



Planning Proposal: Residential Land Strategy – Increase Housing Diversity

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Part 1 – Objectives and intended outcomes

This planning proposal has been prepared by Bega Valley Shire Council in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* and the NSW Department of Planning, Industry and Environment's *Local Environmental Plan Making Guideline* (December 2021).

Objective

The objective of this planning proposal is to amend *Bega Valley Local Environmental Plan 2013* (LEP 2013) to implement certain recommendations of the *Bega Valley Shire Residential Land Strategy 2040* and *Bega Valley Shire Affordable Housing Strategy* to increase housing diversity throughout the Bega Valley Shire while protecting neighbourhood character.

To accompany the amendments to LEP 2013 included in this planning proposal, a set of design guidelines for inclusion in the Bega Valley Development Control Plan 2013 (DCP 2013) has also been prepared to ensure that future development resulting from the Planning Proposal is sympathetic to existing character and protects the amenity of residents. Public exhibition of the draft amendments to DCP 2013 will take place concurrently with the exhibition of the planning proposal. The relevant DCP amendments are referred to after the explanation of each of the proposed changes to LEP 2013 in Part 2 of the planning proposal. Details of all draft changes to DCP 2013 are included as Appendix A in this document.

Intended outcomes

A. Enable creation of small lots

- Insert a new clause to enable a proportion of lots in new R2 Low Density Residential zone subdivisions to be smaller than the mapped minimum lot size, but no smaller than 350 square metres, to provide flexibility to ensure residential development makes efficient use of land and infrastructure and contributes to the availability of new housing while preserving residential amenity and natural assets
- Amend clause 4.1A to apply a minimum lot size requirement for secondary dwellings to achieve planned residential density

B. Enable more subdivision in sewerer villages

- Amend the Lot Size map in Candelo, Cobargo, Kalaru and Wolumla to enable more subdivision

C. Streamline construction and subdivision of multiple dwellings

- Insert a new clause to enable construction and subdivision into three or more lots smaller than the minimum lot size, to encourage housing diversity, provide certainty, and avoid the need for complex staging of development under the existing provisions

D. Enable multi dwelling housing in low density residential areas and villages

- Amend the Land Use Table to permit multi dwelling housing with consent in zones R2 Low Density Residential and RU5 Village to increase the diversity of housing
- Amend clause 4.1A to apply a minimum lot size requirement for multi dwelling housing in zones R2 Low Density Residential and RU5 Village to restrict multi-dwelling housing to larger blocks.
- Add a new zone objective to the zone R2 Low Density Residential to encourage housing diversity that is appropriate to the detached character of the zone
- Amend the Floor Space Ratio map to introduce a site coverage control in RU5 Village zones to protect the village character

E. Increase supply of one and two bedroom units

- Insert a new clause to increase the supply of one and two bedroom dwellings in multi dwelling housing, residential flat buildings and shop top housing developments to provide for the housing needs of current and future residents of the Shire
- Amend clause 4.6 to prevent variations to this requirement

F. Increase supply of adaptable housing

- Insert a new clause to increase the supply of adaptable housing to provide a supply of dwellings that can be more easily and affordably retrofitted for accessibility in the future

G. Strengthen landscaped area controls

- Insert a new clause to strengthen landscape controls to protect character and increase resilience

Benefits:

- More flexibility in subdivision design
- Responsive to dominant developer type (owner-builder)
- Get more lots from residential zoned land
- More efficient use of infrastructure
- Downsize/entry-level opportunities (responds to demographics forecasts: more single + couple households, growth in 70 years + age group)
- Increased community resilience
- Increased business viability
- Walkable neighbourhoods
- Increased public transport viability
- More rental and purchase opportunities for key workers (teachers, nurses, paramedics, aged care workers, Council staff, tourism and hospitality staff)

Overview of outcomes of planning proposal and affected zones:

More diverse housing:	R2	1. Enable creation of small lots
	R2 R3 RU5	2. Increase diversity of lot sizes in new subdivisions
	R2 RU5	3. Enable more subdivision in sewerred villages
	R2 RU5	4. Streamline construction and subdivision of multiple dwellings
	R2 RU5	5. Enable multi dwelling housing in low density residential areas and villages
	R2 R3 RU5 B2 B4	6. Increase supply of one and two bedrooms units
	R2 R3 RU5 B2 B4	7. Increase supply of adaptable housing
	R2 R3 RU5 B4	8. Incentivise small units by reducing open space requirements
	R2 R3 RU5 B4	9. Align landscape controls with complying development
	R2 R3 RU5 B4	10. Protect back yards and character

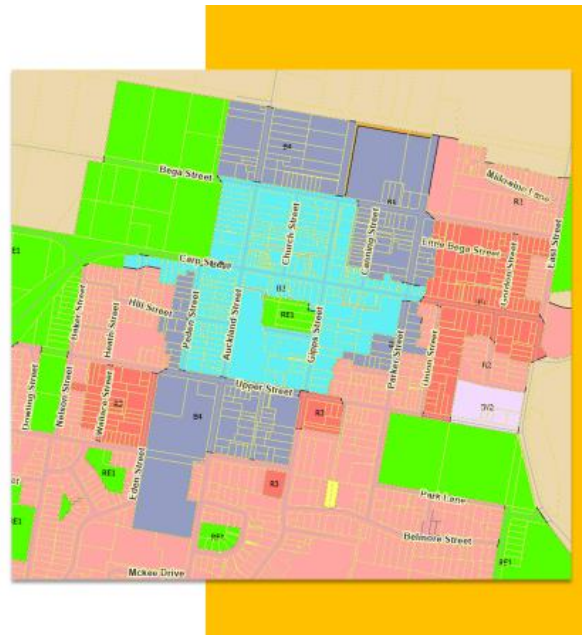
Part 2 – Explanation of provisions

Background: Current residential development permitted in LEP 2013

Land use zones in LEP:

RU5 Village	Dual occupancies, dwelling houses, secondary dwellings, shop top housing
R2 Low Density Residential	Dual occupancies, dwelling houses, secondary dwellings
R3 Medium Density Residential	Residential flat buildings, multi dwelling housing, dual occupancies, dwelling houses, secondary dwellings, shop top housing
B4 Mixed Use	Residential flat buildings, multi dwelling housing, dual occupancies, dwelling houses, secondary dwellings, shop top housing
B2 Local Centre	Shop top housing

RU5	All villages except Pambula and part of Wolumla
R2	All other towns and urban areas
R3	Bega, Bermagui, Eden, Merimbula, Pambula, Pambula Beach, Tathra, Tura Beach
B4	Bega, Eden, Merimbula, Pambula, Tathra
B2	Bega, Bermagui, Eden, Merimbula, Pambula, Pambula Beach, Tathra, Tura Beach



A. Enable creation of small lots

New Clause

The planning proposal seeks to amend LEP 2013 by inserting the following new clause into Part 4 'Principal Development Standards', as follows:

Exceptions to minimum lot sizes in zone R2 Low Density Residential

- (1) The objective of this clause is to provide flexibility to ensure residential development makes efficient use of land and infrastructure and contributes to the availability of new housing while preserving residential amenity and natural assets.
- (2) This clause applies to land in the following zones—
 - (a) Zone R2 Low Density Residential
- (3) Despite clause 4.1(3), development consent may be granted to the subdivision of land to which this clause applies if—
 - (a) the land will be serviced by reticulated water and sewer, and
 - (b) up to 40% of the new lots may be smaller than the mapped minimum lot size but shall not be less than 350 square metres, and
 - (c) all lots smaller than the mapped minimum lot size specified under clause 4.1(3) shall not be battle axe configuration.

