

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2025/0175
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Responsible Officer:	Adriana Bramley
Land to be developed (Address):	Lot 22 DP 218990, 1062 Pittwater Road COLLAROY NSW 2097 Lot 21 DP 218990, 1064 Pittwater Road COLLAROY NSW 2097 Lot 20 DP 218990, 1066 Pittwater Road COLLAROY NSW 2097 Lot 23 DP 218990, 1060 Pittwater Road COLLAROY NSW 2097
Proposed Development:	Alterations and additions to a Pub (The Collaroy)
Zoning:	Warringah LEP2011 - Land zoned E1 Local Centre
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Applicant:	Complete Trade Pty Ltd

Application Lodged:	27/02/2025
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Commercial/Retail/Office
Notified:	12/03/2025 to 26/03/2025
Advertised:	12/03/2025
Submissions Received:	0
Clause 4.6 Variation:	Nil
Recommendation:	Approval

Estimated Cost of Works:	\$ 238,700.00
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PROPOSED DEVELOPMENT IN DETAIL

The application seeks development consent for Alterations & Additions to a Pub ('The Collaroy'), a listed Heritage Item as follows:

- internal ground floor - demolition of existing stairs and construction of new staircase, bar and kitchen areas
- internal first floor - demolition and construction of staircase, new bar and kitchen area.

The changes do not result in any net changes to Gross Floor Area or external alterations of the heritage building. No changes are proposed to any identified heritage fabric.

Northern Beaches Local Planning Panel delegation of functions relating to Heritage

The proposal meets the criteria to be decided by the Local Planning Panel (Works on a Heritage Item) however this proposal has been assessed as works on a Heritage Item that will have no more than a minimal impact on the heritage integrity of the item and Council's heritage advisor supports the proposal.

As such, the Council may exercise the Delegation of the Panel in this instance.

ASSESSMENT INTRODUCTION

The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Environmental Planning and Assessment Act 1979, and the associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon the subject site and adjoining, surrounding and nearby properties;
- Notification to adjoining and surrounding properties, advertisement (where required) and referral to relevant internal and external bodies in accordance with the Act, Regulations and relevant Development Control Plan;
- A review and consideration of all submissions made by the public and community interest groups in relation to the application;
- A review and consideration of all documentation provided with the application (up to the time of determination);
- A review and consideration of all referral comments provided by the relevant Council Officers, State Government Authorities/Agencies and Federal Government Authorities/Agencies on the proposal.

SUMMARY OF ASSESSMENT ISSUES

SITE DESCRIPTION

Property Description:	Lot 22 DP 218990 , 1062 Pittwater Road COLLAROY NSW 2097 Lot 21 DP 218990 , 1064 Pittwater Road COLLAROY NSW 2097 Lot 20 DP 218990 , 1066 Pittwater Road COLLAROY NSW 2097 Lot 23 DP 218990 , 1060 Pittwater Road COLLAROY NSW 2097
Detailed Site Description:	The subject site consists of four (4) allotments located on the eastern side of Pittwater Road. The site is identified as a Local Heritage-listed item as the ' <i>Former Arlington</i>

Amusement Hall'. The site is also adjacent to other Heritage listed places - the '*Former Westpac Bank*' at 1121 Pittwater Road and the '*Street Trees and Plaque*' near Birdwood Avenue.

The site is irregular in shape (at the rear) with a frontage of 31.6m along Pittwater Road and a depth of 20m-26m. The site has an area recorded on SEA of 581.7m².

The site is located within the Local Centre (E1) zone within the Warringah LEP and Warringah DCP and accommodates a two story heritage brick building over 4 lots containing 'The Collaroy' - an existing food and drink premises.

The site is flat and backs onto a two-storey brick building (Watergrill Resuarant) and Collaroy Beach. The development footprint does not contain any vegetation nor impacts on any threatened species or known habitats.

Detailed Description of Adjoining/Surrounding Development

Adjoining and surrounding development is characterised by 2-3 storey commercial and shop top buildings built to the front boundary at Street level along Pittwater Road and beachside parkland, dominated by mature pine trees adjacent to Collaroy Beach.

Map:



SITE HISTORY

The land has been used for commercial purposes for an extended period of time.

