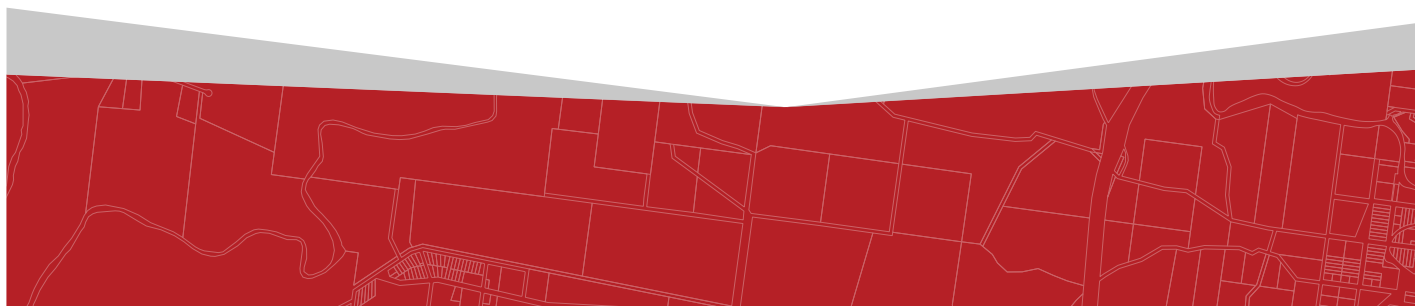




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through the Regional Housing Strategic
Planning Fund in association with Bega Valley
Shire Council



Acknowledgement of Country

We, ADW Johnson, acknowledge the Traditional Custodians of the land where we live and work, the country of Awabakal, Darkinjung and the Eora Nation.

We recognise their continuous connection to the land and waters of our beautiful regions. We pay our respects to Aboriginal and Torres Strait Islanders Elders past, present and emerging.

Artwork created by Joe Griffin, a proud Aboriginal man, descendant of the Awabakal people.

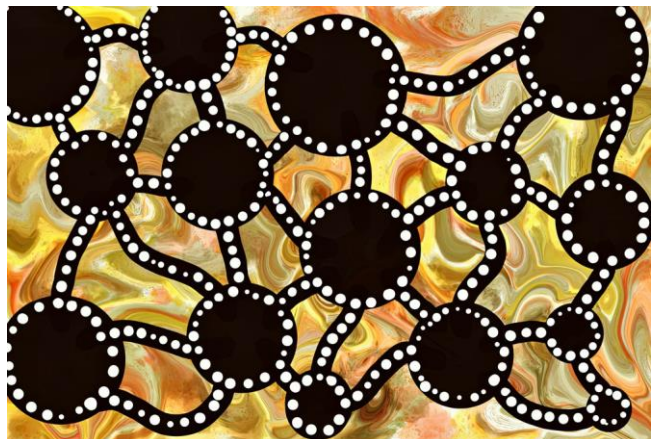


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Appendices

Appendix A - response to matters raised by public authorities as part of the scoping process

Appendix B - Bega Valley Shire Affordable Housing Contributions Scheme (the Scheme)

Appendix C - Draft LEP maps

Appendix D - Land Use Conflict Risk Assessment (LUCRA)

Appendix E - Assessment of future water supply/demands and impacts on additional groundwater extraction on agricultural uses/users

Appendix F - Traffic and Transport Assessment

Appendix G - Supplementary assessment of the potential biodiversity impacts

Appendix H - Economic Impact Assessment

Appendix I - Preliminary Site Investigation Assessment (Land contamination)

Appendix J - Flooding Assessment

Appendix K - Strategic bushfire study

Appendix L – Aboriginal Cultural Heritage Assessment report

1 Introduction

1.1 Purpose of the Planning Proposal

This planning proposal is submitted in support of an amendment to Bega Valley Local Environmental Plan 2013 (Bega LEP 2013). The proposal is to rezone 279.4-hectare (ha) parcel of land south of the existing Bega Central Business District (CBD) to accommodate future urban development including residential, commercial and retail uses and open space. The proposal is generally consistent with the Bega Structure Plan which was endorsed by the Bega Valley Shire Council (Council) on 12 June 2024.

The land to which the planning proposal relates comprises three (3) precincts:

- Eastern Precinct – 159.4 ha area is generally bound by Boundary Road to the north, Tathra Road to the east and the Princes Highway to the west. The eastern precinct currently comprises a mix of large lot residential and rural land.
- Central Precinct – 11.5 ha area generally bound by Newton Road to the east, East Street to the west and Corkhill Place to the south. The central precinct is currently characterised by light industrial and retail uses.
- Western Precinct – 108.5 ha area situated to the west of the Bega River and east of the Princes Highway. This precinct is largely undeveloped with pockets of large-lot residential development.

Together these three (3) precincts make up the Bega urban release area and land to which the planning proposal relates (refer to **Figure 1**).

The proposal also seeks to amend Bega LEP 2013 to give effect to the Bega Valley Affordable Housing Contribution Scheme (AHCS) and introduce new clauses and a map layer to allow Council to impose conditions of consent on new development within the urban release area for contributions for affordable housing.

Like many other rural and regional areas in NSW the COVID-19 pandemic resulted in an increase in population to Bega. This was due to a range of factors including lifestyle opportunities, cost of living pressures, flexible working employment arrangements involving work from home, tourism and agriculture. Recent subdivision applications have also created a shortage of greenfield land for future residential uses and a housing shortage for both purchase and for rent. The shortage of housing for key workers in particular is now affecting the local economy as businesses and service organisations are unable to recruit in part due to lack of suitable and affordable homes for key workers including teachers, police and health professionals. Together these factors have accelerated the need to plan for additional housing in the short and long term.

The planning proposal will facilitate the delivery of around 2,230 dwellings within the Bega urban release Area including opportunities for affordable housing to meet identified demand for existing and emerging residential accommodation types in the Bega Valley Shire over the next 25-30 years. This includes opportunities for downsizing and for existing residents to age in place.

The planning proposal includes additional open space (local parks and sporting fields) and the establishment of two smaller neighbourhood centres within proximity to future residential and employment areas - to serve the needs of existing and future residents who live and work in the vicinity of these neighbourhoods without compromising the viability of the existing Bega CBD.

The planning proposal is based on plans and information provided by Council officers, ADW Johnson, GHD Consulting, Minesoils and NGH and other supporting technical documents. It has been prepared in accordance with the NSW Department of Planning, Housing and Infrastructure (DPHI) Local Environmental Plan Making Guideline (August 2023) and includes the following:

- Part 1 – Objectives and intended outcomes – a statement of the objectives of the proposed LEP.
- Part 2 – Explanation of provisions – an explanation of the provisions that are to be included in the proposed LEP.
- Part 3 – Justification of strategic and site-specific merit – justification of strategic and potential site-specific merit, outcomes, and the process for implementation.

- Part 4 – Maps – maps, where relevant, to identify the effect of the planning proposal and the area to which it applies.
- Part 5 – Community consultation – details of the community consultation that is to be undertaken on the planning proposal.
- Part 6 – Project timeline – project timeline to detail the anticipated timeframe for the LEP making process in accordance with the benchmarks in this guideline.

The planning proposal addresses the matters that must be addressed as set out in section 3.33(3) of the *Environmental Planning and Assessment Act 1979* (the EP&A Act).

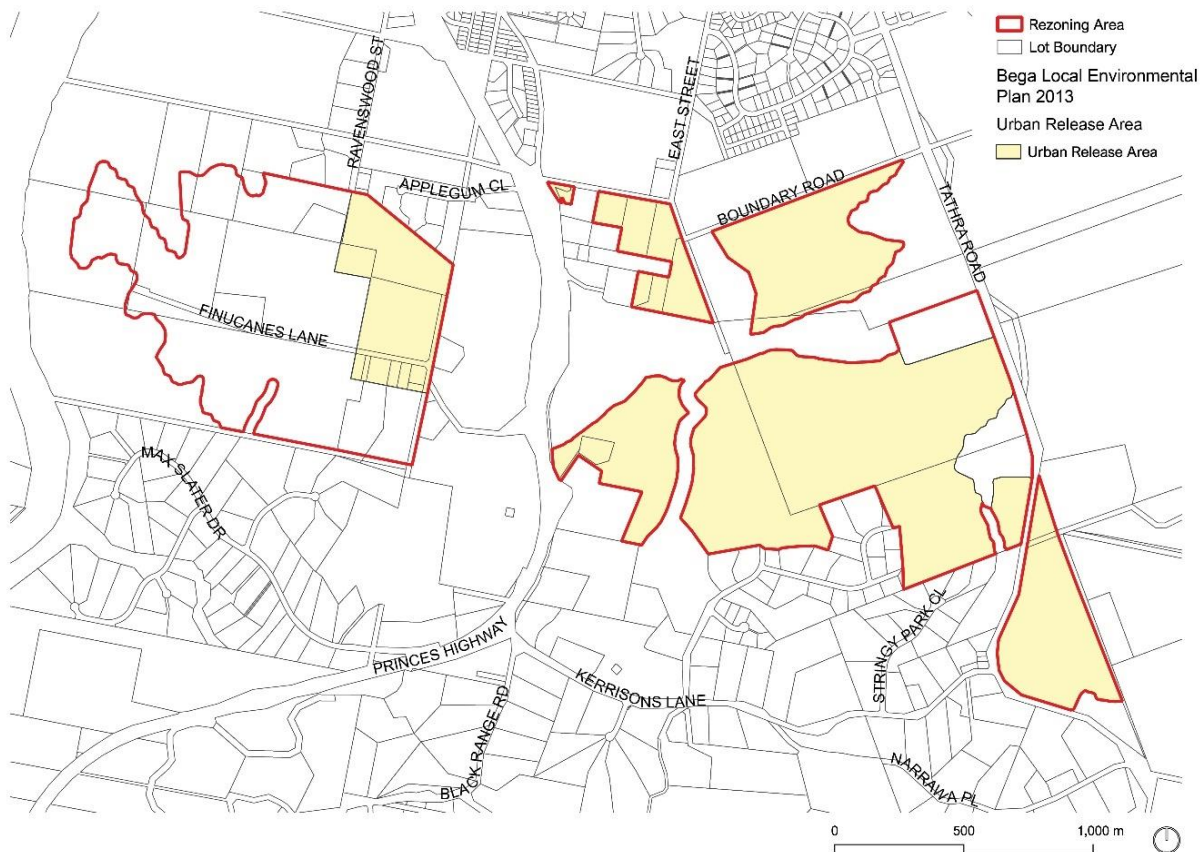


Figure 1 – Bega Urban Release Area and land to which the planning proposal relates

1.2 Background

Bega Structure Plan

The Bega Structure Plan sets out a strategic planning framework to guide future land use and development in the Bega Valley for land south of the Bega CBD over the next 25-30 years (refer to **Figure 2**). It was developed by specialist consultants in consultation with Council, government agencies, land owners and the local community. The plan was also informed by a recreation needs assessment, economic impact assessment, preliminary biodiversity mapping, a preliminary contaminated land assessment and a preliminary Aboriginal Heritage Assessment that were delivered as part of the project and structure plan.

The draft Bega Structure Plan was exhibited from 3 November to 3 December 2024. A total of 228 survey responses were received. In addition to the survey feedback, 17 other public submissions were received. Feedback to the draft Bega Structure Plan survey indicated strong support for provision of more housing supply and allocating more land to housing in the Bega Valley Shire. There is support for a variety of housing types in the urban release area, not just detached dwellings. Walking and cycling connections from the proposed new development to the Bega CBD was also important to respondents. The three (3) highest priorities for new housing areas in Bega were: protecting and enhancing natural features, amenity and character; efficient use of land and infrastructure; and sustainable development to manage growth. The Bega Structure Plan was formally endorsed by Council on 12 June 2024.

To achieve the vision for Bega Valley as set out in the Structure Plan changes to the local planning framework including changes to land use zones and controls is required. This involves an amendment to Bega LEP 2013 and other supporting documents including a future development control and development contribution plan. The planning proposal seeks to implement the outcomes of the Bega Structure Plan in relation to rezoning areas identified for future growth.



Figure 2 – Endorsed Bega Structure Plan

Scoping Proposal and Consultation

Following formal endorsement of the Bega Structure Plan in June 2024, Council officers prepared and submitted a scoping proposal to DPHI. The preparation of a scoping proposal is the first step in the rezoning process. Feedback from the DPHI and other government agencies and authorities including Transport for NSW (TfNSW), NSW Environment and Heritage, NSW Department of Primary Industries and Rural Fire Service was provided to Council. This feedback has informed additional technical investigations and the content and outcome of the planning proposal. A detailed response to the matters raised by government agencies and authorities as part of the scoping process is provided in **Appendix A**.

The NSW Government agreed to fund development of the rezoning application (planning proposal) to implement the recommended amendments to Bega LEP 2013 from the Bega Structure Plan through Round 2 of the Regional Housing Strategic Planning Fund.

1.3 Future Consultation

In accordance with Section 3.33(2) of the EP&A Act, details of proposed consultation undertaken with Government agencies and authorities and community consultation that is to be undertaken on the planning proposal post Gateway (should this occur) and during public exhibition is provided below. The community consultation program includes:

- Letters to individual land owners, residents and tenants advising of the exhibition and how to make a submission.
- Advertising through local media to inform the community that the exhibition has started, how long it will run, how information can be obtained and how to make a submission.
- Media Releases providing the above information.
- Newspaper articles.
- Fact sheets available at exhibition points highlighting key features of the Planning Proposal, the closing date for the exhibition and how to make a submission.
- Targeted consultation with relevant public authorities.
- Staff available to answer enquiries.

A number of supporting documents will be exhibited with the Planning Proposal to assist in understanding the planning documents. The supporting documents will include fact sheets and technical studies and supporting documentation.

A proposed draft list of stakeholders is included below.

- Transport for NSW;
- NSW Department of Climate Change, Energy, the Environment and Water – Heritage;
- NSW Department of Climate Change, Energy, the Environment and Water – Licensing and Approvals;
- NSW Department of Climate Change, Energy, the Environment and Water – South East Biodiversity, Conservation and Science;
- NSW Department of Primary Industries – Agriculture;
- NSW Department of Primary Industries – Fisheries;
- NSW Environmental Protection Authority;
- NSW Rural Fire Service;
- NSW State Emergency Services;
- Southern NSW Local Health District; and
- Transgrid.

1.4 Timeframes

Key milestones for the planning proposal are set out below:

Stage	Timeframe and/or date
Consideration by council	21 May 2025
Council decision	21 May 2025
Referral of planning proposal to DPHI for a Gateway determination	28 May 2025 (subject to Council resolution)
Gateway determination	30 July 2025 (based on complex planning proposal, 45 days)
Pre-exhibition	14 weeks (70 days)
Commencement and completion of public exhibition period [#]	5 November – 3 December 2025 (based on complex planning proposal, 30 days)
Consideration of submissions	3 December 2025 – 30 January 2026
Post-exhibition review and additional studies	3 December 2025 – 13 March 2026
Council decision – post exhibition	15 April 2026
Submission to the Department for finalisation (where applicable)	24 April 2026 (subject to Council resolution)
Gazettal of LEP amendment [#]	31 July 2026 (based on complex planning proposal, 70 days)

2 Site Analysis

2.1 Site Location and Context

Bega Valley Shire Local Government Area (LGA) is located in the south-eastern corner of NSW, and is located centrally between Sydney and Melbourne, being some 5 to 6-hour drive from both locations (refer to **Figure 3**). Bega CBD is identified as a strategic centre and services its surrounds to provide health, education, government, retail, industrial and other important services to the community. Being home to the South East Regional Hospital, the University of Wollongong and Bega TAFE, the centre offers a competitive advantage for research and innovation in existing agricultural and manufacturing industries.

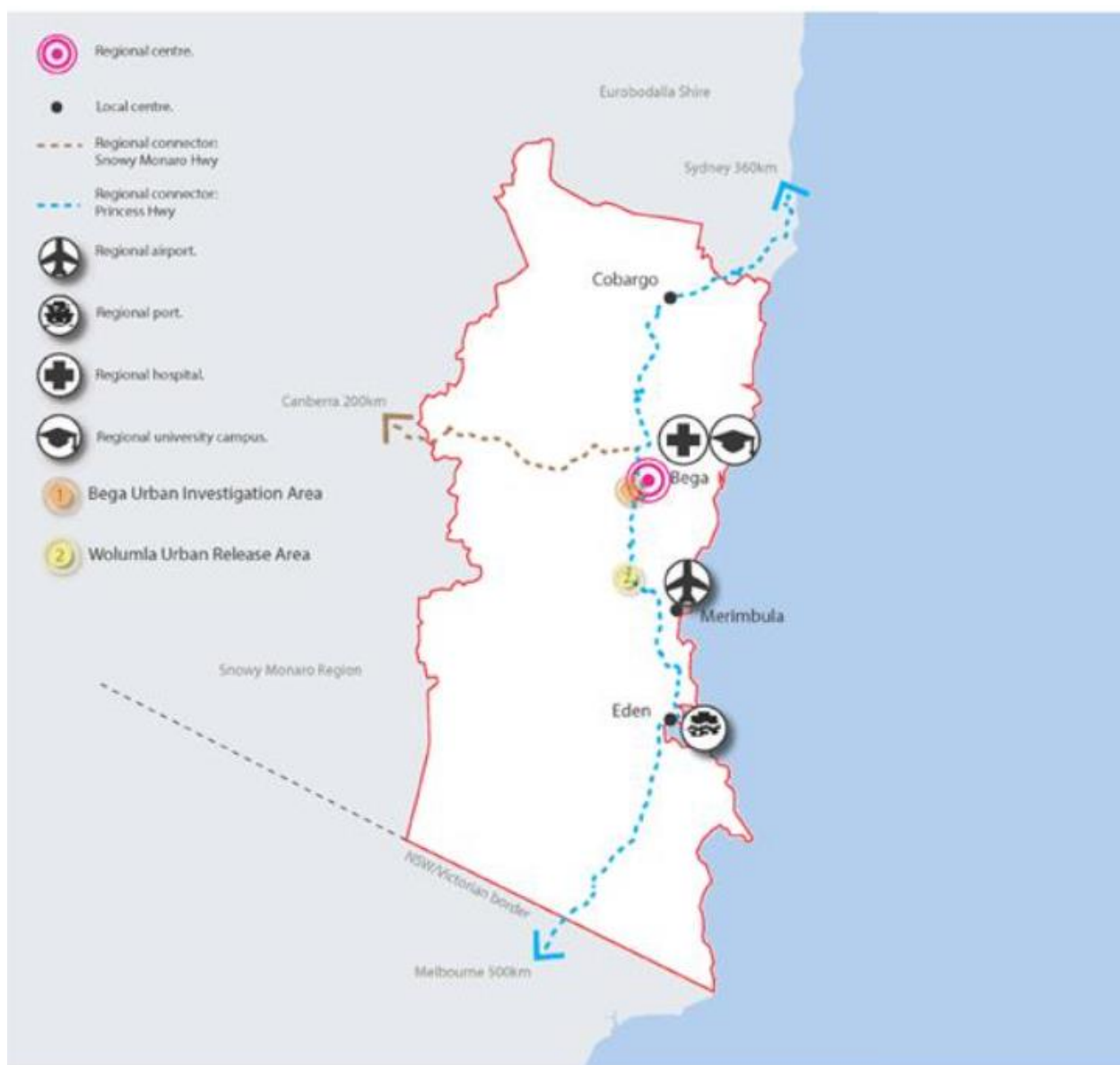


Figure 3 – Location and context

The Bega Urban Release Area (and land to which the Planning Proposal relates) is to the south of the existing Bega CBD. The urban release area covers some 279.4ha and generally consists of three (3) precincts:

- Eastern Precinct (covering 159.4ha) is generally bound by Boundary Road to the north, Tathra Road to the east and the Princes Highway to the west and comprises low - lying rural production land which is flood affected to its east. There is established detached residential development and the new Bega – South East Regional Hospital.
- Central Precinct (covering 11.5ha) to the north-west of the eastern precinct is bound by Newton Road to the east, East Street to the west and Corkhill Place to the south. This precinct currently contains a combination of light industry, commercial and rural residential land uses and has been identified for its development opportunities for uses which are complimentary to the regional hospital and light industry.
- Western Precinct (covering 108.5ha) is situated to the west of the Bega River and east of the Princes Highway. This precinct is largely undeveloped, with some pockets of large lot residential development and historic rural living / industries on large parcels.