Amend LEP Clause 4.1A

The planning proposal also seeks to amend Clause 4.1A of *Bega Valley Shire Local Environmental Plan 2013*, to set a minimum lot size of 450 square metres for secondary dwellings in zone R2 Low Density Residential. See D below for details.

Amend Bega Valley Development Control Plan (DCP)

The new clause would be supported with updated subdivision principles in the DCP. See Appendix A, Chapter 5.10.2.

B. Enable more subdivision in sewered villages

Lot size map

Candelo and Cobargo

- Reduce the minimum lot size in zone RU5 Village from 1,000sqm to 600sqm.

Wolumla

- Reduce the minimum lot size in zone RU5 Village from 1,000sqm to 600sqm.
- Reduce the minimum lot size in zone R2 Low Density Residential from 650sqm to 600sqm.

Kalaru

- Reduce the minimum lot size in zone RU5 Village from 1,000sqm to 550sqm

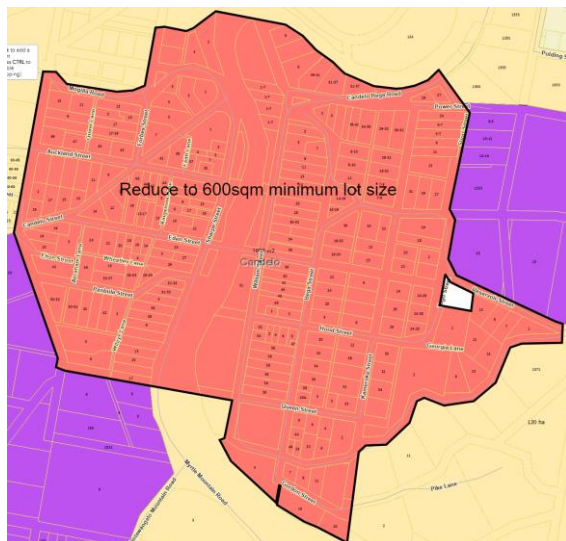


Figure 1: Candelo

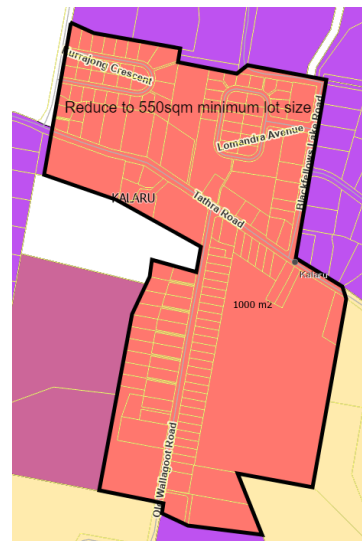


Figure 3: Kalaru

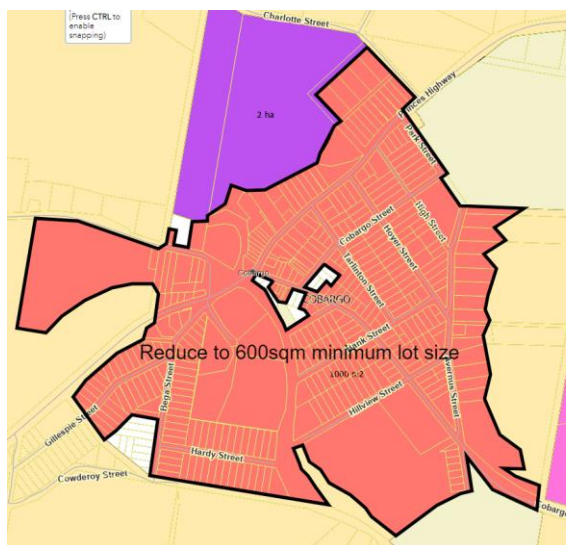


Figure 2: Cobargo

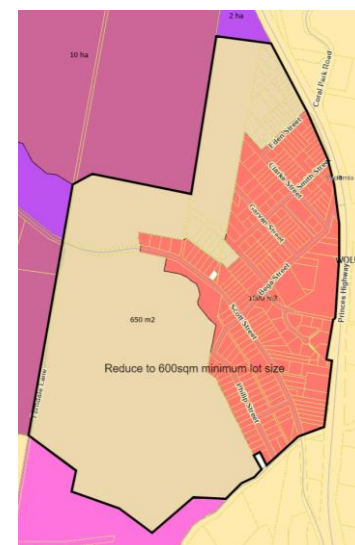


Figure 4: Wolumla

C. Streamline construction and subdivision of multiple dwellings

New Clause

The planning proposal seeks to amend LEP 2013 by inserting the following new clause into Part 4 'Principal Development Standards'. The following clause is based on the model local clause and Clause 4.1C in Eurobodalla LEP 2012 and Clause 4.1A in Albury LEP 2010:

Exceptions to minimum lot sizes for certain residential development

- (1) The objective of this clause is to encourage housing diversity without adversely impacting on residential amenity.
- (2) This clause applies to development on land that will be serviced by reticulated water and sewer in the following zones:
 - (i) R2 Low Density Residential
 - (ii) RU5 Village
- (3) Development consent may be granted to a single development application for development to which this clause applies that is both of the following:
 - (a) the subdivision of land into 3 or more lots where at least one lot is not of battle axe configuration,
 - (b) the erection of a single storey dwelling house on each lot resulting from the subdivision, if the size of each lot is equal to or greater than 350 square metres.
- (4) If a lot is a battle axe lot or other lot with an access handle, the area of the access handle must not be included in calculating the lot size.
- (5) Development consent may not be granted under this clause if it results in more than one dwelling on each lot resulting from the subdivision.

The new clause would be supported with amendments to increase the landscaped area requirement in the zone RU5 Village (see G below for details).

Amend Bega Valley Development Control Plan (DCP)

The new clause would be supported with amendments to the DCP. See Appendix A, Chapters 5.10.2

D. Enable multi dwelling housing in low density residential areas and villages

Land Use Table

The planning proposal seeks to amend the LEP 2013 Land Use Tables, as indicated in red below:

Zone R2 Low Density Residential

3 Permitted with consent

Multi dwelling housing

Zone RU5 Village

3 Permitted with consent

Multi dwelling housing

Objectives of Zone R2 Low Density Residential

The planning proposal seeks to amend the objectives of the R2 Low Density Residential zone in *Bega Valley Shire Local Environmental Plan 2013*, as follows:

Zone R2 Low Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To provide a variety of housing types that are sympathetic to the detached character of the built environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

Floor Space Ratio

The planning proposal seeks to amend the Floor Space Ratio map of LEP 2013, as follows:

