



STATEMENT OF ENVIRONMENTAL EFFECTS

*“Permanent use of approved temporary
outdoor dining area”*

PITTWATER RSL CLUB

80-82 Mona Vale Road, Mona Vale

September 2022

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1.0 INTRODUCTION

- 1.1 This Statement of Environmental Effects has been prepared by Andrew Martin Planning Pty Ltd at the request of Paynter Dixon on behalf of Pittwater RSL to accompany a Development Application to the Northern Beaches Council ('the Council') for a change of use of a temporary outdoor dining area to permanent use of the same outdoor dining area.
- 1.2 DA2021/1724 was approved by Council on 21 October 2021, being for '*alterations and additions to a Registered Club to enable temporary outdoor dining*'. Condition 2 of that approval provided for a maximum period of twelve (12) months from the date of first commencement. With the anniversary date of the original approval upcoming in October 2022, this application seeks the approval of the same outdoor area on a permanent basis. That is, without any time limitation.
- 1.3 This application refers to the same outdoor area as approved in DA2021/1724. There is no change to the size or location of the area, however the Sunday opening hours are proposed to be moved from 2.30pm to 11am. The DA plan set, and Landscape Plans remain valid for this application. The Operational Plan of Management and Acoustic Report are updated to account for the earlier Sunday opening hours. The conclusions, recommendations and/or plans are proposed to be implemented on an ongoing basis by the Club.
- 1.4 The subject site containing the Pittwater RSL Club is located at 80-82 Mona Vale Road, Mona Vale. The area of the carpark currently occupied by the temporary outdoor dining is located at the northern eastern aspect of the site bordering Mona Vale Road, and adjacent to the existing eastern and northern outdoor patron areas. Due to the cold and wet winter months combined with lower than normal staffing levels across the hospitality industry, the Club is not currently opening the outdoor dining area. This is proposed to change with the warmer, Spring season just commenced.
- 1.5 The original DA for the outdoor dining area was supported by a Traffic and Parking Report, prepared by Transport and Traffic Planning Associates (TTPA). It confirmed that the temporary loss of 32 spaces was acceptable due to a number of reasons including but not limited to the fact that the Club retains 418 permanent spaces and there was reduced patronage at the time due to the Covid 19 protocols. The report stated that the original carparking numbers were based on a Club occupancy of approx 1 person per 1.5sqm, while they considered that when the Club reopened to full time operations patronage should be based on 1 person per 4m² or more conservatively at 1 person per 2m², meaning there is an oversupply of carparking and the 418 parking spaces currently available is acceptable for the permanent use of the carpark area for the existing outdoor dining area. On this basis, together with the outdoor area being closed over the winter months, a revised Traffic Report is submitted and not considered warranted. The basis of the previous parking assessment remains valid.
- 1.6 Consumption of alcohol within the outdoor dining area has been approved through NSW Liquor and Gaming. Upon permanent approval the Club will seek to obtain a modification of the on-site licence covering that area.
- 1.7 The ongoing operation of the approved outdoor dining area is considered to be in the public interest as Covid 19 has not been eradicated completely and patrons have shown a penchant to the outdoor dining offer in this area. The permanent use of this area will allow the Club to continuously and flexibly provide for the recreational and social needs of the community in a manner which can adjust to ongoing State level health regulations as they arise. The issues pertaining to parking and acoustic mitigation have been duly considered and addressed in this SEE.

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- 1.8 This statement is prepared pursuant to s.4.12(9) of the *EP&A Act 1979* and cl.47 and Schedule 1, Part 1, cl.2 (c) of the Environmental Planning and Assessment Regulation 2000, and reviews the applicable environmental planning instruments and development control plans that apply to the subject property as well as the natural and built environmental impacts of the proposal with particular reference to the relevant heads of consideration listed under s.4.15 of the *EP&A Act 1979*.
 - 1.9 The DA is supported by the previously approved plans, prepared by *Curtin Architects*, Project No. 6711 PRL 0141, Issue A, dated September 2021, the Landscape Plan (DA-04 Issue A, dated 13 September 2021) by *Curtin Architects*, the approved Operational Plan of Management and a new Acoustic Report prepared by *Acoustic Dynamics*. It is noted that the POM would be updated with the new Sunday opening hours post development approval.
 - 1.10 The subject proposal is not Integrated or Designated Development pursuant to the *EP&A Act, 1979*. The proposal is to be assessed as local development under Part 4 of the *EP&A Act, 1979*.
 - 1.11 Therefore, it is with confidence and high expectation of support that the DA is submitted to Council.