2.2 Existing and surrounding land uses

The urban release area has predominantly been historically utilised for agricultural practices with evidence of broad native vegetation removal and/or modification resulting from extensive clearing and agricultural land use (refer to **Figure 4**). The urban release area comprises a mix of uses, ranging from industrial, primary production, rural landscape, community uses (school, place of worship, cemetery, open space) and large lot / rural residential uses.

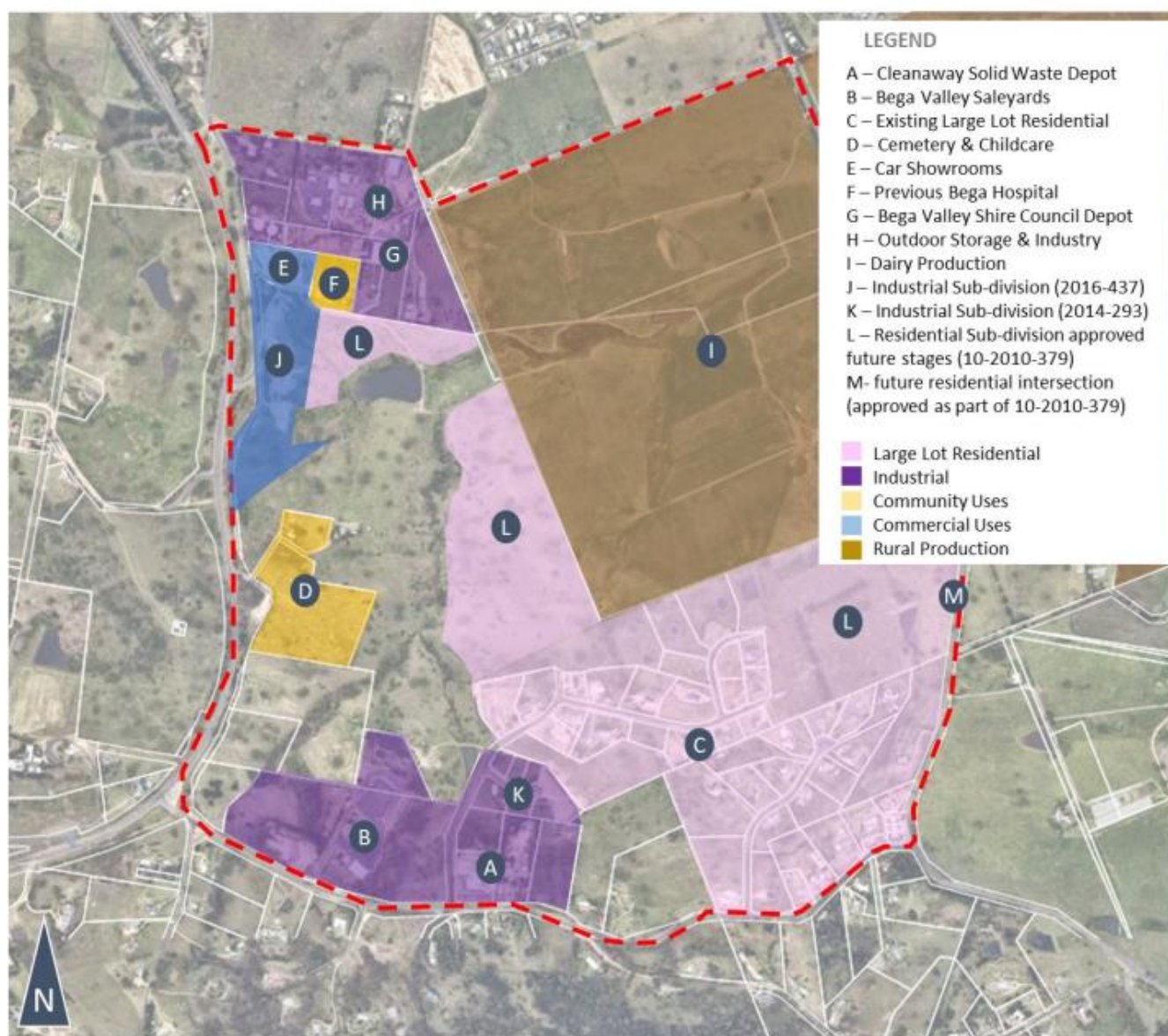


Figure 4 – Existing and surrounding land uses

2.3 Future Context

The region's population characteristics are forecast to undergo change. Underlying demand for additional housing is based on the NSW population projections. A mix of well-planned infill and greenfield residential development is essential for Bega and the broader region. Planning for affordable, quality homes in the right locations also requires planning for greater housing diversity to attract and retain younger residents while supporting people who want to stay in their local area as they get older. These factors are further extrapolated for those working in healthcare, education and other services. Strategic centres like Bega are a logical focus for growth and investment, given it is well serviced by utilities, public transport, walking and cycling infrastructure, education, health and community infrastructure, as well as shopping, community and commercial services. Housing diversity includes aspects such as lot sizes, the number of bedrooms and accessibility for seniors, students or people with a disability. People may need homes of a certain size, configuration, accessibility or location – housing diversity gives more people more options at different stages of life.

2.4 Land Ownership and Legal Description

The land to which the planning proposal relates is detailed in **Table 1**.

Table 1 – Land to which the planning proposal applies

Address	Lot / DP
Eastern precinct	
Address	Lot / DP
Tathra Road BEGA	PTL Lots 1 & 2 DP 1101354 and PTL 1 DP 1164038
1360 Tathra Road BEGA	Lot 2 DP 524618
361 Princes Highway BEGA	Lot 2431 DP 79375
Spanish Oaks Drive BEGA	PTL Pt 9 DP 1260384
Western precinct	
Address	Lot / DP
49 Finucanes Lane BEGA	Lot 582 DP 833035
51 Finucanes Lane BEGA	Lot 581 DP 833035
55 Finucanes Lane BEGA	Lot 72 DP 812308
61 Finucanes Lane BEGA	Lot 71 DP 812308
67 Finucanes Lane BEGA	Lot 73 DP 812308
69 Finucanes Lane BEGA	Lot 74 DP 812308
74 Finucanes Lane BEGA	Lot 1 DP 124058
83a Finucanes Lane BEGA	Lot 70 DP 878662 and PLT 20 DP 1219302
83b Finucanes Lane BEGA	Lots 6 & 7 DP 986507
126 Finucanes Lane BEGA	Lot 71 DP 878662
160 Finucanes Lane BEGA	Lot 1 DP 78322
178 Finucanes Lane BEGA	PTL 1 DP 195102
198 Ravenswood Street BEGA	Lot 52 DP 836485 and Part Lots 7, 8 & 9 DP 799413
200 Ravenswood Street BEGA	Lot 51 DP 836485
55 Applegum Close BEGA	Lot 2 DP 613365
Central precinct	
Address	Lot / DP
99 Boundary Road BEGA	Lot 242 DP 750190
163 Boundary Road BEGA	Lots 7005 & 7006 DP 1057325
Corkhill Place BEGA	Lots 2 & 3 DP 1077434
121 Boundary Road BEGA	Lot 240 DP 750190
133 Boundary Rd BEGA	PTL Lot 239 DP 750190

2.5 Current zoning and development standards

The land to which the planning proposal relates is currently zoned a mix of RU1 Primary Production, RU2 Rural Landscape, R5 Large Lot Residential and E3 Productivity Support under Bega LEP 2013 (refer to **Figure 5**). Within the RU1 and RU2 zones, development for the purpose of dwelling houses and dual occupancies are permitted with development consent. Within the R5 Large Lot Residential zone, only dwelling houses are permissible with development consent.

The minimum lot size varies from 120ha on RU1 zoned land, to 20ha for RU2 zoned land and between 0.5ha – 3ha on land zoned R5 Large Lot Residential.

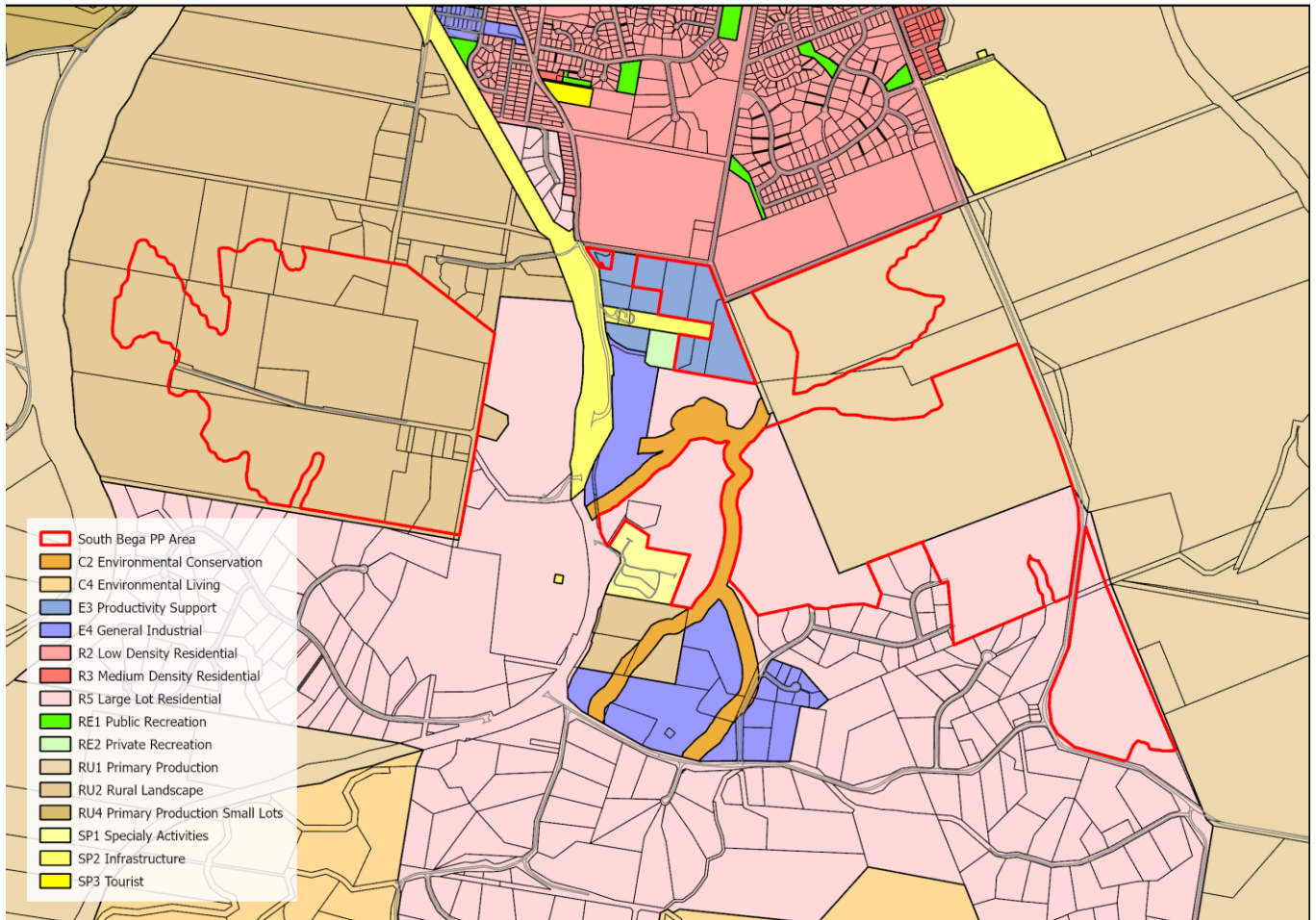


Figure 5 – Extract of existing Zoning Map

2.6 European Heritage

The urban release area (and land to which the planning proposal relates) does not include any local or State items of environmental heritage or conservation area under Bega LEP 2013. There are three (3) items within proximity to the urban release area. These are:

- Bega Cemetery (Listing No: I657)
- The Old Bega Hospital (Main building and outbuildings) (Item: 009); and
- Warragaburra Homestead (I002).

The location of the sites is provided within **Figure 6**.

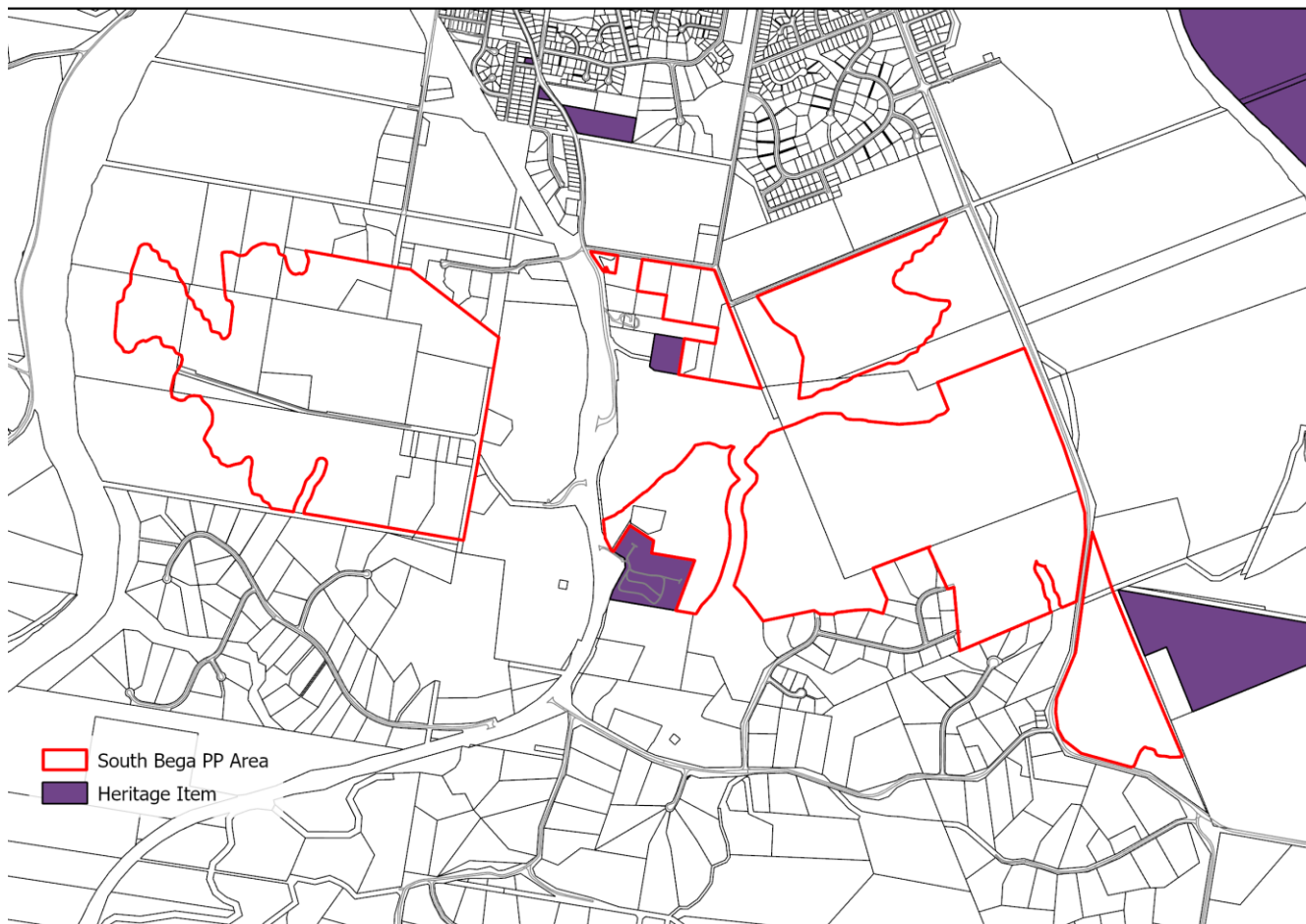


Figure 6 – Mapped heritage items under Bega LEP 2013

2.7 Aboriginal Cultural Heritage

The landscape south of Bega CBD is a culturally significant landscape to the Djirringanj people. The area includes the biggest trading ground in the region and was a prime hunting ground as well. There are very significant ceremonial sites in the area. Preliminary archaeological sensitivity mapping was undertaken by NGH to inform the Bega Structure Plan and identify landforms and areas of high, moderate and low archaeological sensitivity and potential constraints to future urban development (refer to **Figure 7**). The assessment process was primarily a desktop analysis using available information including Aboriginal Heritage Information Management System (AHIMS) search results and relevant archaeological reports to develop or refine a model of Aboriginal site prediction based on the type of activity proposed and the level of disturbance of the area. Consultation with local Aboriginal community groups was also undertaken.

