

SECTION 7 LATE NIGHT TRADING HOURS

7.1 INTRODUCTION

Late night trading premises can positively contribute to the character of an area through increased vitality and vibrancy of the urban environment outside of normal business hours. Conversely, the operation of such premises and associated actions of patrons also has the potential to adversely impact upon the amenity of nearby residential or other sensitive land uses.

This section of the DCP aims to assist in the management of impacts from the operation of late night trading premises on the sites and neighbourhoods in which they are located and in particular, to protect the amenity of local residents. This is to be primarily achieved through restricting trading hours dependant upon a premises location and promoting ongoing good management practices.

The provisions of this Section do not set out to curb or increase potential trading hours in a blanket fashion, but to allow opportunities for late night trading hours to occur in appropriate locations and with appropriate management actions.

It is particularly important for proponents of late night trading premises to demonstrate responsible management over time. This commitment should be demonstrated both at the development application stage and throughout the history of the operation of a premises.

Late night trading hours are considered by Council to be a privilege and not a right.

7.1.1 General Objectives

The objectives of this Section of the DCP are to:

- O1 identify appropriate locations and trading hours for late night trading premises;
- O2 ensure that late night trading premises will have minimal adverse impacts on the amenity of residential or other sensitive land uses;
- O3 ensure that operators of late night trading premises commit to good management practices through the implementation of robust plans of management;
- O4 encourage late night trading premises that contribute to vibrancy and vitality, as appropriate to the status of the zone within which it is located;
- O5 encourage a broad mix of night time uses with broad community appeal that reflect the diverse entertainment and recreational needs of people who work, live and visit North Sydney;
- O6 encourage a diversity of night-time activity in defined areas;
- O7 prevent the proliferation of poorly managed late night trading premises;
- O8 ensure that new late night trading premises do not reduce the diversity of retail services in an area;
- O9 ensure that development applications are accompanied by sufficient information so that proposals for night trading premises can be fully and appropriately assessed;
- O10 ensure that appropriate hours are permitted for outdoor trading; and
- O11 ensure a consistent approach to the assessment of applications for premises seeking night trading hours.

7.1.2 When does this section of the DCP apply?

This Section of the DCP applies to all development applications for non-residential uses seeking to operation wholly or in part for trading hours between 8pm and 7am that involve:

- (a) a change of use of a premises;

- (b) new or extended trading hours to existing premises;
- (c) refurbishment, additions or extensions that will result in an intensification of an existing use; or
- (d) formalisation of trading hours following a trial period as prescribed in this Section of the DCP; or outdoor trading beyond 8pm.

For the purposes of (c) above, an intensification of use means any increase in the capacity of the premises to accommodate additional patrons, determined by:

- (a) an increase in the amount of licensed floor area (via a liquor licence);
- (b) an increase in the amount of floor space accessible to the public (excluding toilets, lifts, stairways, ramps, escalators, corridors, hallways, lobbies and the like);
- (c) an increase in patron capacity; or
- (d) an increase in the amount of footpath seating areas.

The application of this Section of the DCP is not retrospective nor does it derogate from existing consents.

This section of the DCP does not apply to development for new or alterations and additions to an existing brothel, home occupation (sex services), restricted premise, or sex service premise:

7.1.3 Relationships to other sections

Where relevant, this section of the DCP should be read in conjunction with the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 2 – Commercial and Mixed Use Development;
- (c) Part B: Section 3 – Non-residential Development in Residential Zones; and
- (d) Part B: Section 8 – Outdoor Dining and Goods Display on the Footpath.

7.2 MATTERS FOR CONSIDERATION

Objectives

O1 To ensure that relevant matters are considered when determining what operating hours are considered to be acceptable.

