Alcoholic beverages are not permitted to be taken off the premises.
- Footwear must be worn at all times.
- Food is available at all times during the sale of alcohol.
- Free water is provided and made easily available at all times.
- Selections of non-alcoholic and low-alcohol drinks are provided.
- Management and staff encourage patrons to monitor and control your consumption of liquor.
- Management and staff will deter patrons from rapidly and excessively consuming alcohol.
- Liquor will be supplied in standardized quantities recognized by the patron.
- From midnight, no shots, doubles, or "bombs" will be served. All spirits/liquors will contain at least 50% mixer.
- From midnight, a maximum of 4 drinks or 1 bottle of wine will be served per person.
- From midnight, no RTDs containing more than 5% alcohol will be served.
- All staff holds a current Responsible Service of Alcohol certificate/card.

- Excluding the Gaming Room and Main Bar area, minors are permitted anywhere in the premises in the company of a parent /guardian.
- All guests are required to provide acceptable evidence of age if there is any doubt they are under the age of 18 years. No minor will be served or allowed to consume alcohol.
- Persons will not be permitted to smoke in the defined “no smoking” areas of the hotel, inside and outside.
- Persons will not be permitted entry if they are seen drinking outside or in the surrounding areas of the venue.
- Persons will not be permitted entry or served if they are seen to have been engaging in any anti-social activities.
- Persons will not be permitted entry or served if they are wearing or displaying any clothing, jewellery, accessories or tattoos indicating they are a member of an outlaw motorcycle gang or similar organisation.
- Persons will not be permitted entry or served if they are intoxicated, aggressive, quarrelsome or disorderly.
- Patrons asked to leave the premises for the above reasons must move 50 meters away from the venue and must not return to the venue for 24 hours or the vicinity for 6 hours (unless they are in danger, seeking transport or reside in the vicinity)
- We ask that patrons leave the venue and surrounding area clean and with minimal noise.

All staff involved in the sale and/or service of alcohol must have completed an approved Responsible Service of Alcohol (RSA) course. At no time is staff to encourage excessive or unsafe drinking practices. We are committed to the ongoing training to deliver the best possible adherence to our policy. At no time will any person exhibiting any of the following, be admitted into, or served in the venue:

- If intoxicated
- If aggressive, quarrelsome or disorderly
- If, or is suspected of being, under the influence of any illicit substance
- If, or is suspected of being, in possession of any illicit substance.

We reserve the right to define ‘intoxication’ for this purpose.

Respect, courtesy and dignity are the standards by which our guests will be dealt with whilst on our premises. Whilst keeping this in mind, all staff, including security, will be mindful of refusing service and/or entry to any guest who displays any signs of intoxication (as per RSA), cannot prove their age or is generally unruly.