



STATEMENT OF COMPLIANCE

NSW Land and Housing Corporation

Project No. BH26H

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

Yolanda Gil

Director, Planning and Assessment
Portfolio Development
Housing Portfolio, Homes NSW

Dated 7 July 2025

SITE IDENTIFICATION

STREET ADDRESS

Unit/Street No

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Street or property name

Farnell Street, Belah Street and Dawson Street

Suburb, town or locality

Forbes, NSW

Postcode

2871

Local Government Area(s)

Forbes

Real property description (Lot and DP)

Lot 7332 in DP1166365, Lot 7025 in DP1020631 and Lot 7317 in DP1166614 and Lot 1 DP1077961

ACTIVITY DESCRIPTION

Provide a description of the activity

Staged 100 lot residential subdivision, vegetation removal, landscaping and associated works including construction of a stormwater detention basin within Lot 1 DP1077961.

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."

The NSW Land and Housing Corporation (LAHC) is proposing the above **subdivision** 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, Part 8 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation) and the Housing SEPP.

The REF has identified the following matters:

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

The development, being subdivision:

- is by, or on behalf of, the LAHC; and
- is permissible with consent under an applicable environmental planning instrument; and
- does not involve the demolition of any structures; and
- does not involve the erection of any dwellings; and
- the design of the subdivision has considered the *Good Design for Social Housing* and LAHC’s *Design Requirements*

2. The notification requirements in section 43A of the Housing SEPP and LAHC’s policy have been met

- Written notification of the intention to carry out the development was given to Council and to occupiers of adjoining land (including landowners requested by Council) on 1 February 2024 and 31 January 2024 respectively.
- Responses to the notification received within 21 days have been taken into account comprising a submission from the Council and 20 submissions from adjoining and nearby landowners/occupiers. Details of the consideration of the responses are provided in the REF (Section 7).
- Consultation with public authorities in accordance with sections 2.15 and 2.17 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* was not required. Nonetheless, comment was sought from Essential Energy, Jemena, Minister of Agriculture and Department of Primary Industries – Fisheries. Details of the consideration of the responses are provided in the REF (Section 7).

3. Consideration of statutory and environmental planning instruments

- Consideration of other State Environmental Planning Policies is included in Section 6.6 of the REF. No other policies apply.
- Consideration of the relevant provisions of *Forbes Local Environmental Plan 2013* is included at Section 6.8 of the REF.
- The design of the project has adequately considered the relevant provisions of the LEP.

4. Consideration of development control plans

- Consideration of the *Forbes Development Control Plan 2013* is included at Section 6.9 of the REF.
- The design of the development has adequately taken into account the relevant provisions of the DCP.

5. The requirements of Section 5.5 of the EP&A Act and Sections 171 and 171A of the EP&A Regulations 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 Sections 171 and 171A of the EP&A Regulation 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 in REF) and Section 171 checklist (Section 6.5.1 in REF), 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.

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

- The Biodiversity Assessment Report (BAR) prepared by OzArk Environment & Heritage, found that there are no significant impacts that would come about due to the proposed development, and that entry in the NSW Biodiversity Offsets Scheme would not be required. Therefore, the proposed activity is unlikely to significantly affect threatened species or ecological communities, therefore no further assessment is necessary.
- The activity will not have any significant impacts on matters of national environmental significance including impacts on Commonwealth land, listed threatened species, migratory species protected under international agreements, national heritage places, world heritage properties, or Ramsar wetlands of international importance, and an approval under the EPBC Act is not required.

7. Approvals, authorisations and notifications under other Acts

- As detailed in the REF any approvals, authorisations or notifications which are required under other Acts before the development can be carried out have been obtained or, where applicable, have been included in the recommended identified requirements.
- The stormwater detention basin to be located on part of Lot 1 in Deposited Plan 1077961 is proposed to capture the run-off from the development site. The basin is a type of stormwater management system that may be carried out by or on behalf of a public authority without consent on any land under the State Environmental Planning Policy (Transport and Infrastructure) 2021.

8. Statement of planning merit

- The proposed activity can be carried out by, or on behalf of, LAHC as 'development permitted 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.

9. 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 Section 171 of EP&A Regulation.

Signed



Dated 7 July 2025

Yolanda Gil
Director, Planning and Assessment
Portfolio Development, Housing Portfolio
Homes NSW