

PLAN OF MANAGEMENT – BERRY HOTEL

This Plan of Management (the plan) has been prepared to meet requirements for the Berry Hotel, 120 Queen Street, Berry (the hotel). Liquor licence LIQH400119917 refers. The current licensee of the hotel is Mr Stephen Fellows.

The purpose of the plan is to guide management to ensure that the hotel is well run for the safety of staff and patrons, to provide the framework for management and staff to ensure compliance with relevant legislation and liquor licence conditions, and to minimise any potential adverse impacts to the surrounding neighbourhood.

All staff involved with the sale or supply of liquor will be made familiar with this plan. A copy of this plan will be available on site at all times, and made available for inspection on the request of a police officer, council officer, Liquor and Gaming NSW inspector, or any other person authorised by the Independent Liquor and Gaming Authority.

The hotel is to be operated at all times in accordance with the plan dated December 2020 as may be varied from time to time as required, after consultation with South Coast Police District licensing police.

Trading Hours

The hotel trades at all times in accordance with the liquor licence.

Consumption on premises Good Friday and Christmas Day 12 noon – 10pm (liquor can only be served with or ancillary to a meal in a dining area). 31 December has normal opening time until normal closing time or 2am on New Year's Day, whichever is the later.

Take away sales are not permitted on Good Friday or Christmas Day.

Responsible Service of Alcohol (RSA)

The hotel operates under the direct supervision of the licensee/approved manager or appropriately experienced supervisory staff whenever liquor is being sold and supplied.

Management and staff do not encourage or tolerate binge drinking or any other misuse or abuse of alcohol, such as rapid or excessive consumption of alcohol.

All staff undertaking duties related to the sale and supply of alcohol at the hotel hold a current approved RSA competency card or digital card.

All staff are responsible for actively monitoring patrons for signs of intoxication, alcohol consumption, and general conduct.

Alcohol will not be sold to intoxicated patrons.

Where a patron is assessed as showing signs of intoxication, immediate intervention will occur and they will not be sold or supplied any further alcohol, and will be asked to leave the hotel.

RSA Marshal

When an RSA marshal is engaged for duty at the hotel, their duties will include:

- monitoring responsible service of alcohol practices by staff
- monitoring alcohol consumption and patron behaviour for signs of irresponsible, rapid or excessive consumption of alcohol and for signs of intoxication
- intervening at an early stage to assist in preventing intoxication and anti-social behaviour
- liaising with the licensee and/or security guards and promoting a culture of all staff having responsibility for RSA

House Policy

- Drink promotions will comply with the Liquor & Gaming NSW Liquor Promotion guidelines
- Any drinks (commonly referred to as a 'shot' or 'shooter') that is designed to be consumed rapidly will not be sold
- Double spirit mixed drinks are not sold

Minors

Service of alcohol will be refused to any person who cannot produce appropriate proof of age. Only the following types of photo identification will be accepted:

- State or Territory photo drivers licence
- Australian or International photo passport
- NSW photo card
- International photo drivers licence

All forms of proof of age documents must be current to be accepted as valid. Any person who appears to be under 25 years old may be asked for proof of age identification.

In addition to the mandatory signage relating to minors on licensed premises the following sign will be displayed at or near entry points and bar service areas:



A Minors Area Authorisation applies to the whole of the hotel, excluding the gaming area and sports lounge. Persons under the age of 18 are allowed only in the designated areas (excluding the gaming area and sports lounge) and must be in the immediate company of a responsible adult. Under NSW liquor laws, a responsible adult is defined as an adult who is:

- A parent or guardian of the minor
- The minor's spouse or de facto partner
- Standing in as the parent of the minor for the time being

Amenity of the neighbourhood

Patrons displaying signs of intoxication upon arrival at the hotel will be refused entry.

Where it is necessary for patrons to form a queue awaiting entry to the hotel, staff will monitor the queue to ensure patrons are waiting in an orderly manner.

Patrons will be asked to leave in a quiet and orderly manner and be respectful of neighbours and other members of the public in the vicinity of the hotel.

Patrons are not permitted to leave the hotel with open drinking containers.

