

Conflict of Interest Management Strategy – Modification of Consent

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

This policy aims to manage potential conflicts of interest and increase transparency at all stages of the development process for council-related development by publishing a Management Strategy containing a Risk Assessment and Management Controls to manage any conflicts.

Note: Green cells denotes selections and responses

Application number:	Mod2025/0517
Address:	Little Manly Reserve - Stuart St Manly
Description:	Modification of DA2020/1027 granted for Alterations and additions to the existing cafe and the addition of a cool room, freezer room and bin storage area. The modification is proposing deletion of Condition 53: <i>“53. Sale of alcohol</i> <i>The sale of alcohol on the premises is not permitted.</i> <i>Reason: To confirm the details of the application and to maintain the amenity of the surrounding area.”</i>
Modification category:	4.55 (2) other modifications – the development to which the consent as modified relates is the same or substantially the same development as the development for which consent was originally granted
Applicant:	Brett Tobin
Land owner:	Northern Beaches Council

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)

Conflict of Interest risk assessment

Does a potential conflict of interest exist:	The building is currently under a rental lease from Council. The proposal will not affect the rental income under the current lease. The ability to serve alcohol may increase the rental income for future contracts which is set through a public tender process.	
Phase of development process in which conflict arises:	Preliminary advice - Assessment - Determination - Construction Certificate -	Yes Yes Yes Yes
Level of risk at each phase:	Preliminary advice - Assessment - Determination - Construction Certificate -	Medium Medium Medium Medium
Additional Management Controls:		

Level of Risk

Policy Definitions

Low	Medium	High
See below <u>Determined under delegation by Council staff if not required to be determined by Sydney North Planning Panel or Ministerial Direction.</u>	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 determining authority</u> or where the CEO determines it high risk
Level of Risk		
	Medium	

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).

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
Public exhibition 28 days	Public exhibition 28 days	Public exhibition 28 days
Assessed by Council staff/external independent assessment	External independent assessment	External independent assessment
Determined under delegation if modification is not required to be determined by Sydney North Local Planning Panel or Local Planning Panel	Determined by Local Planning Panel if Modification 4.55(2)	Determined by Sydney North Planning Panel
	External Certification of Construction Certificate	External Certification of Construction Certificate
Additional Controls		

Completed by:



Peter Robinson
Executive Manager Development Assessments

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