

## Conflict of Interest Management Controls

*Council-related Development Applications Policy* – applies to all applications lodged from 3 April 2023.

Any matter must be referred to the Executive Manager Development Assessment (or delegate).

**council-related development** means development for which the council is the applicant developer (whether lodged by or on behalf of council), landowner, or has a commercial interest in the land the subject of the application, where it will also be the regulator or consent authority)

### Application Details

Application number:	DA2024/1079
Address:	53, 53A and 53B Warriewood Rd, Warriewood. Council owns No. 53
Description:	Community title subdivision into five (5) lots and civil works
Applicant:	Cameron Gray
Land owner:	Northern Beaches Council owns No. 53 Warriewood Rd

### Conflict of Interest risk assessment

Does a potential conflict of interest exist:	<p>Northern Beaches Council owns No. 53 Warriewood Rd (2.2metre wide by 130 metre long forming a drainage line from Warriewood Rd to the creek).</p> <p>The proposal is to subdivide 53A and 53B into 5 lots. Three will be for future development (each with further subdivision to occur). Half of No. 53 will be incorporated into an internal road lot and the other half into the subdivision of new lot 5.</p> <p>Lorikeet Grove is a public road that will be owned and maintained by Council. The eastern part of the road already exists and the plan for Warriewood Valley has it extending across these sites as proposed in this DA.</p> <p>As of 26 August, Council has issued landowners consent, but the Property team has not yet received any Purchase of Council Land applications.</p> <p>Any sale of the land would be conditional upon the approval of the DA. As an example, for the previous approval for the site (DA2019/0263), the settlement terms of the contract (with a former owner of No. 53B Warriewood Rd, were subject to them registering the plan of subdivision and complying with the approved DA conditions 75,76 and 77. These conditions involved setting up easements.</p> <p>If similar conditions are imposed on this new DA, Council would receive payment for this lot. Council may also, or possibly instead of payment, require the applicant/developer to upgrade the pipe within No. 53 Warriewood Rd.</p> <p>Council had no involvement in the preparation of the application.</p>
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### Level of Risk

Low	Medium	High
See below	Any application where the <u>Local Planning Panel is the consent authority</u> or where council has resolved to provide a grant	Any application where <u>the Sydney North Planning Panel is the consent authority</u> or where the CEO determines it high risk
<b>Level of Risk</b>		
	Medium	

## Policy Definitions

### Low Risk category

- Advertising signage on council properties.
- Internal fit outs and minor changes to the building façade.
- Internal alterations or additions to buildings that are not a heritage item.
- Council-related development in respect of which council may receive a small fee for the use of their land (such as outdoor dining areas for which fees are or may be payable under legislation).
- Alterations and additions to minor structures in parks and other public spaces (such as shade structures in playgrounds).
- Minor building structures projecting from a building façade over public land (such as awnings, verandas, bay windows, flagpoles, pipes and services).

### Medium Risk category

- Any council-related development for which the Northern Beaches Local Planning Panel is the consent authority.
- Any council-related development in relation to which council has resolved to provide a grant.

### High Risk category

- Any council-related development for which the Sydney North Planning Panel is the consent authority.
- Any council-related development which is assessed as being high risk by the CEO, due to the circumstances of the application.

## Management Controls

<b>Policy Controls</b>		
Low	Medium	High
NA	Written records kept of all correspondence with applicant or representative of applicant, all substantial discussions are held in formal meetings which are documented	Written records kept of all correspondence with applicant or representative of applicant, all substantial discussions are held in formal meetings which are documented
<b>Likely Controls for Development Application</b>		
Assessed by Council staff	External independent assessment	External independent assessment
Determined by Local Planning Panel unless excluded in Ministerial Directions	Determined by Local Planning Panel	Determined by Sydney North Planning Panel
	External Certification of Construction Certificate	External Certification of Construction Certificate

Completed by:

A handwritten signature in blue ink, appearing to read 'D. Milliken', written in a cursive style.

Name Daniel Milliken

**Acting Executive Manager, Development Assessments**

Date: 28 August 2024