

Lyrique Bar, East End, Newcastle

185 Hunter St, Newcastle NSW 2300

Plan of Management

Revision: November 2024 – Ref: MA2024_00006, PPSHCC-295, PAN-404123.



Lyrique Bar - Plan of Management

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Background.

East End Stage 1 is located at 163, 169-185 Hunter Street Newcastle NSW 2300

On June 16, 2017, Iris lodged with Newcastle City Council a Staged Concept Masterplan Proposal for the East End Project DA (Reference DA17/00701) and an East End Stage 1 DA (Reference DA17/00700)

On December 21, 2017 the JRPP approved East End Stage 1 2017HCC017- Newcastle-DA2017/00700 and East End 2017HCC018- Newcastle-DA2017/00701. On January 4, 2018, NCC issued conditions of Development Consent and stamped plans/reports for (East End DA(s)). The Stage 1 DA provides for a mixed use development incorporating the adaptive reuse of the former David Jones building (Building B) for ground level retail and shop top housing and the erection of three new buildings (Buildings A, C and D) for retail use and shop top housing above basement parking.

In late July 2018, Iris lodged a Section 4.55(2) Application to NCC encompassing various amendments to the approved Concept DA D2017/00701 which was approved by the JRPP on February 28, 2019. On 6 February 2019, NCC granted consent to a Section 4.55(1A) application for minor modifications to Stage 1 DA (Reference DA2017/00700.01).

On October 21, 2019, Iris lodged DA 2019/01150 on behalf of East End Stage 1 P/L encompassing a Ground Floor Sports Bar/Gaming Lounge (now **Lyrique Bar**) .

On April 16, 2020, The Joint Regional Planning Panel issued Determination PPHCC-27_ DA 2019/01150 and MP Determination DA 2017/00701.02 approving DA 2019/01150.

On November 25, 2022, Iris Lodged QT Hotel Rooftop Terrace Extended Trading application PPSHCC-296, MA2022_00433, PAN-286418 . Consent was granted 03 September 2024.

On January 12, 2024 Iris Lodged Lyrique Bar Extended Trading application ETA PPSHCC-295, MA2024_00006, PAN-404123. The JRPP met Tuesday, 5 November 2024 2:30 PM-4:30 PM to consider the matter. The CN subsequently requested additional information be submitted in form of a standalone Plan of Management that is specific to the operation of the Lyrique Bar (**this POM**)

Description of *Lyrique Bar* approved under DA 2019/01150

The Lyrique Bar encompasses a Sports Bar a Gaming Room and associated amenities

Purpose of this Lyrique Bar Plan of Management

All Lyrique Bar operational management team and staff (including those involved with the sale or supply of liquor, the conduct of gaming or the provision of security) will be familiar with and implement this Plan of Management. A copy of this Lyrique Bar Plan of Management shall be available on site at all times and immediately produced for inspection, upon request by the NSW Police, Officers of Liquor and Gaming and Newcastle City Council. Copies of the development consent DA 2019/01150 and the relevant licenses will also be kept on site and produced upon request the NSW Police, Officers of Liquor and Gaming and Newcastle City Council.

1. Surrounding uses

Newcastle is the second largest city in NSW and is located to the north of the Greater Sydney Metropolitan Area.

The Newcastle CBD is located at the northern end of the Newcastle Metropolitan Area, on the southern bank of the Hunter River. The CBD is a long, linear centre that has developed around the historical port of Newcastle, and stretches from Wickham in the west, to Newcastle East in the east.

The city centre is divided into three (3) distinct precincts: East End, the Civic Precinct, and West End. The East End is home to many of the city's key heritage assets, and the city's main retail destination, Hunter Street Mall.

Development along the northern side of the Hunter Street Mall is a mix of two (2), three (3), and four (4) storey development, with retail at ground level, typically containing commercial office space above, and includes two (2) heritage buildings at 160 and 170 Hunter Street.

Perkins Street forms the eastern boundary of the site. On the western side of Perkins Street is a mix of commercial development of various scales and building forms. Uses comprise the Crown and Anchor Hotel, retail shops and offices, and the former Victoria Theatre. The streetscape presents a mixture of scale and form.

The Lyrique Bar contributes to the Newcastle After Dark Strategy (After Dark) adopted on 27 November 2018 which sets the strategic intent for the development of a safe and vibrant night-time economy for Newcastle through outlining key priorities and actions.

Lyrique Bar is located within one of six priority areas identified in the After Dark Strategy for strategic alcohol management, night-time economic development, night-time design, cultural participation and activation, regulation, planning and licensing.

Lyrique Bar is located within one of the seven significant precincts, being the East End. In respect to the East End, After Dark outlines that more small bars are welcomed, and the precinct is characterised by twilight through to night-time economy (i.e. 5:00pm to 1:00am).

Lyrique Bar aligns with the Vibrancy Guidelines and delivers positive outcomes related to the NSW Government Vibrancy Guidelines.

Operational aspects of the approved Lyrique Bar

1. Lyrique Bar approved operating hours **[pending JRPP determination]**

- a. **Lyrique Bar** will trade including for the purpose of serving alcohol or providing gaming, between 10 am and 2 am, Monday to Saturday, and between 10 am and 12 am, Sunday.
- b. Staff or other authorised persons may be in the Lyrique Bar outside their respective hours of trade for the purpose of tasks including for preparation of trading and activities post trading including cleaning and servicing .

