



## Planning & Environment

Ms Leanne Barnes  
General Manager  
Bega Valley Shire Council  
PO Box 492  
BEGA NSW 2550

Our ref:14/15637

Dear Ms Barnes

### — Planning proposal to amend Bega Valley Local Environmental Plan 2013

I am writing in response to Council's letter dated 4 August 2014 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to zone land at Tura Beach Drive, Tura Beach to B5 Business Development Zone.

As delegate of the Minister for Planning, I have now determined that the planning proposal should not proceed for the reasons set out in the attached Gateway determination.

The planning proposal would allow the consideration of a major 'out of centre' retail development in Tura Beach. Council has not sufficiently justified that the proposal will not potentially undermine the existing neighbourhood business precinct, the village character of Tura Beach and the role of Bega as the major regional centre. Should Council wish to pursue a business zone on the subject land, it should review its strategic planning framework for commercial uses, the Bega Valley retail hierarchy and existing land for retail and bulky goods development in the Bega Valley Shire.

Should you have any queries in regard to this matter, please contact Ms Ann Martin of the Department's Southern team, on (02) 4224 9466.

Yours sincerely

**Marcus Ray**  
**Acting Deputy Secretary, Planning Services**

10/12/14

Encl: Gateway determination



## Gateway Determination

**Planning proposal (Department Ref: PP\_2014\_BEGAV\_005\_00: to rezone land at Tura Beach Drive, Tura Beach from 1(c) Rural Small Holdings to B5 Neighbourhood Development.**

I, the Acting Deputy Secretary, Planning Services at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) 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 has the potential to introduce a significant land use conflict.
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 inconsistent with the objective of the strategic framework to protect the coastal village character of Tura Beach and to retain 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 is already zoned to permit hardware and landscape supplies or similar businesses.
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 Councils 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 support the hierarchy of centres identified in the South Coast Regional Strategy and Council's adopted commercial strategy.

Dated 10<sup>th</sup> day of December 2014

Marcus Ray  
Acting Deputy Secretary  
Planning Services  
Delegate of the Minister for Planning