Candelo, Cobargo and Wolumla

- Introduce 0.35 Floor Space Ratio control to land zoned RU5 Village

Kalaru

- Introduce 0.5 Floor Space Ratio control to land zoned RU5 Village

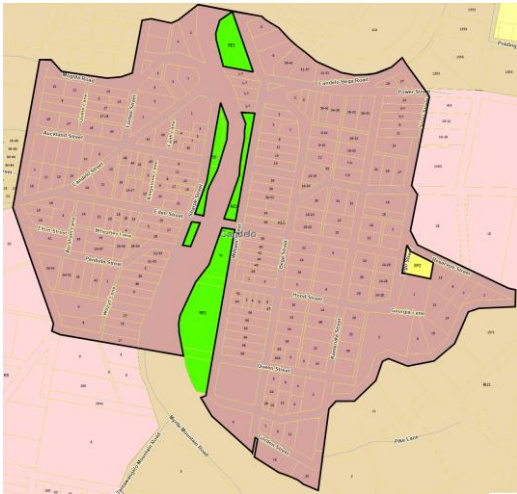


Figure 5: Candelo

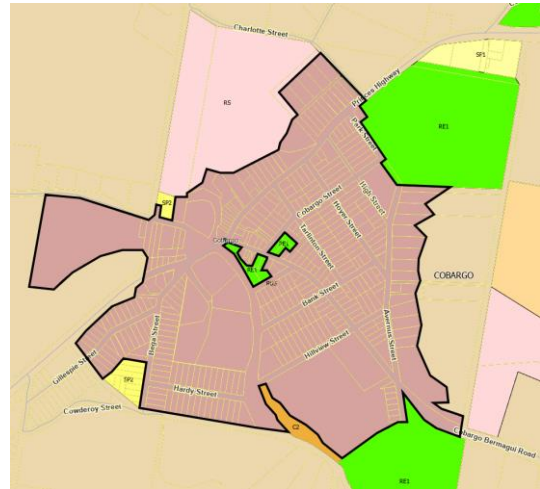


Figure 6: Cobargo

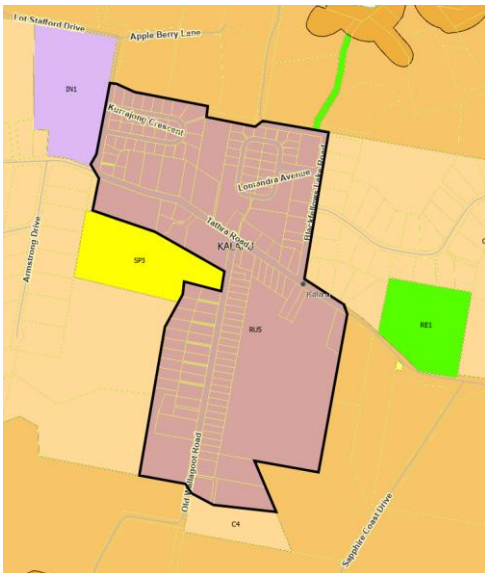


Figure 7: Kalaru

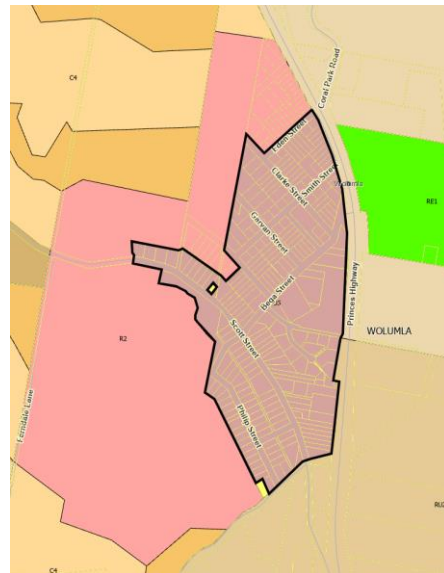


Figure 8: Wolumla

Amend LEP Clause 4.1A

The planning proposal seeks to replace Clause 4.1A of LEP 2013.

Delete existing clause and insert new clause based on the local model provision, as follows:

~~4.1A Minimum lot size for dual occupancies in Zones RU5 and R2~~

- (1) The objective of this clause is to achieve planned residential density in certain zones.
- (2) This clause applies to land in the following zones—
 - (a) Zone RU5 Village,
 - (b) Zone R2 Low Density Residential.
- (3) Development consent must not be granted to development on a lot for the purposes of dual occupancies unless the area of the lot is at least 550 square metres.

~~(4) If a lot is a battle-axe lot or other lot with an access handle, the area of the access handle must not be included in calculating the lot size.~~

4.1A Minimum lot sizes for dual occupancy, multi dwelling housing and secondary dwellings

- (1) The objective of this clause is to achieve planned residential density in certain zones.
- (2) Development consent may be granted to development on a lot in a zone shown in Column 2 of the Table to this clause for a purpose shown in Column 1 of the Table opposite that zone, if the area of the lot is equal to or greater than the area specified for that purpose and shown in Column 3 of the Table:

Column 1	Column 2	Column 3
Dual occupancies	R2 Low Density Residential RU5 Village	550m ²
Secondary dwellings	R2 Low Density Residential RU5 Village	450m ²
Multi dwelling housing	R2 Low Density Residential	900m ²
Multi dwelling housing	RU5 Village	1,000m ²

- (3) If a lot is a battle-axe lot or other lot with an access handle, the area of the access handle must not be included in calculating the lot size.
- (4) Development consent must not be granted to development for the purposes of multi dwelling housing unless the land will be serviced by reticulated water and sewer.

The proposed land use would be supported with amendments to the landscaped area requirements in zones R2 Low Density Residential and RU5 Village (see G below).

Amend Bega Valley Development Control Plan (DCP)

The new clause would be supported with amendments to the DCP.
See Appendix A, Chapter 3

E. Increase supply of one and two bedroom units

New Clause

The planning proposal seeks to amend LEP 2013 by inserting the following new clause into Part 6 Additional Local Provisions. The following clause is based on Clause 6.13 of Leichardt LEP 2013:

Diverse housing

(1) The objectives of this clause are:

- to ensure the provision of a mix of dwelling types in residential flat buildings, multi dwelling housing and shop top housing, and
- to ensure that new development provides for the housing needs of current and future residents of the Shire.

(2) Development consent must not be granted to development for the purpose of a residential flat building, multi dwelling housing or shop top housing, where the development includes 3 or 4 dwellings, unless—

(a) at least one dwelling forming part of the development will be a self-contained studio dwelling or one-bedroom dwelling or two bedroom dwelling and no greater than 75 square metres gross floor area.

(3) Development consent must not be granted to development for the purpose of a residential flat building, multi dwelling housing or shop top housing, where the development includes at least 5 dwellings, unless—

(a) at least 20% of the total number of dwellings (rounded up to the nearest whole number of dwellings) forming part of the development will include self-contained studio dwellings or one-bedroom dwellings with one bathroom and no greater than 55 square metres gross floor area, and

(b) at least 20% of the total number of dwellings (rounded up to the nearest whole number of dwellings) forming part of the development will include two-bedroom dwellings with one bathroom and no greater than 75 square metres gross floor area.

Amend LEP Clause 4.6

The planning proposal seeks to amend LEP 2013 by including reference to the new clause in Clause 4.6(8), as a clause that cannot be varied under the provisions of Clause 4.6, as indicated in red below:

(8) This clause does not allow development consent to be granted for development that would contravene any of the following—

(a) a development standard for complying development,

(b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which [State Environmental Planning Policy \(Building Sustainability Index: BASIX\) 2004](#) applies or for the land on which such a building is situated,

(c) clause 5.4,

(caa) clause 5.5,

(ca) clause 5.3(2).

(d) clause *[insert new clause number]*.