A search of Council's records has revealed the following relevant history:

- DA2011/0204 - 9 Dec 2011 - consent was issued by Warringah Council for Alterations and Additions - major internal redevelopment and relocation of entrance to the northern side of the building fronting the car park, filling in void areas on level 1, replacement of heritage façade signage and new roof deck.
- Mod2012/0059 of DA2011/0204 - 19 June 2012 - consent issued to amend the Coastal Erosion Trigger condition in relation to Risk to Life and Property due to Coastal Erosion. The condition required a 'Validity of Consent' test around coastal erosion and this was amended to describe 'Use' of the site and that the use of the building cease "if the erosion escarpment recedes to less than 5m from the lot boundary".
- DA2014/0835 - 9 September 2014 - consent issued by Warringah Council for Signage comprising of under and above awning signage for 'Collaroy Beach Hotel'.
- Mod2014/0201 of DA2011/0204 - 19 December 2014 - Warringah Council Granted a minor extension of a storage shed and plant room area on roof for staff lockers.
- DA2017/1123 - 12 January 2018 - approval was granted by Northern Beaches Council for Pizza Oven including flue and exhaust on roof.
- DA2017/1125 - 12 January 2018 - approval by Northern Beaches Council for alterations to a Heritage Item including removal of aluminum windows and doors, new timber external doors and windows, new kitchen exhaust, demolition of pergola and infill of that area with masonry wall (north east corner of site facing the outdoor deck).

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

The relevant matters for consideration under the Environmental Planning and Assessment Act, 1979, are:

Section 4.15 Matters for Consideration	Comments
Section 4.15 (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on "Environmental Planning Instruments" in this report.

Section 4.15 Matters for Consideration	Comments
Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument	There are no current draft environmental planning instruments.
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	Warringah Development Control Plan applies to this proposal.
Section 4.15 (1) (a)(iiia) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation 2021)	<p><u>Part 4, Division 2</u> of the EP&A Regulation 2021 requires the consent authority to consider "Prescribed conditions" of development consent. These matters have been addressed via a condition of consent.</p> <p><u>Clause 29</u> of the EP&A Regulation 2021 requires the submission of a design verification certificate from the building designer at lodgement of the development application. This clause is not relevant to this application.</p> <p><u>Clauses 36 and 94</u> of the EP&A Regulation 2021 allow Council to request additional information. Additional information was requested in relation to the Pizza Oven Flue addition to the roof.</p> <p><u>Clause 61</u> of the EP&A Regulation 2021 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This matter has been addressed via a condition of consent.</p> <p><u>Clauses 62 and/or 64</u> of the EP&A Regulation 2021 requires the consent authority to consider the upgrading of a building (including fire safety upgrade of development). This clause is not relevant to this application.</p> <p><u>Clause 69</u> of the EP&A Regulation 2021 requires the consent authority to consider insurance requirements under the Home Building Act 1989. This clause is not relevant to this application.</p> <p><u>Clause 69</u> of the EP&A Regulation 2021 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent.</p>
Section 4.15 (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	<p>(i) Environmental Impact The environmental impacts of the proposed development on the natural and built environment are addressed under the Warringah Development Control Plan section in this report.</p> <p>(ii) Social Impact The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.</p> <p>(iii) Economic Impact</p>

Section 4.15 Matters for Consideration	Comments
	The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.
Section 4.15 (1) (c) – the suitability of the site for the development	The site is considered suitable for the proposed development.
Section 4.15 (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Notification & Submissions Received” in this report.
Section 4.15 (1) (e) – the public interest	No matters have arisen in this assessment that would justify the refusal of the application in the public interest.

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

BUSHFIRE PRONE LAND

The site is not classified as bush fire prone land.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject application has been publicly exhibited from 12/03/2025 to 26/03/2025 in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2021 and the Community Participation Plan.

As a result of the public exhibition of the application Council received no submissions.