2. Lyrique Bar access

General pedestrian access to and from Lyrique Bar are available directly from:

- i. Lyric Lane during Lyrique Bar operating hours from 10 am and 2 am, Monday to Saturday, and between 10 am and 12 am, Sunday.

Secured pedestrian access to and from Basement for staff will be available from:

- i. King Street basement carpark entry and exit 24 hours per day, 7 days per week (with security clearance where outside basement carpark public operating hours)

Staff access to and from Lyrique Bar will be available from:

Staff access to and from Lyrique Bar to service areas including Loading Dock (internally only outside NCC dock operating hours), waste handling, plant rooms, basement carpark, Lyric Lane public lift and the like will be 24 hours per day, 7 days per week typically from the basement, service lift or the internal Loading Dock.

3. Public Transport options

- a. The Lyrique Bar is centrally located with easy taxi access along both Hunter and Perkins Streets
- b. The Lyrique Bar is already serviced by existing public transport routes including buses
- c. The Lyrique Bar is well serviced by the new Newcastle Light Rail, which links directly to heavy rail at the Newcastle Transport Interchange in Wickham, Newcastle.
- d. A new public bus interchange is also approved at the Wickham interchange which will further enhance public transport options servicing the Lyrique Bar .
- e. An existing shuttle bus service provides Lyrique Bar guests access to and from Newcastle Airport

4. Loading dock

Located fronting King Street, the East End Stage 1 Loading Dock (Loading Dock) includes:

1. Shared Loading Dock on L2 accessible from King Street
 2. Shared goods lift across B1, Level 1 and Level 2 provided to service the Loading Dock
 3. Shared goods lift lobbies and access ways
 4. Shared waste (and other) handling areas within Loading Dock and adjacent the goods lift
 5. Basement access generally
- b. The Loading Dock is a common facility to be shared by the various Owners and Tenants (including their nominees) of the East End Stage 1 Stratum/Strata Schemes. The Lyrique Bar is therefore able to utilise the Loading Dock, at certain agreed times and on a shared basis
 - c. A Shared Loading Dock Management Plan that regulates the shared access and operation of the Loading Dock is in utilised.
 - d. The Shared Loading Dock Management Plan incorporates the following rights/obligations for/on the Lyrique Bar (and its nominees):
 - i. A right for shared use of the Loading Dock at certain times and for certain periods
 - ii. A right to occupy a portion of the Level 2 Loading Dock and turntable at certain times (pre agreed) and for certain periods to facilitate the transfer of palletized goods (or others agreed) to and from the Lyrique Bar . During these periods, the Lyrique Bar

Operator must separate on a temporary basis their portion of the Level 2 Loading Dock and turntable in accordance with WHS law, such that others are not prevented for also using the residual areas of the Level 2 Loading Dock and turntable.

- e. The Loading Dock will be open and accessible for loading/unloading vehicles arranged in accordance with the Shared Loading Dock Management Plan, from King Street per Councils approved operating hours being from 7am to 6pm Monday to Friday and 8am to 6pm Saturday and Sunday (unless a separate application to vary the hours of operation has been submitted to and approved by Council). During this period, the Loading Dock shutter at King Street remains open.
- f. The Loading Dock will be open and accessible for loading/unloading vehicles arranged in accordance with the Shared Loading Dock Management Plan, from within the Loading Dock itself, 24 hours per day, 7 days per week on the proviso that the Loading Dock shutter at King Street remains closed and that personnel engaged on loading operations remain within the confines of the Loading Dock.

5. Loading Dock operations generally

The following Newcastle City Council conditions of consent (D2017/00700 as amended from time to time) relating to the operation and use of the Loading Dock follow and are to be complied with at all times:

a. Condition F4 Loading

Vehicles are to be loaded or unloaded standing wholly within the premises and within loading bays designated on the submitted plans or as otherwise provided in accordance with the conditions of this consent and under no circumstances are vehicles to be loaded or unloaded at the kerb side, across the public footpath or in a manner which obstructs vehicular access to the site

b. Condition C17 Loading Dock Security Gate

The approved security gate at the entry to the approved King Street loading dock being located a minimum distance of 4.0m from the King Street property frontage. Full details to be included in documentation for a Construction Certificate application.

c. Condition F4 Loading

Vehicles are to be loaded or unloaded standing wholly within the premises and within loading bays designated on the submitted plans or as otherwise

provided in accordance with the conditions of this consent and under no circumstances are vehicles to be loaded or unloaded at the kerb side, across the public footpath or in a manner which obstructs vehicular access to the site

d. Condition F5 Loading Bay Management

The loading bay area is to be managed such that all heavy vehicle movements to and from the site are in a forward direction. In this regard the loading bay area turntable being regularly serviced and maintained to the requirements set out by the manufacturer of the system. In this regard the owner or the occupier of the building is to enter into an annual service and maintenance contract with the manufacturer's service agent for the life of the system. A copy of the initial service and maintenance contract is to be provided to Council prior to any occupation of the building. In the event of permanent failure of the system (which is unable to be remedied by servicing), the owner of the building

e. Condition F7 Hours of Operation of Loading Dock

The hours of operation of the 'Loading Dock' are to be not more than from 7am to 6pm Monday to Friday and 8am to 6pm Saturday and Sunday unless a separate application to vary the hours of operation has been submitted to and approved by Council.