For the purpose of preliminary sensitivity mapping, heritage constraint categories are defined as:

- Low - Low potential to encounter large and significant sites and therefore minimal impacts anticipated on Aboriginal Heritage. At a minimum a visual inspection is required as part of a Due Diligence Assessment.
- Moderate - Moderate potential to encounter large and significant sites. Impacts should be minimised, where possible. Further assessment and visual inspection required.
- High - High potential to encounter large and/or significant sites. Avoid if possible. Further assessment and visual inspection required.

As land within the urban release area is redeveloped, visual inspections, ground truthing and additional consultation with local Aboriginal community groups will need to be undertaken to confirm the archaeological potential of land within the urban release area.

As shown in **Figure 7**, land within the urban release area (and land to which the planning proposal relates) is identified as a mix of moderate and high sensitivity.

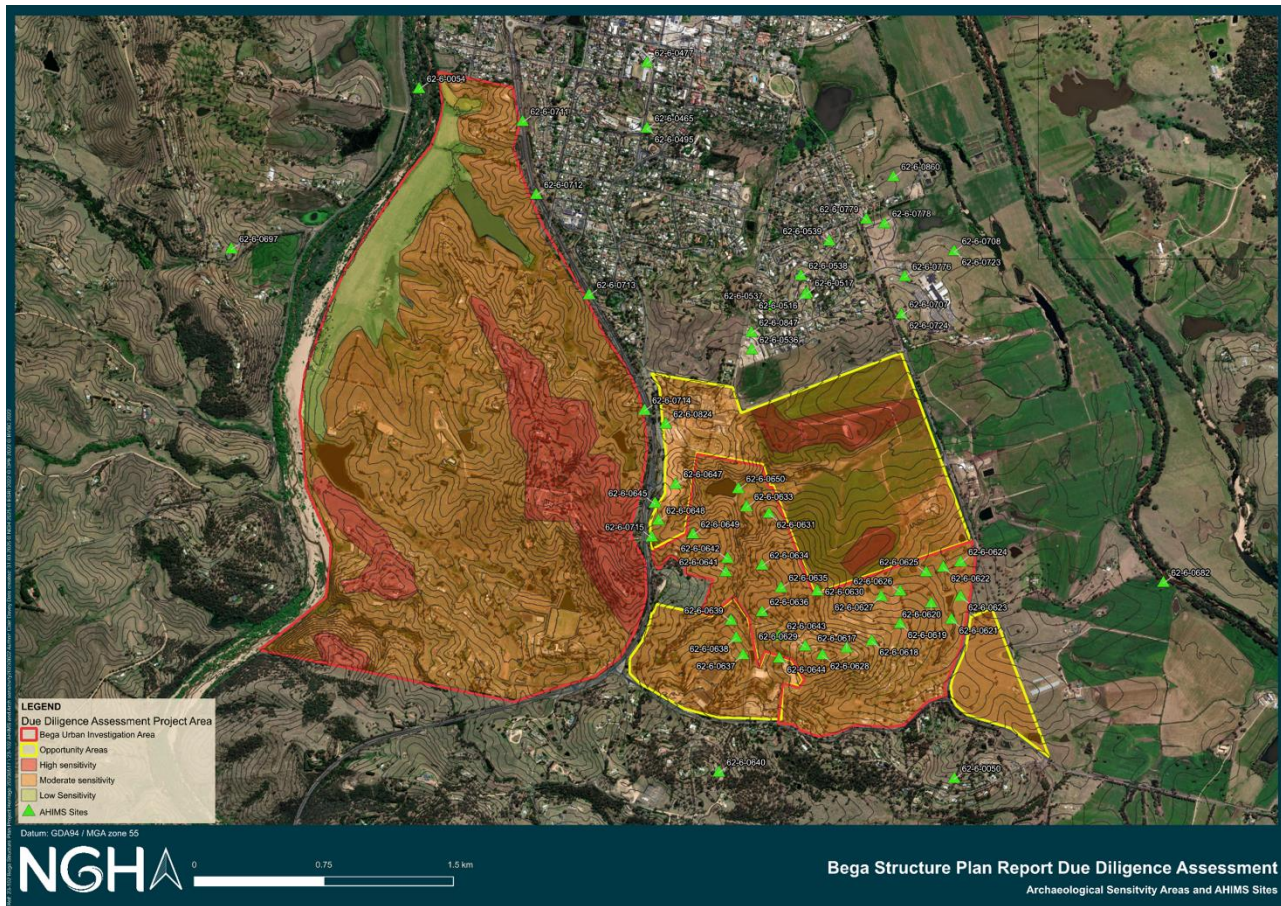


Figure 7 – Assessed archaeological sensitivity within the study area (source: NGH, September 2023)

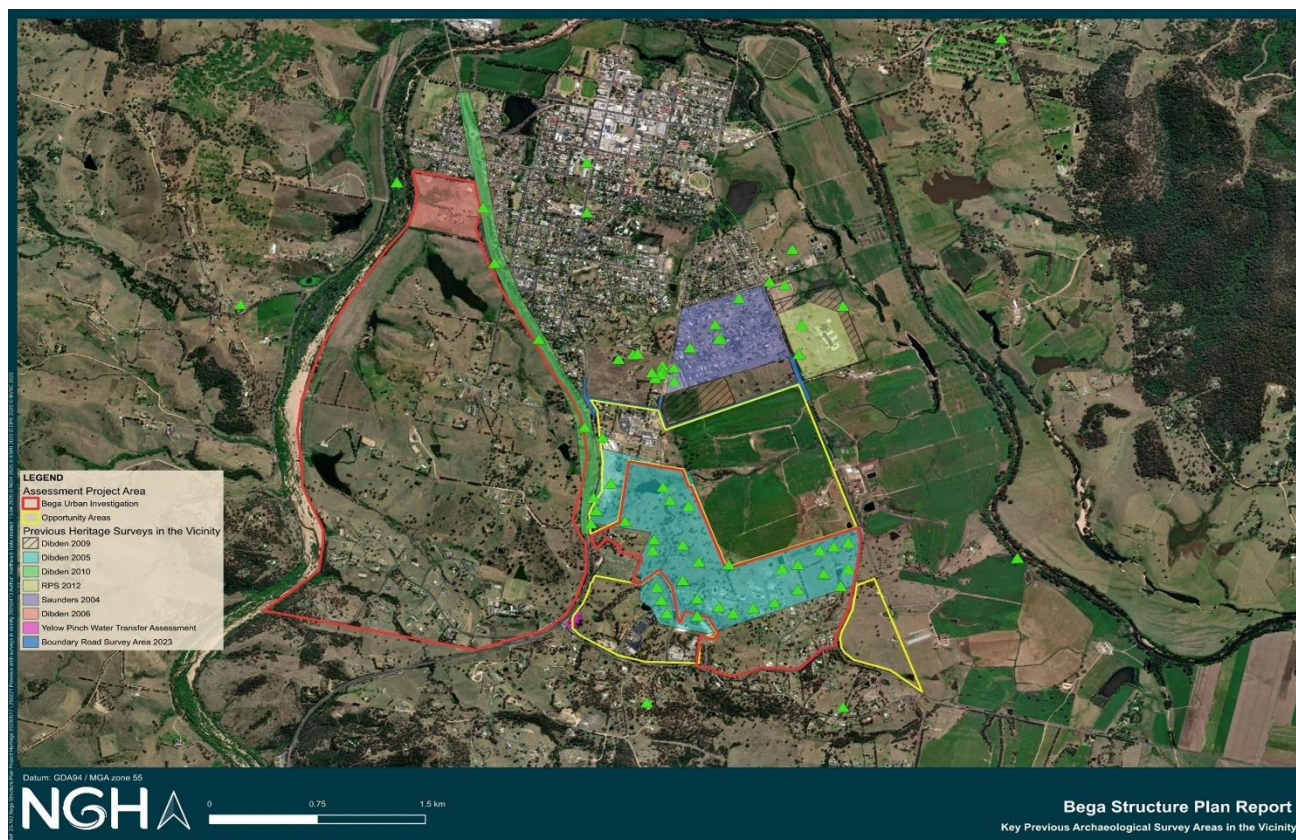


Figure 8 - Previous studies located within and in close proximity to the urban release area (source: NGH, 2024)

2.8 Topography and watercourses

The general topography of the urban release area and its surrounding area consists of gently rolling hills and flatter topography. The landscape is dominated by hill crests and moderate to gentle spurs, slopes and gullies. The urban release area is located at the northern extent of the north to south-oriented Black Range, which extends to Merimbula in the south. The urban release area comprises a low, gentle north to south-trending ridge with the Bega River flowing around and encompassing the urban release area with floodplain elements of the Bega River to the east and west. Local relief within the urban release area varies with elevations of 10 - 110 m Australian Height Datum (AHD).

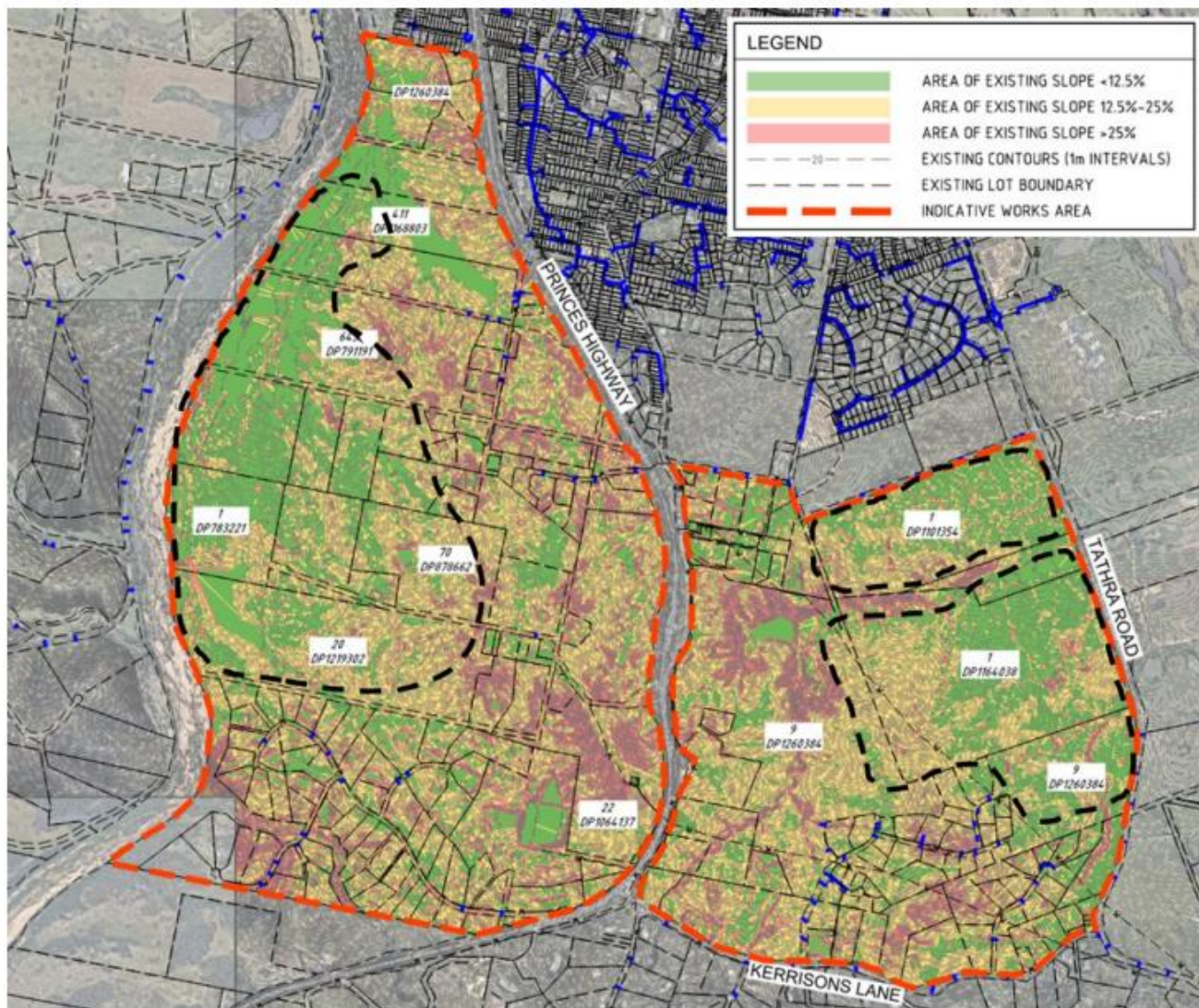


Figure 9 – Topography and water courses (source: NGH, 2023)

2.9 Flooding

There are areas within the urban release area which are impacted by flood planning area on its eastern and western extents.

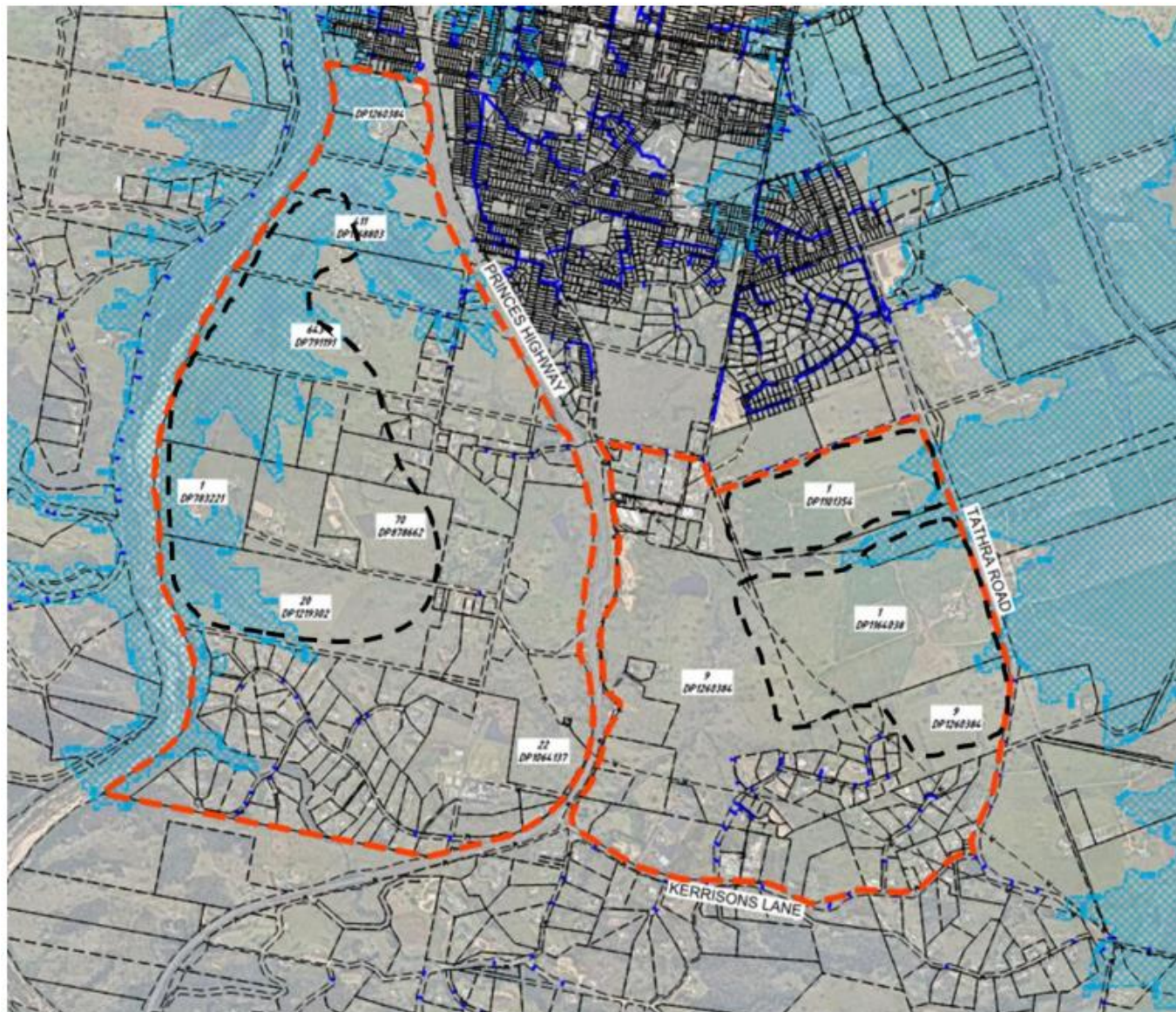


Figure 10 – Location of watercourses on the site and extent of flooding (source: NGH, 2023)

2.10 Contamination

A Preliminary Site Investigation of the broader study area which included the urban release area and land to which the planning proposal relates was undertaken by NGH to inform the Bega Structure Plan. Based on a site history review, site inspection and review of anecdotal information, the following potential areas of environmental concern (Potential AEC) and contaminants of potential concern were identified:

Potential AEC 1 – Hazardous Building Materials

A number of residences and other structures were constructed between the 1940s – 1980s. Buildings constructed within this period can contain asbestos. Asbestos containing material (ACM) and asbestos fibres have the potential to be present within the broader study area and urban release area.

Potential AEC 2 – On and Offsite Contamination from Motor Garages and Service Stations

Whilst four (4) motor garages and / or service stations were identified within the broader study area, only one service station is located within the urban release area (and land to which the planning proposal relates), being the Two Lakes Service Station on Tathra Road in 1970 within the eastern precinct.

Potential contaminants associated with these types of uses include:

- benzene, toluene, ethylbenzene, xylene, ethylbenzene and naphthalene (BTEXN);
- Total Recoverable Hydrocarbons (TRHs);
- Polycyclic Aromatic Hydrocarbons (PAHs);
- Polychlorinated Biphenyls (PCBs);
- Volatile Organic Carbons (VOCs); and
- Heavy metals.