REFERRALS

Internal Referral Body	Comments
Building Assessment - Fire and Disability upgrades	<p>The application has been investigated with respects to aspects relevant to the Building Certification and Fire Safety Department. There are no objections to approval of the development subject to inclusion of the attached conditions of approval and consideration of the notes below.</p> <p>Note: The proposed development may not comply with some requirements of the BCA and the Premises Standards. Issues such as this however may be determined at Construction Certificate Stage.</p>
Environmental Health (Industrial)	<p>General Comments</p> <p>The proposal relates to a number of internal alterations, some of which involve kitchen and cooking equipment and bar area.</p> <p>Environmental Health supports the proposal and recommends</p>

Internal Referral Body	Comments
	<p>appropriate conditions of consent.</p> <p>Recommendation</p> <p>APPROVAL - subject to conditions</p>
Environmental Health (Food Premises, Skin Pen.)	<p>General Comments</p> <p>The proposal is supported. Please refer to referral response title "Environmental Health Referral Response - industrial use" for conditions</p> <p>Recommendation</p> <p>APPROVAL - subject to conditions</p>
NECC (Bushland and Biodiversity)	<p>Council's Biodiversity referrals team have assessed the development application for compliance against the following applicable provisions:</p> <ul style="list-style-type: none"> • Warringah DCP cl. E2 Prescribed Vegetation • Warringah DCP cl. E4 Wildlife Corridors • Warringah DCP cl. E6 Retaining Unique Environmental Features • SEPP (Resilience and Hazards) 2021 - Coastal Environment Area Map <p>The proposed alterations are located internally within the existing development and as such do not impact biodiversity within the site. As such, there are no objections.</p>
NECC (Coast and Catchments)	<p>The application proposes internal works to the existing building and was assessed in consideration of:</p> <ul style="list-style-type: none"> • Supplied plans and reports; • Coastal Management Act 2016; • State Environmental Planning Policy (Resilience and Hazards) 2021 <p>Coastal Management Act 2016</p> <p>The subject site has been identified as being within the coastal zone and therefore the Coastal Management Act 2016 is applicable to this DA. The proposed development is considered to be consistent with the objects, as set out under Part 1 Section 3 of the Coastal Management Act 2016.</p> <p>State Environmental Planning Policy (Resilience & Hazards) 2021</p> <p>The subject land has been included on the 'Coastal Environment</p>

Internal Referral Body	Comments
	Area' and 'Coastal Use Area' maps under the State Environmental Planning Policy (Resilience & Hazards) 2021 (SEPP). Hence, Clauses 2.10, 2.11 and 2.12 apply for this DA. On internal assessment the DA satisfies requirements under clauses 2.10, 2.11 and 2.12 of the SEPP. As such, it is considered that the application does comply with the requirements of the State Environmental Planning Policy (Resilience & Hazards) 2021.
Strategic and Place Planning (Heritage Officer)	HERITAGE COMMENTS
	Discussion of reason for referral
	<p>The proposal has been referred to Heritage as the subject site is identified as a heritage item being:</p> <p>I20 - Former Arlington Amusement Hall - 1056-1066 Pittwater Road, Collaroy.</p> <p>The subject site is also within the vicinity of two heritage items being:</p> <p>I23 - Former Westpac Bank - 1121 Pittwater Road, Collaroy</p> <p>I117 - Street Trees and Plaque - Pittwater Road (near Birdwood Avenue) Collaroy</p> <p>I22 - Collaroy Cinema (Facades and Interiors) - 1097 Pittwater Road Collaroy</p>
	Details of heritage items affected
	<p>I20 - Former Arlington Amusement Hall <u>Statement of Significance</u> A rare surviving example of an early 20th century commercial terrace in the area. Displays good integrity & is typically representative of federation commercial terraces. Historically provides evidence of important role of recreational/commercial development. <u>Physical Description</u> Terrace of 5 shops of face brickwork with rendered details. Entrance to former Amusement Hall assymetrically located with a semi-circular pediment & the name. Some stone features in detailing. Recessed porches on 1st floor, majority infilled & altered. No evidence of original shops on ground floor.</p> <p>I23 - Former Westpac Bank <u>Statement of Significance</u> A locally rare example of a suburban bank in the inter-war georgian revival style, representative of bank architecture at the time. Historically provides evidence of the development. of commercial infrastructure to serve residential growth. Local landmark. <u>Physical Description</u> Two storey face brick bank building designed to address corner site. Stone dressings as horizontal string courses and as carved motifs between ground & first floor windows. Tiled hipped roof. Art deco detailing in carved stone dressings. Multi-paned windows</p> <p>I117 - Street Trees and Plaque <u>Statement of Significance</u> A mature example of commemorative planting which occurred after WWI. Social & historic significance to the community, as plantings were to commemorate those who died in the war, as</p>