Provisions

- P1 Appropriate trading hours will be determined by taking into account a number of primary issues which include (but are not limited to):
- (a) the location and context of the premises, including proximity to residential and other sensitive land uses and other late trading premises;
 - (b) the specific nature of the premises (e.g. pub, nightclub, restaurant etc) and the proposed hours of operation;
 - (c) the existing hours of operation of surrounding businesses;
 - (d) the size and patron capacity of the premises;
 - (e) the availability of amenities provided to premises;
 - (f) the impact of the premises on the mix, diversity and possible concentration, of late night uses in the locality;
 - (g) the likely operation of the proposal during day time hours;



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- (h) submission of a Plan of Management that demonstrates a strong commitment to good management of the operation of the business, particularly in relation to managing potential impacts on adjoining and surrounding land uses and premises, as well as the public domain;
 - (i) the diversity of retail services within an area and the impact of a late night proposal on this diversity;
 - (j) measures to be used for ensuring adequate safety, security and crime prevention both on the site of the premises and in the public domain immediately adjacent to, and generally surrounding, the premises;
 - (k) the accessibility and frequency of public transport during late night trading hours.
- P2 Consideration of all of these factors provides the basis for a consistent approach to the determination of appropriate trading hours and creates greater certainty both for the community and proponents of late night trading premises.
- P3 Once these factors are taken into consideration late night trading hours may be permitted in appropriate circumstances, particularly in areas of North Sydney that already exhibit or have an emerging vibrant night-time character, as opposed to parts of the LGA that are predominantly residential in character where amenity impacts can be the greatest and most difficult to manage.

7.3 TRADING HOURS

7.3.1 Trading Hours

Maximum allowable trading hours have been established that are considered to represent the desired late night trading character for each zone. A development application for late night trading will only be granted the maximum trading hours where an application can demonstrate the use of the premises during these hours will satisfy all provisions within this DCP Section and result in acceptable impacts upon the surrounding locality.

Many of these late night trading areas directly adjoin residential zones. The impacts of late night premises within these interface areas must be carefully considered. In addition, many late night premises are located within mixed use buildings where residences are located directly above. Where these impacts cannot be reasonably addressed, these sites may be granted trading hours less than the maximum hours set out within the table.

Council will consider the extension of trading hours within the North Sydney CBD up to 24 hour trading but only where the uses are suitable for the locality. These uses will be subject to on-going trial periods with the maximum 5 year trial period permitted. This will enable monitoring of premises within the CBD to ensure these uses do not detract from the character of the area.

Objectives

- O1 To ensure that trading hours are consistent with the desired character of each zone.
- O2 To minimise adverse amenity impacts on nearby residents.
- O3 To encourage a vibrant late night economy within North Sydney.
- O4 To ensure a reasonable balance is achieved between late night uses and residential amenity.
- O5 To ensure that residential zones located within the interface to late night trading areas are reasonably protected.
- O6 To minimise amenity impacts resulting from parking and traffic caused by late night uses.



Provisions

P1 The **maximum** trading hours that will be granted for a premises within each zone are outlined within Table B-7.1 below. These hours will be granted only where an application satisfies the matters for consideration in Section 7.2 and all other relevant sections outlined within this Section of the DCP.

TABLE B-7.1 Maximum Trading Hours			
Zone		Trading Hours	
		Indoor	Outdoor
B3 Commercial Core		6am to Midnight	7am to 11pm
*Refer to P2 & P3			
B4 Mixed Use		7am to 11pm (Mon-Wed) 7am to Midnight (Thurs-Sat) 7am to 10pm (Sun)	7am to 10pm
B1 Neighbourhood Centre	Properties in Kirribilli Village where small bars are permitted and as identified in Figure B-7.1	7am to 11pm (Mon-Wed) 7am to Midnight (Thurs-Sat) 7am to 10pm (Sun)	7am to 10pm
	1) Properties within Kirribilli Village, other than those identified in Figure B-7.1.	7am to 10pm (Sun-Wed)	7am to 9pm
	2) Properties with a frontage to Miller St, Cammeray	7am - 11pm (Thurs - Sat)	
	3) Blues Point Road, McMahons Point		
All other locations		7am to 10pm	8am to 8pm
All other zones		7am to 10pm	8am to 8pm

Note: 1. All service of food, alcohol or relevant services shall cease immediately at the time specified above with all patrons being required to leave within 30 minutes of the closing time.
2. Outdoor furniture shall be set up and removed within 30 minutes of approved outdoor seating trading hours.