Patron conduct will be monitored at closing time until all patrons have left the vicinity of the hotel. Patrons loitering unnecessarily will be politely encouraged to leave the area quickly and quietly and have regard to nearby residents if considered necessary or appropriate

Noise

Sound emissions and noise management practices will comply with the relevant liquor licence condition. Specifically, the hotel will strictly adhere to the following requirements:

The LA10 noise level emitted from the hotel shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz - 8kHz inclusive) by more than 5dB between 07am and 12 midnight at the boundary of any affected residence. The LA10 noise level emitted from the hotel shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz – 8kHz inclusive) between 12 midnight and 7am at the boundary of any affected residence. Notwithstanding compliance with the above, the noise from the hotel shall not be audible within any habitable room in any residential premises between the hours of 12 midnight and 7am.

Refusing entry to or requesting a patron to leave the hotel

Decisions in relation to refusing a patron entry or asking a patron to leave the hotel will ideally be made by on-duty uniformed security officers or the licensee/manager. Where other staff have any concerns in relation to the suitability of a patron to enter or remain on the premises, they should immediately bring their concerns to the attention of security or the licensee/manager.

The following procedures are to be followed unless urgent circumstances require a more immediate response:

- The patron is assessed by a staff member who deems them to be intoxicated, violent, quarrelsome, or disorderly (or for other relevant reason under s77 Liquor Act 2007)
- Staff member notifies the licensee/manager/security as soon as practicable and in the interim does not serve the patron any further alcohol
- If asked by the patron why they are being refused service, the staff member is to politely explain the reason, including any potential breach of the Liquor Act
- Licensee/manager assesses the patron. Assessments will ideally be conducted away from large groups of people and in as quiet a location as possible. This will reduce the risk of the patron being embarrassed in front of friends and provides a better opportunity to talk with and assess the patron
- Where possible, such conversations should take place near an entry or an exit so that removal can take place swiftly if need be

- If it is deemed appropriate to ask the patron to leave, they will be informed by security officers (if on duty) or the licensee/manager
- Patrons are escorted by the most direct and safest route from the hotel. Patrons asked to leave the hotel (or refused entry) are to be advised:
 - It is an offence to remain within a 50-metre vicinity of the hotel for a minimum of 6 hours
 - They are not permitted to re-enter or attempt to re-enter the hotel for at least 24 hours
 - A \$550 fine applies if they do not comply
 - Police will be called if they fail to leave or remain in the vicinity of the hotel
- Police will be notified at the earliest practical opportunity in relation to a patron refusing to leave the premises or the vicinity of the premises. Should the patron leave prior to police arrival then police will be notified that the person has left.
- All removals or refused entries are required to be recorded in the Incident Register
- The following signage is displayed in a prominent location at bar service areas and the entry/exit to the hotel:



Harm minimisation measures

The following measures will be in place:

- Free drinking water will be readily available to patrons
- Food is available at all times
- Low-alcohol and non-alcoholic drinks will be available at all times the liquor licence is being operated.

Incident Register

An incident register will be maintained at the hotel. The incident register will be used at all times the hotel is trading and be readily available for inspection at any time the premises are trading by NSW Police and Inspectors of Liquor & Gaming NSW (L&GNSW). The incident register shall record the occurrence, at any time of the day, of:

- Any incident involving violence or anti-social behaviour occurring on the premises
- Any incident of which the licensee is aware that involves violence or anti-social behaviour occurring in the immediate vicinity of the hotel and that involves a person who has recently left, or been refused admission to, the premises
- Any incident that results in a person being turned out of the hotel under section 77 of the Liquor Act 2007
- Any incident that results in a patron of the hotel requiring medical assistance
- Any incident that involves the possession or use on the premises of any substance that the licensee suspects of being a prohibited plant or a prohibited drug
- Any third-party disturbance complaint received by the hotel in relation to the hotel
- Any malfunction of breath analysis equipment, CCTV or noise limitation equipment, and the action taken in relation to all such issues

CCTV

The licensee must maintain a closed-circuit television (CCTV) system on the premises in accordance with the following requirements:

- The system must record continuously from opening time until one hour after the premises is required to close
- Recordings must be in digital format and at a minimum of ten (10) frames per second
- Any recorded image must specify the time and date of the recorded image
- The system's cameras must cover the following areas:
 - All entry and exit points to/from the hotel
 - The footpath immediately adjacent to the hotel
 - All publicly accessible areas (other than toilets) within the premises.