The use of the loading dock will be subject to a booking system to ensure deliveries are suitably managed.

f. Condition F8 Delivery Vehicle Size

The maximum size vehicle accessing the approved King Street loading dock being restricted to a medium rigid vehicle (MRV) as defined under AS 2890.2.

Under no circumstances is a heavy rigid vehicle (HRV) or an articulated vehicle permitted to enter the loading dock area.

6. Perkins Street/Hunter Street Public Loading Zone

NCC advise that a 'Loading Zone' is proposed in Perkins Street near the Crown & Anchor Hotel for the servicing of the immediate precinct and permitting the unloading of goods.

7. Transfer of goods and materials to and from *Lyrique Bar* and Loading Dock

- a. Loading access to and from the **Lyrique Bar** to the Loading Dock will typically be via Basement Level 1:
 - i. to and from the **Lyrique Bar** Storage areas and Hotel Goods Lift
 - ii. to and from the Loading Dock Shared goods lift
 - iii. then via the Loading Dock Shared goods lift to the Shared Loading Dock at Level 2 fronting King Street
- b. Handling of goods and materials through Basement 1 will be typically by pallet trolley or via wheeled trolleys/totes accompanied by **Lyrique Bar** Staff.
- c. Lyrique Bar goods and materials must not be stored or left unaccompanied in Basement 1 unless within:
 - i. a dedicated waste handling room
 - ii. a dedicated Hotel store room

8. Waste including Recycling

- a. Lyrique Bar waste will be collected on basement 1 either within existing shared waste room. In the case of shared waste rooms, Lyrique Bar waste will be separated from Residential waste via chain wire partitioning and suitable signage to avoid cross contamination of waste streams.
- b. Waste from the Lyrique Bar will be transported to the loading dock per the approved waste management plan (typically via Basement Level 1 to the Loading Dock shared goods lift, then via the Loading Dock shared goods lift to the Shared Loading Dock at Level 2 fronting King Street)
- c. All waste shall be stored in the designated waste storage area until collection day. The collection of Lyrique Bar waste and recyclable material will typically occur between 7am to 6pm Monday to Friday and 8am to 6pm Saturday and Sunday/Public holidays.
- d. The Lyrique Bar shall be typically cleaned daily after closing, or prior to 8 am, and more frequently if the need arises.
- e. The Lyrique Bar Operator will ensure that any spills from the disposal of rubbish are mopped up promptly and rubbish removed from the Lyrique Bar on a daily basis, and in addition, on an as-needs basis.
- f. The removal of wastes and recyclable materials shall be made by Council or a recognised contractor. 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.
- g. Waste management (recyclable and non-recyclable) is to be serviced from King Street loading dock approved under DA 2017/00700 Stage 1. Under no circumstances are garbage bins to be presented to the street for kerbside collection or services from the street.

9. Hotel/Lyrique Bar Goods lift

- a. The Hotel/ Lyrique Bar goods lift is a dedicated goods lift and provides for vertical circulation between Lyrique Bar and Basement 1
- b. The goods lift is accessible from, and services Lyrique Bar via a shared service corridor
- c. Lyrique Bar patrons are not to use the Goods lift. Lyrique Bar patrons will use the Public lift in laneway (Lyrique Lane) to access the basement and will use the Lyrique Lane to access the Lyrique Bar

10. General Amenity

- a. The Lyrique Bar Operator shall consider the amenity of neighbors and shall take reasonable measures to ensure the conduct of the business does not impact adversely on the surrounding areas of Perkins and King Streets and Victoria Lane.
- b. The Lyrique Bar Operator will take reasonable measures to ensure that the behaviors of guests, staff and patrons when entering or leaving the Lyrique Bar do not detrimentally affect the amenity of the neighborhood.
- c. The Lyrique Bar Operator shall ensure that the Lyrique Bar is conducted in such a manner as not to interfere with, or materially affect, the amenity of the neighborhood by reason of noise, vibration, smell, fumes, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil, or otherwise.
- d. The Lyrique Bar Operator shall ensure that the immediate vicinity of the Lyrique Bar is kept clean and tidy during the Lyrique Bar's hours of operation.

11. Smoking

- a. Smoking within Lyrique Bar
 - i. With the exception only of the amenities, the Lyrique Bar provides a compliant smoking solution for all its patrons within all areas of the venue. Patrons wishing to smoke are therefore are not required to leave the venue.
 - ii. The benefits of the Lyrique Bar smoking solution include:
 - that the need for patrons wishing to smoke to leave the venue is eliminated
 - noise impacts to neighbours arising from patrons who would otherwise be required to leave the venue to smoke is eliminated
- b. Smoking outside Lyrique Bar
 - i. Because of the Lyrique Bar's smoking solution:
 - patrons are advised that there is no need to leave the venue to smoke
 - patrons are encouraged to remain in the venue such that noise impacts to neighbours arising from patrons who would otherwise be required to leave the venue to smoke is minimised

12. Lyrique Bar staff and services

Lyrique Bar will be serviced by between 1 and 4 staff members. (Average 2 staff)
Staff will generally be dressed in the appropriate uniform and will work at all times to encourage the smooth operation of venue and the satisfaction and safety of

patrons. Staff will have completed the appropriate Responsible Service of Alcohol qualification and act to maintain consistency with the Plan of Management.

13. Cleaning

The Lyrique Bar Operator will ensure as far as practicable that the premises are kept in a clean and tidy condition both internally and externally. Staff will clean the internal and external areas of the building on a daily basis. The bar areas will be thoroughly cleaned as part of the employment of staff. This will be closely monitored by the Lyrique Bar Operator's management team.