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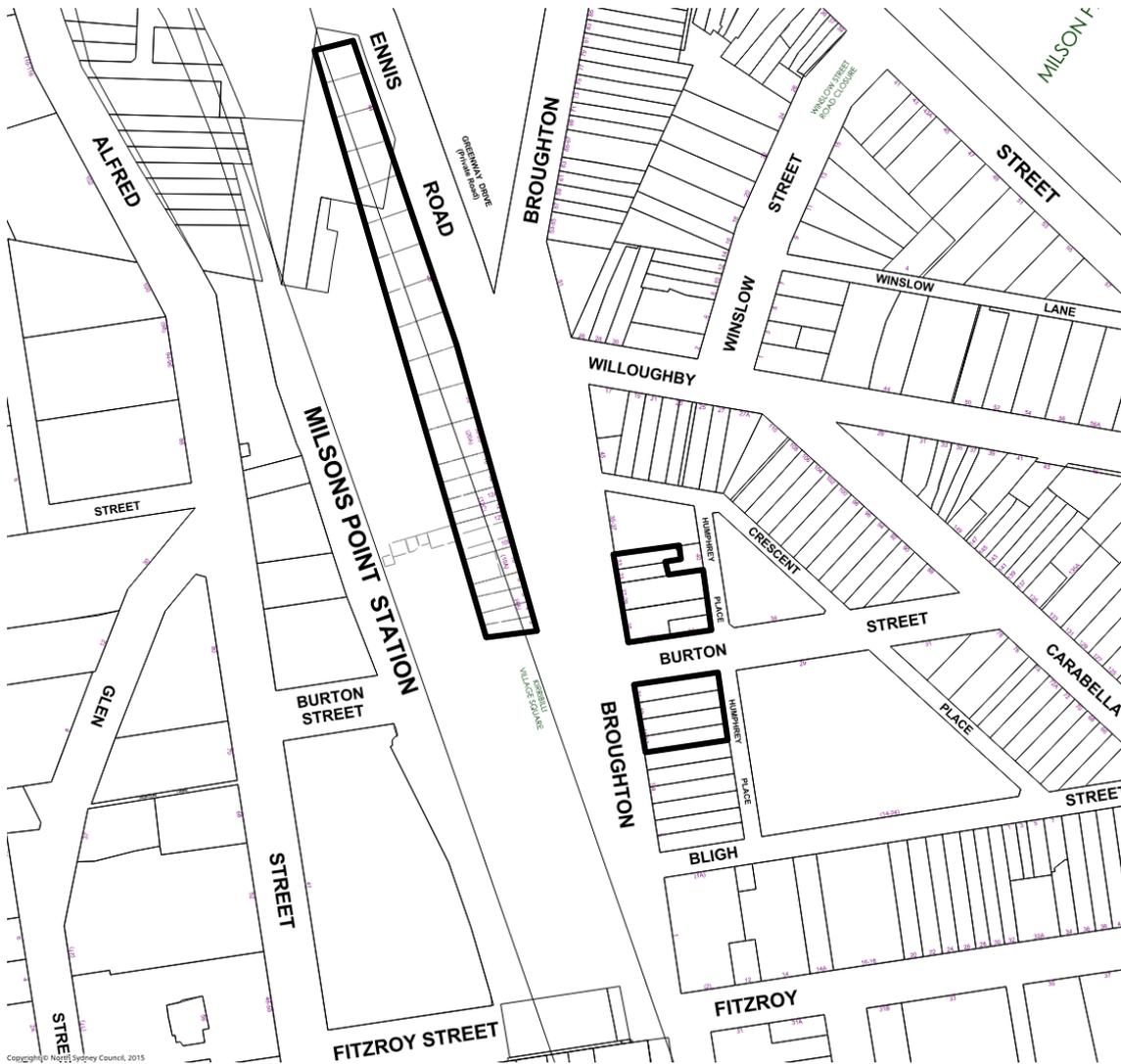


Figure B-7.1:

Areas within Kirribilli Village where small bars are permitted. For clarity purposes, it affects 11-33 Broughton Street, Kirribilli; 32 Burton Street, Kirribilli and 2-44 Ennis Road, Kirribilli.

B3 Commercial Zone – North Sydney Centre

- P2 In addition to the hours stipulated in Table B-7.1, where an application satisfies the matters for consideration in Section 7.2 and all other relevant provisions of the DCP, an extension of trading hours up to 24 hour trading will be considered for premises located within the B3 Commercial Core zone in the North Sydney Centre only.
- P3 Any extension beyond 12 midnight would be subject to an on-going trial period with the maximum trial period granted of up to 5 years.

