

DETERMINATION AND STATEMENT OF REASONS
WESTERN REGIONAL PLANNING PANEL

DATE OF DETERMINATION	Thursday, 11 October 2018
PANEL MEMBERS	Gordon Kirkby (Chair), Ruth Fagan, Mark Grayson, Chris Roylance and Phyllis Miller
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held at Forbes Shire Council, 2 Court Street, Forbes on 11 October 2018, opened at 12pm and closed at 12:15pm.

MATTER DETERMINED

2018WES016 – Forbes – DA2017/39 at 36 Parkes Road, Forbes (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 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 proposed development as modified is substantially the same development as that originally approved;
- The proposed modification is permissible with consent and consistent with the zone objectives in the B5 Business Development Zone under Forbes Local Environmental Plan 2013;
- The additional impacts of the development in terms of traffic generation and movement, noise and potential light glare are considered minor and able to be mitigated or managed through the conditions of consent as modified;

CONDITIONS

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

PANEL MEMBERS	
 Gordon Kirkby (Chair)	 Ruth Fagan
 Mark Grayson	<i>Approved by email</i> Chris Roylance
 Phyllis Miller	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018WES016 – Forbes – DA2017/39
2	PROPOSED DEVELOPMENT	Highway Service Centre Modification
3	STREET ADDRESS	36 Parkes Road, Forbes
4	APPLICANT/OWNER	Applicant: Forbesmatta Pty Ltd Owner: Forbes Shire Council
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(2) Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy No. 55 – Remediation of Land ○ State Environmental Planning Policy No. 33 – Hazardous and Offensive Development ○ State Environmental Planning Policy No. 44 – Koala Habitat ○ State Environmental Planning Policy No. 64 – Advertising and Signage ○ Forbes Local Environmental Plan 2013 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Forbes Development Control Plan 2013 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil • Coastal zone management plan: Nil • 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: 25 September 2018 • Written submissions during public exhibition: 1 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Support – Nil ○ Object – Nil ○ Council assessment officer – Eliza Scarpellino ○ On behalf of the applicant – Peter Middlebrook was available to respond to questions if required.
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection 11 October 2018 • Final briefing to discuss council's recommendation, 11 October 2018, 11.30am. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Gordon Kirkby (Chair), Ruth Fagan, Mark Grayson, Chris Roylance, Phyllis Miller ○ <u>Council assessment staff</u>: Eliza Scarpellino
9	COUNCIL RECOMMENDATION	Approval

10	DRAFT CONDITIONS	Attached to the council assessment report
----	------------------	---