2.0 SUBJECT SITE

The site is legally known as Lot 52 in DP 1237461, 80-82 Mona Vale Road, Mona Vale. It is a triangular shaped property and located on the corner of Mona Vale Road and Foley Street (refer to Figure 1). Erected on the site is a large Club building, open at grade and multi-storey car parking. Associated bowling greens and entertaining areas not subject of this application are located on Club lands to the west legally identified as Lot 27 DP 5055 and Lot 51 DP 1277461.

The Club building is set hard against the Foley Street frontage which gives the Club a street address to Foley Street. Setbacks from Mona Vale Road are quite substantial. The site is surrounded by residential development to the south, north and east and commercial development to the west.

The existing club building, which is located on the eastern part of the site, has a total public floor area of some 4,155sqm floor area. Car parking areas comprising a total 450 spaces are located on the central and southern parts of the site with vehicle accesses on the Foley Street and Jubilee Avenue frontages.



Figure 1: Location of subject site

The area of the approved outdoor dining area is within an upper level car park located on the north eastern side of the Club building, closest to the Mona Vale Road frontage (refer to Figure 2). The area of the car park is adjacent to the existing eastern and northern outdoor patron areas of the club.

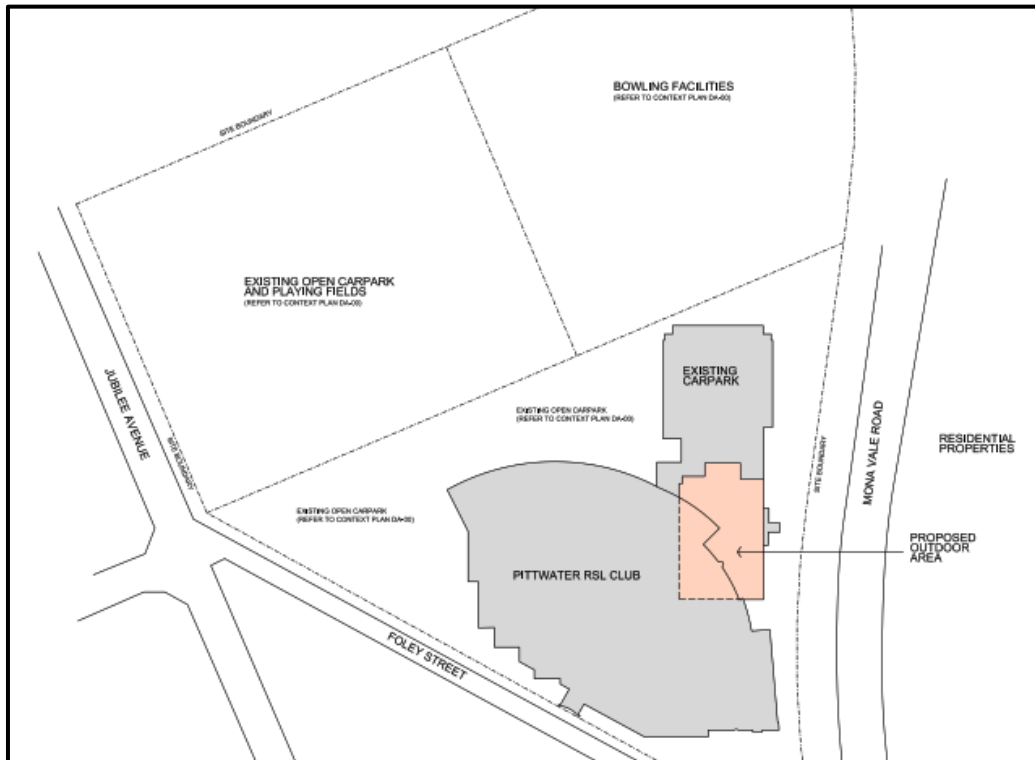


Figure 2: Location of proposed temporary outdoor dining area (Source: Site Plan prepared by Curtin Architects)



**Figure 3: View of carpark area along Mona Vale Road frontage prior to extension of the external wall as an acoustic barrier (Source: Google maps – December 2021)
NB: foreground works are Mona Vale Road upgrades**



Figure 4: Location of outdoor dining area, showing extension of height of external wall to 2m, as per DA2021/1724 (Source: Google maps – May 2022)



Figure 5: View to the dining area (The Deck @ Pitty) – when operating in warmer months (Source: Club website)

3.0 THE PROPOSAL

This DA seeks consent for the permanent use of the outdoor dining area that was approved in DA2021/1724. There is no change to the size, location or layout of the dining area from that approved in the original temporary approval (refer to Figure 6 below).