Internal Referral Body	Comments		
	<p>indicated by the plaque. Aesthetically a dominate feature of the streetscape.</p> <p><u>Physical Description</u></p> <p>A prominent row of mature Norfolk Island Pines (Araucaria heterophylla) along the road, with a number of others in the adjoining park area. Sandstone plaque with polished granite tablet with dedication.</p> <p><u>I22 - Collaroy Cinema (Facades and Interiors)</u></p> <p><u>Statement of Significance</u></p> <p>A rare surviving example of an inter-war art deco cinema. Displays high integrity of fabric & use. One of few operating art deco cinemas in Sydney. Historically provides evidence of the early recreational & social role of the Collaroy commercial area.</p> <p><u>Physical Description</u></p> <p>Smooth rendered masonry cinema building with high stepped parapet and "streamlined" decorative detailing. Building curves around the corner. Corrugated iron roof. Prominent cinema sign, similar to original.</p>		
	Other relevant heritage listings		
	SEPP (Biodiversity and Conservation) 2021	N	
	Australian Heritage Register	N	
	NSW State Heritage Register	N	
	National Trust of Aust (NSW) Register	N	
	RAIA Register of 20th Century Buildings of Significance	N	
	Other	N	
	Consideration of Application		
	<p>This proposal seeks consent for alterations and additions to the existing heritage listed building which is a food and beverage premises known as 'The Collaroy Hotel.' The proposed alterations and additions are mostly contained to the interior of the existing building and relate to the reconfiguration of the internal layout. A Heritage Impact Statement accompanies the proposed development application, prepared by CTA Group which supports the proposed development. Heritage notes that the heritage-listed building retains a largely intact façade although it has undergone changes evident in the replacement of the ground floor windows and doors and the introduction of signage. The interior of the building has previously undergone substantial alterations and additions which has resulted in the loss of its original interior and internal configuration. The heritage item is located in a visually prominent site within its setting on Pittwater Road. It is within the vicinity of several heritage items, including the Collaroy Cinema and Former Westpac Bank located on the western side of Pittwater</p>		

Internal Referral Body	Comments
	<p>Road and the Street Trees and Plaque located further south-east along Pittwater Road.</p> <p>The proposed works involve internal alterations to the ground floor and first floor including the removal of several interior elements which are to be replaced in new locations. On the ground floor this includes the removal of the existing staircase, main bar and internal walls, and the construction of a new staircase and main bar in new locations. The proposed works to the first floor include the removal of the existing staircase, bar joinery and infill slabs, and the extension of the existing west bar.</p> <p>Further proposed works include the relocation of the existing pizza oven including the associated pizza oven flue. The relocated pizza oven flue is proposed to be located externally on the roof 8.5 metres behind the building façade. The Statement of Environmental Effects states that the pizza oven flue will not be visible due to site lines and the pitch of the existing roof, however this is unclear from the provided plans. Heritage requests that further information be required such as a roof plan or section plans detailing the exact location of the pizza oven flue and its visual impact from Pittwater Road. It is the view of Heritage that the pizza oven flue should not be visible from the west elevation of Pittwater Road, and an alternate location be considered which will not visually impact or detract from the front facade.</p> <p>As most of the alterations and additions are largely confined to non-original interior fabric with little heritage significance, the proposed internal works are deemed acceptable from a heritage perspective. However, further information regarding the location of the pizza oven flue are required before consent can be granted.</p> <p>Revised Comments - 1 April 2025</p> <p>Amended plans, received on the 31st of March 2025, outline the roof plan of the site and new location for the pizza oven flue. Heritage is satisfied with these changes and the proposal can be supported.</p> <p>Therefore, Heritage raises no objections and requires no conditions.</p> <p>Consider against the provisions of CL5.10 of WLEP. Is a Conservation Management Plan (CMP) Required? No Has a CMP been provided? No Is a Heritage Impact Statement required? Yes Has a Heritage Impact Statement been provided? Yes</p>

External Referral Body	Comments
Ausgrid - SEPP (Transport and Infrastructure) 2021, s2.48	The proposal was referred to Ausgrid who provided a response stating that the proposal is acceptable subject to compliance with the relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice. These recommendations will be included as a condition of consent.
Ausgrid - Substation	<p>The application was referred to Ausgrid stating that the proposal is acceptable subject to the Ausgrid Network Standards and SafeWork NSW Codes of Practice for construction work.</p> <p>Confirmation was received confirming that Ausgrid Engineers advise there is adequate horizontal separation between the existing substation and the open restaurant.</p>

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)*

All, Environmental Planning Instruments (SEPPs and LEPs), Development Controls Plans and Council Policies have been considered in the merit assessment of this application.