Existing Premises

- P4 Existing premises which have approval to trade outside maximum trading hours may apply for these existing hours in new and refurbished areas within the premises and these will be considered provided it can be demonstrated that:
 - (a) The existing premises’ operation has an acceptable impact upon the surrounding locality; and

- (b) The impacts of the proposed trading hours are satisfactory having regard to the matters for consideration outlined in Section 7.2 and all other relevant DCP provisions.

Luna Park

P5 No extension to existing approved trading hours for Luna Park will be granted.

Extended Trading Hours – Non-licensed premises

P6 In addition to the hours stipulated in Table B-7-1, where an application satisfies the matters for consideration in Section 7.2 and all other relevant provisions of the DCP, extended trading hours may be considered for non-licensed premises such as shops, service stations, health service facilities, recreational facilities, information and education facilities and the like. Any extension beyond the trading hours set out within the DCP may be subject to a trial period.

7.3.2 Trial Periods

Objectives

O1 To enable Council to monitor and assess the management performance of a premises and its impact on neighbourhood amenity.

Provisions

- P1 Prior to granting consent for the maximum or extended trading hours, Council may impose a one year trial period for a premises that, in the opinion of Council, may have the potential to generate adverse impacts on the amenity of the surrounding area.
- P2 A Section 4.55 application must be lodged prior to the expiration of a trial period should the applicant seek to apply to formalise these hours. In most instances, a condition of consent will clarify that the extended trading hours will stand in place until such time as the modification application is determined.
- P3 Following the trial period, the trial hours will be granted on a permanent basis only if Council is satisfied that the premises has demonstrated good management performance and compliance with a Plan of Management (if applicable), other than for premises within the North Sydney CBD as set out within P4.
- P4 Trial periods within the North Sydney Centre shall be on-going and a maximum trial period of up to 5 years shall be granted. A Section 4.55 application must be lodged every 5 years should the applicant seek to renew these trading hours.

7.3.3 Acoustic Impacts

Objectives

O1 To ensure the use of premises do not result in any unreasonable acoustic impacts on surrounding residential properties.

Provisions

- P1 The premises must comply with the following relevant noise criteria:
- (a) the noise emission limits set out in Section 2.3.2 – Noise to Part B of the DCP for development located in the:
- (i) *B1 Neighbourhood Centre zone*;
 - (ii) *B3 Commercial Core zone*; and
 - (iii) *B4 Mixed Use zone*.
- (b) the noise emission limits set out in Section 3.2.5 – Noise to Part B of the DCP for development located in all other zones.
- (c) All relevant noise criteria required by the NSW Office of Liquor, Gaming and Racing Authority (OLGR) for licensed premises.



Late Night Trading Hours

- P2 An Acoustic Report prepared by an appropriately qualified Acoustic Consultant which predicts the likely level of compliance with the criteria outlined in P1 as relevant must be submitted with a development application for any of the following late night trading premises or activities:
 - (a) pubs,
 - (b) small bars,
 - (c) outdoor dining,
 - (d) smoking areas, and
 - (e) any use proposed to operate beyond the maximum trading hours.
- P3 Where relevant, an Acoustic Report should take into account any mechanical plant associated with the use of the site.
- P4 The recommendations of any Acoustic Report must form part of the Plan of Management where relevant and shall be adhered to at all times.
- P5 The applicant may be required to undertake on-going acoustic monitoring and this will be required as part of a condition of consent.

Note: It is at Council's discretion to request the submittal of an Acoustic Report for any development application if it considered the proposal may impact adversely on the amenity of the area.

7.3.4 External doors, windows and openings

Objectives

- O1 To minimise noise impacts on surrounding residential properties.
- O2 To protect adjacent residential properties located within close proximity to late night premises.

Provisions

- P1 Where a premises is located within close proximity of a residential property or other sensitive noise receiver and is likely to result in adverse acoustic impacts, all doors and windows on a building's elevation fronting a residential receiver, must be kept closed no later than the hours specified in the following table, other than to allow entry or egress.