The temporary outdoor dining area was originally proposed as part of the Club's response to Covid 19 and the State Government's regulatory restrictions during the pandemic. Covid 19 has not been eradicated and the Club believes that this solution provides essential operational flexibility to address any future health restrictions going forward. The patrons of the Club have also responded to the outdoor dining area and the Club wishes to continue it as part of the Club offer.

An Operational Plan of Management was approved with DA2021/1724. The details of that POM remain unchanged and valid, when an amendment of the Sunday opening hours to 11am. A copy of the approved POM is submitted with this DA package and will be updated once development approval is received. There is no other proposed change to the hours of operation (as below), the number of patrons catered for in that area remains 250 persons (max) and the liquor licencing requirements will be the same.

DA2021/1724 approved trading hours is proposed to remain the same, except of a Sunday opening time (change from 2.30pm to 11.00am) proposed as part of this application:

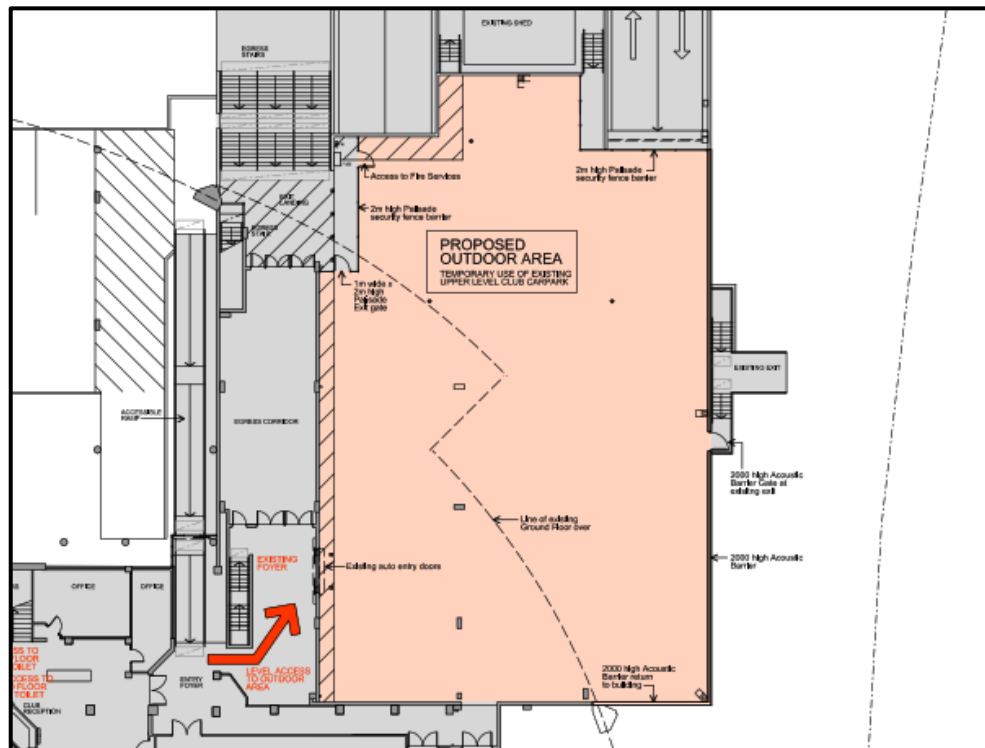
Friday and Saturday: 11am to 11pm

Sunday: 11:00am to 11pm

Special Events (eg Melbourne Cup Day, Anzac Day): 11am to 9.30pm

A new Acoustic Report, by *Acoustic Dynamics*, is submitted with this application. It addresses the outdoor dining area, as it exists and operates. Essentially the assessment concludes that the outdoor dining area is capable of compliance with the noise criteria subject to continued implementation of the previous recommendations and measures to address noise emissions, hours of operation and good management protocols of the area.

The approved area of the car park has been fitted out with tables, chairs, planters with a 2m high acoustic barrier along the Mona Vale Road boundary (refer to the photo in the Acoustic Report (Section A.3 Photographs)).