Potential AEC 3 - Offsite Contamination from the Upgradient Cemetery

Bega cemetery is situated to the south and upgradient of the eastern precinct. Potential contaminants associated with this use are phenols and heavy metals.

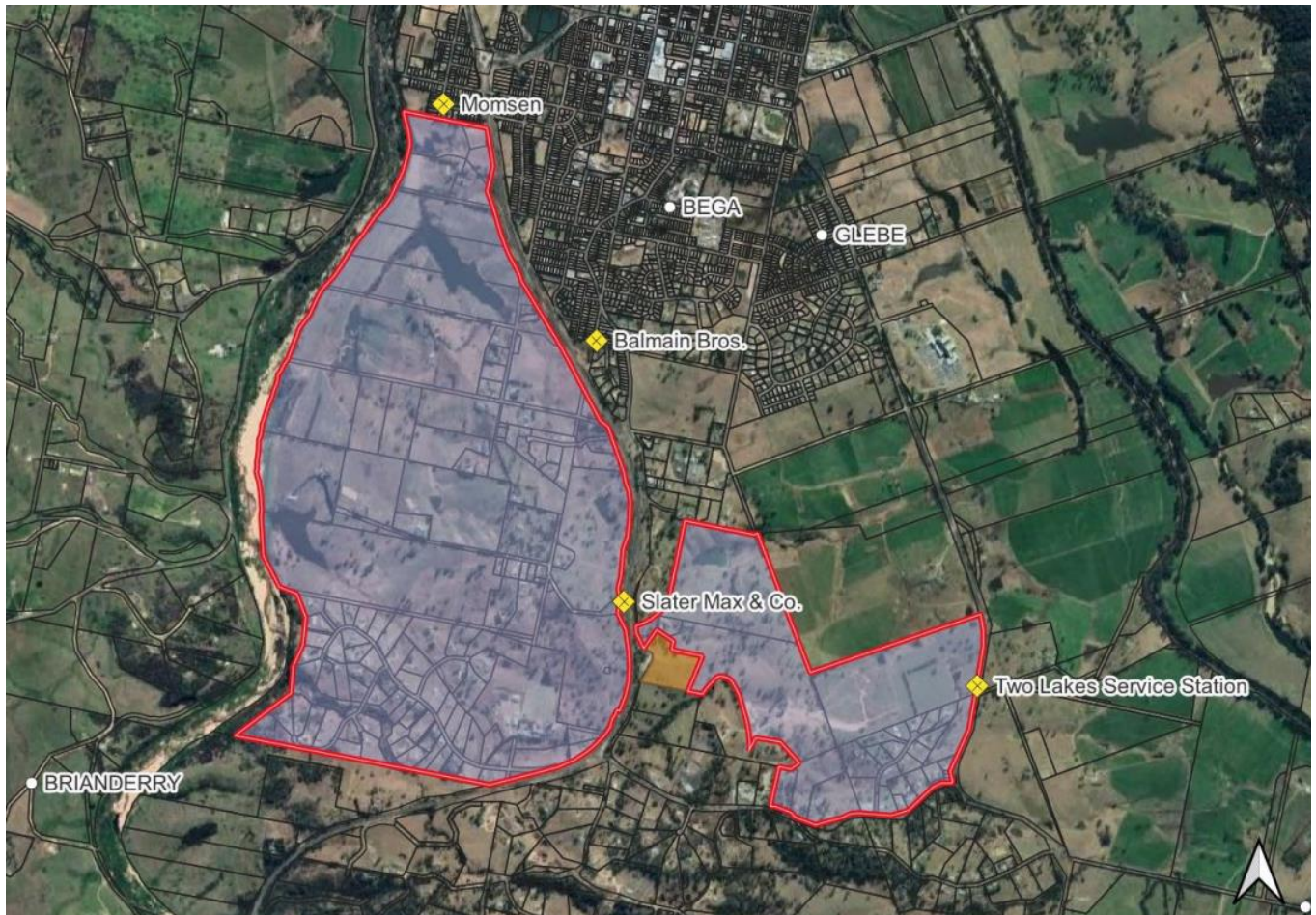


Figure 11 – Potential areas of environmental concern (source: NGH, 2024)

A targeted site walkover was conducted to determine the location and extent of the two on-site motor garages / service stations; and the presence / absence of hazardous building materials within developed areas of the urban release area. The targeted walkover concluded the following:

- There were no current motor garages/service stations in the urban release area.
- There did not appear to any sites that contained any hazardous building materials within the urban release area.
- There did not appear be any obvious signs of land contamination warranting further investigation.

The land to which the planning proposal relates is considered suitable for the proposed uses (or can be made suitable for the proposed uses) subject to detailed site investigations.

2.11 Bushfire

With the exception of land within the Central Precinct, the land to which the planning proposal relates currently comprises bushfire prone land, Category 3 Vegetation. Vegetation Category 3 is considered to be medium bush fire risk vegetation.

When preparing a planning proposal, Council must consider the suitability of the land for the proposed development, as envisaged within the urban release area, with regard to bushfire risk. The proposal must demonstrate that the required asset protection zones (i.e. a managed buffer between a bushfire fire hazard and buildings), among other matters, can be achieved and that development does not increase the level of bush fire risk to the existing community.

A strategic bushfire study has been prepared by AEP to support the planning proposal. The study has determined the following asset protection zones (APZs):

- 10/12m for land adjacent to grassland/woodland hazard on a flat slope; and
- 36/42 m for Special Fire Protection Developments (SFPP) such as schools, child care centres, hospitals, retirement villages and hotel and the like.

A detailed discussion on the impact of the planning proposal in relation to bushfire is included in section 8.11.

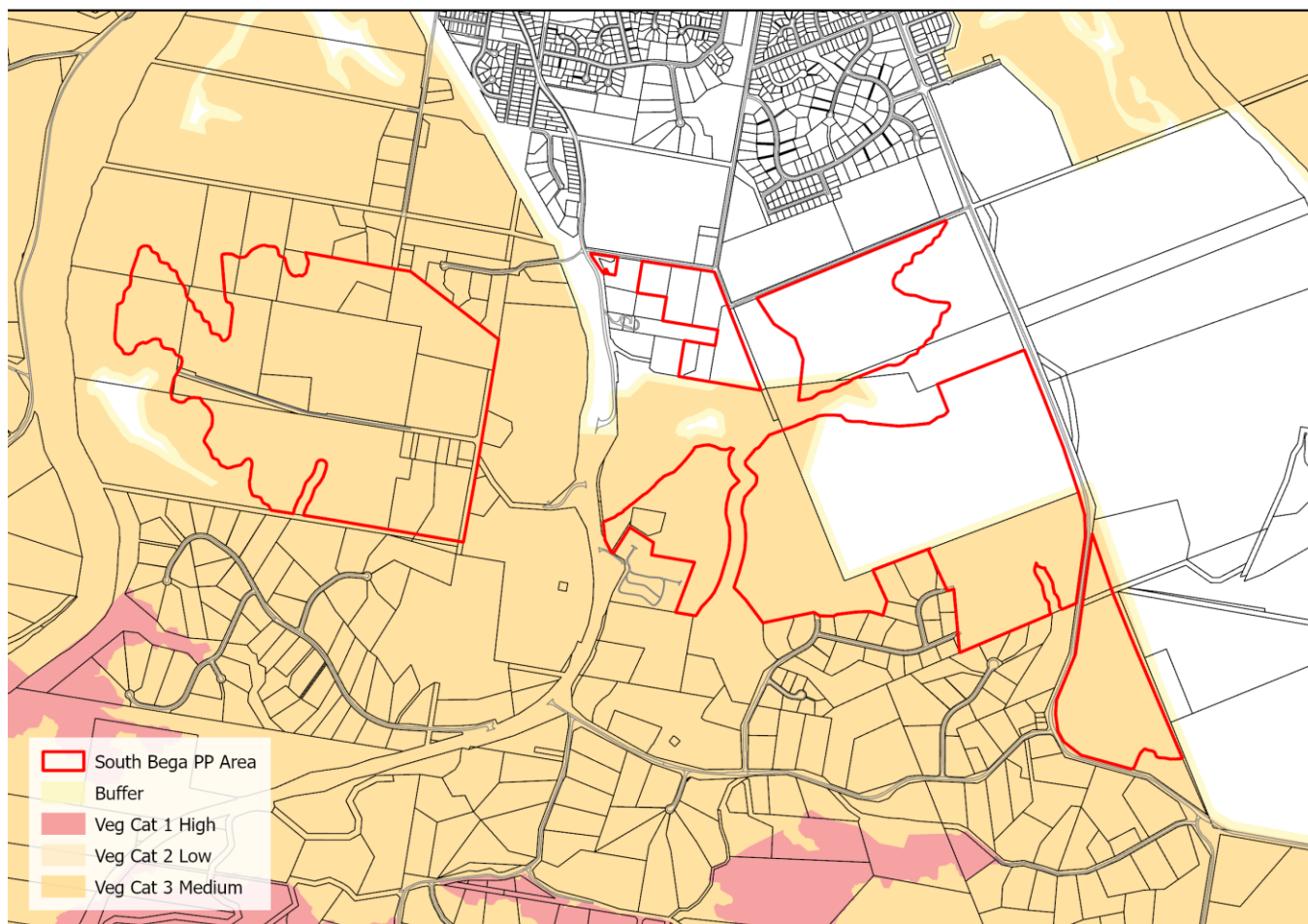


Figure 12 – Bushfire prone land (source: NGH, 2023)

2.12 Ecological Characteristics and Value

A desktop assessment of the ecological characteristics and values of a broader study area which included the urban release area (and land to which the planning proposal relates) was undertaken by NGH Pty Ltd to inform the Bega Structure Plan. The desktop analysis was used to produce preliminary mapping for the broader study area, which identified parts of the broader study area that (a) require further investigation to confirm whether vegetation present was of high biodiversity value and (b) to identify parts of the broader study area that were suitable for urban development.

The conclusions of the desktop analysis, as it relates to the three (3) precincts within the urban release area, is provided in **Table 2**. It is noted that this information provides high-level guidance only and will require detailed field assessment to verify the data. In some instances, areas currently classified as a high constraint in terms of vegetation may move to a lower category of constraint once validation and ground truthing confirms the condition and extent of any threatened ecological communities (TECs) and threatened species habitat. Likewise, areas currently mapped as having no value or not classified, require field validation and ground truthing to gain a more accurate understanding of the biodiversity constraints.

Table 2 – Plant Community Types identified on the site and condition (source: NGH, 2023)

Precinct	Hydrology and aquatic habitat	Biodiversity Values, High Environmental Values and NSW SVTM (State Vegetation Type Map)	Preliminary biodiversity constraints (high, moderate or low biodiversity potential)
Eastern Precinct	Watercourses and farm dams present Not identified as containing any wetlands or key fish habitat, protected riparian land or comprising aquatic groundwater dependent ecosystem	Parts of the eastern portion of the precinct preliminary mapped as comprising: Bega-Towamba Riparia Scrub (4061) or Southeast Lowland Grassy Woodland (3332) Southern Lower Floodplain Freshwater Wetland (3975) Bega Wet Shrub Forest (3181) Southeast Gorge Dry Forest (3331) No high environmental values (Native Vegetation Extent 2017)	Majority of the precinct mapped as having low biodiversity constraints, parts of the south-western portions of the precinct preliminary mapped as having high potential
Central Precinct	Watercourses present Not identified as containing any wetlands or key fish habitat, protected riparian land or comprising aquatic groundwater dependent ecosystem	Parts of the northern portion of the precinct preliminary mapped as comprising patches of Bega-Towamba Riparia Scrub (4061) or Southeast Lowland Grassy Woodland (3332) Southern Lower Floodplain Freshwater Wetland (3975) Bega Wet Shrub Forest (3181) Southeast Gorge Dry Forest (3331) No high environmental values (Native Vegetation Extent 2017)	Scattered patches of vegetation along the northern and eastern boundary of the precinct preliminary mapped as having high potential
Western Precinct	Watercourses and farm dams present Not identified as containing any wetlands or key fish habitat, protected riparian land or comprising aquatic groundwater dependent ecosystem	Bega-Towamba Riparia Scrub (4061) or Southeast Lowland Grassy Woodland (3332) Southern Lower Floodplain Freshwater Wetland (3975) Bega Wet Shrub Forest (3181) Southeast Gorge Dry Forest (3331) No high environmental values (Native Vegetation Extent 2017)	Majority of vegetation within the precinct preliminary mapped as having low biodiversity constraints, scattered patches of vegetation preliminary mapped as having high potential

Table 3 – Species with existing BioNet records within the project area (which includes the urban release area)
(source: NGH, 2023)

Species Name	Common Name	Number of records	BC Status	EPBC Status	Record Date
<i>Artamus cyanopterus cyanopterus</i>	Dusky Woodswallow	1	Vulnerable	Not Listed	2019
<i>Calyptorhynchus lathamii</i>	Glossy Black-Cockatoo	1	Vulnerable	Vulnerable	1981
<i>Tyto novaehollandiae</i>	Masked Owl	1	Vulnerable	Not Listed	2011
<i>Haliaeetus leucogaster</i>	White-bellied Sea-Eagle	1	Vulnerable	Not Listed	2001
<i>Eucalyptus nicholii</i>	Narrow-leaved Black Peppermint	1	Vulnerable	Vulnerable	2010
<i>Micronomus norfolkensis</i>	Eastern Coastal Free-tailed Bat	1	Vulnerable	Not Listed	2010
<i>Falsistrellus tasmaniensis</i>	Eastern False Pipistrelle	1	Vulnerable	Not Listed	2010
<i>Scoteanax rueppellii</i>	Greater Broad-nosed Bat	2	Vulnerable	Not Listed	2011
<i>Miniopterus orianae oceanensis</i>	Large Bent-winged Bat	1	Vulnerable	Not Listed	2010
<i>Myotis macropus</i>	Southern Myotis	1	Vulnerable	Not Listed	2010
<i>Phascolarctos cinereus</i>	Koala	1	Vulnerable	Endangered	1989

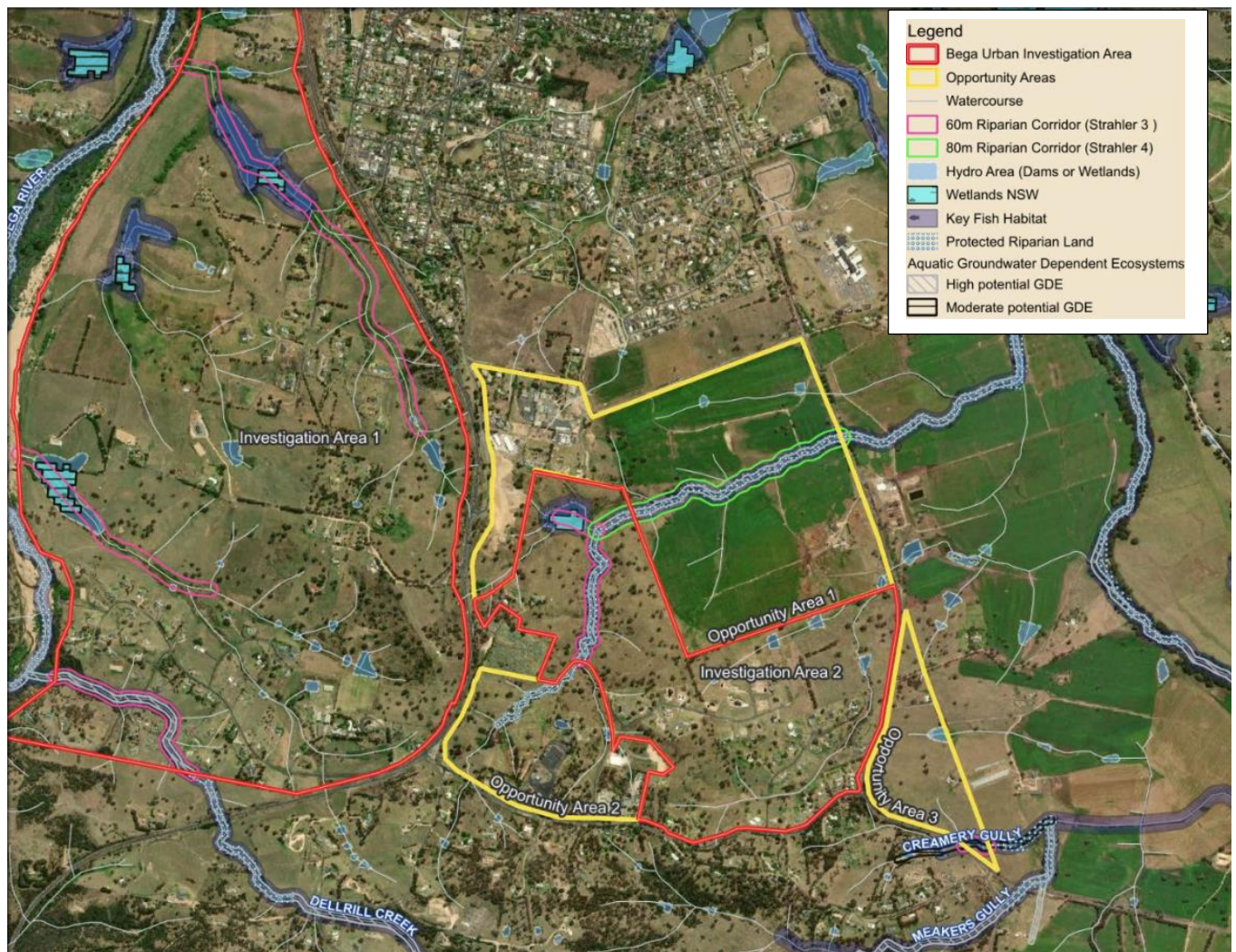


Figure 13 – Map showing Project Area locations and the following hydrological features: wetlands, dams, riparian buffers, Riparian Protected Land, Key Fish Habitat, GDEs and other aquatic areas (source: NGH, 2023)

