



**Revised Plan of Management
Pilu At Freshwater
80 Undercliff Road, Freshwater**

Prepared by Planning Lab

Issued 2 June 2025

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Venue Details

'Pilu at Freshwater' is located at 80 Undercliff Road Freshwater and has traded on the site since 2004. It is an award-winning fine dining a-la-carte restaurant and hosts occasional private dining events including the hosting of weddings.

To the north of the site is a Council car park that is accessible from Moore Road. Vehicle access to the building is provided via a driveway from the Council car park. This is the patron and staff entrance to the restaurant.

This Plan of Management accompanies a DA for the following:

DA2024/0946 approved the site as a restaurant, and to formalise the detailed operations of the existing venue under an accompanying Plan of Management.

The consent approved hosting up to 20 single private bookings per calendar year (January to December) on a pro rata basis for 2025 as the proposed private use will commence after January 2025.

A logbook detailing each single booking is to be kept up to date for inspection by Council at any time.

Operating Hours

In accordance with the conditions of development consent DA2025/222645, the hours of operation are to be restricted on a reviewable basis to:

- Sunday: 10:00am – 10:00pm
- Monday to Thursday: 10:00am - 11:00pm
- Friday and Saturday - 10:00am - 12:00am
- New Years Eve – 10:00am – 01:00am

Maximum Indoor Capacity

- 50 patrons in the Pavilion.
- 100 patrons in the Main Building.
- 130 patrons maximum may be hosted on the site (at any time).

Restaurant Management of Maximum Occupancy

Maximum occupancy is to be controlled by the restaurant's booking system, the restaurant manager and floor staff. The Manager must ensure that the maximum capacity of 130 patrons is not exceeded and that the maximum occupancy of each area is not exceeded.



Management of Private Bookings

A maximum of 20 exclusive private bookings per annum may be held on the site. Management is to retain records of all such bookings for reporting to Council on an as-required basis.

At other times when the restaurant remains open for dining by the general public, any area of the restaurant may also be used for smaller (non-exclusive) bookings during the authorised operating hours of the restaurant.

Exclusive bookings will be managed as part of the primary restaurant use, and will require adherence to the following practices:

- Events will be serviced by the restaurant kitchen and staff (i.e. no third-party organisation will be permitted to hire or operate the venue);
- Only food and drink from the restaurant will be served at the event (i.e. there will be no independent third-party catering);
- The Pavilion may not be operated independently of the restaurant by third parties (i.e. food, drinks and staff must come from the restaurant).

Where smaller events are held, the restaurant will remain open to other guests that are not part of the event.

When private events are held the restaurant seating arrangements may be adjusted on occasion to suit the needs of the particular event.



Acoustic Conditions

For the Lower and Middle Outdoor Terrace areas amplified and non-amplified music may be played subject to the following criteria:

- Amplified music may only be played in association with a ceremony, for up to two occasions per day, being held between 11:00am and 1:30pm AND between 4:30pm and 7:00pm. Such music is limited to 73dBA @ 3m LA10 from any speaker (equal to Sound Power 90dBA).
- Non-amplified music may be played in accordance with the consent for the venue.

For Indoor Dining areas amplified and non-amplified music may be played subject to the following criteria:

- 90dBA LA10 (Sound Pressure Level).
- Until 11pm daily (except for New Years eve).
- All doors and windows must be closed during amplified music, doors and windows are permitted to be open during background music as per below.
- Background music is assumed to be 65 dBA for dining areas, all measured as a sound pressure level.
- All doors and windows are to remain shut after 10:00pm and not opened before 7:00am and anytime amplified music is used. Low level background music is permitted to be played with windows and doors open.
- Removal of glass or waste should be done internally and must not be externally of the premises after 8:00pm and before 7:00am.
- Signs must be displayed at all exits reminding patrons to be mindful of noise when leaving the premise.

Refer to **Figure 1** below for a site plan identifying Indoor Dining Areas and Lower and Middle Outdoor Terrace Areas.