In this regard, whilst all provisions of each Environmental Planning Instruments (SEPPs and LEPs), Development Controls Plans and Council Policies have been considered in the assessment, many provisions contained within the document are not relevant or are enacting, definitions and operational provisions which the proposal is considered to be acceptable against.

As such, an assessment is provided against the controls relevant to the merit consideration of the application hereunder.

State Environmental Planning Policies (SEPPs) and State Regional Environmental Plans (SREPs)

SEPP (Transport and Infrastructure) 2021

Ausgrid

Section 2.48 of Chapter 2 requires the Consent Authority to consider any development application (or an application for modification of consent) for any development carried out:

- within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists).
- immediately adjacent to an electricity substation.
- within 5.0m of an overhead power line.
- includes installation of a swimming pool any part of which is: within 30m of a structure supporting an overhead electricity transmission line and/or within 5.0m of an overhead electricity power line.

Comment:

The proposal was referred to Ausgrid who raised no objections, subject to conditions which have been included in the recommendation of this report.

SEPP (Resilience and Hazards) 2021

Chapter 2 – Coastal Management

The site is subject to Chapter 2 of the SEPP. Accordingly, an assessment under Chapter 2 has been carried out as follows:

Division 3 Coastal environment area

2.10 Development on land within the coastal environment area

- 1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:
 - a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,
 - b) coastal environmental values and natural coastal processes,
 - c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,
 - d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,
 - e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,
 - f) Aboriginal cultural heritage, practices and places,
 - g) the use of the surf zone.

Comment:

Development is wholly contained within the existing building and will not cause any increased impacts.

- 2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:
 - a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subsection (1), or
 - b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
 - c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

Comment:

Development is wholly contained within the existing building and will not cause any increased impacts.

Division 4 Coastal use area

2.11 Development on land within the coastal use area

- 1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority:

- a) has considered whether the proposed development is likely to cause an adverse impact on the following:
 - i) existing, safe access to and along the foreshore, beach, headland or rock
 - ii) platform for members of the public, including persons with a disability,
 - iii) overshadowing, wind funnelling and the loss of views from public places to
 - iv) foreshores,
 - v) the visual amenity and scenic qualities of the coast, including coastal headlands, Aboriginal cultural heritage, practices and places, cultural and built environment heritage, and
- b) is satisfied that:
 - i) the development is designed, sited and will be managed to avoid an
 - ii) adverse impact referred to in paragraph (a), or
 - iii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or if that impact cannot be minimised—the development will be managed to mitigate that impact, and
- c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.

Comment:

Development is wholly contained within the existing building and will not cause any increased impacts.

Division 5 General

2.12 Development in coastal zone generally—development not to increase risk of coastal hazards

Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.

Comment:

Development is wholly contained within the existing building and will not cause any increased risk.

2.13 Development in coastal zone generally—coastal management programs to be considered

Development consent must not be granted to development on land within the coastal zone unless the consent authority has taken into consideration the relevant provisions of any certified coastal management program that applies to the land.

Comment:

Development is not subject to any relevant coastal management program.

As such, it is considered that the application complies with the requirements of Chapter 2 of the State Environmental Planning Policy (Resilience and Hazards) 2021. Conditions relating to Coastal risk remain in place on previous development applications to manage risk on the site in the event of coastal erosion processes.

Chapter 4 – Remediation of Land

Sub-section 4.6 (1)(a) of Chapter 4 requires the Consent Authority to consider whether land is contaminated. Council records indicate that the subject site has been used for commercial purposes for a significant period of time with no prior land uses. In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under sub-section 4.6 (1) (b) and (c) of this Chapter and the land is considered to be suitable for the commercial land use.

Warringah Local Environmental Plan 2011

Is the development permissible?	Yes
After consideration of the merits of the proposal, is the development consistent with: aims of the LEP?	
zone objectives of the LEP?	Yes

Principal Development Standards

Standard	Requirement	Proposed	% Variation	Complies
Height of Buildings:	11m	11m (pizza oven flue)	N/A	Yes

Compliance Assessment

Clause	Compliance with Requirements
4.3 Height of buildings	Yes
5.10 Heritage conservation	Yes
6.1 Acid sulfate soils	Yes
6.4 Development on sloping land	Yes
6.5 Coastline hazards	Yes
Schedule 5 Environmental heritage	Yes

Warringah Development Control Plan

Built Form Controls

Built Form Control	Requirement	Proposed	% Variation*	Complies
B2 Number of storeys	3	3 - existing built form - no changes proposed	N/A	N/A
B5 Side Boundary Setbacks	Merit Assessment	0m - existing built form - no changes proposed	N/A	N/A
	Merit Assessment	0m - existing built form - no changes proposed	N/A	N/A
B7 Front Boundary Setbacks	Area L - Ground & First Floor maintain street front, second floor up to 5m	0m - existing built form - no changes proposed	N/A	N/A
B9 Rear Boundary	Merit Assessment	1.2m-11.5m - existing built form - no changes	N/A	N/A

Setbacks		proposed		
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Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
C2 Traffic, Access and Safety	Yes	Yes
C8 Demolition and Construction	Yes	Yes
C9 Waste Management	Yes	Yes
D3 Noise	Yes	Yes
D20 Safety and Security	Yes	Yes
D21 Provision and Location of Utility Services	Yes	Yes
E7 Development on land adjoining public open space	Yes	Yes
E9 Coastline Hazard	Yes	Yes
E10 Landslip Risk	Yes	Yes

POLICY CONTROLS

Northern Beaches Section 7.12 Contributions Plan 2024

The proposal is subject to the application of Northern Beaches Section 7.12 Contributions Plan 2024.

A monetary contribution of \$2,387 is required for the provision of new and augmented public infrastructure. The contribution is calculated as 1% of the total development cost of \$238,700.

CONCLUSION

The site has been inspected and the application assessed having regard to all documentation submitted by the applicant and the provisions of:

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2021;
- All relevant and draft Environmental Planning Instruments;
- Warringah Local Environment Plan;
- Warringah Development Control Plan; and
- Codes and Policies of Council.

This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to the conditions contained within the recommendation.

In consideration of the proposal and the merit consideration of the development, the proposal is considered to be:

- Consistent with the objectives of the DCP

- Consistent with the zone objectives of the LEP
- Consistent with the aims of the LEP
- Consistent with the objectives of the relevant EPIs
- Consistent with the objects of the Environmental Planning and Assessment Act 1979

It is considered that the proposed development satisfies the appropriate controls and that all processes and assessments have been satisfactorily addressed.

RECOMMENDATION

THAT Council as the consent authority grant Development Consent to DA2025/0175 for Alterations and additions to a Pub (The Collaroy) on land at Lot 22 DP 218990, 1062 Pittwater Road, COLLAROY, Lot 21 DP 218990, 1064 Pittwater Road, COLLAROY, Lot 20 DP 218990, 1066 Pittwater Road, COLLAROY, Lot 23 DP 218990, 1060 Pittwater Road, COLLAROY, subject to the conditions printed below:

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

GENERAL CONDITIONS

1. Approved Plans and Supporting Documentation

Development must be carried out in accordance with the following approved plans (stamped by Council) and supporting documentation, except where the conditions of this consent expressly require otherwise. This Development consent is only granted for internal demolition and changes outlined on the following plans:

Approved Plans				
Plan Number	Revision Number	Plan Title	Drawn By	Date of Plan
DA-000	C	Cover sheet	Akin Atelier - TS	27/3/2025
DA-010	C	Existing Plan - Ground Floor	Akin Atelier - TS	27/3/2025
DA-011	C	Existing Plan - First Floor	Akin Atelier - TS	27/2/2025
DA-020	C	Demolition Plan - Ground Floor	Akin Atelier - TS	27/3/2025
DA-021	C	Demolition Plan - First Floor	Akin Atelier - TS	27/3/2025
DA-100	C	General Arrangement Plan - Ground Floor	Akin Atelier - TS	27/3/2025
DA-101	C	General Arrangement Plan - First Floor	Akin Atelier - TS	27/3/2025
DA-102	C	General Arrangement Plan - Roof	Akin Atelier - TS	27/3/2025

DA-200	C	Elevations - West & North	Akin Atelier - TS	27/3/2025
DA-300	C	Sections - A-A	Akin Atelier - TS	27/3/2025

Approved Reports and Documentation			
Document Title	Version Number	Prepared By	Date of Document
Statement of Access Design Compliance	B	Ergon Consulting Pty Ltd	13/2/2025
Waste Management Plan	-	-	20/02/25 (registered by NBC)

In the event of any inconsistency between the approved plans, reports and documentation, the approved plans prevail.

In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

2. Compliance with Other Department, Authority or Service Requirements

The development must be carried out in compliance with all recommendations and requirements, excluding general advice, within the following:

Other Department, Authority or Service	EDMS Reference	Dated
Ausgrid	Ausgrid Referral Response	10/03/2025 (registered)

(NOTE: For a copy of the above referenced document/s, please see Application Tracking on Council's website www.northernbeaches.nsw.gov.au)

Reason: To ensure the work is carried out in accordance with the determination and the statutory requirements of other departments, authorities or bodies.

3. Prescribed Conditions

- (a) All building works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).
- (b) BASIX affected development must comply with the schedule of BASIX commitments specified within the submitted BASIX Certificate (demonstrated compliance upon plans/specifications is required prior to the issue of the Construction Certificate);
- (c) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (i) showing the name, address and telephone number of the Principal Certifier for the work, and
 - (ii) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working

hours, and

- (iii) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

- (d) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifier for the development to which the work relates (not being the Council) has given the Council written notice of the following information:

- (i) in the case of work for which a principal contractor is required to be appointed:
 - A. the name and licence number of the principal contractor, and
 - B. the name of the insurer by which the work is insured under Part 6 of that Act,
- (ii) in the case of work to be done by an owner-builder:
 - A. the name of the owner-builder, and
 - B. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under becomes out of date, further work must not be carried out unless the Principal Certifier for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

- (e) Development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - (i) protect and support the adjoining premises from possible damage from the excavation, and
 - (ii) where necessary, underpin the adjoining premises to prevent any such damage.
 - (iii) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
 - (iv) the owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

Reason: Legislative requirement.

FEES / CHARGES / CONTRIBUTIONS

4. Policy Controls

Northern Beaches Section 7.12 Contributions Plan 2024

A monetary contribution of \$2,387.00 is payable to Northern Beaches Council for the provision of local infrastructure and services pursuant to section 7.12 of the Environmental Planning &

Assessment Act 1979 and the Northern Beaches Section 7.12 Contributions Plan (as amended).

The monetary contribution is based on a development cost of \$238,700.00.

The total amount payable will be adjusted at the time the payment is made, in accordance with the provisions of the Northern Beaches Section 7.12 Contributions Plan (as amended).

Details demonstrating compliance, by way of written receipts issued by Council, are to be submitted to the Certifier prior to issue of any Construction Certificate or, if relevant, the Subdivision Certificate (whichever occurs first).

A copy of the Contributions Plan is available for inspection at 725 Pittwater Road, Dee Why or on Council's website at Northern Beaches Council - Development Contributions.

Reason: To provide for contributions in accordance with the Contribution Plan to fund the provision of new or augmented local infrastructure and services.

5. **Security Bond**

A bond (determined from cost of works) of \$2,000 and an inspection fee in accordance with Council's Fees and Charges paid as security are required to ensure the rectification of any damage that may occur to the Council infrastructure contained within the road reserve adjoining the site as a result of construction or the transportation of materials and equipment to and from the development site.

An inspection fee in accordance with Council adopted fees and charges (at the time of payment) is payable for each kerb inspection as determined by Council (minimum (1) one inspection).

All bonds and fees shall be deposited with Council prior to Construction Certificate or demolition work commencing, and details demonstrating payment are to be submitted to the Certifier prior to the issue of the Construction Certificate.

To process the inspection fee and bond payment a Bond Lodgement Form must be completed with the payments (a copy of the form is attached to this consent and alternatively a copy is located on Council's website at www.northernbeaches.nsw.gov.au).

Reason: To ensure adequate protection of Council's infrastructure.

BUILDING WORK – BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

6. **Building Code of Australia Upgrade requirements and Fire Safety Upgrade**

The Building Code of Australia works and fire upgrading measures to upgrade the building as detailed and recommended in the National Construction Code Report prepared by Design Right Consulting, dated 12 January 2025, are to be carried out in full to the building. Details demonstrating compliance are to be provided to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure adequate provision is made for Health, Amenity, access and Fire safety for building occupant health and safety.