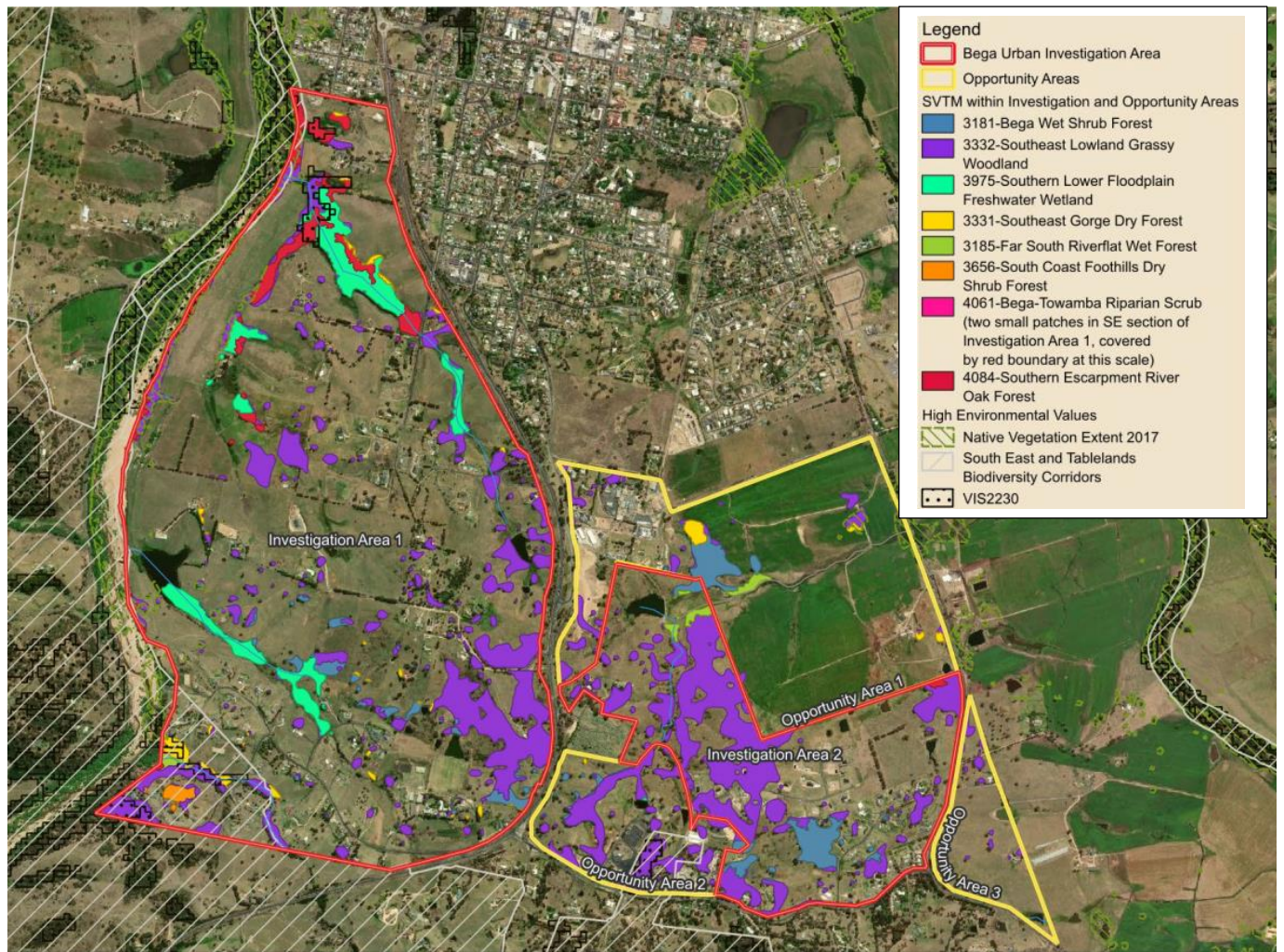


Figure 14 – Map showing Biodiversity Values, High Environmental Values and NSW SVTM (source: NGH, 2023)

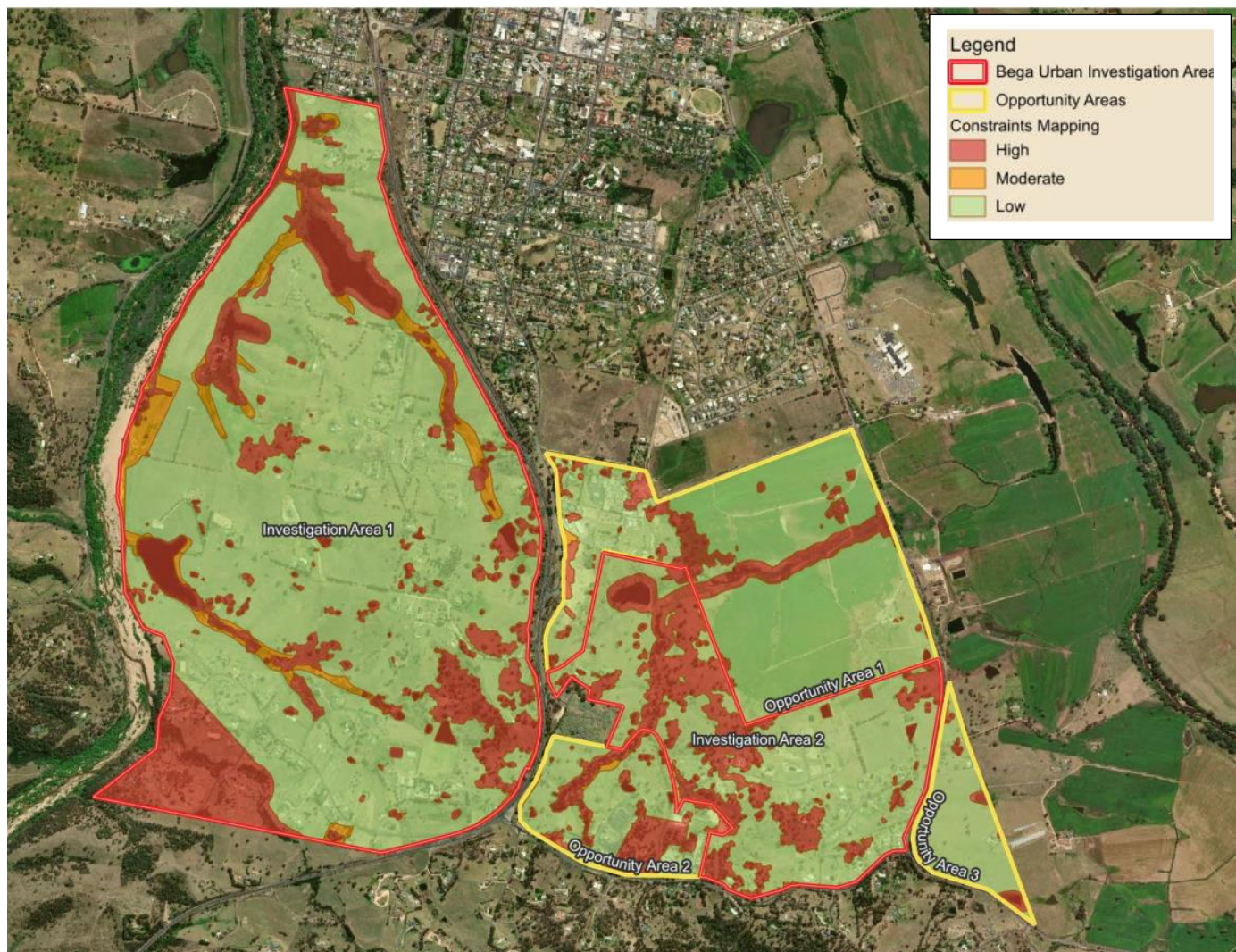


Figure 15 – Map showing preliminary biodiversity constraints mapped as high, moderate or low (source: NGH, 2023)

2.13 Access and Transport

Existing Road Network

The existing road network surrounding and within the urban release area is currently comprised of a number of State, regional and local roads, including:

- Princes Highway- a State/arterial road which provides direct access to the urban release area, and is the main arterial road oriented in a north-south direction through Bega, connecting it to other regional and facilitating regional traffic movements.
- Tathra Road - s a regional/collector road that connects Bega with the Tathra Township. Tathra Road provides access to the Bega Town Centre, the Southeast Regional Hospital and low-density residential dwellings and is a key movement corridor within the Bega Township.
- Newtown Road - Newtown Road is a local road that provides access to the Bega Town Centre, light industrial areas and residential dwellings. Newtown Road intersects the Princes Highway at a large priority-controlled intersection, with left turn and right turn deceleration lanes on the Princes Highway. Outputs from the traffic surveys indicate that vehicles to and from the south predominantly use Newtown Road to access/egress Bega.
- Rawlinson Street and Ravensworth Street - Rawlinson Street and Ravensworth Street are local roads in Bega that typically provide access to low-density residential dwellings. Additionally: – Rawlinson Street is a cul-de-sac at its western end. – Ravenswood provides an overpass over the Princes Highway.

- **Kerrison Lane** - Kerrisons Lane is a local road in south Bega that is orientated in an east-west direction and connects Princes Highway and Tathra Road, intersecting both roads at priority-controlled intersections. Kerrisons Lane intersects the Princes Highway at a large priority-controlled intersection, with left turn and right turn deceleration lanes on the Princes Highway. Additionally, a right turn deceleration lane is provided on Tathra Road at its intersection with Kerrisons Lane.
- **Finucane Lane** - Finucane Lane is a local road in south Bega that is orientated in an east-west direction, provides access to a small number of residential dwellings and intersects Princes Highway at a priority-controlled intersection with a right turn deceleration lane on the Princes Highway.

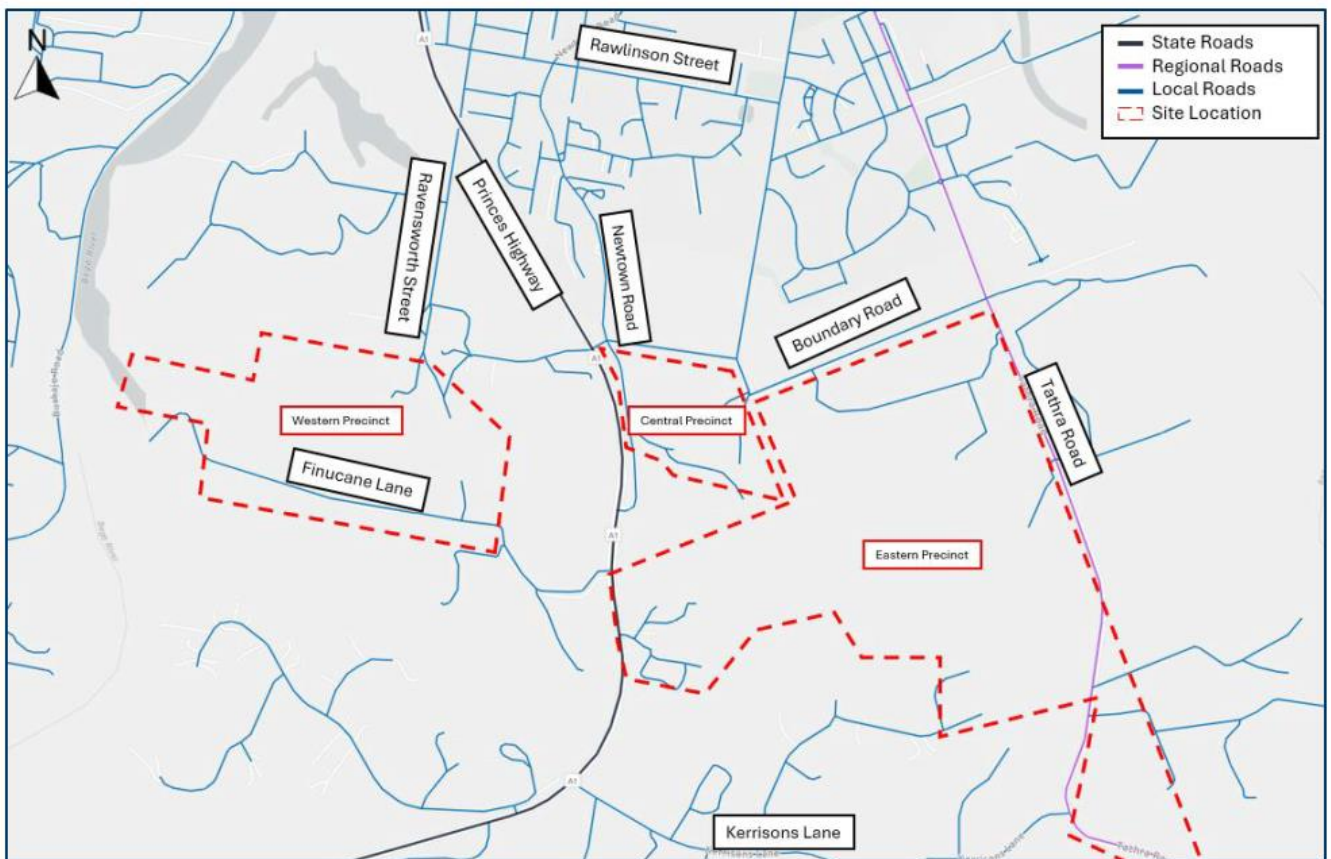


Figure 16 – The surrounding road network (source; GHD, 2025)

Active Transport

There are currently limited active transport facilities within the urban release area (refer to **Figure 17**).

In relation to pedestrian facilities:

- Footpaths are available around, within and in proximity to the Bega Town Centre, offering pedestrian access to key services and amenities.
- Pedestrian crossings are limited with crossings mostly found closer to the Bega Town Centre, particularly near the hospital and key commercial zones.
- Existing roads within the urban release area do not feature footpaths or designated pedestrian crossings.

In relation to cycle infrastructure - general road cycling is available to the west of Bega CBD particularly along Poplar Street. Beyond this point, cyclists can utilise the road shoulders on the Princes Highway, from the roundabout at Old Princes Highway to Ravenswood Street. Scattered shared paths can be found around the Bega CBD. No dedicated cycling facilities are currently available within the urban release area.

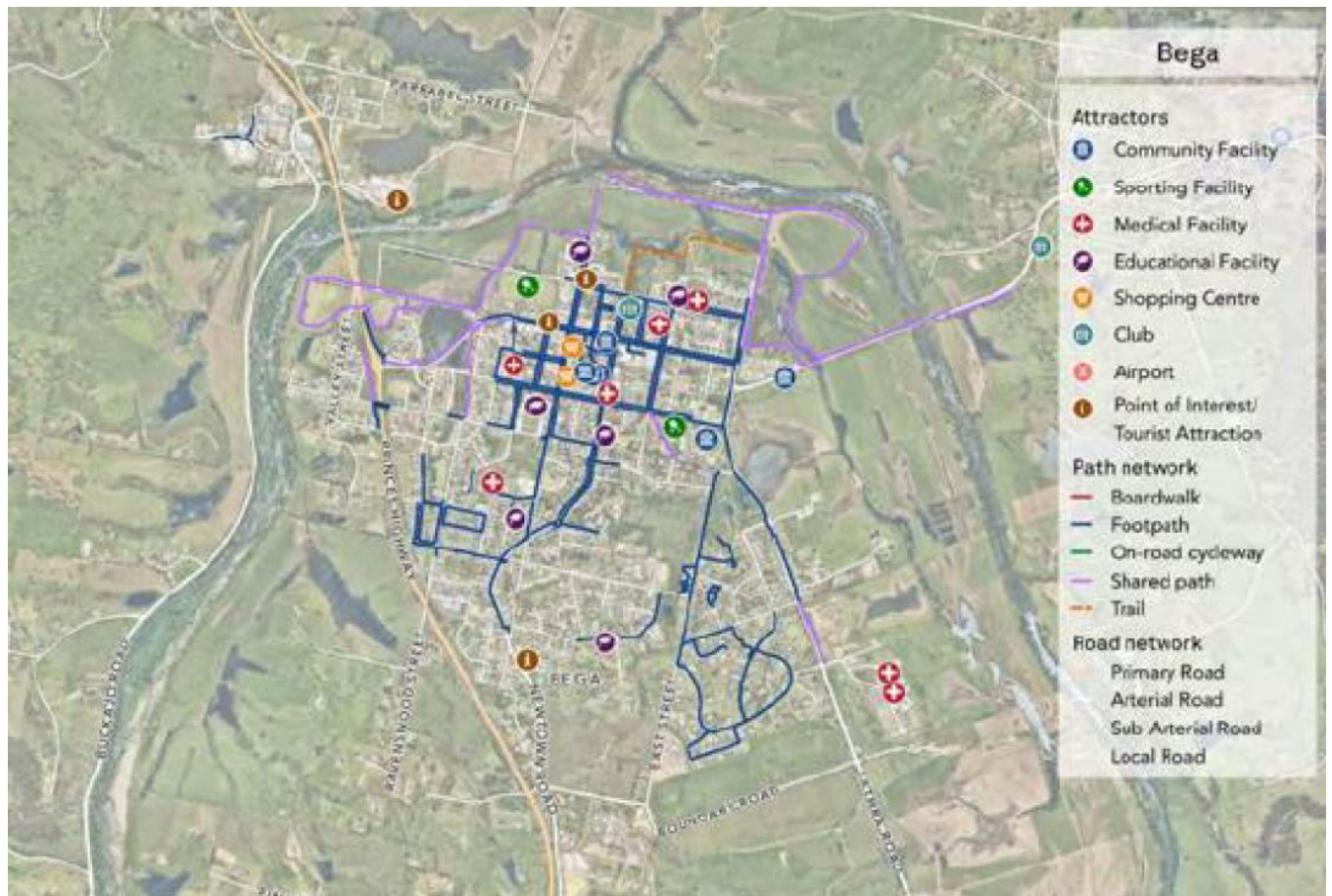


Figure 17 – Existing active transport network in Bega CBD (source: GHD, 2025)