F. Increase supply of adaptable housing

New Clause

The planning proposal seeks to amend LEP 2013 by inserting the following new clause into Part 6 Additional Local Provisions. The following clause is based on Clause 7.17 of Great Lakes LEP 2014:

Adaptable Housing

- (1) The objectives of this clause are:
 - (a) to ensure residential development in central locations is consistent with the Livable Housing Australia Design Guidelines, and
 - (b) to increase the overall provision of adaptable dwellings.
- (2) Despite any other provision of this Plan, development consent must not be granted to development on a lot in a zone shown in Column 2 of the Table to this clause for a purpose shown in Column 1 of the Table opposite that zone, unless the proportion of dwellings that are consistent with the Silver Standard of the Livable Housing Australia Design Guidelines is in accordance with the ratio shown in Column 3 of the Table:

Column 1	Column 2	Column 3
Residential accommodation	B2 Local Centre	1:1
Shop top housing, or residential flat building, or multi dwelling housing, of 4 or more dwellings	R2 Low Density Residential R3 Medium Density Residential B4 Mixed Use RU5 Village	1:4

G. Strengthen landscaped area controls

New Clause

The planning proposal seeks to amend LEP 2013 by inserting the following new clause into Part 6 Additional Local Provisions. The following clause is based on Clause 6.6 of Mosman LEP 2012, Clause 6.9 of Hunters Hill LEP 2012 and State Environmental Planning Policy (Housing) 2021:

Landscaped area in Zones R2, R3 and RU5

- (1) The objectives of this clause are:
 - (a) to preserve the character and identity of the Bega Valley by ensuring that new development is enhanced by landscaping that contributes to the quality of the neighbourhood and softens the visual impact of buildings on the streetscape,
 - (b) to improve community health through provision of trees and shade,
 - (c) to mitigate the impacts of urban heat and extreme hot weather events,
 - (d) to limit the cumulative impacts of hard surface treatments on stormwater systems, and
 - (e) to provide habitat for local wildlife.
- (2) The consent authority may refuse to grant development consent to development in zone R2 Low Density Residential involving the erection of a building unless at least the following minimum landscaped area of a site (as a percentage of the site area) is provided for the development—
 - (a) 35%, if the site area is less than 900m²,
 - (b) 40%, if the site area is at least 900m² but less than 1,500m²,
 - (c) 45%, if the site area is at least 1,500m².
- (3) The consent authority may refuse to grant development consent to development in zone R3 Medium Density Residential involving the erection of a building unless at least 35% of the site area is provided as landscaped area.
- (4) The consent authority may refuse to grant development consent to development in zone RU5 Village involving the erection of a building unless at least the following minimum landscaped area of a site (as a percentage of the site area) is provided for the development—
 - (a) 40%, if the site area is less than 1,500m²,
 - (b) 45%, if the site area is at least 1,500m².
- (5) The minimum landscaped area calculated in accordance with subclause (2) and (3) must be provided as follows:
 - (a) include a deep soil zone on at least 15% of the site area, where each deep soil zone has minimum dimensions of 4.5m and at least 50% of the deep soil zone is located at the rear of the site,
 - (b) for development resulting in one dwelling per lot, no less than 65% of the area within the front setback must be landscaped area.
- (6) Despite subclause (5)(b), the minimum landscaped area may be reduced for the purpose of an entry feature or portico, balcony, deck, pergola or verandah or other element that provides building articulation, or to comply with the *Livable Housing Australia Design Guidelines*.
- (7) In this clause –
deep soil zone means a landscaped area with no buildings or structures above or below the ground.

Part 3 – Justification

A. Need for the planning proposal

1. Is the planning proposal a result of an endorsed LSPS, strategic study or report?

Bega Valley Shire Residential Land Strategy 2040

Yes. In August 2019 Council initiated a review of its urban areas to address the future need for residential land in Bega Valley Shire and provide a vision and framework for the development of residential areas over the next 20 years. The [Bega Valley Shire Residential Land Strategy 2040](#) (the RL Strategy) was prepared by Urbanista on behalf of Council with input from key stakeholders in the development industry, housing service providers and community members.

The RL Strategy works towards the community's vision outlined in the Bega Valley Shire Community Strategic Plan 2040 and the South East and Tablelands Regional Plan 2036 and informed Council's [Local Strategic Planning Statement](#).

The RL Strategy investigates housing needs including drivers of demand, supply characteristics, housing affordability and other housing issues and challenges specific to our Shire. It examines existing and future population and housing characteristics, the housing capacity of residential zoned land and factors that affect capacity to accommodate growth and change.

Key findings from the RL Strategy include:

- more housing diversity is needed in all centres including housing suitable for seniors living close to services and facilities,
- there is a need for affordable private rental housing and rental housing generally,
- protecting important agricultural land, areas of high environmental value and managing risks associated with hazards and climate change limits opportunities for growth beyond existing urban areas and reinforces the need to utilise existing development capacity.

The RL Strategy developed a set of guiding residential land development principles. Those most relevant to this planning proposal include:

- Increase diversity of housing
- Protect and enhance local identity and sense of place
- Promote efficient use and provision of infrastructure
- Preserve agricultural land and areas of high environmental value
- Build in hazard protection and climate resilience

The RL Strategy developed a set of recommendations to expand the diversity of housing. This planning proposal seeks to implement 2 of the 7 recommendations of the RL Strategy that relate to expanding housing diversity:

- Review planning controls for RU5 Village zoned land to facilitate additional low-scale infill housing that is in keeping with local character.
- Identify planning controls and incentives such as density or height bonuses that deliver different dwelling types, greater bedroom mix and diversity of tenure.

Bega Valley Shire Affordable Housing Strategy

One recommendation of the RL Strategy is to develop an affordable housing strategy. In 2021 Council engaged Judith Stubbs & Associates to prepare an Affordable Housing Strategy on behalf of Council, together with input from a local Affordable Housing Working Group, representing key stakeholders in the Shire. The resultant *Bega Valley Shire Affordable Housing Strategy* (AH Strategy) recommends a number of facilitative strategies and mechanisms to:

- remove planning impediments to increase market supply of residential flat buildings and multi dwelling housing,
- increase opportunities for housing diversity and affordability in new land releases,
- mandate housing diversity.

This planning proposal seeks to implement 8 of the 15 land use planning recommendations of the AH Strategy as they relate to expanding housing diversity.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. The planning proposal is the best means of achieving the objective of altering land use tables, minimum lot sizes and floor space ratio controls in the LEP 2013. These matters can only be achieved through a planning proposal. A planning proposal is the only means of amending and inserting clauses in LEP 2013.

B. Relationship to the strategic planning framework

3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

South East and Tablelands Regional Plan 2036

Yes. The planning proposal aims to achieve the following goals, directions and actions of the NSW Department of Planning, Industry and Environment's *South East and Tablelands Regional Plan*:

Goal 4: Environmentally sustainable housing choices

- Direction 24: Deliver greater housing supply and choice
 - Action 24.3 Promote increased housing choice, including townhouses, villas and apartments in strategic centres and locations close to existing services and jobs.
 - Action 24.4 Promote opportunities for retirement villages, nursing homes and similar housing for seniors in local housing strategies.
- Direction 25: Focus housing growth in locations that maximise infrastructure and services
 - Action 25.1 Focus future settlement to locations that: maximise existing infrastructure and services and minimise the need for new services; prioritise increased densities within existing urban areas; prioritise new release areas that are an extension of existing strategic and local centres.
- Direction 27: Deliver more opportunities for affordable housing
 - Action 27.1 Deliver greater housing affordability by incorporating policies and tools into local housing strategies and local planning controls that will enable a greater variety of housing types and incentivise private investment in affordable housing.
 - Action 27.2 Facilitate greater housing diversity, including studios and one- and two-bedroom dwellings, to match forecast changes in household sizes.

4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

Bega Valley Shire Local Strategic Planning Statement 2040

Yes. The planning proposal is consistent with achieving the following planning priorities, future directions and actions of the *Bega Valley Shire Local Strategic Planning Statement 2040*:

- Planning Priority 10 Character: The distinctive character of the landscapes, towns and villages that make our Shire unique are thriving and continue to provide a sense of place and wellbeing to residents and attract visitors
- Planning Priority 11 Housing: Residential areas provide a range of housing styles, sizes and tenures that suit people of all ages, income levels and household sizes and enable communities to stay connected and healthy as people move through the various stages in life
 - Future Direction: Increase housing density within established urban areas to minimise additional service provision and expansion of the urban/bushland interface and support the viability and vibrancy of town centres and future public transport provision.
 - Future Direction: Allow for growth and encourage housing diversity and affordability while enhancing the distinct local character of each place.
 - Future Direction: Encourage residential development in seweraged villages to provide more affordable housing options, minimise land use conflict and the support continued viability of villages.
 - Action 11.8: Identify planning controls and incentives such as density or height bonuses that deliver different dwelling types, greater bedroom mix and diversity of tenure

Bega Valley Shire Community Strategic Plan 2040

Yes. The planning proposal is consistent with the following goals and strategies of the *Bega Valley Shire Community Strategic Plan 2040*:

- Goal 5: Our air and water is pristine and our natural environment and rural landscapes are protected.
 - Strategy 11: Ensure land use planning and resource use protects the quality of the natural environment, the existing character of rural landscapes and the high value agricultural land.
- Goal 7: Our Shire continues to be a vibrant, enjoyable, safe and affordable place to live.
 - Strategy 16: Collaborate with relevant agencies and the private sector to increase the diversity and affordability of new and existing housing, particularly to meet the needs of our ageing population.
- Goal 8: Our places retain their character and scale, development is well planned, and a range of goods and services are available within our Shire that meet local needs

5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?