**Figure 6 – Approved outdoor dining area
 (Source: Stamped Plan set with DA2021/1724)**

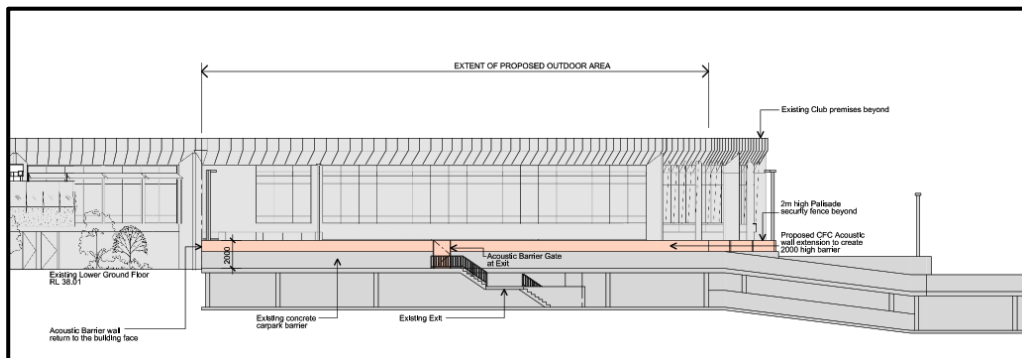


Figure 7: Extract of approved plan set showing location of acoustic barrier along Mona Vale Road frontage (Source: Stamped Plan set with DA2021/1724)

4.0 ASSESSMENT – SECTION 4.15 OF THE EP&A ACT 1979

This section of the report considers the proposed development assessed against the relevant heads of consideration of Section 4.15 of the *EP&A Act, 1979*:

4.15 Evaluation

(1) **Matters for consideration—general**

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

- (a) *the provisions of:*
 - (i) *any environmental planning instrument, and*
 - (ii) *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
 - (iii) *any development control plan, and*
 - (iiia) *any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
 - (iv) *the regulations (to the extent that they prescribe matters for the purposes of this paragraph),*
 - (v) *(Repealed) that apply to the land to which the development application relates,*
- (b) *the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) *the suitability of the site for the development,*
- (d) *any submissions made in accordance with this Act or the regulations,*
- (e) *the public interest.*

4.1 Any Environmental Planning Instruments (EPI's)

In accordance with Section 4.15 of the *EP&A Act, 1979* Council in determining a development application must take into consideration provisions of any EPI's. In this regard the following EPI's must be considered:

4.1.1 Pittwater LEP 2014

The relevant clauses of the LEP are provided below:

1.2 Aims of Plan

- (2) *The particular aims of this Plan are as follows—*
 - (aa) *to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,*
 - (a) *to promote development in Pittwater that is economically, environmentally and socially sustainable,*
 - (b) *to ensure development is consistent with the desired character of Pittwater's localities,*
 - (c) *to support a range of mixed-use centres that adequately provide for the needs of the Pittwater community,*
 - (d) *to retain and enhance land used for employment purposes that is needed to meet the economic and employment needs of the community both now and in the future,*
 - (e) *to improve access throughout Pittwater, facilitate the use of public transport and encourage walking and cycling,*
 - (f) *to encourage a range of housing in appropriate locations that provides for the needs of the community both now and in the future,*
 - (g) *to protect and enhance Pittwater's natural environment and recreation areas,*
 - (h) *to conserve Pittwater's European and Aboriginal heritage,*
 - (i) *to minimise risks to the community in areas subject to environmental hazards including climate change,*
 - (j) *to protect and promote the health and well-being of current and future residents of Pittwater.*

Comment: The proposal aligns with the overarching aims of the Pittwater LEP 2014. The outdoor dining offer for patrons of the Club provides for the ongoing satisfaction of recreational and social needs of the local community in a manner which is safe and accords can accord with likely future health advice of the NSW Government and Ministry of Health. The operation of this area since the end of 2021 has enabled the safe separation and use enjoyment of the Club offer by up to 250 patrons, particularly families.

Zoning and Permissibility

The subject site is zoned R2 Low Density Residential under Pittwater LEP 2014.

The objectives of the zone are:

1 Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses.