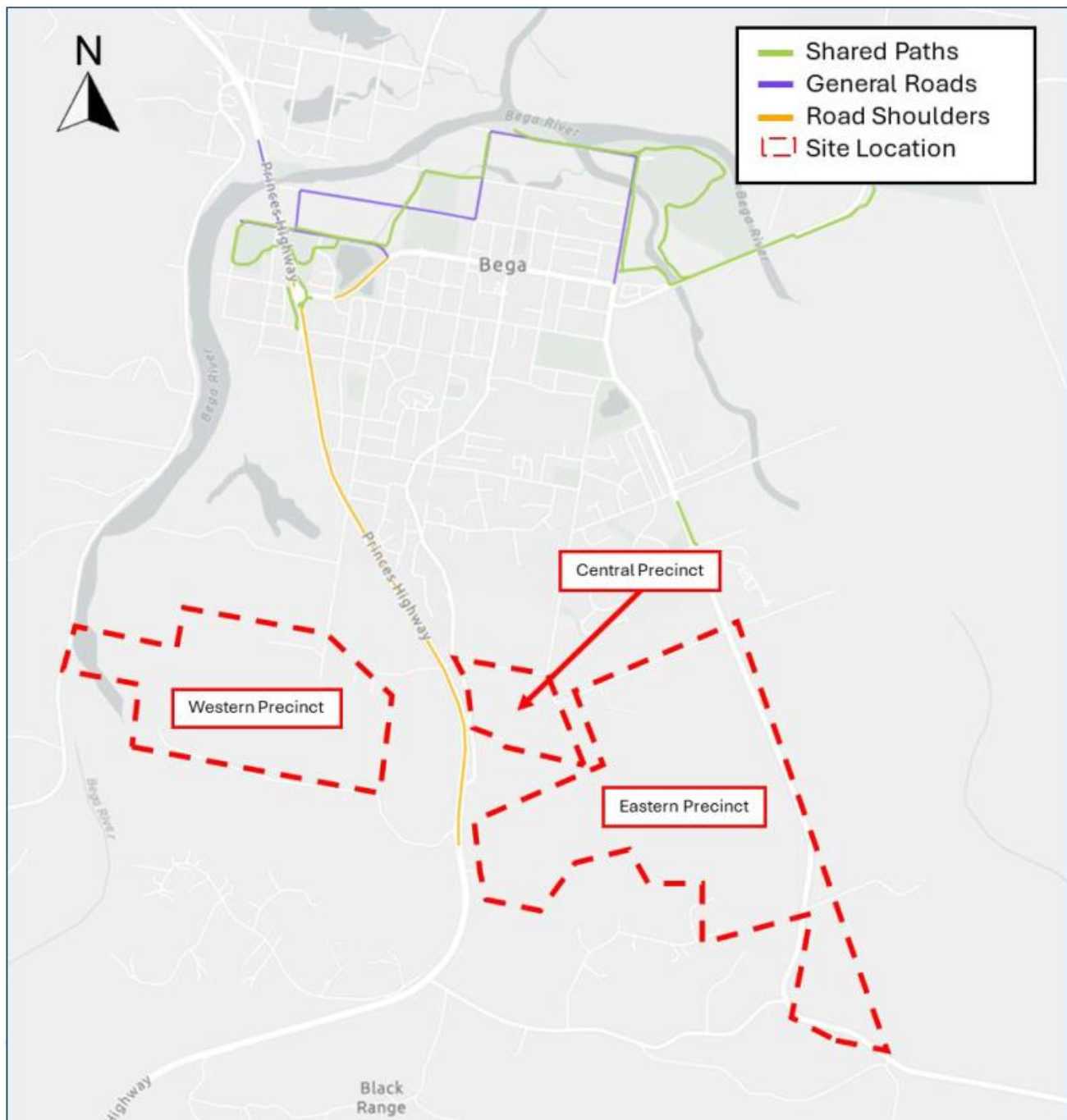


Figure 18- Cycleways within proximity to the urban release area (source: GHD, 2025)

In relation to public transport there are three (3) bus routes/services which are in proximity to the urban release area. These are:

- Service 885 – Bega to Merimbula (via Tathra Road);
- Service 890 - Bega to Eden (via Merimbula); and
- Service 891 Bega to Bombala.

These bus services currently have relatively limited frequencies, with between two to four services per day. Weekend services are more limited, with routes Route 885 and Route 890 operating only once or twice on weekends. As redevelopment of the urban release progresses into the future the frequency of bus services is likely to increase as well as route coverage.

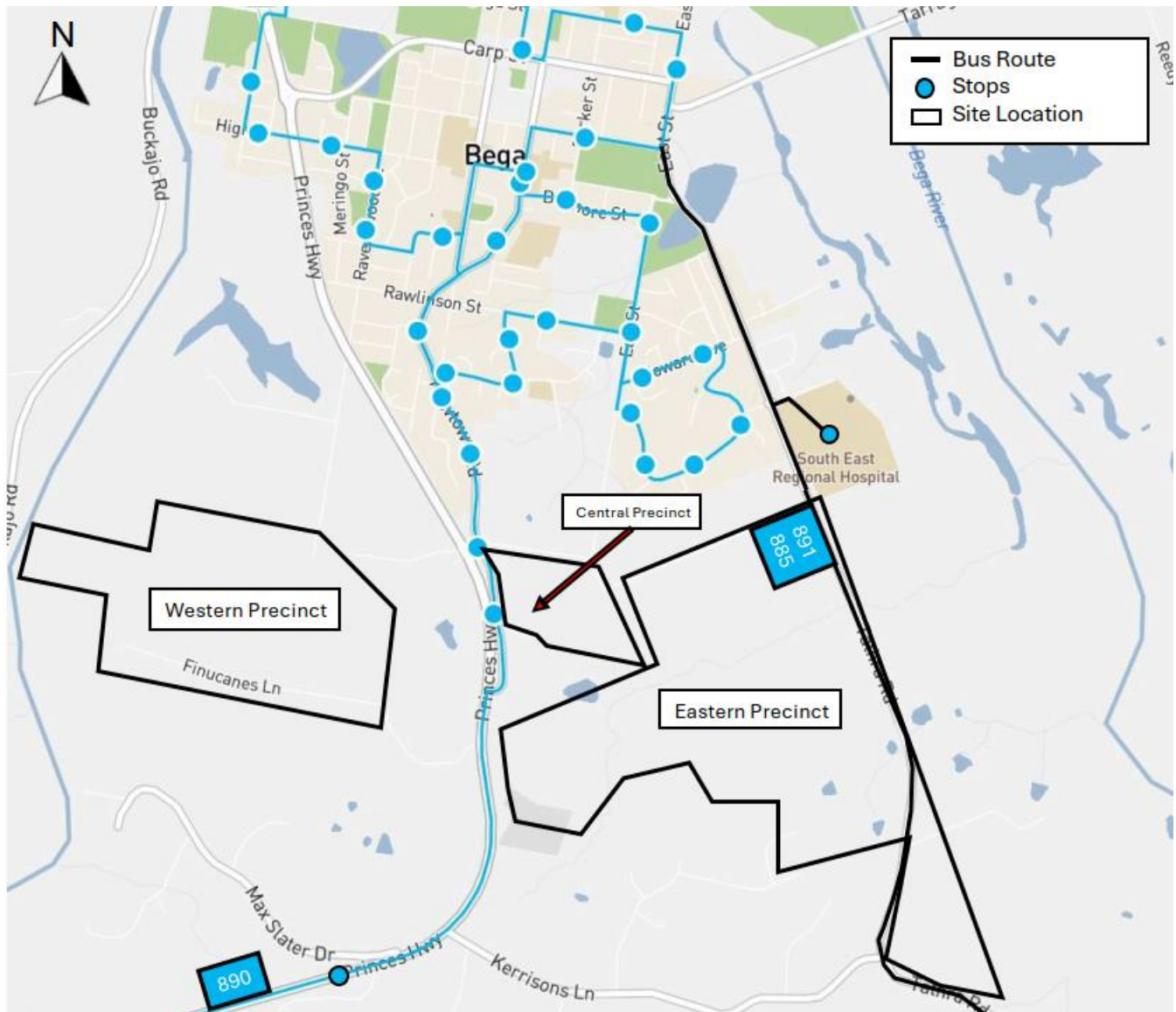


Figure 19- Local bus routes within proximity to the urban release area (source: GHD, 2025)

Existing Road Network Performance

Traffic surveys in the AM and PM peaks were undertaken by GHD to support the analysis of traffic impacts as a result of the planning proposal. A review of the traffic data indicates that:

- South of Carp Street, traffic on the Princes Highway is predominantly northbound in the AM peak and southbound in the PM peak.
- Vehicles from the north predominantly access/egress Bega via the Princes Highway/Carp Street intersection.
- The majority of vehicles accessing/egressing Bega from the south via Princes Highway typically use Newtown Road, but a relatively high portion also use the Carp Street intersection.
- A relatively small portion of traffic access/egress Bega via the Princess Highway/Kerrisons Lane intersection.
- Traffic on Tathra Road is predominantly northbound in the AM peak hour and southbound in the PM peak hour.
- The peak hour traffic volumes on Boundary Road, Ravenswood Street and Rawlinson Street are minor, in the order of 15 to 70 vehicles per hour per lane.
- The traffic volumes on Finucane Lane are negligible, in the order to two to four vehicles per hour per lane.

The northbound and southbound peak hour traffic volumes on Princes Highway and Tathra Road are approximately equivalent. The data highlights the importance of the regional and local connectivity provided by Tathra Road, particularly for settlements to the south of Bega such as Tathra and Kalaru. The “tidal” nature of traffic on Princes Highway and Tathra Road is consistent with individuals accessing their places of employment, education and the like in the morning and returning to their homes in the afternoon/evening.

The operation of key intersections was assessed using SIDRA analysis. SIDRA calculates the amount of delay to vehicles using an intersection and, amongst other performance measures, gives a Level of Service (LoS) rating, which indicates the relative performance of traffic movements within the intersection. The seven (7) key intersections are:

- Princes Highway / Carp Street;
- Princes Highway / Newtown Road;
- Princes Highway / Kerrisons Lane;
- Tathra Road / Kerrisons Lane;
- Princes Highway / Finucane Lane;
- Ravenswood Street / Rawlinson Street; and
- Tathra Road / Boundary Road.

The LoS is determined from the calculated delay to traffic movements, which is a representation of driver frustration, fuel consumption and increased travel time. There are six LoS measures ranging from A (very low delay and very good operating conditions) to F (over saturation where arrival rates exceed intersection capacity). Typically, a LoS D or better is considered to be acceptable. However, a LoS E may be acceptable if it also operates with a low degree of saturation.

A summary of the results from the 2024 base year SIDRA are presented below in **Table 4**. As shown, all seven key intersections operate with an acceptable LoS during peak periods of road network activity.

Table 4 - SIDRA results summary (source: GHD, 2025)

Int. No.	Intersection name	AM Peak Hour (8.00-9.00 am)				PM Peak Hour (4.30-5.30pm)			
		Ave delay (s)	LoS	95 th % Queue (min)	DoS (degree of saturation)	Ave Delay (s)	LoS	95 th % Queue (min)	DoS
1	Princes Highway / Carp Street	6.1	A	21	0.37	5.4	A	15	0.32
2	Princes Highway/Newtown Road	7.3	A	4	0.26	7.2	A	3	0.24
3	Princes Highway/Kerrisons Lane	12.2	B	9	0.29	10.7	A	7	0.24
4	Tathra Road/Kerrisons Lane	101	A	3	0.24	9.5	A	3	0.18
5	Princes Highway/Finucane Lane	20.9	B	0	0.30	17.7	B	0	0.26
6	Ravenswood Street/Rawlinson Street	7.9	A	1	0.03	8.0	A	1	0.07
7	Tathra Road/Boundary Road	8.4	A	1	0.22	8.4	A	1	0.20

Notes: The average delay for priority-controlled intersections is selected from the movement on the approach with the highest average delay.

2.14 Existing infrastructure

The urban release area is relatively well serviced with the ability to connect to existing infrastructure. There are two water treatments plants, located at High Street in the north and off Newtown Road in the central precinct. There is a sewer treatment plant close to the urban release area which is located adjacent to the new South East Regional Hospital. Access to power and telecommunications is also available.

Water

It is assumed that the water source would be from bores within the urban release area as is currently the case. It is understood that licences are required for the increased extraction. The existing network would be updated as required and the sizing would be determined by Council as development occurred.

Sewer

To minimise investment in trunk infrastructure it would be appropriate to connect the eastern precinct into the sewer treatment plant adjacent to the new South East Regional Hospital. Pump stations would be provided in accordance with the plan provided. The western precinct would follow this development and discharge the rising main into the system in the eastern precinct. Upgrades required due to capacity increase would be determined by Council as the urban release area develops.

Stormwater

Stormwater management would be subject to detailed design and is subject to the staging of developments.

Electricity

It is assumed that the existing network will be upgraded as required.

Telecommunications

It is assumed that the existing network will be upgraded as required.

3 Affordable Housing

3.1 Introduction

Affordable housing is rental housing for members of the community who cannot meet their housing needs in the general market. Affordable housing is for very low to moderate income households. The Bega Valley Shire Affordable Housing Contributions Scheme (the Scheme) prepared by Atlas Economics sets out how, where and how much development contributions are collected for affordable housing in Bega Valley (refer to **Appendix B**).

The scheme has been prepared in accordance with the requirements of section 7.32(1)(c) of the EP&A Act and State Environmental Planning Policy (Housing) 2021. The objectives of the scheme are to:

- recognise the need for affordable rental housing to support sustainable and diverse communities and long-term economic growth in the Bega Valley Shire local government area (the LGA).
- ensure that affordable rental housing is provided for Very Low to Moderate income households in the LGA.
- ensure there are opportunities for Very Low to Moderate income workers to live in the community in which they are employed.
- facilitate opportunities for Government and community housing providers (CHPs) to supply affordable rental housing in the LGA.
- outline the requirements for making a contribution for affordable housing in accordance with an Environmental Planning Instrument (EPI).

The scheme is consistent with the Bega Valley Shire Local Strategic Planning Statement 2040 and Bega Valley Shire Affordable Housing Strategy (2022). The Bega Affordable Housing Feasibility Analysis prepared by Atlas Economics (also included in **Appendix B**) demonstrates that levying contributions via an affordable housing contributions scheme can be undertaken without adversely affecting development feasibility where planning proposals decrease the minimum lot size (allowing for more subdivision potential) in the Bega Valley Shire.

Under the draft scheme, Council can accept affordable housing contributions in the form of monetary contributions, completed dwellings or land, depending on the individual circumstances.

In accordance with findings of the Bega Affordable Housing Feasibility Analysis, a contribution rate of 2% is proposed to apply to land that is rezoned to R2 Low Density Residential or R5 Rural Residential. Where the contribution is to be made via a monetary contribution instead of land, the contribution rate is proposed at \$300 per sqm in the R2 zone and \$112 per sqm in the R5 zone.

The draft scheme implements a phased introduction of contributions over a six-year period (see **Table 5**). This approach assists with development feasibility because it allows developers to factor-in the contribution requirement into their feasibility studies and negotiations with landowners, ensuring that an appropriate price is paid for a development site; and natural market growth results in a lift to revenue levels, helping to offset the additional cost of the contribution.

Table 5: Proposed phase-in period of contribution rates (source: Atlas Economics, 2025)

Year of Commencement (from finalisation of planning proposal)	Contribution
Year 1	Nil
Year 2	0.5%
Year 3	1.0%
Year 4	1.0%
Year 5	1.5%
Year 6	2.0% (Fully Implemented)

Under the draft scheme, the following development types would be exempt from payment: social and affordable housing, group homes, hostels, subdivision that does not create an additional lot, community facilities and non-residential development.

4 Vision and Structure Plan

4.1 Vision

The vision for the urban release area is to create a resilient residential development that meets the needs of a growing Bega Valley community for the next 25-30 years. The vision is supported by the following objectives:

- Create pedestrian friendly and physically and socially connected neighbourhoods, where reliance of private vehicles is reduced;
- Achieve a sustainable development outcome in terms of social equity, environmental balance and economic viability;
- Demonstrate an efficient use of land and infrastructure, that balances environmental, housing and community outcomes;
- Recognises, protects and enhances the natural features, amenity and character of the urban release area and Bega Valley;
- Promotes opportunities for housing diversity and choice including affordable housing, to meet the requirements of people with different housing needs now and over the next 30 years;
- Builds climate resilience;
- Contribute to open space and active travel networks - promoting an engaged and active community; and
- Understand, acknowledge and respect past land users, both Indigenous and non-Indigenous.

4.2 Key changes

Since the Bega Structure Plan was endorsed by Council in June 2024, additional work has been undertaken by Council officers and the consultant team to respond to feedback received from government agencies and authorities. This additional work has shaped and informed the current planning proposal with additional matters for consideration and more technical investigations in relation to biodiversity, flooding, traffic and transport, agricultural assessment and bushfire needing to be undertaken. As a result of this work, minor amendments to the Bega Structure Plan (as previously endorsed) have been made.

The key changes to the endorsed Bega Structure Plan include:

- Identification of Probable Maximum Flood (PMF) and amendment to structure plan to exclude R2 Low Residential zoned land within the PMF as requested by DCCEEW;
- The inclusion of unconstrained land within western precinct;
- Consideration of approved subdivisions within the eastern precinct (southern area of open space and proposed local centre affected);
- Existing SP2 zoned land (water supply and pumping station) and Old Bega Hospital Regional Community Cultural Centre (RE2) to be retained within Central Precinct;
- Riparian areas to retain existing RU1 Primary Production zoning (and not included as land to which the planning proposal relates); and
- Relocation of Tathra Road provides a buffer to agricultural land to the west – consistent with recommendations of agricultural land use assessment.

Changes by precinct

The proposed changes to the structure by precinct is shown in **Figures 20-22** below. The Bega Structure Plan (as amended) is shown in **Figure 23**.