Housing 2041: NSW Housing Strategy

The NSW Housing Strategy is underpinned by a 20-year vision:

NSW will have housing that supports security, comfort, independence and choice for all people at all stages of their lives.

People and communities have:

- access to housing security, diversity and support, irrespective of whether they live in metropolitan or regional areas

- choices that enable them to afford a home without compromising on basic needs
- support and opportunity in differing circumstances, including people in crisis, social housing residents, private rental tenants and those who aspire to home ownership.

Homes in NSW are:

- accessible and suitable for different stages of life or changing circumstances
- connected to local facilities, jobs and social networks, with infrastructure, services and spaces that people need to live sustainably
- designed to support human wellbeing and respond to the environment, maximise technology and support local character and place.

The planning proposal is consistent with the vision.

The vision is reflected in the four pillars of supply, diversity, affordability and resilience of housing:

- supply—housing supply delivered in the right location at the right time
- diversity—housing is diverse, meeting varied and changing needs of people across their life
- affordability—housing that is affordable and secure
- resilience—housing that is enduring and resilient to natural and social change.

The planning proposal is consistent with the four pillars, and strongly aligns with the pillar of diversity.

Regional Housing Taskforce Recommendations Report October 2021

The Taskforce identified eight principles to serve as a foundation for decision making and guide reform of policies and processes to increasing housing supply and improve housing outcomes across regional NSW.

The eight principles are:

1. Invest in upfront, place-based strategic planning to improve decision-making, provide certainty and enable more efficient assessments.
2. Provide a more transparent and certain supply pipeline and activate latent supply by addressing infrastructure requirements and resolving site constraints.
3. Strengthen collaboration by the NSW Government with the Federal Government, local governments, and industry to improve the identification, funding, and delivery of infrastructure to support priority housing.
4. **Ensure new housing is appropriately located, well-designed, fit for purpose, and better provides for the diversity of housing needs, including strengthening planning and approval pathways for innovative typologies and tenures.**
5. Consider social and affordable housing as essential social and economic infrastructure.
6. Facilitate the delivery of diverse housing that meets demonstrated need through targeted use of government land.
7. Build the capacity of local government and local industries to plan and deliver housing in the regions.
8. Enhance monitoring and evaluation of policy and housing outcomes.

The planning proposal is consistent with the principles and aligns strongly with principle 4.

The Taskforce made five key recommendations for Government, with 15 supporting targeted interventions. The planning proposal is consistent with the key recommendations and aligns strongly with the following recommendation and targeted intervention:

2. Increase the availability of affordable and diverse housing across regional NSW

2.5 Prioritise diverse and affordable housing through regional and local strategic plans, minimum density and housing mix requirements for new development, place-based infill housing targets, reviewing planning instruments to ensure they enable infill housing, and introducing model controls that support councils to facilitate good infill design outcomes.

6. Is the planning proposal consistent with applicable SEPPs?

The following table identifies the applicable SEPPs and outlines this planning proposal's consistency with these.

Relevant SEPP	Consistency
State Environmental Planning Policy (Biodiversity and Conservation) 2021	<p>Consistent. The planning proposal does not contain provisions that would hinder the application of this SEPP.</p> <p>The planning proposal does not affect the application of Chapter 2 Vegetation in non-rural areas.</p> <p>Chapter 4 Koala habitat protection 2021 may apply to future residential development on land affected by this planning proposal and will be considered at the detailed development assessment stage.</p>
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Consistent. The planning proposal does not contain provisions that would hinder the application of this SEPP. This SEPP will likely apply to future residential development on land affected by this planning proposal and will be considered at the detailed development assessment stage.
State Environmental Planning Policy (Exempt and Complying Development Codes)	Consistent. The planning proposal does not contain provisions that would hinder the application of this SEPP.
State Environmental Planning Policy (Housing) 2021	Consistent. The planning proposal does not contain provisions that would hinder the application of this SEPP.
State Environmental Planning Policy (Primary Production) 2021	<p>Consistent. The planning proposal does not contain provisions that would hinder the application of this SEPP.</p> <p>Chapter 2, Part 2.5, Division 4 of this SEPP will likely apply to future residential development on land affected by this planning proposal that is in proximity of a Priority Oyster Aquaculture Area. Potential impacts of the development will be considered at the detailed development assessment stage.</p>
State Environmental Planning Policy (Resilience and Hazards) 2021	<p>Consistent. The planning proposal does not contain provisions that would hinder the application of this SEPP.</p> <p>Some land in the R2 and RU5 zones is within the Coastal Environment Area and Coastal Use Area as identified by Chapter 2 of the State Environmental Planning Policy (Resilience and Hazards) 2021. Any future development on this land would be subject to a merit assessment including consideration of this chapter at the detailed development assessment stage.</p> <p>Any proposal that involves a change of land use would be subject to a merit assessment including consideration of Chapter 4 Remediation of Land at the detailed development assessment stage.</p>
State Environmental Planning Policy (Transport and Infrastructure)	Consistent. The planning proposal does not contain provisions that would hinder the application of this SEPP.

7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?

Yes. The following table identifies the applicable Section 9.1 Directions by the Minister and outlines this planning proposal's consistency with these:

No.	Direction	Comment
1. Planning Systems		
1.1	Implementation of Regional Plans	Consistent. The South East and Tablelands Regional Plan is the plan applicable to this proposal. The planning proposal's consistency with this plan is addressed previously under Question 3.
1.3	Approval and Referral Requirements	Consistent. The planning proposal seeks changes to LEP 2013 including adding new clauses and amending clauses, land use tables, minimum lot sizes and floor space ratios. The changes proposed do not add to any additional concurrence, consultation or referral of development applications to a Minister or public authority or increase the likelihood of additional designated development.
3. Biodiversity and Conservation		
3.2	Heritage Conservation	Consistent. The planning proposal seeks to: permit multi dwelling housing with consent in the R2 and RU5 zones; reduce the mapped minimum lot size in sewerage villages; apply a floor space ratio control to RU5 zoned land in sewerage villages; and enable the creation of small lots. However, Schedule 5 Heritage Items listed in LEP 2013, and any Aboriginal objects or Aboriginal places that are protected under the <i>National Parks and Wildlife Act 1974</i> remain protected under their respective legislations. Any Development Application following from this planning proposal will need to demonstrate the merits of the proposal against the <i>Environmental Planning & Assessment Act 1979</i> , which includes consideration under Clause 5.10 of LEP 2013 and Chapter 5.1 of Bega Valley Development Control Plan 2013 which requires adherence to the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW and refers the applicant to Council's Aboriginal Cultural Heritage Landscape Map.
4. Resilience and Hazards		
4.1	Flooding	<u>Application</u> This direction applies to all relevant planning authorities that are responsible for flood prone land when preparing a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land. The planning proposal does <u>not</u> seek to rezone flood prone land or alter any existing LEP or DCP provisions that relate to flood planning. The planning proposal does <u>not</u> seek to permit any significant intensification of residential development as exempt development. The planning proposal seeks to: <ul style="list-style-type: none"> • permit the creation of small lots in new R2 zone subdivisions with consent, • reduce the mapped minimum lot size in sewerage villages to allow for further subdivision of land with consent, • streamline the construction and subdivision of multiple dwellings with consent (which currently can be undertaken as a staged development), • permit multi dwelling housing in the R2 and RU5 zones with consent, • apply a 0.35 floor space ratio control to RU5 zoned land in Candelo, Cobargo and Wolumla,

