

FORBES SHIRE COUNCIL



DEVELOPMENT CONTROL PLAN No.11

SOUTH FORBES COMMERCIAL PRECINCT

Prepared by the Environmental Services and Planning Department

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*Plan adopted by Forbes Shire Council on 18 October, 2007
Plan in effect from 2 November, 2007*

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1. INTRODUCTION

This Development Control Plan has been prepared by Forbes Shire Council to inform and assist developers by identifying appropriate forms of development for commercial land outside of the Forbes commercial core having regard to retail strategy outcomes identified in the Forbes Retail and Commercial Strategy Study prepared by Hill PDA and the Forbes Draft Growth Management Strategy prepared by Edge Land Planning. It seeks to protect the retail core of the Forbes Commercial area and identifies and establishes a commercial support role for existing commercial zoned land outside of the Forbes commercial core

2. BACKGROUND

The commercial center of Forbes is clearly defined by existing commercial and retail developments located within a ring of severely flood affected land which is zoned Environmental Protection “Floodway”.

There has been significant precedent established in similarly placed commercial areas throughout the state and indeed Australia wide in regard to the impact of out of center retail and commercial development undermining existing commercial areas particularly in country areas.

The impacts of new development upon existing commercial areas can not be underestimated in terms of the impacts upon the function, operation and overall viability of existing commercial developments. It has been clearly demonstrated that significant commercial and retail developments outside of predominant commercial centers will draw development away from the existing commercial center and have significant detrimental effects of existing business within the traditional commercial/retail core and adversely affect the long term viability and function.

Two recent strategic investigations which have considered the Forbes commercial areas have identified the potential fragile status of the Forbes commercial precinct from an operational perspective and the real threat of new development in existing zoned areas external to the traditional clearly defined commercial and retail precinct. Hill PDA prepared the Forbes Retail, Commercial and Industrial Strategy in November, 2005 and the Draft Growth Management Strategy, prepared by Edge Land Planning, Draft March, 2007 recommend a consistent development strategy in order to protect the viability and secure the future of the Forbes Town Centre. While it is acknowledged that commercial development strategies will be implemented in conjunction with a review of the Forbes Local Environmental Plan 1986 which is currently being undertaken, it is considered necessary to provide some guidance and control for commercial development in the interim period.

In order to provide this interim protection and guide development for the overall benefit of Forbes this Development Control Plan seeks to inform the public and perspective developers of the retail strategies for the commercial support location immediately to the south of the existing commercial core.

3. CITATION

This plan shall be cited as Forbes Development Control Plan No. 11 - “South Forbes Commercial Precinct”, as provided under Section 72 of the Environmental Planning and Assessment Act, 1979 (as amended) and Clauses 20 - 24 of the Environmental Planning and Assessment Regulation, 2000.

4. ADOPTION

This plan was adopted by Council on 18 October, 2007 and came into force on 2 November, 2007 in accordance with Clause 20(4) of the Environmental Planning and Assessment Regulation, 2000.

5. LAND TO WHICH THIS PLAN APPLIES

This plan applies to the south Forbes Commercial Precinct being land identified in Figure 1 attached to this Development Control Plan. The land comprises land zoned 3(a) commercial under the provisions of Forbes Local Environmental Plan 1986 located south of the existing commercial and retail core on the southern side of the Oxley Bridge.

6. APPLICATION

Forbes Local Environmental Plan 1986 (as amended) identifies land use categories permissible with development consent and other relevant statutory requirements. This plan is to be read and applied in conjunction with Forbes Local Environmental Plan 1986 (as amended).

This plan is a matter to be taken into consideration by Council in assessing development applications under Section 79C of the Environmental Planning and Assessment Act, 1979 (as amended). In assessing development applications Council shall have regard to Forbes Local Environmental Plan 1986, this Development Control Plan and those matters detailed in Section 79C of the Environmental Planning and Assessment Act, 1979 (as amended). Each application is assessed on its merits having regard to the specific site. The development controls contained within this plan are minimum standards supported by relevant objectives. Council may vary these standards where the applicant can demonstrate that such variation will meet its underlying objective.

7. OBJECTIVES OF PLAN

The Objectives of this Development Control Plan are to:

- (a) Ensure that new development contributes to and enhances the function and viability of the commercial and retail core of Forbes;
- (b) To reduce the potential impact of out of center retailing upon the future of the Forbes commercial and retail core;
- (c) To establish a commercial support function for existing identified commercial land to the south of the traditional Forbes commercial centre; and

- (d) To inform of the retail commercial strategies to protect the existing Forbes commercial core;

8. DEVELOPMENT STANDARDS

Council's requirements are identified as "**Objectives**" which have been underpinned with appropriate "**Development Standards**" which seek to guide and control the physical provision of commercial support development to the south of the traditional Forbes commercial core.

The **Objectives** state what Council is endeavoring to achieve in its control of the development. Each Objective is supported by **Development Standards**, which outline the preferred method of achieving the objective/s. Council has adopted a performance based approach to the control of development within the South Forbes Commercial Precinct and may vary the standards where the applicant can demonstrate that such variation will meet the underlying objectives and is likely to provide a better planning solution.

9. MINIMUM STANDARDS FOR COMMERCIAL & INDUSTRIAL DEVELOPMENT IN THE SOUTH FORBES COMMERCIAL PRECINCT

9.1 Commercial Support Precinct

Objectives

- The land has been identified to provide a commercial support role to the existing Forbes commercial core. Future commercial development should not undermine the status of the Forbes town centre as the dominant location for commercial and retail functions of Forbes.

Standards

1. Only developments which provide a support role to those businesses within the existing commercial core will be permitted.
2. Developments which are not considered appropriate within the commercial core due to the bulky nature of the goods for display or sale, vehicular access etc will be considered on their merits.
3. The retail and/or commercial component of any development shall be a maximum of 1000m².
4. Applications for commercial development shall provide consideration of impact of the proposed development upon the operation and function of the Forbes commercial core.

9.2 Permitted/Prohibited Development

Objectives

- To clearly identify the types of development Council is seeking in its implementation of the Forbes Commercial/Retail development strategy.

Standards

1. The following commercial/retail developments are discouraged in the commercial support area of south Forbes:
 - Supermarkets
 - New commercial/retail unit developments
2. The following commercial/retail developments are encouraged in the commercial support area of south Forbes:
 - Showrooms
 - Display centers
 - Building and hardware trade centre's
 - Retail sales including light manufacturing components ancillary to retail sales
 - Rural and agricultural merchandise display and sales

Figure 1 – South Forbes Commercial Support Precinct