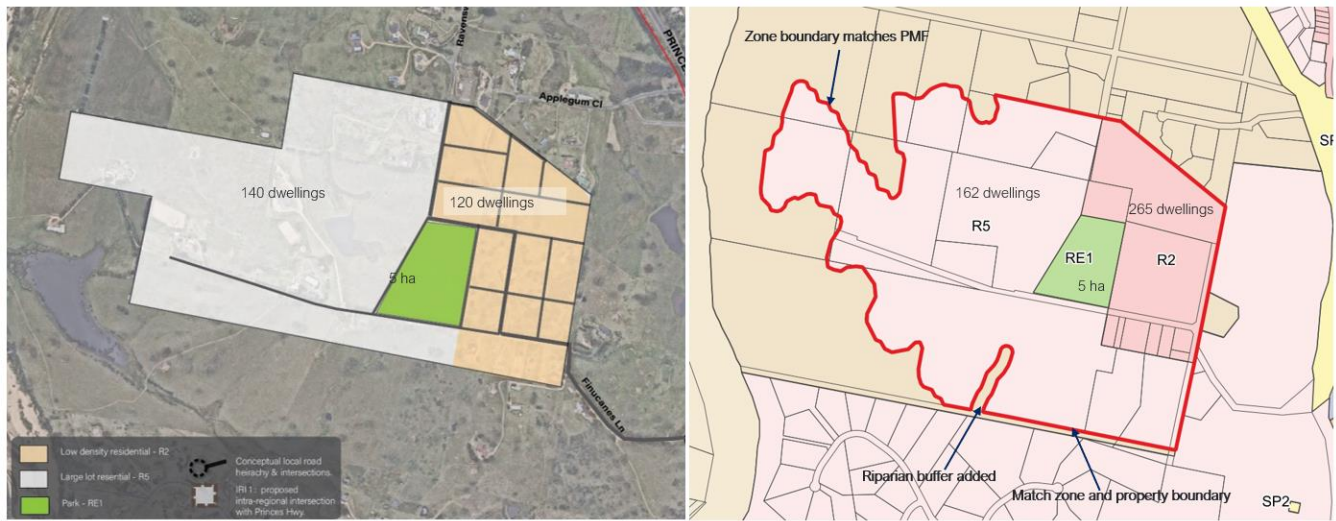


Figure 20 – Structure Plan for the Western Precinct – endorsed (shown left) and as proposed to be amended (shown right)

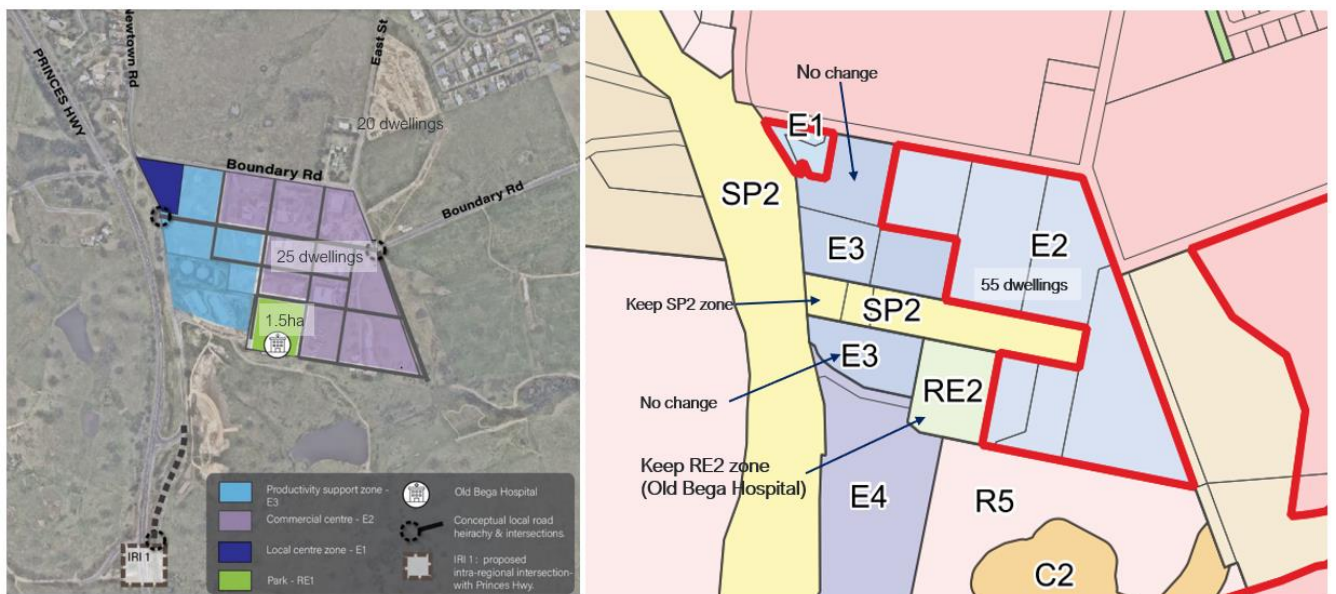


Figure 21 – Structure Plan for the Central Precinct – endorsed (shown left) and as proposed to be amended (shown right)

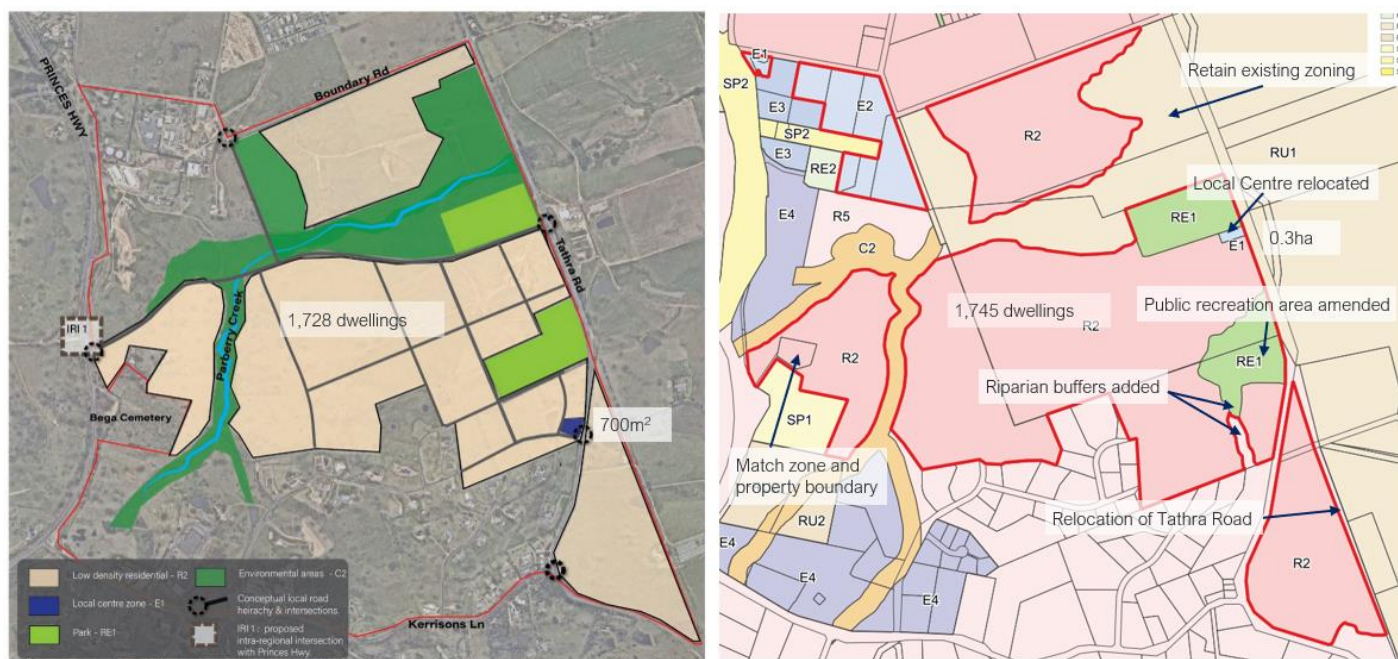


Figure 22 – Structure Plan for the Eastern Precinct – endorsed (shown left) and as proposed to be amended (shown right)

Numeric Differences

The key numeric changes to the structure plan are provided in **Tables 6** and **7**.

Table 6- Endorsed gross developable area and yield

Precinct	Gross Developable Area	Sub-precinct	Area	Dwellings	Service Centre	Recreation needs
Western	85ha	East of Ravenswood	60ha	120		5ha
		West of Ravenswood	20ha	140		
Central	19ha	Local Centre	0.5ha	NA	2,500m ² fronting Newtown Road	1.5ha
		Commercial Centre	5ha	25		
		Productivity Support	12ha	NA		
Eastern	157.5ha	Low density residential	144ha	1,728	500m ² Tathra Road	13.5ha (incl. 5ha district sporting fields)
	261.5ha		236.5ha	2,113	3,000m ²	20ha

Table 7- Revised gross developable area and yield

Precinct	Gross Developable Area	Sub-precinct	Area	Dwellings	Service Centre	Recreation needs
Western	103.2ha	East of Ravenswood	108.5ha	265		5.3ha
		West of Ravenswood		162		
Central	11.5ha	Local Centre	11.5ha	NA	5,000m ² fronting Newtown Road	1.5ha
		Commercial Centre		55		
		Productivity Support		NA		
Eastern	146.0ha	Low density residential	159.4ha	1,745	3,000m ² fronting Tathra Road	13.5ha (incl. 5ha district sporting fields)
	260.7ha		279.4ha	2,227	8,000m ²	20.3ha

4.3 Structure Plan (as amended)

The Bega Structure Plan (as amended) demonstrates the capability of the site to accommodate the vision and to guide and inform future planning. The structure plan responds to the site analysis summarised in Section 2 of this planning proposal and previous work undertaken to inform the preparation of the structure plan. The Bega Structure Plan (as amended) responds to the site's unique opportunities and constraints, identifies the parameters and outcomes for future development and describes key elements of the environmental strategies that are proposed.

The future planning proposal and structure plan will meet local housing needs, now and into the future, reduce affordability pressures and create a sustainable, well-connected community through a mix of innovative housing solutions and active engagement with local authorities.

The urban release area is anticipated to be developed in stages over an approximate 25-30-year period. The urban structure of the plan (as amended) provides sufficient scope and flexibility to respond to future changes in planning and open space, transport infrastructure, market demand, lifestyle and demography.

Detailed planning and design for urban development will be addressed as part of a series of future applications for subdivision, open space and infrastructure works that will be submitted as part of a staged process over time.

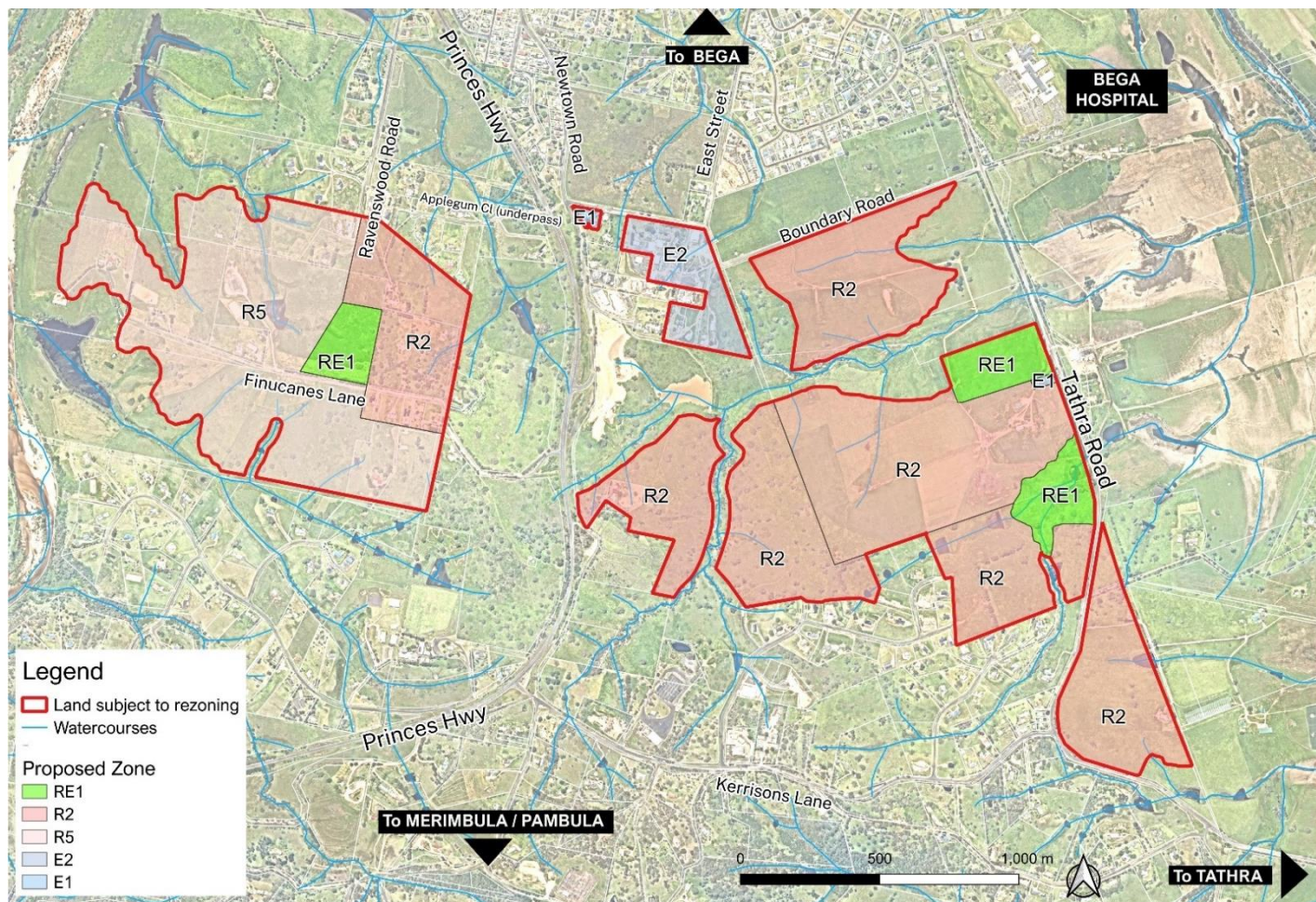


Figure 23 – Structure Plan (as amended)

Key features of the structure plan are:

- an urban structure that focuses on preserving ecological values while delivering housing for the local community;
- approximately 2,230 dwellings in a range of lot sizes and dwelling types to suit first home buyers, families, single person households and workers – creating a community that is demographically balanced;
- a new neighbourhood/local centre (0.5 ha in area) within the central precinct;
- a new neighbourhood/local centre (0.3ha in area) adjacent to a new area of open space, within the eastern precinct, on the western side of Tathra;
- extension of the E2 Commercial Centre within the central precinct;
- a higher order road and local street network to provide permeability throughout the urban release area including the upgrade of Boundary Road from a local road to a collector road and the future realignment of Tathra Road within the southern portion of the release area eastwards to improve road safety and provide a buffer to existing agricultural uses; and
- approximately 18ha of open space consisting of sporting fields and local parks.

4.4 Vehicular access and street access

The proposed road upgrades and street hierarchy within the urban release area is shown in **Figure 24**.

Proposed Road Upgrades

Key aspects of the proposed road network are as follows:

- The extension of Ravenswood Street to Finucane Lane, which will enable vehicles in the Western Precinct to access/egress Bega via the existing overpass.
- The realignment of Tathra Road in the southern portion of the urban release area to the west.
- The upgrade of Finucane Lane to a standard of a local access road and a local collector road.
- The provision of a new east-west local collector road which will form a new four-legged intersection with Princess Highway and Finucane Lane (consistent with IRI 1).
- The extension of East Street (to the south) to the proposed east-west collector road.
- The provision of new T-junctions on Tathra Road to support access/egress to and from the east.
- Upgrade of Boundary Road from a local road to a collector.

The proposed four-legged intersection on the Princes Highway at Finucane Lane is envisaged to comprise a roundabout similar to the size of the roundabout at the Princes Highway/Carp Street Intersection. As part of the proposed road upgrade, it is assumed that the intersection of Princes Highway/Newtown Road intersection will be changed to left in/left out only, with the current right turn functionality transferred to the adjoining proposed roundabout.

The current speed limit change on the Princes Highway from 100 km/h to 80 km/h is located approximately 200m south of Carp Street. The provision of a new roundabout at the intersection of Princes Highway and Finucane Lane will require the relocation of the 80 km/h zone to the south, on the Princes Highway, in proximity to Kerrisons Lane. The 80 km/h speed limit supports approaching vehicles slowing down to give way to other vehicles already in the roundabout.

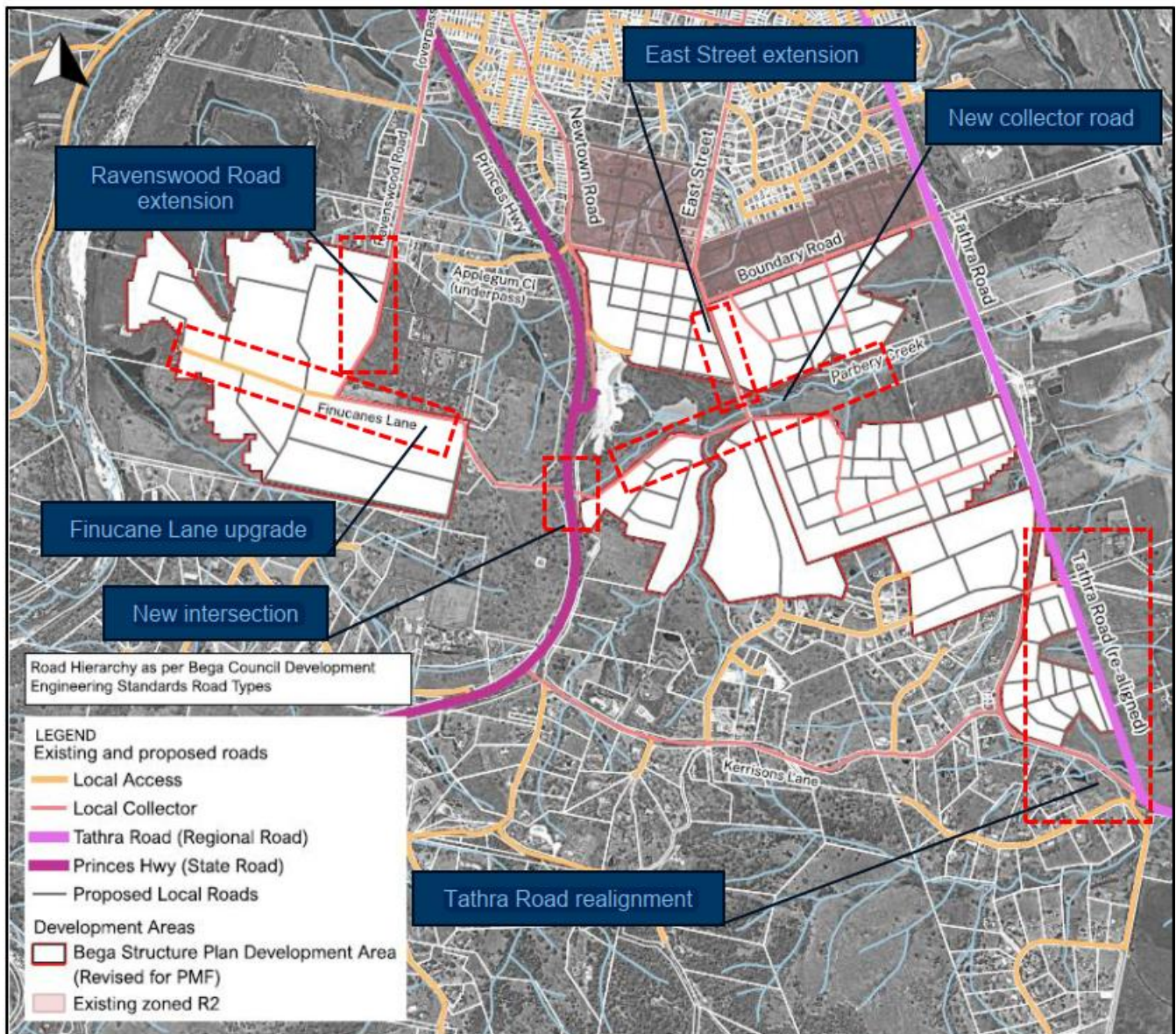


Figure 24 – Proposed road network within the urban release area (source: GHD, 2025)

The proposed road hierarchy is based on the Council's Geometric Road Design (Urban and Rural) Development Design Specifications as set out below in **Table 8**.

