



STATEMENT OF COMPLIANCE

NSW Land and Housing Corporation

Project No. BGYPY

Conflict of Interest¹

In this matter:

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

Signed

Dated: 8 May 2025

Yolanda Gil
Director, Planning & Assessment
Housing Portfolio, Homes NSW

SITE IDENTIFICATION

STREET ADDRESS

Unit/Street No

1 &
17-19

Street or property name

Robyn Street &
Pank Parade

Suburb, town or locality

Blacktown

Postcode

2148

Local Government Area(s)

Blacktown

Real property description (Lot and DP)

Lots 197, 198 & 199 in DP 32163

ACTIVITY DESCRIPTION

Provide a description of the activity

Removal of trees, and the construction of 14 independent living seniors housing units comprising 8 x 1-bedroom and 6 x 2-bedroom units, with associated landscaping and fencing, surface parking for 6 cars, and consolidation into a single lot.

Second (2nd) edition

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 "close relative of a person" as defined in section 49(6) of the Property and Stock Agents Act 2002.

NSW Land and Housing Corporation (LAHC) is proposing the above **seniors housing** activity under the provisions of *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) which requires determination under Part 5 of the *Environmental Planning & Assessment Act 1979* (EP&A Act). This Statement of Compliance demonstrates that the Review of Environmental Factors (REF) for the proposed activity has met the requirements of Part 5 of the EP&A Act, sections 171 and 171A of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation), and the Housing SEPP.

The REF has identified and considered the following matters:

1. The activity is “development without consent” under the Housing SEPP

The development:

- is by, or on behalf of, the LAHC; and
- is seniors housing of buildings not more than 9.5m with servicing equipment that is not more than 11.5m in height and results in not more than 40 dwellings on the site; and
- is located in a prescribed zone or permissible with consent under an applicable environmental planning instrument; and
- will result in consolidation of site into a single lot but no subdivision of the dwellings; and
- a restriction will be placed on the type of occupants; and
- the design of the housing has considered the *Seniors Housing Design Guide*, the design principles for seniors housing set out in Schedule 8 of the Housing SEPP, *Good Design for Social Housing*, and the *LAHC Design Requirements*.

2. The notification requirements in section 108C of the Housing SEPP and LAHC’s policy have been met

- A written request was made to Council to nominate a person or persons who, in its opinion, be notified of the proposed development.
- Written notification of the intention to undertake the activity was given to Blacktown City Council and to occupiers of adjoining land, and any other person nominated by the Council, on 27 June 2024.
- Responses to the notification received within 21 days have been taken into account, comprising a submission from Blacktown City Council and one submission from occupiers/ owners of adjoining land.
- Details of the consideration of the responses are provided in the REF (Sections 7.1 & 7.2, respectively).
- Consultation with public authorities in accordance with *State Environmental Planning Policy (Transport and Infrastructure) 2021*, sections 2.15 and 2.17 was not required.

3. The requirements of Chapter 3, Part 5, Division 8 of the Housing SEPP

- The design principles contained within Schedule 8 have been considered and taken into account in the design of the proposed activity.
- Although not mandatory, it has been demonstrated that the design of the activity meets the general development standards contained in sections 84, 85 and Schedule 4 or will be achieved via identified requirements.
- The proposed activity is generally consistent with section 108 non-discretionary development standards for independent living units. Justification for the variation to the FSR standard has been provided in the REF.

4. Consideration of other environmental planning instruments

- Consideration of the applicable provisions of the *Blacktown Local Environmental Plan 2015* (BLEP 2015) is included at Section 6.7 of the REF.
- The design of the project has adequately considered applicable provisions of the LEP.

5. Consideration of development control plans

- Consideration of the *Blacktown Development Control Plan 2015* (BDCP 2015) is included at Section 6.8 of the REF.
- The design of the development has adequately taken into account the applicable provisions of the DCP.

6. The requirements of Section 5.5 of the EP&A Act and Section 171 and 171A of the EP&A Regulation have been met

- Pursuant to Section 5.5(1) of the EP&A Act, the REF has examined and taken into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of the proposed activity.
- The factors to be taken into account under Section 171 and 171A of the *Environmental Planning & Assessment Regulation 2021* have been fully considered in the REF in determining the likely impact of the proposed activity on the environment and measures to mitigate potential singular and cumulative impacts associated with the proposed activity have been identified.
- As demonstrated in the completed Section 5.5 checklist (Section 6.1.1) and Section 171 and 171A checklist (Section 6.4.1), the proposed activity will not have significant effects on the environment or threatened species and as a result, an Environmental Impact Statement is not required before a decision is made whether or not the proposed activity can proceed.

7. Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

- The activity will not have any impacts on matters of national significance including impacts on Commonwealth land, listed threatened species, migratory species protected under international agreements, national heritage places, world heritage properties/areas, or Ramsar wetlands of international importance. An approval under the EPBC Act is therefore not required.

8. Approvals, authorisations and notifications under other Acts

- As detailed in the REF, any approvals, authorisations or notifications that are required under other Acts before the activity can proceed have been obtained, or where applicable, have been included in the identified requirements.

9. Statement of planning merit

- The proposed activity can be carried out by, or on behalf of, LAHC as 'development without consent' under the provisions of the Housing SEPP.
- Having regard to the matters addressed in the REF and the accompanying identified requirements, I consider that the proposed activity has planning merit.

10. Certification of Compliance with Part 5 of the EP&A Act

- I certify that the assessment undertaken in the REF complies with, and satisfies, the requirements of Part 5 of the EP&A Act and Sections 171 and 171A of the EP&A Regulation.



8 May 2025

Yolanda Gil
Director, Planning & Assessment
Housing Portfolio, Homes NSW