TABLE B-7.2 – Doors and windows to be kept closed		
Zone	Doors and windows to be kept closed by:	
B3 Commercial Core	11pm	
B4 Mixed Use	10pm	
B1 Neighbourhood Centre	Properties in Kirribilli Village where small bars are permitted and as identified in Figure B-7.1	10pm
	1) Properties within Kirribilli Village, other than those identified in Figure B-7.1	9pm
	2) Properties with a frontage to Miller St, Cammeray	
	3) Blues Point Road, McMahons Point	
All other locations	8pm	
All other zones	8pm	

- P2 Notwithstanding P2, doors and windows must be closed in accordance with the recommendations of any applicable Acoustic Report, where the recommendation is more restrictive than the hours specified in P2.



- P3 Where a site has two frontages, entry or exit after 10pm should occur only from the primary frontage or road and not onto a secondary road or laneway.
- P4 The applicant must demonstrate that the premises can be adequately ventilated to accommodate the closure of these doors and windows and that the premises can comply with relevant BCA provisions including egress and fire safety.

7.3.5 Waste Management

Objectives

- O1 To ensure the appropriate siting of waste facilities to minimise noise impacts to surrounding residential properties.

Provisions

- P1 An area for on-site management of waste and recycling shall be nominated and its design shall be in accordance with relevant Environmental Health Guidelines.
- P2 The garbage/recycling area must be appropriately sited as far as possible from nearby residential properties.
- P3 The transfer of waste, particularly glass bottles, into an outdoor garbage/recycling area must not occur after 10pm where this would likely be audible from surrounding residential properties.

7.3.6 Use of Smoking Areas

Objectives

- O1 To ensure that the impacts of the use of areas on the site for smoking are properly considered.
- O2 To minimise the impacts of the use of smoking areas on surrounding residential amenity.

Provisions

- P1 Operating hours for smoking areas may equal those for indoor areas as shown in Table B-7.1 if Council is satisfied that the requirements of this section can be met.
- P2 Council must be satisfied that the operation of late night smoking areas will not result in any additional impact on the surrounding area. Where a smoking area may impact upon the amenity of surrounding residential receivers, the following will need to be confirmed with any application for late night smoking areas for licensed premises:
 - (a) the purpose of the smoking area is to establish a short stop or short term 'breakout area' for smokers;
 - (i) there must be no music, entertainment or gaming machines in the area;
 - (ii) appropriate ashtrays will be installed;
 - (iii) smokers will be discouraged from remaining in the area longer than necessary than to have a cigarette.
 - (iv) The Plan of Management must nominate the maximum capacity for this area at any one time.
 - (b) Other than those required by emergency systems, PA or audio systems are not to be installed in outdoor smoking areas.
 - (c) Where necessary, the outdoor smoking area must incorporate the added feature of an air lock to minimise the potential for noise spill from the interior of the premises. Doors to air locks are to be fitted with appropriate door closing hardware to ensure that they are not 'held open' which could negate the acoustic benefits.



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- (d) The smoker’s area is not to be used as an additional place for drinking and dining. No tables, chairs or service are to be provided. Service to patrons is to be restricted to internal areas. Staff should not serve patrons in the smoking area in the aim of discouraging patrons from remaining in the smoking area and encourage them to return to the primary facilities inside the premises.
- (e) If a smoking area also doubles as an outdoor dining/drinking area, then any associated tables, chairs and the service of food, drinks and the like can be provided for the period of the approved outdoor trading hours only. Once the maximum approved outdoor trading hours have been reached, patrons cannot be given access to the chairs, tables, or the service of food and drink in these locations. The service of patrons is to be restricted to internal areas of the premises only. Staff should not serve patrons in the smoking area in the aim of discouraging patrons from remaining in the smoking area and encourage them to return to the primary facilities inside the premises.
- (f) In instances where there is uncertainty over the appropriateness of the smokers’ area, consent for its use as a smokers area will only be granted for a limited time (e.g. 12 months). After 12 months from the release of an Occupation Certificate, an applicant may seek the removal of the restrictive condition, via the lodgement of a Section 96 application. Any such application must be accompanied by an Acoustic Report providing details of acoustic testing carried out and the results of such tests demonstrating compliance with all relevant Acoustic Criteria in Section 7.3.3.

7.4 PREMISES MANAGEMENT CHECKLISTS AND PLANS OF MANAGEMENT

All development applications for late night trading premises must be accompanied by a **Premises Management Checklist** as a minimum. This will provide Council with relevant information required to assess any late night trading Development Application.

Development Applications which have the potential to impact adversely on residential amenity and neighbourhood safety such as pubs and small bars are required to prepare a **Plan of Management** that includes verifiable data and actions. Plans of Management are to include information about the operational and contextual aspects of a premises (e.g. locality description, security numbers, noise emission, trading hours etc.) as well as details about what actions will be taken to ensure that premises will be responsibly managed (e.g. crowd control procedures, noise minimisation, waste management etc).

This ensures that proponents of late night trading premises have considered and addressed any potential impacts that may arise from the premise’s operation during late night hours, as well as enabling the Council to effectively assess the impacts of a proposal. It is the responsibility of the licensee to facilitate a well run and managed premises and display sensitivity about the impact of the premises on the liveability of neighbourhoods.

Objectives

- O1 To ensure that potential impacts from the operation of the premises are considered and addressed during the assessment of an application; and
- O2 To enable Council to review Plans of Management to ensure that management practices are being appropriately applied to late night trading premises.

Provisions

Premises Management Checklist

- P1 A Premises Management Checklist addressing all criteria set out in Section 7.4.1 of this Section of the DCP, must be submitted for any for development application proposing to operate between 8pm and 7am unless a Plan of Management is required.

Plan of Management

- P2 A Plan of Management addressing all criteria set out in Section 7.4.2 of this Section of the DCP, must be submitted with a development application for any of the following late night trading premises proposing to operate between 8pm and 7am:
- (a) pub,
 - (b) small bar,
 - (c) any use proposed to operate beyond the maximum trading hours.
- P3 Plans of Management must be reviewed following any trial period and make revisions necessary to maintain a level of amenity and safety in the vicinity of the premises which is at an acceptable community standard.
- P4 The Plan of Management shall form part of any development consent granted by Council.

Notes: *It is at Council's discretion to request further information regarding the management of any late night premises if it is considered that the proposal may impact adversely on the amenity of the area.*

This additional information may be either in the form of a formal Plan of Management, or (where requested by Council) a letter that addresses a specific matter (or matters) of concern particular to the proposal (e.g. security provision, noise, waste management, staffing etc.)

7.4.1 Premises Management Checklists

Where relevant, at a minimum, management checklists must:

- (a) Describe measures that will be taken to minimise internal and external noise impacts on adjoining properties and how such measures will be implemented;
- (b) Outline the procedures for minimising and managing waste that is generated on site and how and when waste will be collected (e.g. disposal of bottles, waste removal etc.);
- (c) Provide details of the type and number of staff that will be employed on the premises at any one time;
- (d) Describe any arrangements that have been made for on-site security (if relevant). This is to include specific information on the number of licensed security staff, including details of any electronic surveillance systems within the premises;
- (e) Describe any steps that will be taken to manage patron behaviour when leaving the premises late at night;
- (f) Describe any methods for controlling and managing crowds within and outside the premises;
- (g) Describe measures will be taken to manage large groups of people during peak trading periods;
- (h) Provide a copy of a house policy that describes the measures to minimise harm associated with alcohol consumption to ensure the responsible service of alcohol;
- (i) State the maximum capacity of the premises and the maximum number of patrons that will be standing and/or sitting at any one time;
- (j) State the operating and/or trading hours of the premises;
- (k) Describe any measures to increase patron awareness of public transport availability in the locality; and
- (l) Describe when and how the site will be cleaned and generally serviced.