The Lyrique Bar Operator will ensure as far as practicable that the footpath, gutter, building entry and immediate surrounds are kept clean and clear of litter at all times. Whilst the Lyrique Bar provides a compliant smoking solution for all its patrons within all areas of the venue, meaning there is no requirement to leave the venue to smoke, the Lyrique Bar Operator will take appropriate steps to raise patron's awareness of responsible disposal of cigarette butts regardless.

The Lyrique Bar Operator will endeavour to remove any graffiti from the building within 48 hours of the graffiti appearing and should it be required, contact Council to assist.

14. Maintenance

- a. Maintenance of the Lyrique Bar will be undertaken on an as needs basis

15. Building services

- a. The Lyrique Bar is serviced by plant located both within the basement and upon the adjacent Building C roof level.
- b. Lyrique Bar plant is suitably acoustically treated and typically mounted upon vibration isolating mounts to minimize any disruption to neighbors, patrons and guests.

16. Fire safety and essential services

- a. The Lyrique Bar Operator shall ensure that all essential services installed at the Hotel are certified annually and shall ensure that they remain in good working order at all times.
- b. In the event of any malfunctioning of any essential service, the Lyrique Bar Operator shall ensure that it is rectified as quickly as soon as possible.
- c. The Lyrique Bar Operator shall ensure that lists of the telephone numbers of all relevant emergency agencies shall be kept in the office and behind Reception where they are readily accessible.
- d. All Lyrique Bar Operator managers and other permanent staff shall be made aware of fire safety requirements and the procedures to be followed in the event of an emergency at the Lyrique Bar .

17. Capacity

The maximum patron numbers of the Hotel combined ground floor is 400 in accordance with BCA (sanitary facilities/egress) requirements.

The capacity of the Lyrique Bar is limited to 100 patrons.

In relation to the Lyrique Bar , the method for controlling patron capacity be:

- a. by monitored periodic head counts, made by a member of the Lyrique Bar staff; and
- b. whenever capacity is exceeded, entry will be confined to one doorway and the number of patrons present shall be counted by the use of a hand-held counting device operated by Lyrique Bar staff member designated by the Lyrique Bar Operator.

18. Service of alcohol

A single Liquor Licence for the entire QT Hotel and Lyrique Bar is in place encompassing:

1. QT Ground Floor Restaurant. (Shown on plans as Restaurant).
2. QT Ground Floor Hotel Bar. (Shown on plans as Bar/Lounge).
3. Lyrique Bar
4. QT Roof Terrace Bar. (Shown on plans as Rooftop Bar/Bar Terrace).
5. QT Throughout the On-Premises Accommodation including shared spaces. Accessible by Guests (Shown on plans as Rooms).

Patrons under the age of 18 will be permitted within the entire Hotel Premises with the exception of the Lyrique Bar Gaming Room where no minors are permitted.

19. Responsible service of alcohol

The licence attached to the Hotel/Lyrique Bar shall be exercised – at all times – in accordance with the provisions of the Liquor Act, Gaming Machines Act and related Regulation and its condition of development consent.

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

- a) All staff involved in the sale and supply of liquor or security, shall have completed an approved course in the Responsible Service of Alcohol;
- b) All staff holding RSA Competency Cards are required to have those cards on their person at all times when working at the Lyrique Bar . [Failure to produce RSA Certification at the request of Police or Inspector is an offence under the Liquor Act 2007 with a maximum penalty of \$550 payable by the offender];
- c) The Licensee shall not permit any liquor promotion that is likely to encourage the irresponsible consumption of liquor;
- d) Alcohol shall not be served to any person who is intoxicated;
- e) Any person who is intoxicated shall be denied entry to the Lyrique Bar ;

- f) All staff and security shall ensure that intoxication or any indecent, violent or quarrelsome conduct by patrons in the Lyrique Bar is brought to the attention of the Lyrique Bar Operator manager. Any person causing such a disturbance shall be refused service and asked to leave the Lyrique Bar . Any patron whose behaviour is either extreme or repeatedly objectionable may be barred from entering the Lyrique Bar for a period determined by the Licensee;
- g) No person under the age of 18 years shall be admitted to the Lyrique Bar unless in the company of a responsible adult.
- h) No person under the age of 18 years shall be permitted to enter the Gaming Lyrique Bar Room.
- i) Production of photographic identification will be required where age is an issue. The only acceptable evidence of age identification shall be:
 - i. A driver or rider's licence or permit issued by an Australian State or Territory or any foreign country
 - ii. A current Australian passport or a current foreign passport,
 - iii. NSW photo card (issued by Roads and Maritime Services NSW)
 - iv. Proof of age card issued by a public authority of the Commonwealth or of another State or Territory for the purpose of attesting to a person's identity and age
 - v. Keypass (over-18) Identity Card issued by Australia Post;
 - vi. A digital driver licence
- j) Low alcohol beer and non-alcoholic beverages shall be available at all times when full strength liquor is available;
- k) Free drinking water shall be available at all times when liquor is available;
- l) Light meals shall be available, on request, whenever liquor is available for consumption in the Hotel; and
- m) Substantial meals shall be available at all conventional meal times.
- n) A person is to be considered intoxicated if the person's speech, balance, co-ordination or behaviour is noticeably affected and it is reasonable in the circumstances to believe that the affected speech, balance, co-ordination or behaviour is the result of the consumption of liquor.

