

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) and the issue of appropriate management controls must be an agenda item for discussion at the meeting, with the proposed approach recorded as part of the minutes of the meeting.

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:	DA2024/0622
Address:	433 Pittwater Rd, North Manly
Description:	Use of part of a (yet to be constructed) building as a restaurant
Applicant:	Graeme McMullan – Warringah Golf Club
Land owner:	Northern Beaches Council

Conflict of Interest risk assessment

Does a potential conflict of interest exist:	<p>Council the land owner</p> <p>A new golf club building has been approved for constructed on the south eastern part of 433 Pittwater Road.</p> <p>Council’s Property Team have had no involvement in the preparation of the DA, beyond granting owners consent.</p> <p>In relation to any financial impact, Council’s Property Team have confirmed that Council will <u>not</u> gain <u>or</u> lose financially based on the approval or refusal if this application. The club will be charged a ground lease fee for the building, after 5 years, but the future fee, or even whether the 5 year period is reduced or extended, is not dependent on what uses are within the club building.</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
Level of Risk		
	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

Policy Controls		
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
Likely Controls for Development Application		
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:



Name Peter Robinson
 Executive Manager, Development Assessments

Date: 29 May 2024