

DETERMINATION AND STATEMENT OF REASONS
WESTERN REGIONAL PLANNING PANEL

DATE OF DETERMINATION	Monday, 24 June 2019
PANEL MEMBERS	Gordon Kirkby, Ruth Fagan, Mark Grayson, Phyllis Miller and Chris Roylance
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically between 17 June 2019 and 24 June 2019.

MATTER DETERMINED

2018WES018 – Forbes Shire Council – DA2018/41 at Lots 7008, 7009 DP 1020936; Lot 1472 DP 750158 and Lot 1 DP 120710 – Darroobalgie Waste Depot; Alterations and Additions (as described in Schedule 1)

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION





- The panel determined to and approve the application for the reasons outlined in the council assessment report.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel notes that no written submissions were made during public exhibition and therefore no issues of concern were raised.

PANEL MEMBERS	
 Gordon Kirkby (Chair)	 Ruth Fagan
 Mark Grayson	 Phyllis Miller

A handwritten signature in black ink, appearing to read 'Chris Roylance', with a long horizontal flourish extending to the right.

Chris Roylance

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018WES018 – Forbes Shire Council – 2018/41
2	PROPOSED DEVELOPMENT	<p>Expansion of the existing waste or resource management facility to the west of the existing facility, this will include:</p> <ol style="list-style-type: none"> 1. Staging the construction of the expanded section of the waste management facility through using a cellular system, 2. Gradually closing and capping the existing waste management facility, 3. Site entrance that is positioned at the location of the existing, 4. A waste receivable station, 5. An internal road network, 6. An integrated surface water management system, and 7. Vegetated buffers along the southern, western and northern extents of the landfill area. <p>Proposed operation of the expansion of the waste or resource management facility will:</p> <ol style="list-style-type: none"> 1. The hours of operation will be 7 days per a week from 8.30am to 5pm (same as existing), 2. Receive municipal solid waste, commercial and industrial solid waste, building and construction solid waste, contaminated soil, recyclables waste (which would be separated), special wastes and liquid wastes, 3. The existing landfill will continue to receive 19,000m³/year until capacity is reached in 5 years or the height limitation has been reached (RL 280.50m), 4. The proposed expansion will receive up to 16,000m³/year with a design capacity of 980,000m³ which equates to approximately 800,000 tonne of waste (at a density of 0.82 t/m³), and 5. The proposed expansion of the waste or resource management facility will extend the life of the waste management facility by 50 years.
3	STREET ADDRESS	151 and 341 Daroobalgie Road, Forbes (Lot 37 DP 1242538 and Lot 7008 DP 1020396)
4	APPLICANT/OWNER	<p>Applicant: Forbes Shire Council</p> <p>Owner: Robert and Reika Hoswell</p>
5	TYPE OF REGIONAL DEVELOPMENT	Council related development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ Forbes Local Environmental Plan 2013 ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ State Environmental Planning Policy No.44-Koala Habitat Protection ○ Section 4.46 Integrated Development – Environmental Planning and Assessment Act 1979 ○ State Environmental Planning Policy No. 33 – Hazardous and Offensive Development • Draft environmental planning instruments: Nil • Development control plans: Nil • Planning agreements: Nil <ul style="list-style-type: none"> ○ Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Schedule 3 Designated Development – Environmental Planning and Assessment Regulations 2000 (Part 2 – Clause and Clause 36) • Coastal zone management plan: Nil

		<ul style="list-style-type: none"> • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality • The suitability of the site for the development • Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report: 7 June 2019 • Written submissions during public exhibition: 0
8	PAPERS CIRCULATED ELECTRONICALLY	<ul style="list-style-type: none"> • Papers were circulated electronically between Monday, 17 June 2019 and Monday, 24 June 2019
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report