20. Conduct of the Lyrique Bar gaming room

- a) Only adults will be permitted to enter, or remain in, the Lyrique Bar
- b) All staff working in the Lyrique Bar , or serving patrons, shall hold a current recognised responsible conduct of gaming competency card or an interim responsible conduct of gaming certificate.
- c) Persons holding recognised competency cards or interim certificates are required to have their cards or certificates on their persons at all times when undertaking activities involving approved gaming machines in the Hotel.
- d) The Licensee shall maintain a register of all recognised RCG certification held by staff of the Lyrique Bar . That register shall be available for inspection in the same manner as the Hotel's register of certificates for the responsible service of alcohol.

21. Signage

All mandatory and statutory Office of Liquor, Gaming and Racing signage (ILGA) will be displayed internally and at required entrances. All other external permanent signage is subject to Council approval.

The Licensee shall ensure signage is erected and maintained in a clear and prominent position adjacent to all points of egress, requesting that patrons depart the Hotel in a manner respectful of the amenity of the surrounding area, or wording to that effect.

The Licensee shall be responsible to ensure all signage required under the Liquor Act 2007, Gaming Act 2010 and the Regulations, is displayed and maintained in a prominent position, in accordance with those legislative requirements; including:

- i) Signage at the entrance stating the licence name, type of licence, licence number and the name of the Licensee;
- ii) Signage at the entrance stating the times during which liquor is authorised to be sold or supplied on the premises;

Signage at the entrance to the Hotel stating: PERSONS UNDER THE AGE OF 18 YEARS WHO ARE NOT IN THE COMPANY OF A RESPONSIBLE ADULT ARE NOT PERMITTED IN THIS HOTEL BY LAW;

Signage at any bar area stating: IT IS AGAINST THE LAW TO SELL OR SUPPLY ALCOHOL TO, OR TO OBTAIN ALCOHOL ON BEHALF OF, A PERSON UNDER THE AGE OF 18 YEARS; and

All signage required by the Totalisator Act and the Public Lotteries Regulation insofar as they relate to the provision of Keno.

Signs should be displayed in English and other languages required by the licence.

No flashing, chasing or scintillating lighting or promotional material of a visually intrusive nature is to be installed or displayed on the exterior of the premises. No goods or advertising signs are to be displayed or allowed to stand on the public footpath or street.

A sign is to be displayed in a prominent position specifying that the maximum capacity

22. Security- Security Guards

The restaurant/bar areas will employ security guards on the premises from 10pm through until the close of the restaurant/bar from Thursday night through to Sunday night.

Additional security personnel will be utilised during any special events) and as required in response to patron numbers. During these times, security will manage patron entry/exit to the premises and lift lobby and monitor patron capacity.

Security measures will include.

- a. On Friday and Saturdays, from 8 pm until 30 minutes after closing time, one uniformed security person shall be employed at the Lyrique Bar such that the total number of security personnel is not less than one for each 100 (or part thereof) patrons in the Hotel.
- b. The Lyrique Bar Licensee shall require any security personnel employed at the Lyrique Bar to:
 - i. Be dressed in readily identifiable uniform so as to be highly visible to patrons, displaying identification as a security person and to be appropriately licensed;
 - ii. Fill in a time sheet (with start and finish times) which is to be initialled by the Lyrique Bar Operator;
 - iii. Report to the Lyrique Bar Operator manager to obtain a briefing on any specific duties to be addressed before commencing duty;
 - iv. Ensure that persons entering the Lyrique Bar are suitably attired
 - v. Encouraging Lyrique Bar patrons who wish to smoke to remain in the venue (thereby utilising the venues smoking solution) such that noise impacts to neighbours arising from patrons who would otherwise be required to leave the venue to smoke is minimised
 - vi. Prevent any person, detected as intoxicated, entering the Lyrique Bar and bring to notice of the Lyrique Bar Operator duty manager, any person in the Lyrique Bar who might be considered to be in, or approaching, a state of intoxication;
 - vii. Prevent patrons leaving the Lyrique Bar with glasses or other opened drinking vessels containing alcoholic beverages;
 - viii. Prevent patrons entering the Lyrique Bar with alcoholic beverages;
 - ix. Monitor patron behavior in, and in the vicinity of, the Lyrique Bar until all patrons have left that area, taking all practical steps to ensure the quiet and orderly departure of patrons;
 - x. Collect any rubbish in the vicinity of the Lyrique Bar that may be associated with the Lyrique Bar's business;
 - xi. Co-operate with the Police and any other private security personnel operating in the vicinity of the Lyrique Bar ;
 - xii. Patrol all toilets, at random intervals, notifying the licensee or management of any suspected illegal activity or if the toilets need attention in regard to cleanliness. If there are no female security personnel on duty, then prior to entry into the female toilets, an announcement is to be made of the incoming patrol by knocking on the door and clearly stating that the toilets are about to be inspected by a male security person;
 - xiii. In the event of an incident, clearly identify as security belonging to the Lyrique Bar and attempt to rectify the problem;
 - xiv. Continually apply a "Hands Off Policy" toward Lyrique Bar patrons. Patrons are only to be asked to leave at the direction of a Lyrique Bar Operator manager. Forced removal from the Lyrique Bar must only occur at the direction of the Lyrique Bar Operator manager and only reasonable force is to be used. Immediate hands on action may still be used in self-defence or in the defence of another patron;
 - xv. Make written notes with details of any incidents in the Lyrique Bar's Incident Register, as required by this Plan. Those details should be entered immediately in the Incident Register or, where it is not practical to do that, written in a notebook and copied into the Incident Register at the end of shift;

23. Security- Queuing and Patron Management

In the unlikely event that patrons are required to queue in front of the Lyrique Bar , entry to the Lyrique Bar will be managed and maintained by security and Lyrique Bar Operator staff.