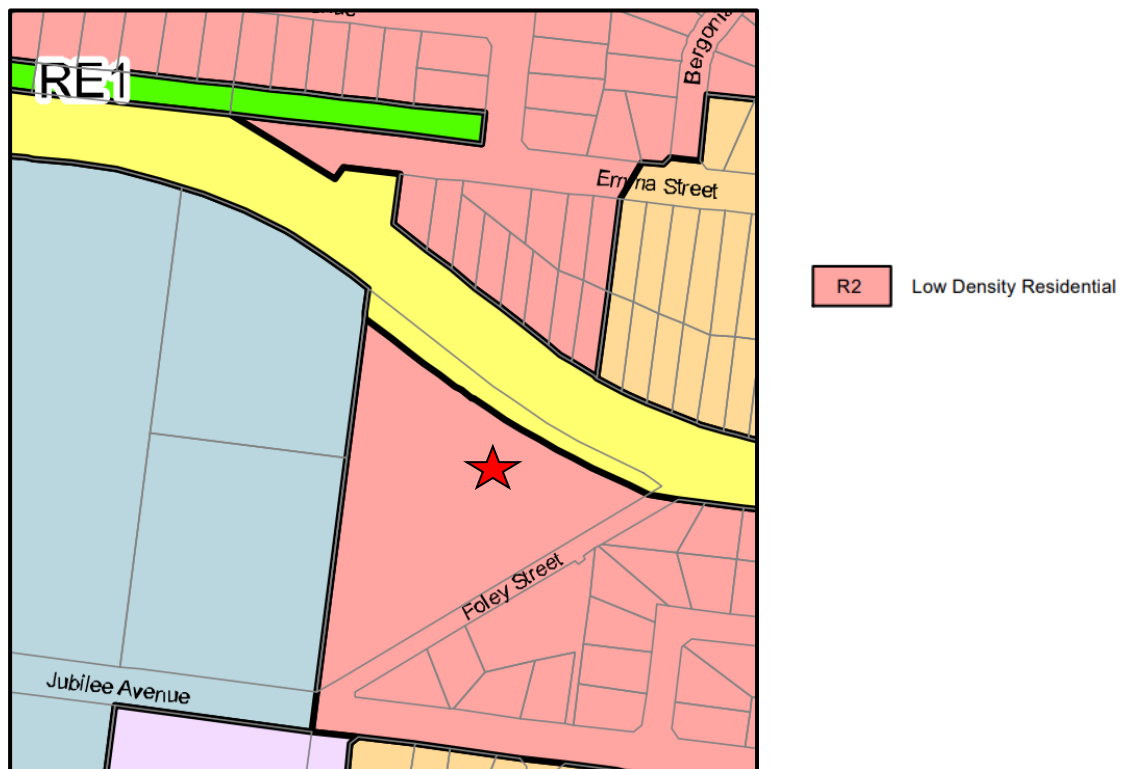


Figure 8 – Extract from Pittwater LEP Zoning Map LZN_012

Comment: The use of the site as a Registered Club is not permissible with consent, however, the club operates under long held and acknowledged existing use rights. The initial use of the carpark area for outdoor dining was approved by Council under DA2021/1724. The permanent use of same car park area for outdoor dining continues to represent a modest change to the configuration and operation of the club and can be undertaken with the consent of the Council. This previous consent and others for works at the Club establish the existing use rights. Therefore, it is not necessary to complete a historical review to demonstrate EURs.

Clause 4.3 Height of Buildings

Comment: The proposal relates to the change of use of the existing temporary outdoor dining area to its permanent use for dining purposes. There are not building works as part of this application.

Clause 4.4 Floor Space Ratio

The site is shown as white on the FSR map. No requirements.

Clause 5.10 Heritage Conservation

The site is not a listed heritage item, is not located within a heritage conservation area and is not in proximity to any locally listed heritage items under Schedule 5 of the LEP.

Clause 5.1A Development on land intended to be acquired for public purposes

This clause applies to sites shown on the LEP Land Reservation Acquisition Map. The subject site has its north-eastern boundary along Mona Vale Road and is subject to the acquisition clause.

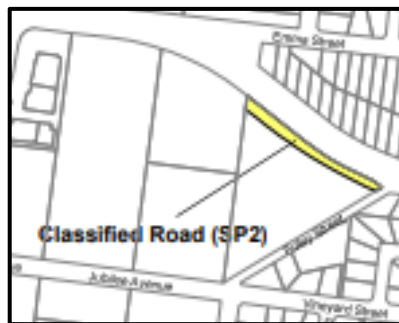


Figure 9: Land Reservation Acquisition Map - Sheet LRA_012



Figure 10: Location of outdoor dining relative to Mona Vale Road road reserve acquisition adjoining Club's north-eastern property boundary

Comment: The following map, sourced from Sixmaps NSW shows that the site of the outdoor dining area is not impacted by acquisition of the strip of land fronting Mona Vale Road (being Lot 56 DP 1237461). The Club building is located on Lot 52 DP 1237461 – the same DP as the road reserve. It is assumed that the new property titles reflect the land acquisition requirements anticipated in the LEP map series. No requirements.

