



Determination Recommendation Report

Project No. BGV9A

Conflict of Interest¹

In this matter:

1. I have declared any possible conflict of interests (real, potential or perceived) to the Chief Executive, Land & Housing Corporation.
2. I do not consider I have any personal interests that would affect my professional judgement.
3. I will inform the Chief Executive, Land & Housing Corporation as soon as I become aware of a possible conflict of interest.

Signed.....

Dated.....2/03/2023

Name.....David Ryan.....

Site Identification

STREET ADDRESS

Unit/Street No.

47 - 49

Street or property name

Curry Street

Suburb, town or locality

Wallsend

Postcode

2287

Local Government Area(s)

City of Newcastle

Real property description (Lot and DP)

Lots 141 and 142 in DP 35087

Activity Description

Provide a description of the Activity

Demolition of 2 existing dwellings and associated structures, and the construction of a residential flat building containing 4 x 1-bedroom and 5 x 2-bedroom dwellings, with associated landscaping and fencing, surface car parking for 5 cars and consolidation into a single lot.

¹ Conflict of interest includes actual and potential. A conflict of interest includes pecuniary i.e. financial interests to you or a related party or non-pecuniary i.e. benefits to relatives, friends, business associates and personal causes, etc. This includes "related persons" as defined in the Property, Stock and Business Agency Act 2002.

The above activity is submitted for determination by the Head of Policy and Innovation, Land and Housing Corporation. Plans of the activity are at **Appendix E**.

The activity is “development without consent” under *State Environmental Planning Policy (Affordable Rental Housing) 2009* (AHSEPP). Assessment and determination under Part 5 of the *Environmental Planning & Assessment Act 1979* (the Act) is therefore required.

The activity has been developed and reviewed in accordance with the relevant legislative requirements of Part 5 of the Environmental Planning & Assessment Act 1979 and the procedures set out in the Land and Housing Corporation’s Assessment Guide for Development without Consent.

Review of Environmental Factors assessment

A Review of Environmental Factors (REF) under Part 5 of the Act has been prepared (**Document 3**).

Notification

In accordance with the requirements of the AHSEPP:

- Written notification of the intention to carry out the development was given to the council, occupiers of adjoining land and where required to relevant public authorities.
- Responses to the notification received were considered and the project modified, where appropriate, to address the issues raised.

A summary of responses received and details of the consideration of the responses is provided in the REF (**at Section 6**).

Statement of Compliance

A Statement of Compliance certifies that the activity complies with the requirements of Part 5 of the Act and that the activity has planning merit (**Document 2**). Further, the Statement of Compliance certifies that the effects on the environment of the activity have been taken into account to the fullest extent possible and that the activity if carried out will not have a significant effect on the environment and hence no Environmental Impact Statement is required.

RECOMMENDATION

Considering the above and arising from my review it is considered that:

- The effects on the environment of the activity have been taken into account to the fullest extent possible.
- The activity if carried out will not significantly affect the environment and hence no Environmental Impact Statement is required.
- The additional conditions proposed in the REF in response to submissions received have adequately and appropriately addressed the issues raised.
- The modification to the activity proposed in the REF in response to submissions received has adequately and appropriately addressed the issues raised.
- The resultant development activity has planning merit.
- Any additional comments

Accordingly, it is recommended that the Head of Policy and Innovation:

- approve the activity; and
- sign the attached Project Determination.

A handwritten signature in black ink, appearing to be 'DR' with a long horizontal stroke extending to the right.

David Ryan
Executive Director
Gyde Consulting