The licensee must also:

- Keep all recordings made by the CCTV system for at least 30 days
- Ensure that the CCTV system is accessible at all times the system is required to operate (i.e. continuously from opening time until one hour after the premises is required to close) by at least one person able to access and fully operate the system, including downloading and producing recordings of CCTV footage, and

- Provide any recordings made by the system to a police officer or Liquor and Gaming NSW Inspector within 24 hours of any request by the police officer or Liquor and Gaming NSW Inspector to provide such recordings.

Crime Scene Preservation

Immediately after the person in charge of the licensed premises or a staff member* becomes aware of any incident involving an act of violence causing injury to a person on the premises, the person in charge of the hotel and/or staff member must:

- Take all practical steps to preserve and keep intact the area where the act of violence occurred
- Render any first aid required
- Retain all material and implements associated with the act of violence in accordance with the crime scene preservation guidelines issued by NSW Police (Annexure C refers)
- Make direct and personal contact with NSW Police or '000' to report the incident
- Comply with any directions given by NSW Police to preserve or keep intact the area where the violence occurred
- Do not allow any persons to enter the area
- Do not clean up any crime scene – this may destroy vital evidence, which may not be visible to the naked eye
- If any items are moved, for example to provide first aid, make a note of the items and their location and inform police on their arrival
- Assign a member of staff to guard the scene until police arrive
- Make notes in relation to the incident and obtain names of potential witnesses if possible. Try and persuade these persons to remain until police arrive

* 'staff member' means any person employed by, or acting on behalf of, the licensee of the hotel, and includes any person who is employed to carry on security activities (e.g. crowd controller or bouncer) on or about the hotel.

Uniformed security

Uniformed security officers will be on duty at the hotel as required, dependent on patron numbers and activities such as entertainment or special functions.

Duties of security officers when on duty at the hotel are contained in the Security Management plan (Annexure A refers).

Induction and Training

Training will be provided to all staff members to ensure they are aware of their obligations to serve alcohol responsibly and to ensure that alcohol is not sold or supplied to minors. This includes reminding all staff that each member of our team has a legal responsibility to ensure alcohol is served responsibly and that they must refuse service to a patron if they believe the patron is showing signs of intoxication as a result of alcohol consumption.

New staff will be issued with copies of the following documents:

- Liquor Promotion guidelines 2019
- Prevention of intoxication on licensed premises guidelines
- Intoxication guidelines
- Crime Scene Preservation guidelines

Annexure A – Security Management plan

Duties expected of security officers on duty at the Berry Hotel:

- Dressed in a readily identifiable uniform which clearly states in writing the word 'security' and the security officer is displaying their current NSW security licence
- Report to the manager/licensee to obtain a briefing on specific duties to be addressed during that shift

- Monitor patrons as they arrive at the hotel to ensure patrons queue/enter in an orderly manner. Prevent intoxicated persons from entering the hotel
- Screen patrons arriving at the hotel for potential minors. Any person appearing to be under the age of 25 should be asked for proof of age and the document inspected in accordance with the guidelines for checking such documents
- Monitor patrons throughout the hotel for signs of intoxication or violent, quarrelsome or disorderly behaviour. Where any of these are identified, security officers will provide early intervention and bring the incident/behaviour to the attention of the licensee/manager
- Monitor patrons as they leave the hotel. Request patrons to leave in a quiet and orderly manner and have regard to nearby residents, if that action is considered necessary or appropriate
- Monitor emergency exit doors to prevent unauthorised access or obstructions
- Prevent patrons from leaving the hotel with opened containers of alcohol
- Encourage patrons loitering unnecessarily in the vicinity of the hotel to leave the area. Where such patrons behaviour is inappropriate (such as anti-social behaviour, aggressive, noisy) and they refuse to move on, bring the incident to the attention of the licensee/approved manager
- Record all incidents as required in the incident register at the earliest opportunity
- To the best of their ability, protect hotel staff, patrons and security colleagues from violent/aggressive or troublesome persons
- Implement the Crime Scene Preservation guidelines in event of a violent incident