



**PARLIAMENTARY COUNSEL**

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*Opinion*

Environmental Planning and Assessment Act 1979  
Proposed Bega Valley Local Environmental Plan 2013 (Amendment No 26)

Your ref: Carley McGregor PP\_2017\_BEGAV\_002\_00  
Our ref: FHG e2017-112.d05

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In my opinion the attached draft environmental planning instrument may legally be made.

When the environmental planning instrument is made, a map cover sheet that lists the final form of the maps adopted by the instrument should be signed by the person making the instrument.



(D COLAGIURI)  
Parliamentary Counsel

14 June 2017



New South Wales

## Bega Valley Local Environmental Plan 2013 (Amendment No 26)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the  
*Environmental Planning and Assessment Act 1979*.

Minister for Planning

*Andrew Woodley* 27 July 2017

Andrew Woodley  
Director Planning & Environment

*Signed under delegation  
for Bega Valley Shire Council  
As delegate for the  
Minister for Planning*

## **Bega Valley Local Environmental Plan 2013 (Amendment No 26)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of Plan**

This Plan is *Bega Valley Local Environmental Plan 2013 (Amendment No 26)*.

### **2 Commencement**

This Plan commences on the day on which it is published on the NSW legislation website.

### **3 Land to which Plan applies**

This Plan applies to certain land to which *Bega Valley Local Environmental Plan 2013* applies, including land in Zone R3 Medium Density Residential and Zone B1 Neighbourhood Centre and certain land at Bega, Bemboka, Boydtown, Brown Mountain Hydro Power Station, Candelo, Cobargo, Eden, Kameruka, Merimbula, Mogareeka, Quaama, Tathra, Towamba and Wyndham.

### **4 Maps**

The maps adopted by *Bega Valley Local Environmental Plan 2013* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Plan.

## **Schedule 1      Amendment of Bega Valley Local Environmental Plan 2013**

### **[1] Land Use Table**

Omit "Information and education facilities;" from item 4 of the matter relating to Zone R3 Medium Density Residential.

### **[2] Land Use Table, Zone B1 Neighbourhood Centre, item 3**

Insert "Restaurants or cafes;" in alphabetical order.

### **[3] Clause 5.4 Controls relating to miscellaneous permissible uses**

Omit "20" from clause 5.4 (6). Insert instead "50".

### **[4] Schedule 5 Environmental heritage**

Insert the following in appropriate order in Part 1:

|      |                                                                |                                       |                                                  |       |         |
|------|----------------------------------------------------------------|---------------------------------------|--------------------------------------------------|-------|---------|
| Bega | Old Bega Racecourse Grandstand                                 | East Street                           | Lot 3200, DP 1036584                             | Local | 5063836 |
| Eden | Aslings Beach Rock Pool (formerly Eden Memorial Swimming Pool) | Corner of Bass Street and Hosies Road | Part of Lot 22, DP 750205; Crown reserve R580070 | Local | 5063837 |
| Eden | Hotel Australasia                                              | 142-144 Imlay Street                  | Lot 14, DP 250841                                | Local | 5063838 |
| Eden | Georgian building and shop                                     | 243 Imlay Street                      | Lot 1, DP 731580                                 | Local | 1100051 |
| Eden | Thompsons Point Baths                                          | Weecoon Street                        | Part of Lot 2, DP 747363                         | Local | 1100813 |

### **[5] Schedule 5, Part 1, item no I216**

Omit "5 Bass Street". Insert instead "3-5 Bass Street".

### **[6] Schedule 5, Part 1, item no I216**

Insert "; Lot D, DP 164277" after "Lot A, DP 163156".

### **[7] Schedule 5, Part 1, item no I762**

Insert "; Lot 1, DP 48609" after "Lot 1, Section 6, DP 758379".

### **[8] Schedule 5, Part 1, item no I137**

Insert "; Lot 140, DP 1064610" after "Lot 2, DP 979162".