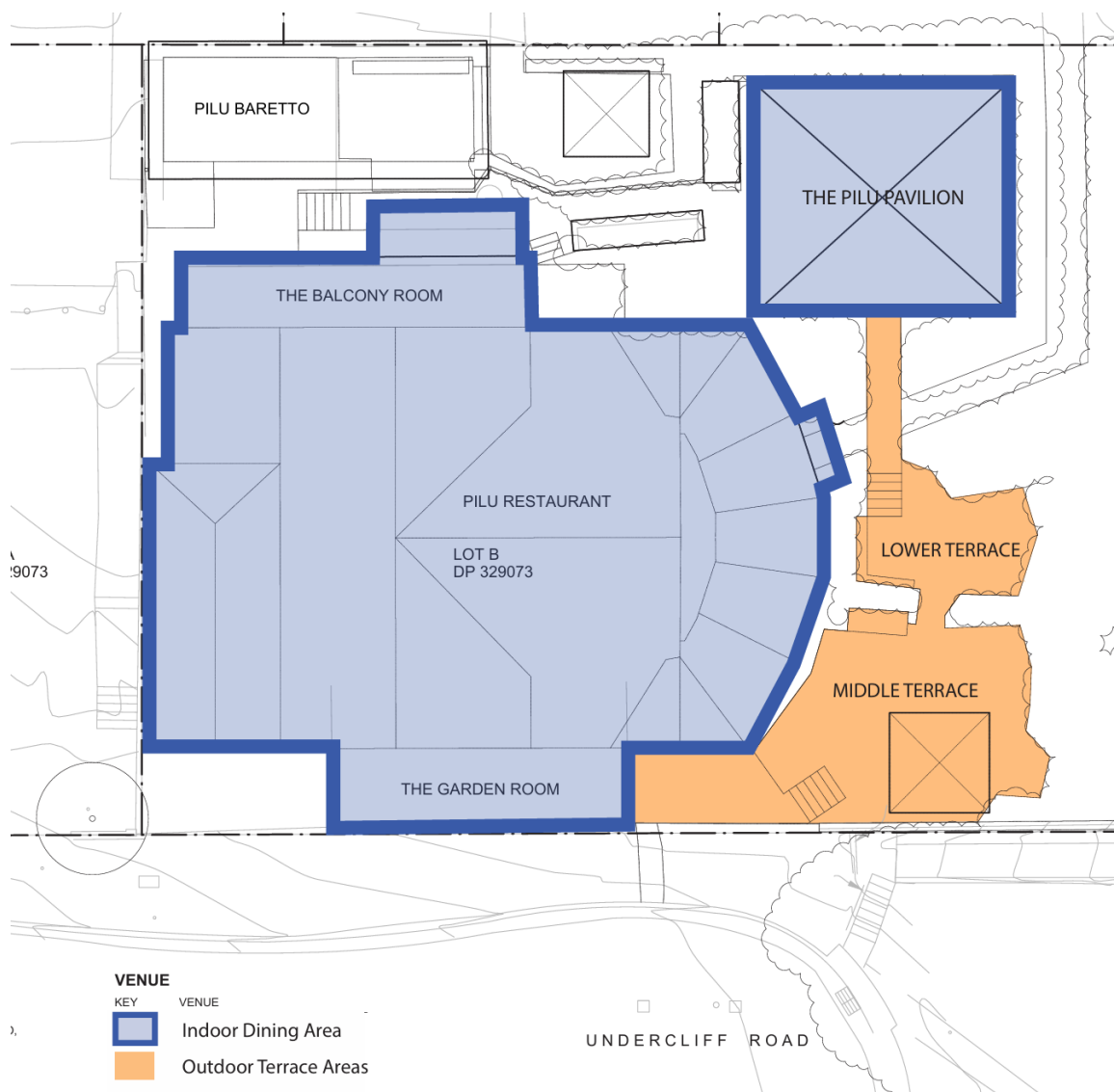


Figure 1 – Site Plan of Amplified Music Areas (Source: McIntosh & Phelps Architecture)



Security and Complaints

Pilu lists a phone number on its website which will be answerable during operating hours.

If a complaint is made regarding the operation of the restaurant by phone or in person during the operation of the restaurant, it should be addressed by the duty manager. If possible and reasonable, immediate action should be taken to resolve the issue. If not immediately actionable, the nature of the complaint and the complainants' details should be recorded. Once the subject of the complaint has been addressed, the complainant should be notified of the outcome.

Complainants are to be treated with courtesy and respect at all times.

The restaurant offers a fine dining experience and does not require licensed security personnel. However, management will be available to meet with members of the public to discuss any issue of concern for the operation of the restaurant.

Responsible Service of Liquor

The Licensee will ensure that all staff involved in the sale, service and supply of liquor hold a valid Responsible Service of Alcohol (RSA) Competency Card or Certificate (as the case may be).

The Licensee will ensure that copies of the RSA Competency Card and/or Certificate for the Licensee (or the Approved Manager, as applicable) and all staff members engaged in the sale, supply or service of alcohol are kept at the Premises and are available for inspection on request by a Police Officer, Council Inspector or OLGR inspector. The Licensee shall take all reasonable measures to ensure the behaviour of staff and patrons does not adversely affect the amenity of the neighbourhood.

The conditions of the liquor license together with the conditions of the development consent will be complied with at all times.

Staff are to ensure patrons drink responsibly. It is an offence to sell or supply liquor to any person who is in a state of intoxication. A "state of intoxication" is where that person's behaviour, balance, speech and coordination are noticeably affected through the consumption of intoxicating liquor.

The Licensee and staff will ensure that intoxication is prevented from occurring at the Premises through compliance with the House Policy including:

- (a) providing non-alcoholic beverages for sale at the restaurant;
- (b) providing free drinking water;
- (c) refusal of service to patrons showing signs of intoxication; and



- (d) not allowing intoxicated persons to enter or remain on the premises

Staff will:

- Refuse entry to any person deemed intoxicated, quarrelsome or unruly, by taking the following steps:
 - (a) Tell the person that the law does not allow them into the premises.
 - (b) Tell the person that the law requires them to move more than 50 meters away from the premises and observe or supervise that person's removal to that point.
 - (c) If the person fails to comply, the Police are to be called.
- Monitor the behaviour of customers on site. Patrons exhibiting signs of approaching a state of intoxication are to be offered an alternative to drinking further liquor, such as soft drinks or water. Any person exhibiting signs of intoxication will be requested to leave the premises by taking the following steps:
 - (a) Tell the patron that the law does not allow them to continue to be served alcohol.
 - (b) Tell the patron that the law requires them to leave the premises.
 - (c) If the person fails to comply, the Police may be called.
- Ensure that a person under 18 years of age does not purchase liquor or have liquor purchased on their behalf. In this regard staff will:
 - (a) Request proof of age identification from any person on the Premises to verify they are over the age of 18 years to be served with liquor. Acceptable identification includes: (i) a current photo driver's license; (ii) a photo card issued by the NSW Roads and Maritime Services; (iii) a passport; or (iv) a proof of age card issued by the Commonwealth or another State/Territory.
 - (b) Know the features to check when presented with a proof of age identification to ensure the person is 18 years of age or over and the document is bona fide.
 - (c) Refuse service to any person who has been requested but cannot produce proof of age identification.
 - (d) Be conscious of potential secondary purchase situations.
- Assist the Licensee in identifying potential problems, including the reporting of any concerns/issues to the licensee/manager on duty for appropriate action.

A copy of this PoM is to be available on restaurant's webpage.





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