7.4.2 Plans of Management Criteria

Plans of Management should include the following information where relevant:

Site and Locality Details

- (a) A description of the primary use of the premises as well as any secondary/ancillary uses (e.g. retail liquor sales, entertainment, outside trading areas, gaming areas etc). This may be in the form of a floor and/or site plan that indicates the use of all areas within the building or site.
- (b) Identification of any 'active areas' adjacent to the boundaries of the site used in association with the use of premises (e.g. Outdoor seating, footway dining, patron queuing areas, parking etc).
- (c) A floor plan that indicates the proximity of external doors, windows and other openings to residential and other sensitive land uses.
- (d) Details of the maximum capacity of the premises and the maximum number of patrons that will be standing and/or sitting at any one time.
- (e) The location of waste storage areas.
- (f) Location of air conditioning, exhaust fan systems and security alarms.
- (g) A site context plan that provides empirical details of on-site and off-site car parking within 100 metres radius of the site, including a description of the availability of public transport in the locality during the proposed trading hours. This should also include routes to taxi ranks or possible taxi pick-up and drop-off areas.
- (h) Identification of the most commonly used pedestrian routes to and from the premises.

Operational Details

(a) **Organisational Overview**

An overview of the organisation in the form of a brief statement that provides details about the company/licensee/proprietor that includes information regarding:

- (i) the number and type of staff (including security);
- (ii) other similar premises within the company's portfolio (if relevant);
- (iii) any Liquor Licenses for the premises;
- (iv) a description of any actions that the proprietor/licensee has taken to co-operate with NSW Police, the local community and incorporated resident groups regarding the management of the premises;
- (v) membership of a Licensing Accord within the North Sydney LGA; and
- (vi) actions taken to liaise with the local community about premises management and activities (e.g. meetings, letter drops).

(b) **Hours of Operation**

- (i) A schedule of the proposed operating hours for each day of the week for all areas of the premises (e.g. courtyards, rooftop, balcony, footway, gaming room etc.) showing the range of hours proposed for each day in the format above.

(c) **Noise**

- (i) The identification of all likely noise and vibration sources associated with the operation of the premises. This may include such sources as:
 - entertainment, including amplified music from a band or disc jockey;
 - external (outside) areas such as courtyards, rooftops, balconies etc;
 - patrons leaving and entering the premises;
 - the operation of mechanical plant and equipment; and

- waste disposal, sorting and collection of bottles etc.
- (ii) A description of the existing acoustic environment during hours proposed beyond midnight (e.g. from vehicular traffic, noise from surrounding premises, pedestrian noise etc.).
- (iii) The identification of all noise sensitive areas of different occupancy in close proximity to the proposed use (e.g. residential dwellings; boarding houses, backpacker accommodation, hostels etc.).
- (d) **Safety and Security**
 - (i) A description of any arrangements that will be made for the provision of security staff. This is to include (but is not limited to) the following:
 - any recommendations from Local Licensing Police regarding appropriate security provision and a statement outlining the extent of compliance with police recommendations;
 - the number of security personnel that will be patrolling inside and outside the premises including the frequency of security patrols;
 - identification of the physical extent of any patrolled areas outside the premises;
 - hours that security personnel will be on duty (including the period after closing time); and
 - staff security training, weapons detection, and other security response methods.
 - (ii) Details of CCTV surveillance camera installation that identifies both indoor and outdoor areas monitored by cameras and camera technical specifications (e.g. recording capacity, frames per second etc.).
 - (iii) Details of signage that is to be erected providing advice to patrons to maintain quiet and order when leaving and entering the premises.
 - (iv) Written confirmation that the NSW Police Service raises no objection to trading hours beyond midnight (if trading hours beyond midnight are sought) and there is no record of significant crimes generated by the premises or records showing an increase in crime associated with the premises.
 - (v) Details of any complaints associated with the operation of the premises must be recorded in a Complaints Register which includes:
 - Complaint date and time;
 - Name, contact and address details of person(s) making the complaint;
 - Nature of complaint;
 - Name of staff on duty; and
 - Action taken by premises to resolve the complaint.

Management Measures

- (a) **General Amenity**
 - (i) Details of all measures that will be taken to ensure that amenity impacts that may result from the operation of the premises are minimised. This should identify (where relevant) any measures taken to ensure that the operation of the premises will not materially affect the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise.
 - (ii) Details of all actions that will be taken to respond to complaints made about the operation of the premises (e.g. consultations with residents, discussions with

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Council Officers, liaison with Police, public access to Plans of Management, review of existing Plan of Management etc.).