4.2 Non-Statutory Development Control Plans

In accordance with s4.15(1)(a)(iii) of the *EP&A Act 1979* Council is to take into consideration any development control plan. In this regard the provisions of the following DCP's are relevant:

4.2.1 Pittwater Development Control Plan 21 (DCP 21)

The relevant sections of the PDCP 21 as amended 18 January 2021 are discussed below:

A3.4 Key objectives of the Pittwater 21 Development Control Plan

'Integrating our Built Environment is about the need to create a sustainable and relaxed living environmental including appropriate development effective transport choices and efficient support services.

(Pittwater Council Management Plan 2008-2012)'

Ecologically Sustainable Development

In Pittwater 21, ecologically sustainable development means development that maintains the ecological processes on which life depends while meeting the needs and improving the total quality of life of the present generation, without compromising the ability of future generations to do the same.

Comment: There is no require the removal of any vegetation or natural land forms. The outdoor dining area has been approved and created via the implementation of the previous development approval. The proposal makes best use of the site and existing built form areas and satisfies ESD principles.

Environmental Objectives

The proposal satisfies the environmental objectives given that:

- The ecological integrity, biodiversity, wildlife corridors, aquatic habitats, water quality, environmental heritage and environmental significance of the area is maintained as a result of the proposal.
- The proposal has no adverse impact upon any naturally occurring land forms and is deemed to be sustainable.
- The site as a whole minimises as far as practically possible the impacts upon the environment and surrounding amenity.
- The impacts generated on the site are for the most part internalised so as to minimise potential impacts on residential development. In particular, noise impacts from use of the outdoor area have been duly assessed, with the existing operation of the area since late 2021, with recommended operational measures implemented as part of the development consent (2m high acoustic wall), hours of operation, fitout of the area and the Operational Plan of Management.

Social Objectives

The proposal achieves the social objectives of Pittwater 21 given that:

- The proposal meets the ongoing social needs of the local community while providing the Club with the ability to respond to likely future health restrictions related to Covid 19.
- The outdoor area provides a safe and socially distanced space for patrons to enjoy a meal and refreshment outdoors, being a different offer by the Club.
- The use is not in conflict with adjoining land uses as the acoustic measures and ongoing operational management of the area preserve residential amenity.

- The establishment of the outdoor dining area on a temporary basis initially has proven that the area is suitably separated from areas of environmental sensitivity and is well-connected to other areas of the club.

Economic Objectives

The proposal satisfies the economic objectives of Pittwater 21 given that:

- The move from temporary to permanent outdoor dining area underpin the financial viability of the Club's operations on an ongoing basis, beyond the initial 12-month approval.
- The outdoor dining area provides the Club with the opportunity to provide a different dining and refreshment offer that reflects changes in consumer habits due to their experiences during the Covid 19 pandemic.
- The permanent outdoor area will allow the Club to plan contingencies for likely future outbreaks and associated restrictions to trade without the need to seek urgent approvals from Council, liquor licences or the State Government.

A4.14 Warriewood Locality

The subject site is located within the Warriewood locality and as such the following is relevant to the assessment of the application. In our opinion the proposal is consistent with the character objectives. The existing Club building forms part of the existing character.

Land within the Locality

*"Land within the Warriewood Locality is identified on the Warriewood Locality Map. From the 1920s, the Warriewood locality area expanded as a farming district as new settlers, including many from former Yugoslavia, moved into the area. The rural character of the valley remained until the 1980s, when land was subdivided for industrial/commercial and townhouse development in the vicinity of Macpherson Street, Ponderosa Parade and Vuko Place. **The locality has developed with a mix of residential, retail/commercial, industrial, recreational, and educational land uses.** Mona Vale Road is identified as a major road." (emphasis added)*

The proposal has no impact on the noted significant areas such as the Warriewood Escarpment, Warriewood Wetlands, Narrabeen Lagoon, and Katandra Bushland Sanctuary. The outdoor dining area has been established on previously disturbed areas of the site, being the old upper-level of the car park.

Desired Character: The following extracts from the 'elements of character' have been identified as being relevant to the subject site.

"The Warriewood locality will remain characterised by a mix of residential, retail, commercial, industrial, recreational, and educational land uses."

"Retail, commercial, service business and light industrial land uses will be employment generating, and will serve the community."