7. Preparation of mechanical ventilation plans

If changes to the current mechanical ventilation system are proposed, before the issue of a construction certificate, detailed plans of the mechanical exhaust ventilation system must be prepared by a suitably qualified person.

The detailed plans must be in accordance with the following and submitted to the certifier:

1. Australian Standard 1668: - The use of ventilation and air conditioning in buildings; and
2. ensure all generate heated air, smoke, fumes, steam or grease vapours do not:

cause a nuisance to persons within or nearby to the premises, or cause air pollution as defined under the NSW Protection of the Environment Operations Act 1997

Reason: To ensure that detailed professional plans of the approved mechanical ventilation system are submitted before the issue of a construction certificate.

8. Plans of Kitchen Design, construction and fit out

Prior to any Construction Certificate (CC) being issued, any changes to food premises area must be depicted in detailed plans that demonstrate compliance with Standard 3.2.3 of the Australian and New Zealand Food Standards Code, the Food Act 2003 and Australian Standard AS 4674 'Design, construction and fit out of food premises', and must be submitted to and approved by the Principle certifier. These plans are to be prepared by a suitably qualified person.

Reason: To ensure that the food premises complies with the design construction and fit-out requirements.

9. Compliance with Standards

The development is required to be carried out in accordance with all relevant Australian Standards.

Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Certifier prior to the issue of the Construction Certificate.

Reason: To ensure the development is constructed in accordance with appropriate standards.

10. Sydney Water "Tap In"

The approved plans must be submitted to the Sydney Water Tap in service, prior to works commencing, to determine whether the development will affect any Sydney Water assets and/or easements. The appropriately stamped plans must then be submitted to the Certifier demonstrating the works are in compliance with Sydney Water requirements.

Please refer to the website www.sydneywater.com.au for:

- "Tap in" details - see <http://www.sydneywater.com.au/tapin>
- Guidelines for Building Over/Adjacent to Sydney Water Assets.

Or telephone 13 000 TAP IN (1300 082 746).

Reason: To ensure compliance with the statutory requirements of Sydney Water.

DURING BUILDING WORK

11. Removing, Handling and Disposing of Asbestos

Any asbestos material arising from the demolition process shall be removed and disposed of in accordance with the following requirements:

- Work Health and Safety Act;
- Work Health and Safety Regulation;
- Code of Practice for the Safe Removal of Asbestos [NOHSC:2002 (1998)];
- Guide to the Control of Asbestos Hazards in Buildings and Structures [NOHSC: 3002 (1998);
- Clause 42 of the Protection of the Environment Operations (Waste) Regulation 2005; and
- The demolition must be undertaken in accordance with Australian Standard AS2601 – The Demolition of Structures.

Reason: For the protection of the environment and human health.

BEFORE ISSUE OF THE OCCUPATION CERTIFICATE

12. Fire Safety Matters

At the completion of all works, a Fire Safety Certificate will need to be prepared which references all the Essential Fire Safety Measures applicable and the relative standards of Performance (as per Schedule of Fire Safety Measures). This certificate must be prominently displayed in the building and copies must be sent to Council and Fire and Rescue NSW.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of a part Occupation Certificate or Occupation Certificate. Each year the Owners must send to the Council and Fire and Rescue NSW, an annual Fire Safety Statement which confirms that all the Essential Fire Safety Measures continue to perform to the original design standard.

Reason: Statutory requirement under Parts 10, 11 & 12 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

13. Mechanical Ventilation certification

If changes to the mechanical ventilation system have been made, prior to the issuing of an Occupation Certificate, certification is to be provided from the installer of the mechanical ventilation system that the design, construction and installation of the mechanical ventilation system is compliant with the requirements of AS1668 The use of mechanical ventilation.

Details demonstrating compliance are to be submitted to the Principal Certifier.

Reason: To ensure that the mechanical ventilation system complies with the design requirements.

14. Kitchen Design, construction and fit out of food premises certification

Prior to the issuing of any occupation certificate, certification is to be provided to the Principal Certifier by a suitably qualified person demonstrating that the design, construction and fit out of food premises kitchen is compliant with the requirements of AS 4674 Design, construction and fit out of food premises.

Reason: To ensure that the kitchen complies with Australian Standard design requirements.

In signing this report, I declare that I do not have a Conflict of Interest.

Signed



Adriana Bramley, Principal Planner

The application is determined on 01/05/2025, under the delegated authority of:



Steven Findlay, Manager Development Assessments