- (iii) A waste management plan that outlines the procedures for minimising and managing waste that is generated by the premises. This should address such matters as disposal of bottles, how and when waste will be removed, details of waste management facilities, waste collection and storage areas etc.
- (iv) Details of when (frequency) and how the premises will be cleaned and serviced.
- (v) If the premises has gaming machines, details of where gaming areas will be located in order to not be viewable from the street (e.g. away from the street frontage, not at ground level if multiple floors, appropriate screening); and how these areas will be patrolled.
- (vi) A statement that addresses how the premises/use will impact/ contribute on the mix of uses in the area/locality during both day and night trading hours.
- (vii) Details of methods that will increase patron awareness of public transport availability (e.g. signage, availability of timetables) as well as a description of any other measures that will assist patrons in using public transport (e.g. provision of a shuttle service, taxi assistance etc.).
- (viii) Details of methods that will increase patron awareness of responsible disposal of cigarette butts.
- (ix) Any other measures that will be undertaken to ensure that amenity impacts that may arise from the operation of the premises are addressed.

(b) **Noise**

- (i) Details of all on-site and off-site noise and vibration attenuation measures.
- (ii) A statement outlining the premises' compliance with all relevant noise and vibration standards, guidelines and legislation (e.g. Australian Standards, [Protection of the Environment Operations Act 1997](#), EPA Industrial Noise Guidelines, etc.).
- (iii) Details of all actions that will be taken to ensure that the operation of the premises will not give rise to any "offensive noise" as defined under the [Protection of the Environment Operations Act 1997](#).
- (iv) Details of how management will address complaints relating to noise, and any noise control strategies that will be implemented to minimise the potential for complaints (e.g. liaison with neighbours and local police, maintaining a complaint register etc).
- (v) Details of any measures that will be taken to minimise noise from outdoor areas such as rooftops, courtyards, balconies etc.
- (vi) Details of any noise limiting devices to be installed.

(c) **Security and Safety**

- (i) Measures that will be taken by security personnel to ensure that the behaviour of staff and patrons when entering and leaving the premises will minimise disturbance to the neighbourhood.
- (ii) Any provisions that will be made to increase security in times where higher than average patronage is expected (e.g. During live entertainment, peak periods on weekends, New Years Eve, following large sporting events in the locality, during special events and functions etc.).
- (iii) Liaison that will be undertaken with other licensees or operators of late trading premises in the locality/area to improve security at night.
- (iv) Details of measures that will be implemented to ensure that neighbourhood amenity and safety is protected. At a minimum this should include:

- emergency procedures;
 - crowd control;
 - search procedures;
 - maintenance of an incident register;
 - monitoring of patron behaviour;
 - monitoring of numbers of patrons within the premises;
 - recording of complaints and reporting of incidents to Police;
 - where relevant, membership of the proprietor/licensee to a Licensing Accord (please refer to the Office of Gaming Liquor & Racing's website for details of Licensing Accords operating within the North Sydney LGA) and a demonstrated commitment to the strategies and principles of the Accord;
 - dress codes;
 - staff security training;
 - distinctive security attire;
 - availability of cloak rooms;
 - internal and external security patrols;
 - the location, design and type of footpath and external lighting that will be installed;
 - measures to prevent glass drinking receptacles being carried from the premises by patrons;
 - measures to ensure safe capacities (e.g. electronic counting of patrons, occupancy limits, signage);
 - provision of pre-booking services for taxis; and
 - availability of courtesy bus services.
- (v) If queuing outside the premises is to occur, a description of any measures that will be taken to ensure that queuing is controlled in a manner that will not adversely impact the amenity of the neighbourhood and that the footpath will not be unreasonably impeded. This description may address such matters as:
- the use of temporary ropes and bollards;
 - maximum queue numbers;
 - actions taken to minimise loitering; and
 - actions ensuring the fast and efficient movement of a queue.
- (vi) Methods employed to implement harm minimisation and the responsible service of alcohol (RSA) requirements of the Casino, Liquor and Gaming Authority such as:
- employee training and awareness regarding RSA and harm minimisation;
 - approaches that will be used to manage intoxicated and/or disorderly persons;
 - promotion of non-alcoholic beverages;
 - display of the premises' house policy;
 - assisting patrons in accessing safe transportation from the premises (e.g. arranging taxis, public transport timetable information);
 - encouraging responsible drinking; and



Late Night Trading Hours

- actions taken to discourage drug use and to manage drug related incidents.



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