



NSW Police Force

29th October 2024

Northern Beaches Council

Request for comments on - **DA2024/0946 - 80 Undercliff Road FRESHWATER - Pilu Restaurant**

Northern Beaches Licensing Police have received a request for comment on the proposed changes to Pilu Restaurant.

The premise holds a current On-Premises liquor licence - LIQOO600400175 with three (3) Licence Conditions that have been imposed by the Liquor Act and Regulation. These conditions are:

1. *The licensee must ensure no alcohol, drinks, glasses or vessels are taken from the licensed area.*
2. *The licensee must ensure the ongoing use of the premises/property does not give rise to 'offensive noise' as defined under the provisions of the Protection of the Environment Operations Act 1997.*
3. *Undertake that licensee or permit holder will make every endeavour to ensure that bottles, garbage or refuse is collected from the premises not before 07:00 am on any day except Sunday then not before 09:00 am.*

Police see issues arising between the premise and local residence involving noise and traffic related issues i.e. DJ/band noise & parking. Police have completed checks at a local level for complaints of such issues and have not found anything of recent interest.

Police have reviewed the Plan of Management for Pilu, dated July 2024. Plans on how they will manage noise, patron capacity and waste have been outlined with in it.

After reviewing DA2024/0946 application, police request the below conditions be added to the DA should it be approved, for public safety.

1. Plan Of Management

The premise is to operate at all times in accordance with their Plan of Management – **Pilu at Freshwater, dated July 2024.**

2. CCTV footage on premises:

The Licensee shall maintain a CCTV system that meets the following minimum requirements:

- 1) A camera must be located at the main entrance to the venue and positioned to record any person entering through this entrance. The CCTV recordings of this camera must be sufficient to enable an individual to be identified, beyond reasonable doubt, when:
 - a. the person represents not less than 100% of the screen height, and
 - b. there is an unobstructed view of the person's face.

Northern Beaches PAC

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- 2) In addition, CCTV cameras must be maintained throughout the premises with camera coverage to specifically record images of the following areas:
 - a. all other public entrances and exits, whether or not in use at the time,
 - b. staircases,
 - c. all portions of the floor area accessible to the public where entertainment is provided,
 - d. toilet external entrances,
 - e. all public accessible areas within the premise excluding toilets
- 3) Camera views are not to be obstructed by temporary or permanent structures, signage or other impediments.
- 4) The correct time, date and camera identification must be automatically embedded on all recordings and be able to be read when the image is played back on a different system without interfering with the view of the target area.
- 5) Recordings should be retained for a period of 30 days before being reused or destroyed. The licensee shall ensure that no person is able to delete or alter any recordings within the 30-day period.
- 6) When the venue is open and trading, at least one person shall be at the venue that is capable of accessing the CCTV system and is able to immediately review recordings and produce copies.
- 7) Immediate access to the CCTV system and the ability to review recordings is to be granted to NSW Police, OLGR Inspectors or other regulatory officers upon request.

3. **Neighbourhood Amenity**

- 1) The management of the premises:
 - a. Shall ensure patrons do not crowd or loiter in the vicinity of the premises in such a manner that pedestrian movement is obstructed or hindered.
 - b. Shall ensure that the manner in which the business of the premises is conducted and/or the behaviour of persons entering and leaving the premises does not cause undue disturbance to the amenity of the neighbourhood. In this regard, the management shall be responsible for the control of noise and litter generated by persons and/or premises operations. If so, directed by Council, the Management is to employ private security staff to ensure that this condition is complied with.

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- c. The main doors to be closed after 10:00 pm, premises to ensure that no alcohol to be consumed outdoor area after 10:00 pm. The outdoor dining area will be only available till 10:00 pm.

4. Crime Scene Preservation

- 1) Immediately after the person in charge of the Licensed Premises become aware of an incident involving an act of violence causing an injury to a person on the premises, the person must:
 - a. Take all practical steps to preserve and keep intact the area where the act of violence occurred.
 - b. Retain all materials and implements associated with the act of violence in accordance with the crime scene preservation guidelines issued by the NSW Police
 - c. Make direct and personal contact with the Local Area Command or his/her delegate and advise the Commander or delegate of the incident and
 - d. Comply with any directions given by the Commander or delegate to preserve or keep intact the area where the violence occurred.

Regards,

Senior Constable N. De Ceglie,
Northern Beaches Licensing Unit
29th October 2024

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