The patrons would be required to queue against the building boundary, ensuring unobstructed access for passing pedestrians.

Security will communicate with patrons to ensure pedestrians or patrons queuing do not loiter on the footpath or in front of the Lyrique Bar .

24. Training and OH&S

The Lyrique Bar Operator will take the following actions to ensure the safety of its staff and patrons in regards to Training and Development:

- i. Lyrique Bar Operator management and staff will be trained in effective conflict resolution strategies to enable personnel to diffuse potentially aggressive situations.
- ii. Lyrique Bar Operator management and staff will be trained in the “Do’s and Don’ts” of how to react when encountered with an Armed Robbery.

b) OH&S

- i. Lyrique Bar Operator management and staff will work together to implement specific procedures to ensure the safety of patrons, staff and visitors to the premises.
- ii. As part of this commitment Lyrique Bar Operator managers and staff will monitor all thoroughfares within the premises to ensure that they are kept free from obstructions, particularly the designate fire exists.
- iii. The safety of staff, patrons and visitors is of paramount concern and management and staff are fully conversant with their responsibilities with regard to the safety of the public within the premises and in the surrounding areas.

25. General Security Procedures

Management will regularly monitor inside and outside the premises with an aim to prevent patrons antisocial loitering in the area as well as taking action to minimise noise and anti-social behaviour.

Additional general security procedures are as follows:

- a) Lyrique Bar Operator management will ensure that customers do not leave the premises with bottles or glasses (alcoholic or non-alcoholic beverages);
- b) Staff will bring to the notice of the Lyrique Bar Operator manager or Licensee any persons on the premises who might be considered to be intoxicated;

- c) Lyrique Bar Operator staff will collect any rubbish on the footpath immediately outside the premises that may be associated with the hotel;
- d) at all times Lyrique Bar Operator management will be aware of the maximum number of patrons allowed in any one area; and
- a) Lyrique Bar Operator management will be required to cooperate with the Police and Council.

26. Door Policy/Dress Code

Management reserves the right to refuse entry if guests:

- a) do not meet the dress code requirements; and/or
- b) are intoxicated.

27. Incident Register/ Complaints

An Incident Register will be required to be completed on all incidents that necessitate action by an emergency service, fire brigade, police and maintenance called in after hours. As well, an executive of the company is required to be informed.

Any complaints received will be documented and followed up by the Lyrique Bar Operator management team.

28. Occupancy and Queuing

The House Policy will dictate that management will be responsible for monitoring occupancy levels at all times as indicated by occupancy codes.

The Lyrique Bar Operator management will:

- a) monitor occupancy numbers; and
- b) count customer numbers for Lyrique Bar Operator management reporting purposes.

The door (and in the instance that there may be any waiting lines) must be monitored constantly to ensure that no obstructions or hazards are being created. Management will ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood. Patrons will be advised to leave the premises quietly and quickly. Appropriate signage will be placed within the clearly visible location within the premises to this affect. Management will be responsible for the control of noise, loitering and litter generated by the patrons of the premises and shall ensure that patrons leave the premises and area in an orderly manner.

29. Ejection of Patrons

The following procedure will apply when involved in the removal of a person from the premises who is intoxicated, drunk or disorderly:

- a. verbal communication with the patron will occur to explain the break of conditions of the Liquor License;
- b. under no circumstance is it permissible for any employee to strike a customer.

- c. In the event that a fight develops, management's physical involvement will be limited to the necessary restraint required to escort the individuals involved from the building as quickly as possible so that other patrons are not unduly disturbed. Guests who are asked to leave for starting a disturbance are no longer welcome guests of the premises;
- d. Lyrique Bar Operator management will be instructed to contact Police for assistance in removing any customer who exhibits anti-social or violent behaviour; and
- e. an Incident Report must be completed following any altercation and/or disturbance stating all the relevant information for reference purposes.

30. Illegal Drugs

Lyrique Bar Operator management will take substance abuse very seriously from patrons and staff.

Any employee proven to be selling, purchasing, using or in possession of narcotic or other legally controlled substances off premises or within the Company business, will be dismissed.

31. Hold Up Procedure

The primary advice is to remain as calm as possible. Other advice is as follows:

- a) activate alarm devices as soon as possible;
- b) try to remain calm and assess the situation;
- c) unless otherwise ordered, "continually observe the bandit making a mental note of the bandit's appearance";
- d) pay particular attention to scars, tattoos, firearm or weapon, plus any unusual or prominent features;
- e) note his / her conversations including any indecent language, accent, nicknames or speech peculiarities;
 - i. look to see if a motor vehicle is being used and note any occupants;
 - ii. obey the instructions of the bandit, do not be over co-operative;
 - iii. move slowly. Only do this with safety. Advise of any sudden movements you have to make;
 - iv. do not put up a fight;
 - v. do not discuss the incident with anyone other than police or senior
- f) Management; and
- g) observe the direction taken after the bandit leaves the premises.