# Bega Valley Local Environmental Plan 2013 (Amendment No 26)

**Bega Valley Shire Council**  
Zingel Place  
Bega, NSW, 2550

## Map Cover Sheet

The following map sheets are revoked:

| Map Sheet                      | Map Identification Number       |
|--------------------------------|---------------------------------|
| <b>Land Zoning Map</b>         |                                 |
| LZN_003                        | 0550_COM_LZN_003_080_20130426   |
| LZN_011A                       | 0550_COM_LZN_011A_020_20130618  |
| LZN_012A                       | 0550_COM_LZN_012A_020_20130508  |
| LZN_013                        | 0550_COM_LZN_013_080_20130509   |
| LZN_017A                       | 0550_COM_LZN_017A_020_20151127  |
| LZN_018                        | 0550_COM_LZN_018_080_20150723   |
| LZN_019B                       | 0550_COM_LZN_019B_020_20151130  |
| LZN_020B                       | 0550_COM_LZN_020B_020_20170215  |
| LZN_021A                       | 0550_COM_LZN_021A_020_20170215  |
| <b>Lot Size Map</b>            |                                 |
| LSZ_003                        | 0550_COM_LSZ_003_080_20130520   |
| LSZ_011A                       | 0550_COM_LSZ_011A_020_20130520  |
| LSZ_012A                       | 0550_COM_LSZ_012A_020_20130520  |
| LSZ_013                        | 0550_COM_LSZ_013_080_20130520   |
| LSZ_017A                       | 0550_COM_LSZ_017A_020_20151127  |
| LSZ_018                        | 0550_COM_LSZ_018_080_20130520   |
| LSZ_019B                       | 0550_COM_LSZ_019B_020_20151130  |
| LSZ_020B                       | 0550_COM_LSZ_020B_020_20160419  |
| LSZ_021A                       | 0550_COM_LSZ_021A_020_20150807  |
| <b>Heritage Map</b>            |                                 |
| HER_003A                       | 0550_COM_HER_003A_020_20130524  |
| HER_011                        | 0550_COM_HER_011_080_20130524   |
| HER_011B                       | 0550_COM_HER_011B_020_20130524  |
| HER_11BA                       | 0550_COM_HER_011BA_005_20130524 |
| HER_021                        | 0550_COM_HER_021_080_20130617   |
| HER_021A                       | 0550_COM_HER_021A_020_20130524  |
| <b>Floor Space Ratio Map</b>   |                                 |
| FSR_019B                       | 0550_COM_FSR_019B_020_20130523  |
| FSR_020B                       | 0550_COM_FSR_020B_020_20160419  |
| FSR_021A                       | 0550_COM_FSR_021A_020_20150807  |
| <b>Height of Buildings Map</b> |                                 |
| HOB_019B                       | 0550_COM_HOB_019B_020_20141113  |

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| LZN_012A                       | 0550_COM_LZN_012A_020_20170622  |
| LZN_013                        | 0550_COM_LZN_013_080_20170622   |
| LZN_017A                       | 0550_COM_LZN_017A_020_20170622  |
| LZN_018                        | 0550_COM_LZN_018_080_20170622   |
| LZN_019B                       | 0550_COM_LZN_019B_020_20170622  |
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| LSZ_011A                       | 0550_COM_LSZ_011A_020_20170622  |
| LSZ_012A                       | 0550_COM_LSZ_012A_020_20170622  |
| LSZ_013                        | 0550_COM_LSZ_013_080_20170622   |
| LSZ_017A                       | 0550_COM_LSZ_017A_020_20170622  |
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| LSZ_019B                       | 0550_COM_LSZ_019B_020_20170622  |
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| HER_011BA                      | 0550_COM_HER_011BA_005_20170622 |
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| <b>Height of Buildings Map</b> |                                 |
| HOB_019B                       | 0550_COM_HOB_019B_020_20170622  |

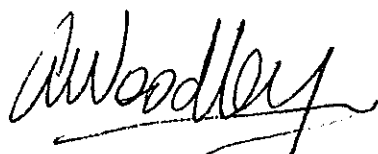
Certified

[Title of Council Delegate]

[Date]

Minister for Planning

[Date]

 27 July  
2017

Signed under delegation for Bega Valley Shire Council  
As delegate for the Minister for Planning

Andrew Woodley  
Director Planning & Environment

0550\_COM\_MCS\_20170622