	<ul style="list-style-type: none"> • apply a 0.5 floor space ratio control to RU5 zoned land in Kalaru, • increase the landscaped area requirement in the RU5 zone from 35% to 40-45%, and • increase the landscaped area requirement for larger lots in the R2 zone, • generally strengthen the landscaped area requirement, • increase the overall provision of one and two bedroom dwellings and dwellings that meet adaptable housing standards. <p>Council continues to undertake and review flood studies across the Shire to update its flood mapping and management plans. Currently, Council has Flood Studies for Bega and Brogo Rivers, Merimbula and Back Lake, Eden, Twofold Bay and Towamba River, Pambula River, Pambula Lake and Yowaka River. Floodplain Risk Management Studies and Plans are in place for the Bega and Brogo Rivers Floodplain and Merimbula and Back Lake Floodplain.</p> <p><u>(1) A planning proposal must include provisions that give effect to and are consistent with:</u></p> <p><u>(a) the NSW Flood Prone Land Policy</u></p> <p>The planning proposal is consistent with the Flood Prone Land Policy, being that any development proposed subsequent to this planning proposal would be subject to a merit assessment through the detailed development assessment process.</p> <p>It is noted that the policy stipulates that the management of flood prone land is, primarily, the responsibility of councils, and that Council has an adopted Flood Planning clause in LEP 2013 that relates to the Flood Planning Area and is seeking to opt in to the 'special flood considerations' clause that relates to sensitive development within the area of the Probable Maximum Flood. This planning proposal does not seek to expand the permissibility of any sensitive development types.</p> <p><u>(b) the principles of the Floodplain Development Manual 2005</u></p> <p>The planning proposal is consistent with the principles of the Floodplain Development Manual 2005. Careful consideration has been given to Appendix J Floodplain Risk Management Options. Council's Development Control Plan Chapter 5.8.1 applies more detailed controls to development on flood prone land and captures land that has not yet been the subject of a flood study. The DCP includes property modification requirements, siting requirements, flood-proofing requirements, access and evacuation requirements, and requirements to consider climate change impacts that relate to sea level rise.</p> <p><u>(c) the Considering flooding in land use planning guideline 2021</u></p> <p>The planning proposal is consistent with the guideline. It is noted that the guideline details that Council is required to use the "Flood Planning Area" (FPA) category and associated standard instrument clause but has discretion in the use of the "Special Flood Considerations" (SFC) category. Currently Council uses the FPA category and is seeking to opt-in to the SFC category, however at this time the SFC clause is not in effect.</p> <p>The planning proposal does not seek to rezone land or increase the density of land, but it does seek to broaden the range of land uses that may be carried out on R2 and RU5 zoned land to include multi dwelling housing. Importantly, the planning proposal does not seek to increase the allowable floor space ratio but seeks to manage the cumulative impacts of non-permeable area by increasing the landscaped area control (as a percentage of lot size) on lots where multi dwelling housing is permitted.</p> <p>No part of the planning proposal seeks to permit sensitive uses on flood prone land (emergency services facilities, seniors housing, group homes, boarding houses, hostels, caravan parks, educational establishments, centre-based childcare facilities and hospitals).</p>
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	<p><u>(d) any adopted flood study and/or floodplain risk management plan prepared in accordance with the principles of the Floodplain Development Manual 2005 and adopted by the relevant council.</u></p> <p>The planning proposal is consistent with the principles of Council's adopted flood studies. Council has two adopted floodplain risk management plans:</p> <ul style="list-style-type: none"> • Bega and Brogo Rivers Floodplain Risk Management Study and Plan • Merimbula and Back Lake Floodplain Risk Management Study and Plan <p>The plans provide the same recommendation for re-development of existing residential properties, being that Flood Planning Levels (FPLs) should be set at the 1% AEP plus freeboard of 0.5m. Council's flood mapping has adopted this FPL, and Council's DCP requires that "all habitable rooms within residential development must be at or above the flood planning level".</p> <p>The plans recommend that for major re-developments of existing residential properties and new residential developments, FPLs should be set at the 1% AEP plus a freeboard of 0.5 m, taking into account climate change as appropriate to the design life of the development. Council's DCP requires that "all new subdivision or major development applications must include the impact of 0.9m sea level rise".</p> <p><u>(2) A planning proposal must not rezone land within the flood planning area from Recreation, Rural, Special Purpose or Conservation Zones to a Residential, Business, Industrial or Special Purpose Zones.</u></p> <p>Consistent. The planning proposal does not seek to rezone any land.</p> <p><u>(3) A planning proposal must not contain provisions that apply to the flood planning area which:</u></p> <p><u>(a) permit development in floodway areas,</u></p> <p><u>(b) permit development that will result in significant flood impacts to other properties,</u></p> <p><u>(c) permit development for the purposes of residential accommodation in high hazard areas,</u></p> <p><u>(d) permit a significant increase in the development and/or dwelling density of that land,</u></p> <p><u>(e) permit development for the purpose of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate,</u></p> <p><u>(f) permit development to be carried out without development consent except for the purposes of exempt development or agriculture. Dams, drainage canals, levees, still require development consent,</u></p> <p><u>(g) are likely to result in a significantly increased requirement for government spending on emergency management services, flood mitigation and emergency response measures, which can include but are not limited to the provision of road infrastructure, flood mitigation infrastructure and utilities, or</u></p> <p><u>(h) permit hazardous industries or hazardous storage establishments where hazardous materials cannot be effectively contained during the occurrence of a flood event.</u></p> <p>The planning proposal does not seek to change any of the requirements already in place under LEP 2013 or DCP 2013 that would result in adverse flooding outcomes.</p> <p>The proposed measures may be considered as increasing the dwelling density potential of the land, some of which is flood prone. Any development application proposing multi dwelling housing or subdivision on flood prone land</p>
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		<p>would be subject to a merit assessment including consideration of the flood planning requirements of LEP 2013 and DCP 2013. Therefore, the inconsistency is considered to be of minor significance.</p> <p><u>(4) A planning proposal must not contain provisions that apply to areas between the flood planning area and probable maximum flood to which Special Flood Considerations apply which:</u></p> <p><u>(a) permit development in floodway areas,</u></p> <p><u>(b) permit development that will result in significant flood impacts to other properties,</u></p> <p><u>(c) permit a significant increase in the dwelling density of that land,</u></p> <p><u>(d) permit the development of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate,</u></p> <p><u>(e) are likely to affect the safe occupation of and efficient evacuation of the lot, or</u></p> <p><u>(f) are likely to result in a significantly increased requirement for government spending on emergency management services, and flood mitigation and emergency response measures, which can include but not limited to road infrastructure, flood mitigation infrastructure and utilities.</u></p> <p>At this time, the new SFC clause is not in effect, and therefore this direction (previously referred to as Direction 7) does not apply.</p> <p><u>(5) For the purposes of preparing a planning proposal, the flood planning area must be consistent with the principles of the Floodplain Development Manual 2005 or as otherwise determined by a Floodplain Risk Management Study or Plan adopted by the relevant council.</u></p> <p>Consistent. The planning proposal does not seek to insert references to the flood planning area that vary from the established intent.</p>
4.2	Coastal Management	<p>Consistent. Some land in the R2 and RU5 zones is within the Coastal Environment Area and Coastal Use Area as identified by Chapter 2 of the <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>.</p> <p>The planning proposal does not seek to rezone land.</p> <p>The planning proposal does not seek to amend the maps associated with the Coastal Management Act 2016.</p>
4.3	Planning for Bushfire Protection	<p>In accordance with the Direction, Council will consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination and prior to undertaking community consultation, and take into account any comments made.</p> <p>This planning proposal is consistent with the objectives of the ministerial direction. The planning proposal applies to existing urban areas, some of which are mapped as being bushfire prone, and it is considered that all subsequent development will be able to meet the requirements of Planning for Bushfire Protection 2019. The planning proposal does not introduce provisions that place inappropriate developments in hazardous areas or prohibit bushfire hazard reduction with the Asset Protection Zone.</p> <p>The proposed landscape area controls require site area to be set aside with non-permeable surface treatments but does not stipulate plantings that would contravene the requirements of Planning for Bushfire Protection 2019.</p>
4.4	Remediation of Contaminated Land	<p>Consistent. The Planning Proposal does not seek to rezone land and does not detract from the objectives of this direction. Prior to any use or development occurring subject to a development application, land will need to be assessed</p>

		against Chapter 4, Clause 4.6 of the <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> .
4.5	Acid Sulfate Soils	<p>Inconsistent.</p> <p>The planning proposal seeks to permit multi dwelling housing with consent in the R2 zone, which may constitute an intensification of land uses. Some R2 zoned land to which this planning proposal would apply is mapped as being likely to contain class 2, 3 or 4 acid sulfate soils.</p> <p>However, the inconsistency is considered to be of minor significance, for the following reasons:</p> <ul style="list-style-type: none"> the planning proposal does not seek to increase the floor space ratio maps for the R2 zone, the planning proposal seeks to limit permissibility of multi dwelling housing in the R2 zone to lots larger than 900sqm, the planning proposal seeks to increase the landscaped area controls for R2 zoned land for lots larger than 900sqm from 35% to 40% (as a percentage of the lot size). <p>Therefore, the intensification is considered to be of minor significance.</p> <p>The planning proposal does not seek to introduce further provisions to regulate works in acid sulfate soils.</p>
5. Transport and Infrastructure		
5.1	Integrating Land Use and Transport	<p>Consistent. Specifically, the planning proposal supports the objectives of the Direction to: improve access to housing, jobs and services by walking, cycling and public transport; increase the choice of available transport and reduce dependence on cars; reduce travel demand including the number of trips generated by development and the distances travelled, especially by car; and support the efficient and viable operation of public transport services.</p> <p>The planning proposal is not inconsistent with the objectives of the Direction to provide for the efficient movement of freight.</p> <p>The planning proposal is consistent with the aims, objectives and principles of Improving Transport Choice – Guidelines for planning and development (DUAP 2001).</p>
5.2	Reserving Land for Public Purposes	Consistent. The planning proposal does not seek to create, alter or reduce existing zonings or reservations of land for public purposes.
6. Housing		
6.1	Residential Zones	<p>Consistent. Specifically, the planning proposal supports the objectives of the Direction to: encourage a variety and choice of housing types to provide for existing and future housing needs; make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services; and minimise the impact of residential development on the environment and resource lands.</p> <p>The planning proposal seeks to:</p> <ul style="list-style-type: none"> enable the creation of small lots, subject to being able to be serviced with reticulated water and sewerage infrastructure, reduce the minimum lot size in seweraged villages, with resultant subdivision being subject to development consent and requiring reticulated water and sewerage servicing, streamline the construction and subdivision of multiple dwellings, subject to being able to be serviced with reticulated water and sewerage infrastructure,

		<ul style="list-style-type: none"> • permit multi dwelling housing, with consent, in the R2 and RU5 zones, subject to being able to be serviced with reticulated water and sewerage infrastructure. <p>The planning proposal does not seek to reduce the permissible residential density of land.</p>
7.1	Business and Industrial Zones	Consistent. The planning proposal seeks to increase the overall provision of dwellings that are constructed to adaptable standards in the B2 and B4 zones. This would not result in any outcome that is inconsistent with the Direction.
8. Resources and Energy		
8.1	Mining, Petroleum Production and Extractive Industries	Consistent. The planning proposal does not seek to rezone land. Increasing the diversity of housing on existing R2 and RU5 zoned land would not compromise current or potential future extraction of any regionally significant reserves.
9. Primary Production		
9.3	Oyster Aquaculture	<p>Consistent. The planning proposal does not seek to rezone land or introduce any land uses that may result in adverse impacts on a Priority Oyster Aquaculture Area beyond that which is already permitted.</p> <p>The planning proposal seeks to reduce the minimum lot size in seweraged villages, which includes Candelo, Cobargo, Kalaru and Wolumla. None of these villages are located within close proximity of a Priority Oyster Aquaculture Area.</p>

C. Environmental, social and economic impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

The planning proposal is not site specific and applies to existing R2 Low Density Residential and RU5 Village zoned land. The planning proposal responds to the RL Strategy where it identifies that “Protecting important agricultural land, areas of high environmental value and managing risks associated with hazards and climate change limits opportunities for growth beyond existing urban areas and reinforces the need to utilise existing development capacity”.

It is not anticipated that the proposed amendments to LEP 2013 will adversely affect critical habitat or threatened species, populations or ecological communities, or their habitats.

Any development proposed subsequent to this planning proposal that may adversely affect critical habitat or threatened species, populations or ecological communities, or their habitats will be considered at the detailed development consent stage.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

It is not anticipated that there will be any adverse environmental effects because of this planning proposal. Future development will consider environmental impacts as part of the detailed development application process.

10. Has the planning proposal adequately addressed any social and economic effects?

The objective of the planning proposal is to implement the recommendations of the RL Strategy and AH Strategy to increase housing diversity and housing affordability throughout the Bega Valley Shire while protecting neighbourhood character. It is anticipated that the planning proposal will result in positive social and economic outcomes as housing diversity is increased and better responds to the needs of the residents of Bega Valley Shire.

The RL Strategy (2019) projects that an additional 2,618 dwellings are required to 2036 in a medium-growth scenario. The RL Strategy details that “Selected adjustments to current planning controls, such as minimum lot sizes, heights and required dwelling mix, would support housing diversity and more growth close to existing centres”.

The AH Strategy background papers provide an analysis of the social impact of the lack of affordable housing in the Bega Valley Shire, and this was reiterated in many of the submissions made during the public exhibition period. Availability of housing for people on low, very low and moderate incomes in the Bega Valley Shire is at a crisis point. The measures proposed in the strategy seek to support an increase in diversity of housing stock to meet the needs of people who live and work here. Significantly, the AH Strategy (2021) projects that an additional 2,500 affordable dwellings are needed by 2036. The AH Strategy identifies that only 25% of these affordable dwellings are likely to be met by the market without “...deep subsidies and/or the direct creation of affordable housing”. Further, given that approximately 70% of affordable dwellings will be for lone person and couple households, the AH Strategy details that facilitative mechanisms to increase housing diversity in existing towns would provide significant benefit.

Significantly, the RL Strategy includes a recommendation to review the adequacy, amount and quality of open space and public realm to support infill urban renewal strategies, and this work will be undertaken in a separate body of work.

D. Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The planning proposal is not site specific and applies to existing R2 Low Density Residential and RU5 Village zoned land that is generally adequately serviced with road, water, sewerage and stormwater infrastructure. All towns and sewered villages have some public transport (bus) services that connect to primary and high schools, and many urban areas have footpaths and shared paths.