32. Money Handling

Management will remove money from cash points periodically as appropriate.

There will be no movement of monies from the premises by management at night. All appropriate safety alarms will be installed including back to base security which involves the burglar alarm system being linked to the security company.

33. Complaints and the incident register

- a) The Lyrique Bar Licensee shall maintain an Incident Register and shall ensure that details of the following are recorded in it:
- b) Any incident involving violence or anti-social behaviour occurring in the Lyrique Bar ;
- c) Any incident of which the management is aware, that involves violence or anti-social behaviour occurring close to the Hotel and that involves a person who has recently left, or been refused admission to, the Lyrique Bar ;
- d) Any incident that results in a person being turned out of the Lyrique Bar under Section 77 of Liquor Act 2007; viz:
 - i. for being intoxicated, violent, quarrelsome or disorderly;
 - ii. whose presence on the licensed premises renders the Licensee liable to a penalty under the Liquor Act, e.g., unaccompanied minors;
 - iii. who smokes within an area of the Lyrique Bar that is a smoke-free area; or
 - iv. who uses, or has in his or her possession, while in the Lyrique Bar any substance suspected of being a prohibited plant or prohibited drug;
- e) Any incident that results in a patron of the Lyrique Bar requiring medical assistance;
- f) Any incident that occurred either in the Lyrique Bar or near it, which involved the committing of a crime or required the intervention of security;
- g) Any complaints made directly to the management or staff of the Lyrique Bar , by local residents or business people, about the operation of the Lyrique Bar or the behaviour of its patrons and the response made by the Lyrique Bar ; or
- h) Any visit by any NSW Police Officer, OLGR Special Inspector or Council Officer noting their agency or department, the reason for the visit and result of the visit.
- i) The Incident Register entries are to note under which of the above reasons the entry is being made, including the details of any incidents, what action was taken by staff or security, the level of intoxication of any patron involved and whether the Police were called.
- j) The Licensee shall make the Incident Register available to any NSW Police Officer or OLGR Special Inspector on request. NSW Police and OLGR Special Inspectors must be permitted to make copies of the Incident Register or to remove it from the Hotel. The Lyrique Bar Operator Manager must not allow the Register to be removed from the Lyrique Bar before receiving a receipt for it.
- k) The Incident Register is to be reviewed regularly by the Licensee to ensure that complaints, where possible, are being dealt with appropriately and that sufficient details in relation are being recorded about incidents.
- l) Persons who wish to make a complaint will contact the Lyrique Bar on **(02) 4047 9960** . That number shall be displayed on a sign at its Lyric Lane entrance. Calls to this number must be answered at all times when the premises are trading and for, at least, 30 minutes after closing time. Any staff member answering such a call must do so in a polite, sympathetic and courteous manner. Where possible, action shall be taken immediately to address the complaint. Follow-up action, including returning the complainant's call to advise him or her about what has been done to address the complaint, shall be undertaken by management within 48 hours of the complaint being made.
- m) The following details of any complaint made to the Hotel are to be recorded in the Incident Register:
- n) Date and time when the complaint was received;

- o) The nature of the complaint;
- p) Name, address and contact details of the complainant;
- q) The action proposed to deal with the complaint;

The action taken;

- a) The time and date when that action was reported to the complainant;
- b) Whether or not the action was effective.

34. CCTV coverage

CCTV surveillance cameras shall be strategically installed, operated and maintained throughout the Hotel premises with particular coverage of:

- a. entrances;
- b. areas within the Lyrique Bar generally accessible to the public (excluding toilets);
- c. areas within a 10m radius outside the entrances to the Lyrique Bar ;
 - i. parts of Lyrique Lane; and
 - ii. in the basement.
- d. A quality visual monitor shall be installed to display clear, live CCTV footage from all cameras.
- e. Suitable and clearly visible signage shall be displayed at the entrances to the premises carrying the words "Closed Circuit Television in use on these premises".
- f. All CCTV recording equipment and cameras shall be of high grade digital quality capable of identifying patrons, offenders and incidents within the field view of the cameras. In this respect each surveillance camera shall be capable of recording at a minimum rate of 10 frames per second with high resolution.
- g. All CCTV recording discs or hard drive recordings shall be retained for 90 days before being re-used, destroyed or deleted. Time and date shall be auto-recorded on discs or hard drives. The CCTV recording equipment shall be capable of reproducing a CD, DVD or other appropriate digital copy of recorded footage at the request of Police Officers either immediately or within 12 hours of the request being made. Copy discs must be handed to Council, Police Officer or Special Inspectors if requested.
- h. All CCTV recording devices and cameras shall be checked daily to ensure the equipment is operating correctly. The Licensee shall record this daily checking activity in a security/incident register book that meets the standards required by the Police. If it is discovered at any time that the equipment is not in full operating order all reasonable steps must be taken to repair the system as soon as practicable. Where the system will not be functioning in full operating order for a period longer than 24 hours, the Licensee shall notify the Newcastle Local Area Commander of the NSW Police.
- i. All CCTV recording devices and cameras shall be operated at all times when the premises are open to the public and for, at least, 30 minutes after closing time.
- j. The CCTV recording device shall be located in the office of the Lyrique Bar and only be accessible to the Lyrique Bar Operator/Licensee, Lyrique Bar Manager or designated staff so as to maintain the integrity of the recorded footage. When the Lyrique Bar is trading, there must be, at least, one staff member present who is authorised to access the CCTV system to review recordings and to produce copies.

- k. Camera views are not to be obstructed by temporary or permanent structures, signage or other impediments.

35. Identification

Production of photographic identification will be required where age is an issue. Acceptable evidence of age identification shall include:

- a. A driver or rider's licence or permit issued by an Australian State or Territory or any foreign country.
- b. A current Australian passport or a current foreign passport,
- c. NSW photo card (issued by Roads and Maritime Services NSW)

36. Noise

The Lyrique Bar premises will be operated in accordance with any noise conditions imposed by Council as part of any development approval as well as any requirements of the relevant licensing authority. All sound emissions and noise management practices will comply with the Protection of the Environment (Operations) Act 1997.

- a. noise from the Lyrique Bar shall not be audible within any habitable room in any residential premises between the hours of 12.00 midnight and 7:00am.
- b. the Lyrique Bar's operations must not give rise to "offensive noise" as defined under the Protection of the Environment Operations Act 1997. Here, offensive noise means noise:
 - a. that, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:
 - i. is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted, or
 - ii. interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted, or
 - iii. that is of a level, nature, character or quality prescribed by the regulations of the Protection of the Environment Operations Act 1997 or that is made at a time, or in other circumstances, prescribed by the regulations under that Act.
- c. Any required noise mitigation measure or noise limiting device must not be altered or modified unless on the advice of or by a qualified acoustic consultant and Council must be given prompt written notification, by the Lyrique Bar Operator/Licensee, of any such changes.
- d. The use and occupation of the premises, including all plant and equipment installed thereon, is not to give rise to any offensive noise and/or give rise to the emission of any "air impurity". As defined under the Protection of the Environment Operations Act 1997(NSW)

37. Emergency procedures

- a. The Lyrique Bar Operator shall develop and implement appropriate emergency procedures for the venue

38. Evacuation

- a. The Lyrique Bar Operator shall develop and implement appropriate evacuation procedures for the Lyrique Bar
- b. An emergency gathering area will be nominated within the public realm north of Scott Street

39. Theft

In the event that theft occurs involving a customer, every effort must be made to assist the customer in any way possible, i.e. forms, police report, telephone calls.

- a) All personal information must be recorded on the Incident Report Form in case any items are recovered at a future time.
- b) Incidents involving staff members must also be documented on the Incident Report Form and any necessary policy reports must be completed. A list of all items missing must be recorded.
- c) The theft of any property from the premises must be reported to the police for insurance purposes. All thefts must be documented clearly and concisely on an Incident Report form.

40. Weapons

Weapons of any type, i.e. knives, firearms, etc., will not be permitted at any time, unless in the hands of authorised police.

41. Evacuation Plan and Emergency Closing

A detailed plan of the site will be provided during training and in some circumstances it may become necessary to close the establishment i.e. fire, flood, power failure, bomb scare and other major emergencies. Approval must be sought from the Lyrique Bar Operator manager on duty prior to closing.

42. Responding to incidents: notification to police

Immediately after becoming aware of any incident involving an act of violence causing injury to a person on the premises, the Lyrique Bar Operator manager must:

- a) Provide or arrange for any required first aid;
- b) Contact '000' or the Patrol Area Commander or his/her delegate and report the incident; and
- c) Comply with any directions given by the Commander or his/her delegate to preserve or keep intact the area where the violence occurred.

43. Responding to incidents: crime scene preservation guidelines

Unless directed otherwise by the Patrol Area Commander or his/her delegate upon notification of an incident, the following crime scene preservation guidelines must be observed:

- a) Determine the crime scene and remove all persons from the area. Take all practical steps to preserve and keep intact the area where the act of violence occurred. Cordon off the area utilising bar stools, tables or tape. Consider closing off the area completely for such areas such as toilets, hallways or bars. Remember there may be multiple crime scenes;
- b) Do not allow any persons to enter this area;
- c) DO NOT CLEAN UP ANY CRIME SCENE. You may be destroying vital evidence;
- d) Remember some evidence may not be visible to the naked eye such as blood, semen, skin cells, saliva, hair or fingerprints;
- e) Do not move any items that may have been involved in an offence unless absolutely necessary. Use gloves to stop transference of your DNA or fingerprints if it is necessary to touch any item;
- f) Inform Police if any items have been moved at, or removed from, the crime scene. Such items may include bottles, glasses, pool cues, clothing, furniture, weapons or cigarette butts;
- g) Make notes in relation to the incident. Time, date, location, description of offender(s), vehicle(s) involved, weapon used, last known direction of offender(s), any movement of items involved in the incident;
- h) Secure any CCTV footage and the security sign-on sheets;
- i) Obtain any details of witnesses and try to keep all witnesses separated so as to maintain the integrity of their evidence. Try to persuade witnesses from leaving the premises before Police arrive;
- j) Hand this information to Police on arrival; and
- k) Be prepared to make a statement to Police regarding the incident.

Interfering with evidence may constitute an offence, leaving you liable to prosecution or disciplinary action, and/or may result in the closure of the Lyrique Bar. Details of the incident must be recorded in the Hotel's Incident Register.

44. Ongoing Operation

The ongoing operation of the Lyrique Bar is to be in accordance with the Plan of Management and any conditions for the lifetime of the development. All staff are to be made aware of and trained regarding the terms of the Plan of Management. The Plan of Management may only be amended in consultation with City of Newcastle and Newcastle City Police District.

Ends..