"Existing and new native vegetation, including canopy trees, will be integrated with the development."

Hazards, Natural Environment and Heritage

Hazards: The Warriewood Locality is affected by various hazards. Land affected in the Warriewood Locality is shown on the hazard maps held in the offices of Council.

Comment: The site is not affected by any known natural hazards seeking to limit the extent of the proposal.

Natural Environment: The Warriewood Locality includes vegetation areas, threatened species, or areas of natural environmental significance. Land affected in the Warriewood Locality is shown on the natural environment maps held in the offices of Council.

Comment: The proposal does not require the removal of any natural vegetation or landforms.

Heritage: The Warriewood Locality may include Heritage items and/or conservation areas. Land affected in the Warriewood Locality is shown on the Heritage Map held in the offices of Council.

Comment: The site is not heritage and no heritage listed property are in proximity to the site.

D14 WARRIEWOOD LOCALITY

D14.1 Character as viewed from a public place

Land to which this control applies:

- Warriewood Locality - P21DCP-D14MDCP700

Comment: The change in use from temporary to permanent outdoor dining in the old car park area does not alter any physical component of the Cub building. The acoustic wall has been established as part of DA2021/1724 (refer to the photos of before and after in Section 2 of this Statement). The wall extension is barely discernible when viewed from the public domain within Mona Vale Road and beyond. The built form of the external wall is compatible with the remainder of the external appearance of the Club premises.

D14.2 Scenic Protection - General

Site is not within a scenic protection zone.

D14.3 Building colours and materials

Land to which this control applies

- Warriewood Locality - P21DCP-D14MDCP700

No building works as part of this application. The acoustic wall extension to the old car park is completed.

D14.4 Height - General

No change the Club building premises.

D14.7 Front building line

Land to which this control applies

- Warriewood Locality - P21DCP-D14MDCP700

No change to the established setbacks of the existing structure.

D14.8 Side and rear building line

Land to which this control applies

- Warriewood Locality - P21DCP-D14MDCP700

No changes to the established side or rear building line setbacks proposed.

D14.11 Building envelope

Land to which this control applies

• *Land in the Warriewood Locality zoned Residential other than land in the Warriewood Valley Land Release Area zoned 2(f) (Urban Purposes – Mixed Residential) - P21DCP-D14MDCP707*

The permanent use of the approved outdoor dining area refers to an established area of the old upper-level car park which is contained within the existing footprint of the Club development.

4.3 The likely impacts of that development and the suitability of the site

The impacts on the natural and built environments are negligible as the area has been occupied and utilised by the Club as an outdoor area since late 202 (excluding closure during recent winter months due to cold and constantly wet conditions). In this instance, the impact level is not to the extent that would require refusal or modification of the current proposal. The following additional comments are made in relation to traffic, parking, noise, safety and accessibility.

4.3.1 Traffic and Parking

The Original Traffic and Parking Report (submitted for DA2021/1724) makes the following comments regarding the context and current club conditions and provides conclusions as follows:

‘The Pittwater RSL Club site (Figure 2) is an irregular shaped consolidation of lot occupying some 39,40m² located on the western edge of the Mona Vale town centre. The site, which has a significant change in levels, has frontages to the southern side of Mona Vale Road and the north-western side of Foley Street. The adjoining and surrounding uses include:

- *the industrial/mixed use area adjoining to the west*
- *the older style residential dwellings to the north, east and south*
- *the new residential dwellings to the north-west and south-west in the Warriewood Valley redevelopment.*
- *The existing club building, which is located on the eastern part of the site, has a total public floor area of some 4,155m² with a total of some 450 parking spaces principally at-grade but also in a decked parking area.*
- *The Club previously had a seating capacity of 2,170 seats, however, this has been reduced as a result of the closure of the Sports Bars and removal of seating in the Games area.’*

The TTPA provides the following conclusions:

Assessment provided in this Report has concluded that:

- *the proposed retained parking provision will be adequate to accommodate the peak demands*
- *there will be no adverse traffic implications the vehicle access and internal circulation provisions will be suitable and appropriate.’*

As mentioned in Section 1 of this SEE the original required carparking numbers were based on a Club occupancy of approx 1 person per 1.5m². The Traffic consultant anticipated that when the Club reopened patronage should be based on 1 person per 4m² or conservatively 1 person per 2m², meaning there is an oversupply of carparking. On this assessment basis, the provision of 418 parking spaces for the Club is considered reasonable and acceptable. No further assessment or reporting is proposed as part of this application.