Table 8 – Proposed road characteristics (GHD, 2025)

Road Type	Max volume (vpd)	Carriageway width	Footpath requirements	Verge width (each side)	Minimum road reserve width
Access Streets	150	6m	1.2m on one side	4.5m	15
Local Streets	1,000	8m	1.2m on one side	3.5m	15
Collector Streets	3,000	9m	1.2m on one side	3.5m	16
Local Sub-Arterial	6,000	11m	1.2m on one side	4.5m	20

Active and Public Transport Facilities

In relation to buses, bus routes will typically be identified by Council in consultation with TfNSW with the key criteria that no more than 5% of residents should have to walk more than 400 m to/from a bus stop. Roads above local streets in the hierarchy are to be designed as bus routes and have a minimum lane width of 3.5m – consistent with TfNSW Guidelines for Public Transport Capable Infrastructure in Greenfield Sites (2018).

Key actions that were identified for Bega in the Bega Valley Active Transport Strategy (ATS) include:

- Investigate the provision of a shared path along Park Lane and East Street to Tathra Road – medium term.
- Identify key routes that link planned growth within the urban release area with the existing residential areas in the north.

The provision of footpaths on all the proposed local and collector roads will support the active connectivity between north and south Bega. As the project is constructed, there will be opportunities to expand the current bus services into the urban release area. In accordance with the Council's Geometric Road Design, the proposed collector roads will be designed and constructed to be bus-capable and support integration with the current bus services. The locations of the bus stops on the proposed collector road network will be identified at a later time to support the 400-metre walking provision specified in the Geometric Road Design.

5 Planning Proposal

5.1. Introduction

This planning proposal has been prepared in accordance with section 3.33 of the EP&A Act and the Local Environmental Plan Making Guideline prepared by DPHI which requires the following matters to be addressed:

5.2 Part 1 - Objectives and Intended Outcomes

The objectives and intended outcomes of the planning proposal are to:

- Accelerate the development of urban release areas in Bega to meet current and future housing needs;
- Address house price increases associated with supply shortfalls in the area;
- Achieve a resilient shire by planning for growth in a way that protects our natural systems, prepares for natural hazards and creates liveable and connected places;
- Ensure future homes are diverse, affordable and appropriate;
- Provide a transparent statutory framework for the levying of affordable housing contributions in the Bega Urban Release area;
- Achieve the objectives of the Bega Valley Shire Residential Land and Affordable Housing Strategies.

5.3 Part 2 - Explanations of Provisions

A detailed explanation of provisions is provided in Section 6 of this planning proposal. The planning proposal incorporates the range of presently permissible land uses within the proposed land use zones. No additional site-specific land uses are proposed to be included in any proposed land use zones (refer to **Table 9**).

Table 9: Current and proposed land use zones, development standards and local clauses

Current zone and standards	Proposed zone and standards	Proposed additional clauses
RU1 Primary Production 120ha minimum lot size No floor space ratio 10m maximum building height	R2 Low Density Residential 550sqm minimum lot size 0.5:1 floor space ratio 10m maximum building height	Affordable Housing Contributions Urban Land Release Area clauses
	E1 Local Centre No minimum lot size No floor space ratio 14m maximum building height	Urban Land Release Area clauses Clause 6.11 Residential accommodation in mixed use development
	RE1 Public Recreation No minimum lot size No floor space ratio 10m maximum building height	Urban Land Release Area clauses
RU2 Rural Landscape 120ha minimum lot size No floor space ratio 10m maximum building height	R2 Low Density Residential 550sqm minimum lot size 0.5:1 floor space ratio 10m maximum building height	Affordable Housing Contributions Urban Land Release Area clauses
	R5 Large Lot residential 5,000sqm minimum lot size No floor space ratio 10m maximum building height	Affordable Housing Contributions Urban Land Release Area clauses
	RE1 Public Recreation No minimum lot size No floor space ratio 10m maximum building height	Urban Land Release Area clauses
R5 Large Lot residential 5,000sqm / 1ha minimum lot size No floor space ratio 10m maximum building height	R2 Low Density Residential 550sqm minimum lot size 0.5:1 floor space ratio 10m maximum building height	Affordable Housing Contributions Urban Land Release Area clauses
	RE1 Public Recreation No minimum lot size No floor space ratio 10m maximum building height	Urban Land Release Area clauses
E3 Productivity Support No minimum lot size No floor space ratio 14m maximum building height	E2 Commercial Centre No minimum lot size No floor space ratio 14m maximum building height	Urban Land Release Area clauses Clause 6.11 Residential accommodation in mixed use development
	E1 Local Centre No minimum lot size No floor space ratio 14m maximum building height	Urban Land Release Area clauses Clause 6.11 Residential accommodation in mixed use development

5.4 Part 3 - Justification of strategic and site-specific merit

The justification of the planning proposal is set out under the following probe questions asked in the Local Environmental Plan Making Guideline (refer to **Table 10**).

Table 10 – Matters to be addressed by a planning proposal

Considerations set out in Sections A-E		
Section A – need for the planning proposal		
1.	Is the planning proposal a result of an endorsed LSPS, strategic study or report?	Yes. The South East and Tablelands Regional Plan 2036 (Regional Plan 2036) and Draft South East and Tablelands Regional Plan 2041 (Draft Regional Plan 2041) identify Bega as a strategic centre that is well-serviced and capable of accommodating additional housing and employment uses. Under the Draft Regional Plan 2041, the area to the south of Bega is identified as a strategic investigation area – requiring greater focus and investigation to accommodate additional housing. The Bega Structure Plan was developed to guide future land use and development in the Bega urban release area. The plan was developed by specialist consultants in consultation with Councillors, Council officers, government agencies, land owners and the community, and adopted by Council on 12 June 2024. The preparation of both the structure plan and planning proposal have been funded by the NSW Government through the Regional Housing Strategic Planning Fund. The planning proposal is generally consistent with and implements the Bega Structure Plan which was endorsed by Council on 12 June 2024 (refer to discussion in Section 7).
2.	Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	Yes. Bega LEP 2013 is the principal environmental planning instrument applying to the urban release area. It is considered that a standalone planning proposal is the best means of achieving the objectives and intended outcomes for Bega Valley Shire and the urban release area.
Section 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)?	Yes. Housing is the NSW Government's top priority. The planning proposal gives effects to the objectives, goals and actions of the Regional Plan 2036, Draft Regional Plan 2041, the NSW Government's Housing 2041, Bega Valley Residential Land Strategy and Local Strategic Planning Statement 2040 (LSPS). The planning proposal will facilitate the delivery of around 2,230 dwellings, which is in the order of 25-30 years supply (refer to discussion in Section 7).

Considerations set out in Sections A-E		
4.	Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan?	Yes. The planning proposal is consistent with the Bega Valley LSPS (refer also to Section 7.7).
5.	Is the planning proposal consistent with any other applicable State and regional studies or strategies?	Yes. The planning proposal is generally consistent with applicable State and regional studies and strategies. Refer also to Section 7.
6.	Is the planning proposal consistent with applicable SEPPs?	Yes. The planning proposal is consistent with applicable SEPPs and/or includes mechanisms (refer to discussion in Section 7).
7.	Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?	Yes. The planning proposal is generally consistent with applicable Ministerial Directions (refer to discussion in Section 7.9).
Section 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?	No (refer to discussion in Section 8).
9.	Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?	Yes - refer to discussion in Section 8.
10.	Has the planning proposal adequately addressed any social and economic effects?	Yes. The planning proposal has adequately addressed social and economic impacts (refer to Sections 8.3 and 8.8)
Section D – Infrastructure (Local, State and Commonwealth)		
11.	Is there adequate public infrastructure for the planning proposal?	Yes. There is adequate infrastructure (or arrangements can be made to ensure adequate arrangements are in place at the relevant stage (refer to Section 6.5).
Section E – State and commonwealth interests		
12.	What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?	Advice on the scoping proposal has been provided by government agencies and authorities. A detailed response to the matters raised by government agencies and authorities as part of the scoping process is provided in Appendix A .

5.5 Maps (Part 4)

Draft LEP maps are provided in **Figures 25-31** and included in **Appendix C** of this planning proposal.

5.6 Community Consultation (Part 5)

The proposed community consultation program is summarised in Section 1.3 of this planning proposal.

5.7 Project timeline (Part 6)

An indicative project timeframe is provided in Section 1.4 of this planning proposal.

6 Proposed LEP Amendment

6.1 Land to which the LEP amendment will apply

A draft Land Application Map is provided in **Figure 25**. The draft Land Application Map illustrates the land that is to be included in the LEP amendment.

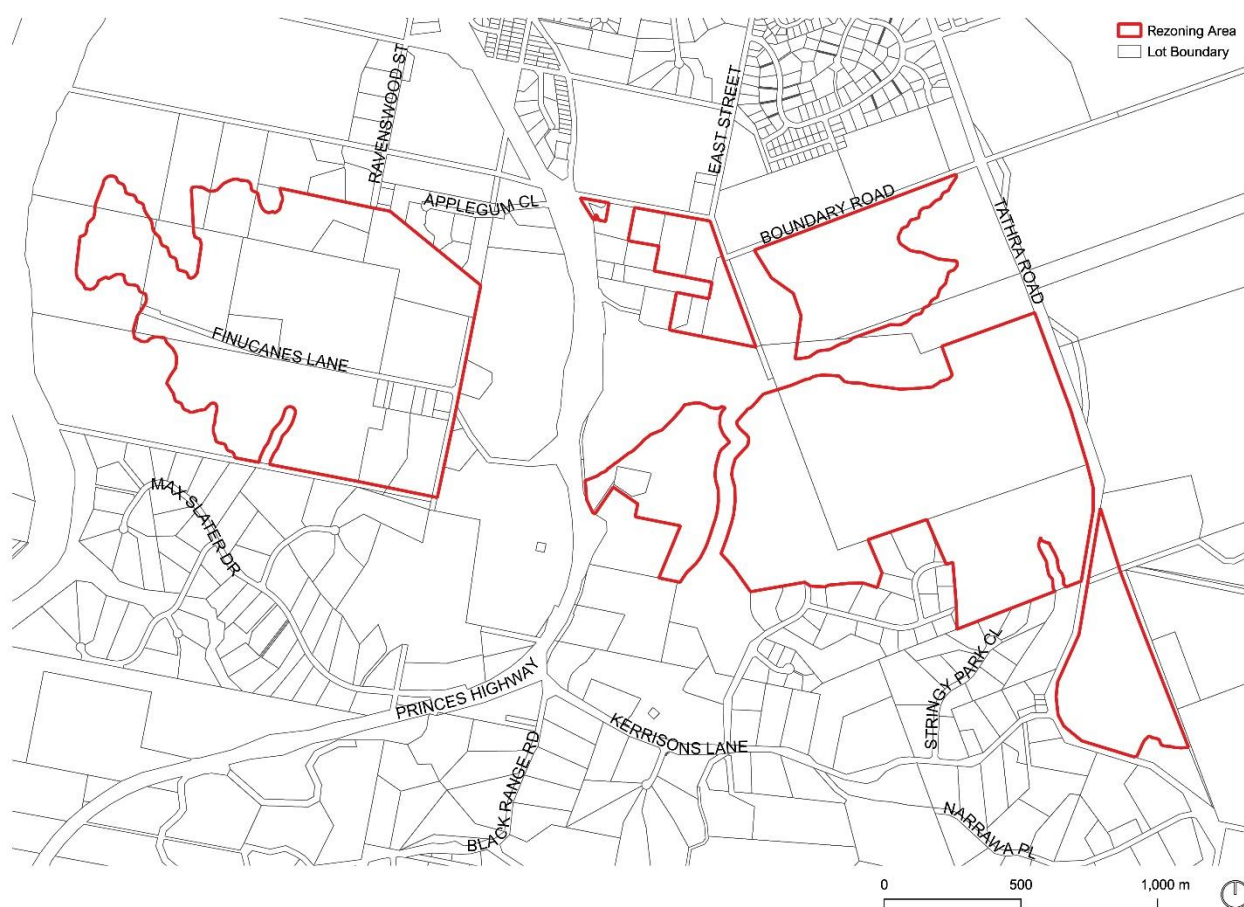


Figure 25 – Land Application Map

6.2 Proposed Land Use zones

It is proposed that the following land use zones be applied to the land:

- E1 Local Centre;
- E2 Commercial Centre;
- R2 Low Density Residential;
- R5 Large Lot Residential; and
- RE1 Public Recreation.

A draft Land Zoning Map illustrating the intended location of each proposed land use zone is provided in **Figure 26**. The proposed development that is intended to be permissible without consent, with consent or prohibited in each zone is shown in **Table 11**. The relevant zone objectives are also shown. The provisions of Table 11 are consistent with Bega LEP 2013.

Table 11 – Draft Land Zoning Table

Zone	Objectives	Proposed Land Uses
E1 Local Centre	1 Objectives of zone - To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area. - To encourage investment in local commercial development that generates employment opportunities and economic growth. - To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area. - To encourage business, retail, community and other non-residential land uses on the ground floor of buildings. - To strengthen the viability of existing business centres as places for investment, employment and cultural activity.	2 Permitted without consent <i>Environmental protection works; Home businesses; Home industries; Home occupations</i> 3 Permitted with consent <i>Amusement centres; Artisan food and drink industries; Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Creative industries; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Local distribution premises; Medical centres; Oyster aquaculture; Places of public worship; Public administration buildings; Recreation facilities (indoor); Respite day care centres; Service stations; Shop top housing; Tank-based aquaculture; Veterinary hospitals; Any other development not specified in item 2 or 4</i> 4 Prohibited <i>Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat building and repair facilities; Camping grounds; Caravan parks; Cemeteries; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Open cut mining; Recreation facilities (major); Residential accommodation; Resource recovery facilities; Rural industries; Sewerage systems; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies</i>
E2 Commercial Centre	1 Objectives of zone - To strengthen the role of the commercial centre as the centre of business, retail, community and cultural activity. - To encourage investment in commercial development that generates employment	2 Permitted without consent <i>Environmental protection works; Home businesses; Home industries; Home occupations</i> 3 Permitted with consent <i>Amusement centres; Artisan food and drink industries; Backpackers' accommodation; Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Creative industries; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Local distribution premises; Medical centres; Mortuaries; Oyster aquaculture; Passenger transport facilities;</i>

Zone	Objectives	Proposed Land Uses
	opportunities and economic growth. - To encourage development that has a high level of accessibility and amenity, particularly for pedestrians. - To enable residential development only if it is consistent with the Council's strategic planning for residential development in the area. - To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.	<i>Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Restricted premises; Shop top housing; Tank-based aquaculture; Vehicle repair stations; Veterinary hospitals; Any other development not specified in item 2 or 4</i> 4 Prohibited <i>Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat building and repair facilities; Camping grounds; Caravan parks; Cemeteries; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Open cut mining; Recreation facilities (major); Residential accommodation; Resource recovery facilities; Rural industries; Sewerage systems; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies</i>
R2 Low Density Residential	1 Objectives of zone - To provide for the housing needs of the community within a low density residential environment. - To enable other land uses that provide facilities or services to meet the day to day needs of residents. - To provide a mix of housing, including affordable and adaptable housing, to meet community needs.	2 Permitted without consent <i>Environmental protection works; Home businesses; Home industries; Home occupations</i> 3 Permitted with consent <i>Bed and breakfast accommodation; Boarding houses; Boat launching ramps; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental facilities; Exhibition homes; Exhibition villages; Group homes; Hostels; Jetties; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Tank-based aquaculture; Water recreation structures; Wharf or boating facilities</i> 4 Prohibited <i>Any development not specified in item 2 or 3</i>
R5 Large Lot Residential	1 Objectives of zone To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.	2 Permitted without consent <i>Environmental protection works; Extensive agriculture; Home businesses; Home industries; Home occupations</i> 3 Permitted with consent <i>Bee keeping; Cellar door premises; Dwelling houses; Information and education facilities; Landscaping material supplies; Oyster aquaculture; Plant nurseries; Pond-based</i>

Zone	Objectives	Proposed Land Uses
	- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future. - To ensure that development in the area does not unreasonably increase the demand for public services or public facilities. - To minimise conflict between land uses within this zone and land uses within adjoining zones.	<i>aquaculture; Roads; Roadside stalls; Tank-based aquaculture; Any other development not specified in item 2 or 4</i> 4 Prohibited <i>Advertising structures; Air transport facilities; Airstrips; Amusement centres; