

Amend Bega LEP 2013 to rezone Lots 33 and 34 DP 243029 Tura Beach (Deferred Matter) to B5 Business Development Zone

Proposal Title :	Amend Bega LEP 2013 to rezone Lots 33 and 34 DP 243029 Tura Beach (Deferred Matter) to B5 Business Development Zone		
Proposal Summary :	The planning proposal seeks to rezone lots 33 and 34 DP 243029, Tura Beach, that are identified as 'deferred matters' the Bega Valley LEP 2013, from 1(c) Rural Small Holdings Zone to B5 Business Development Zone to enable development of the site for limited types of commercial purposes, i.e. warehouse uses and bulky goods premises, that require large floor areas. The planning proposal will also insert a land use table for the B5 Business Development Zone into the Bega Valley LEP 2013.		
PP Number :	PP_2014_BEGAV_005_00	Dop File No :	14/01249

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Not Recommended**

S.117 directions :

- 1.1 Business and Industrial Zones
- 2.2 Coastal Protection
- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport
- 3.5 Development Near Licensed Aerodromes
- 4.4 Planning for Bushfire Protection
- 5.1 Implementation of Regional Strategies
- 6.3 Site Specific Provisions

Additional Information : It is recommended that the Executive Director, Regions, as the delegate of the Minister for Planning, determine under section 56(2) of the EP&A Act that a planning proposal to amend the Bega Valley Local Environmental Plan 2013 to rezone land at Tura Beach to B5 Business Development, should not proceed to a Gateway Determination.

Supporting Reasons :

1. The planning proposal has not adequately addressed inconsistencies with s117 Directions 1.1 Business and Industrial Zones, 3.1 Residential Zones, 5.1 Implementation of Regional Strategies.
2. The planning proposal has not adequately addressed inconsistencies with the adopted Bega Valley Shire Council Commercial Strategy 2006.
3. The planning proposal has not adequately addressed inconsistencies with the centres hierarchy set out in the South Coast Regional Strategy.
4. The planning proposal seeks to zone the lots B5 Business Development Zone to provide for a new commercial development on a prominent coastal site potentially creating land use conflict with the adjacent seniors living development and a B1 Neighbourhood Centre Zoned land across the road.
5. There is inadequate justification provided for the proposal in its inconsistency with a Department commissioned study into the Retail hierarchy (Hill PDA, 2008) that recommended limitations on major commercial development in Tura Beach to protect Bega as the major commercial centre.
6. The proposed B5 Business Development Zone is in the wrong location because the potential scale of commercial development is not in keeping with the village character and amenity of Tura Beach.

Panel Recommendation

Recommendation Date : **23-Oct-2014**

Gateway Recommendation : **Rejected**

Panel Recommendation : The matter was considered by the LEP Review Panel on 23 October 2014. The Panel consisted of:

- Simon Manoski (Chair), General Manager, Metropolitan Delivery
- Troy Loveday, Project Manager, Planning Services
- Stephen Murray, General Manager, Northern Region
- Andrew Thomas, Executive Manager City Plan, City of Sydney Council

The LEP Review Panel agreed with the regional office's recommendation that the matter not proceed because:

- o The impact of additional business and commercial land is inconsistent with the role of Tura Beach as a local town or village centre;
- o The potential land use conflict with the adjoining seniors housing development and neighbourhood centre;
- o The impact on Bega as the major commercial centre where land has been identified with access to existing infrastructure for land uses such as bulky goods, garden centres and hardware and building supplies.

It is therefore recommended that an amendment to the Bega Local Environmental Plan (LEP) 2013 to rezone Lots 33 and 34 DP 243029, Tura Beach Drive, Tura Beach from 1(c) Rural Small Holdings under Bega Valley LEP 2002 to B5 Business Development under Bega Valley LEP 2013 should not proceed for the following reasons:

1. The location of the proposed business zone adjoins a residential zone that contains an existing seniors living development. The planning proposal will allow a range of uses that are not compatible with adjoining uses and would create land use conflicts that cannot be satisfactorily addressed or mitigated through the development assessment process.
2. The Bega Valley Commercial Strategy 2006 and the South Coast Regional Strategy identify Tura Beach as a local town or village centre serving the needs of the local community. The planning proposal is not consistent with the objective of the strategic framework to protect the coastal village character of Tura Beach and to protect Bega as the major regional centre.
3. Council has not adequately justified why the subject land is suitable for the proposed business and commercial land uses having regard to alternative existing sites within the local government area, including land at South Bega and Pambula that are already zoned to permit hardware and landscape supplies or similar businesses are considered.
4. The planning proposal has not adequately justified the inconsistency with the objectives of S117 Directions 1.1 Business and Industrial Zones. These objectives encourage employment growth in suitable locations and development that supports the viability of identified strategic centres. The subject site is not considered suitable for further employment growth as it is inconsistent with the Bega Valley Shire centres hierarchy and does not support the growth of the Bega centre as a regional commercial hub.
5. The planning proposal has not adequately justified the inconsistency with S117 Direction 3.1 Residential Zones. The site is currently zoned 1(c) Rural Small Holdings Zone (rural residential development) and Council has not justified the loss of rural residential zoned land.
6. The planning proposal has not adequately justified the inconsistency with S117 Direction 5.1 Implementation of Regional Strategies. The South Coast Regional Strategy requires Council's to introduce mechanisms to preserve and support the hierarchy of centres. Bega is identified as a major regional centre under the Strategy. The proposal will encourage "out-of-centre" large scale commercial development that does not preserve or

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support the hierarchy of centres identified in the South Coast Regional Strategy and Council's adopted commercial strategy.

Signature:			
Printed Name:		Date:	