Given the above Council can be satisfied that the approval of the permanent outdoor dining area will not adversely impact the site or surrounding road network.

4.3.2 Acoustics

An independent acoustic assessment, prepared by *Acoustic Dynamics* supports the application for the permanent use of the established outdoor area. The Acoustic Assessment revisits the subject site, with the outdoor dining area in operation and outside of the Covid 19 lockdown period.

The report determines the likely impact of noise generated by the ongoing use of the old car park area can occur without undue impacts on surrounding residential properties, subject to the implementation of those measures outlined in the Acoustic Assessment recommendations. Those measures are adopted into the Operational Plan of Management for the Club Premises and are to be monitored by staff and Club Management.

With the adopted measures in place, the use will comply with the LAB and DECC environmental noise control criteria provided the following recommendations. Those measures are listed as:

“RECOMMENDATIONS & ADVICE

1. *Live music performers should be located adjacent to the acoustic barrier (i.e. within 3 metres), and should be orientated away from the receivers on Mona Vale Road;*
2. *Speakers for the live performers must not be positioned higher than the adjacent barrier (i.e. < 2 metres high);*
3. *Live music performances should not be conducted on an elevated stage or platform;*
4. *The music levels must be monitored to not exceed LAeq 75 dB at 1 metre from a speaker (i.e. conversation should not require effort to be heard over the music);*
5. *Live music should be restricted to solo acoustic guitar and vocalist (or similar type of accompaniment). Percussive instrumentation should be avoided;*
6. *The use of sound system noise limiters/compressors and equalizers should be employed to reduce the level of low frequencies (bass) being broadcast by the system as this is what often causes the most disturbance to nearby residents;*
7. *To assist in the monitoring and control of music, a sound system limiter (capable of processing multiple frequency bands) should be installed;*
8. *The venue must ensure performers and sound engineers are made aware of “backline” sound level restrictions. Sound levels should be set so that performers can hear themselves without increasing the overall level of music in the carpark dining area;*
9. *The venue must ensure performers are made aware of the potential for noise problems prior to their appearance and their performance must adhere to any noise level restrictions that are in place;*
10. *Speakers should be orientated away from the neighbouring sensitive receiver properties;*
11. *All music associated with the use of the carpark dining area should cease prior to 10:00pm. No music should be played after 10:00pm;*
12. *Signage should be installed reminding patrons to be aware of their neighbours and to leave in a quiet manner.*
13. *Staff should be instructed to consider the neighbouring residents departing from the site in the late night period.*

It is expected that the above recommendations will form conditions of consent to ensure amenity of the local area is preserved.

4.4 The public interest

Given that the relevant issues have been addressed with regard to the public interest as reflected in the relevant planning policies and codes, the development is unlikely to result in any adverse impact to the public interest in the circumstance of the case.

5.0 CONCLUSION

The proposal seeks approval for the change of use of the approved temporary outdoor dining area to a permanent outdoor dining area. The location, size and operation of the outdoor area is not proposed to be altered from that approved in DA2021/1724 in October 2021.

Council provided, in the conditions of consent, that the temporary outdoor dining area would operate for a 12-month period – from the date of commencement. The original date of the Council approval is upcoming in October 2022. The Club is lodging this application for consideration well prior to that October date.

The previous approval provided for the conversion and use of the upper car park level on the north east side of the club site into a temporary outdoor dining area during the peak of the Covid 19 pandemic in order to address State Government health restrictions. The virus has not been eradicated and another round of restrictions is highly likely going forward. This proposal allows the Club certainty and flexibility to react to any restrictions that allow some level of service to the public to continue.

The outdoor dining space is directly accessible from internal areas of the club via automatic doors and has been easily converted and used for outdoor dining. The acoustic wall has been completed and the operational procedures adopted and implemented. The space is accessible and comply with requirements of the BCA (Access to Premises Standards) and other relevant Australian Standards.

Overall, the permanent use of the car park as an outdoor dining area, accommodating a maximum of 250 patrons, is considered to be in the public interest. It will ensure that the RSL Club can continue to provide much needed and now popular entertainment and social services to the local community. Also, the permanent use of the area allows the Club to plan and establish viable contingencies for any future restrictions which align with the Club's ongoing COVID-plan.

Given the relevant planning policies, codes and requirements of the *EP&A Act 1979* have been duly satisfied the proposed development is on balance worthy of approval.



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Planning Consultant
Andrew Martin Planning Pty Ltd