The LSPS identifies that there are a variety of public spaces, natural reserves, parks, sporting facilities and playgrounds in all towns and villages throughout the Shire, although it is noted that the RL Strategy includes a recommendation to review the adequacy, amount and quality of open space and public realm in future implementation work.

Any development proposed subsequent to this planning proposal that may require upgrading of infrastructure will be considered at the detailed development consent stage, and will be subject to infrastructure contributions in accordance with Council's existing policies.

12. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?

Council will consult with the relevant State and Commonwealth authorities in accordance with the conditioning of the Gateway Determination.

Part 4 – Mapping

The planning proposal will require the amendment to the following LEP 2013 map sheets:

- Bega Valley Local Environmental Plan 2013 – Floor Space Ratio Map – Sheet FSR_011A
- Bega Valley Local Environmental Plan 2013 – Floor Space Ratio Map – Sheet FSR_012B
- Bega Valley Local Environmental Plan 2013 – Floor Space Ratio Map – Sheet FSR_017A
- Bega Valley Local Environmental Plan 2013 – Floor Space Ratio Map – Sheet FSR_019
- Bega Valley Local Environmental Plan 2013 – Floor Space Ratio Map – Sheet FSR_019B
- Bega Valley Local Environmental Plan 2013 – Lot Size Map – Sheet LSZ_011A
- Bega Valley Local Environmental Plan 2013 – Lot Size Map – Sheet LSZ_012B
- Bega Valley Local Environmental Plan 2013 – Lot Size Map – Sheet LSZ_017A
- Bega Valley Local Environmental Plan 2013 – Lot Size Map – Sheet LSZ_019
- Bega Valley Local Environmental Plan 2013 – Lot Size Map – Sheet LSZ_019B

Part 5 – Community Consultation

Community engagement to date

Bega Valley Shire Residential Land Strategy 2040

Community engagement for the *Bega Valley Shire Residential Land strategy 2040* was carried out in accordance with Council's Community Engagement Strategy and Community Engagement and Communications Toolkit.

The project was assessed to be Level 2 – Consult on the IAP2 spectrum. Stakeholders involved in the development of the draft Strategy included landowners, housing advocacy groups, real estate agents, development industry representatives, interested community members and Councillors. A meeting with affordable housing advocates was held and interviews conducted with landowners, developers and real estate agents throughout the Shire. Staff from across Council, including strategic planning, water and sewer services, and strategic assets were also consulted.

Formal public exhibition of the draft Strategy took place over a 13-week period from 16 December 2019 to 15 March 2020. All individuals and groups that participated in the development of the draft Strategy, as well as the local development professionals group were notified directly and notices were placed in the local newspaper, Council News and on Council's social media channel. Hard copies of the draft Strategy were placed in all Council libraries as well as several post offices in villages during the exhibition period.

Sixteen submissions were received during the exhibition period. Submissions were received via email, letter and comments on the 'Have your Say' section of Council's website and several changes based on the submissions received were incorporated into the adopted Strategy.

Bega Valley Shire Affordable Housing Strategy

The draft strategy was developed with oversight from a Project Reference Group comprised of Councillor Fitzpatrick, Councillor Griff and former Councillor Dodds, representatives from Southern Cross Housing, Social Justice Advocates, Regional NSW and Council staff. Further engagement was undertaken with key representatives of the local affordable housing group, government and non-government housing agencies, real estate agents and the development industry through workshops and engagement pieces.

Councillors have participated in four briefings on the project.

The draft strategy and background papers were placed on public exhibition from 4 November 2021 to 6 February 2022. Over the consultation period feedback was received from the community and other stakeholders, including social and community housing providers. In total 46 submissions were received, including four submissions by Council staff. This feedback was collated, summarised and cross referenced against actions in the draft strategy.

Submissions ranged from personal accounts to detailed responses on planning matters. Responses demonstrated an overwhelming support for the strategy.

Submissions provided further evidence of the social and economic impact of the lack of affordable and emergency housing. Many of the accounts gave examples of personal experiences of housing insecurity and the impact on older people, families with children, and single parents. Accounts also included small business owners who were unable to secure housing for themselves and/or their staff.

Key themes relevant to this planning proposal which emerged from the feedback were:

- a strong sector and community willingness to partner and collaborate in local solutions
- recognition that all levels of government have a role to play
- support for proposed changes to density, dwelling type, dwelling mix and height controls, and calls for alternative housing options such as housing co-operatives, land trust models and multi-generational housing to be explored and facilitated

Substantive changes to the draft Strategy ensued.

The strategy recommends ongoing engagement with stakeholders including social housing providers, philanthropists and state and federal government agencies and recommends an Affordable Housing Implementation Group be established to monitor and drive outcomes.

Bega Valley Shire Local Strategic Planning Statement 2040

The relevant content of the *Bega Valley Shire Residential Land strategy 2040* was incorporated into the Planning Priority for Housing in the draft *Bega Valley Shire Local Strategic Planning Statement 2040* (LSPS). The LSPS was publicly exhibited from 23 March to 3 May 2020. Notices were placed in the local newspapers, Council News, Council's website and on Council's social media channel. Email notifications were sent to the development professional group, Local Aboriginal Land Councils, government agencies, Chambers of Commerce, participants in the development of the Commercial and Residential Land Strategies and general community contacts including schools and service, tourism and sporting groups. Due to Covid-19 restrictions, hard copies of the draft LSPS were not made available.

Submissions were received via email and online via the 'Have your Say' section of Council's website. In addition, an online survey was hosted on Council's website, which collected a range of comments and measured support for directions in the LSPS as well as ranking planning priorities. A large number of changes based on the survey responses and submissions received were incorporated into the adopted LSPS, however none of the changes impacted on the recommendations of the *Bega Valley Shire Residential Land strategy 2040*.

Community engagement planned

Community consultation for this planning proposal will be consistent with the requirements of the Gateway Determination and the consultation guidelines contained in the NSW Government's *Local Environmental Plan Making Guideline* (December 2021).

Public exhibition of the planning proposal will include notification on the Bega Valley Shire Council website. Information relating to the planning proposal will also be on display at the following Bega Valley Shire Council customer service centres subject to COVID-19 restrictions:

Place	Address
Bega	Zingel Place Civic Centre, Bega NSW 2550
Tura Beach	Murrang Library, Tura Beach Drive, Tura Beach 2548
Eden	Cnr Imlay and Mitchell St, Eden NSW 2551
Bermagui	Bunga St Library, Bermagui NSW 2546

At the conclusion of the public exhibition, a report will be prepared and reported back to Council to allow for the consideration of any submissions received from the community.

Part 6 – Timeline

The project timeline will assist with tracking the progress of the planning proposal through the various stages of consultation and approval. It is estimated that the amendments to LEP 2013 will be completed by February 2023.

Council requests delegation to be the Local Plan-Making Authority (LPMA) in relation to this proposal. Delegation would be exercised by Council's General Manager or Director of Planning and Environmental Services. The planning proposal is a "Standard" Planning Proposal, and the approximate project timeline is outlined in the following table:

Key Stages of consultation and approval	Estimated timeframe
STAGE 1 – Pre-lodgement	NA
STAGE 2 – Planning Proposal – Submit to Department	May 2022
STAGE 3 – Receive Gateway Determination	June 2022
STAGE 4 – Post-Gateway (action conditions of Gateway Determination)	July-August 2022
STAGE 5 – Commencement of public exhibition period	September 2022
STAGE 5 – Consideration of submissions received	October-November 2022
STAGE 5 – Council Report	December 2022
STAGE 6 – Finalisation	January-February 2023

Appendix A: Draft amendments to Bega Valley Development Control Plan