15/06/2017

Amanda

I refer to your email dated the 24 May 2017 regarding the subject Planning Proposal. Please note the following points to address the Departments concerns:

* The Planning Proposal is not the result of a specific study or report. The *Forbes* *Growth Management Plan 2009* provides a future direction for the settlements and land within the Forbes Shire. The subject land is not specifically identified within the Plan, however, it is considered to be consistent with the overall recommended strategies for future development and growth within Forbes. The *Forbes Growth Management Strategy 2009* discusses industrial development within the town of Forbes. The Strategy states that; *the current extent of industrial land is considered to be adequate. The location of the industrial zones is shown on map 4.10.* The subject map does not include the subject land as being included in the current industrial zone or in the identified future industrial zones within the Strategy. As such, the Planning Proposal does not propose to rezone any industrial land that was not identified within the Strategy.
* The *Forbes Growth Management Strategy 2009* discusses the industrial zone that adjoins the subject land to the south in Union Street; *there are 2 industrial zones in Union Street, one on the southern side and one on the northern side. The use on the southern side has recently relocated. The land is surrounded by residential development and a school and the most appropriate use would be residential and for that reason, the land should be changed from industrial to residential zoning.* The subject land is located on the northern edge of the industrial zone and is surrounded to the north and west by a R1 General Residential zone and existing residential development. Accordingly, the subject land is similar in land use and location to the southern side of Union Street which is recommended by the Strategy to be rezoned from industrial to residential.

* The subject land is bound by the R1 General Residential zone to the north and west. Six (6) parcels of land adjoin the site, which are occupied by single storey dwelling houses. The site has been used for storage purposes in connection with Forbes Toyota since 2000. The land stored motor vehicles, spare parts and accessories, new and used tyres and paper records and personal items (stored in the buildings), therefore, having a minimal impact on the surrounding residential area. Accordingly, the proposed Planning Proposal would result in the site being used for residential purposes, which in effect would limit any future land use conflict between surrounding residential development, if the land was redeveloped for future industrial development.

* The subject land adjoins one (1) parcel of land to the south that is zoned IN1 General Industrial land and is used for self-storage units. This land is surrounded by residential development to the south and west and industrial development to the east. Six (6) residential parcels of land adjoin this site, which are occupied by single storey dwelling houses; therefore, the surrounding area is predominately residential.    Any future land use on this site would be subject to approval and consideration under Section 79C of the Environmental and Assessment Act 1979, which in effect would consider land use conflict on the adjoining land and the surrounding residential area.

* The Forbes Development Control Plan 2013 does not provide any guidelines to manage land use conflict or pollution management controls on industrial land in close proximity to residential development. It is therefore suggested that an amendment is made to the Forbes Development Control Plan 2013 to provide mitigation measures for industrial development that is close to residential or sensitive land uses, some examples include:

Site planning, to maximise the distance between activities that have the potential to generate noise, dust, odour and on activities on adjoining land; Consideration should be given to conducting noise or dust to limited times during the day;

Vehicle entry, exit, loading areas should be concreted or sealed to prevent the emission of dust; Buildings used for noisy ooperations should be designed (orientated, insulated etc) to inhibit the transmission of noise onto nearby properties used for residential or other noise sensitive purposes; The design of industrial buildings should avoid vehicle entry doors, roller shutters and other frequently used openings in walls that adjoin residential and other sensitive uses; Noisy operations including manufacturing and loading / unloading activities should be carried out at reasonable times; An acoustic report from a suitably qualified acoustic consultant may be required to be submitted with a Development Application where there is reasonable likelihood that a proposed industrial activity will generate noise that impacts on residential amenity. The information provided in an acoustic report should include the minimum information recommended in the Noise Guide for Local Government 2013. A copy of the Noise Guide for Local Government 2013 can be downloaded from the following website address: <http://www.epa.nsw.gov.au/noise/nglg.htm>

* The subject land adjoins SP1 Rail Infrastructure Facilities zone to the east.  The line is known as the Stockinbingal – Parkes railway line and is the main route for goods train travelling between Sydney and the west of NSW and beyond.   adjoining the Rail Infrastructure Facilities zone to the north is the R1 General Residential zone. The frequency of the line is 10 trains within a 24 hour period, as provided by the Australian Rail Track Corporation. Due to residential development bounding the railway line to the north and east, it is considered that the Planning Proposal is compatible with the surrounding area and it is unlikely that any land use conflict will occur as a result of the rezoning.  Any future land use on this site would be subject to approval and consideration under Section 79C of the Environmental and Assessment Act 1979, which in effect would consider land use conflict on the Rail Infrastructure Facilities zone.  Accordingly, as a part of the assessment process the State Environmental Planning Policy (Infrastructure) 2007 would apply and considerations of impact rail noise or vibration on non-rail development are outlined in the Policy.

 I look forward to hearing your feedback and suggestions to move forward.

Thank you

Kind Regards

Claire Johnstone

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