

DETERMINATION RECOMMENDATION

Project No. BGVHK

Conflict of Interest¹.

In this matter:

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

Signed:

Dated: 19 December 2023



Name and position: Daniel West, Director

SITE IDENTIFICATION

STREET ADDRESS

Unit/Street No.

6-12

Street or property name

Peters Avenue

Suburb, town or locality

Wallsend

Postcode

2287

Local Government Area(s)

Newcastle

Real property description (Lot and DP)

Lots 5, 6, 7 & 8 in DP 35087

ACTIVITY DESCRIPTION

Provide a description of the activity

Demolition of existing structures, removal of three (3) trees, construction of a residential flat building development comprising two buildings containing ten (10) dwellings (6 x 1 bedroom and 4 x 2 bedroom) with associated landscaping and fencing, surface parking for five (5) vehicles (including 1 accessible space) and consolidation of two (2) lots 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 Acting Head of Policy and Innovation, Land and Housing Corporation. Plans of the activity are at **Appendix A** of the Review of Environmental Factors (REF).

The activity is “development without consent” under *State Environmental Planning Policy (Housing) 2021* (Housing SEPP). 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 Act and the procedures set out in the Guidelines for Division 5.1 Assessments prepared by the NSW Department of Planning and Environment.

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 Housing SEPP:

- Written notification of the intention to carry out the development was given to the council and occupiers of adjoining land.
- 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 7**).

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 resultant development activity has planning merit.

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

- Approve the activity; and
- Sign the attached Activity Determination.



Daniel West
Director, Ethos Urban Pty Ltd

Project number: BGVHK
6-12 Peters Avenue, Wallsend