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Sent: Thursday, January 23, 2025 8:02:42 AM

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Subject: Feedback on planning proposal for Lot 5 DP 750207 and Lot 1 DP 130034

Hi [REDACTED],

Thankyou for submitting the planning proposal to enable rural residential development at Lot 5 DP 750207 and Lot 1 DP 130034.

The Strategic Planning team have assessed the application and have identified some issues that require resolution for staff to support the planning proposal.

As discussed, we are targeting the Council meeting of 19 February 2025 to report to Council.

The deadline for completing this report is Wednesday 29 January. Any changes to the planning proposal and supporting reports need to be made in time for staff review before this date.

Prior to the planning proposal being reported to Council the following issues need to be addressed:

1. The planning proposal contains several inconsistencies with the supporting specialist reports in relation to the area proposed for rezoning, indicative lot layout, dwelling envelopes and OSSM disposal areas. The planning proposal must be amended to include a constraints map that combines this information to demonstrate that dwellings are likely to be supported within the proposed lots.
2. The proposal to rezone the whole of Lot 5 DP 750207 and Lot 1 DP 130034 and apply a 1ha minimum lot size would yield a theoretical yield of 12 lots, however the planning proposal documentation is based around provision of 6 rural residential lots. The planning proposal must be amended to enable a yield that is likely to be achievable on the land as demonstrated by the supporting studies. The planning proposal must also clearly identify what part of Lot 5 DP 750207 is subject to the rezoning proposal.
3. Under [Bega Valley Local Environmental Plan 2013 \(LEP\)](#) the pathway to achieve a subdivision like that proposed in the current planning proposal is as follows:
 - Subdivide the land under clause 4.2F into two parcels. The parcel containing the residue of the RU2 land must include a portion of R5 land equal to the minimum

lot size to enable a dwelling. Note this clause does not apply to the C4 zone. Please refer to the original planning proposal attached for examples of the application of Clause 4.2F.

- Subdivide the remaining R5 zoned land under clause 4.1B. This will enable a range of lot sizes above and below the minimum lot size. Note, if not using lot averaging then this stage is not required.
 - A portion of the remaining RU2 zoned land can then be transferred afterward to a neighbouring parcel via a boundary adjustment.
4. The FIRA must be updated to address risk to dwellings as the subdivision will enable residential development. The objective of the planning proposal is to demonstrate that development enabled by the amendment of the LEP is likely to be achievable. In addition to NSW Government requirements, the FIRA will also need to demonstrate compliance with Council's DCP flooding provisions. Please note that the Department of Planning, Housing and Infrastructure is currently extremely risk adverse about flood risk. The importance of addressing this risk adequately and thoroughly in the FIRA and planning proposal cannot be overstated and is highly likely to influence the success of the planning proposal. It is recommended that locating all R5 zoned land outside the PMF is considered.

Please contact me for clarification of any of these issues.

Regards, [REDACTED]



[REDACTED]
[REDACTED]

PO Box 492, Bega NSW 2550

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We wish to acknowledge the Traditional Custodians of the lands, airspace and waters of the Shire
and show our respect to elders past and present.

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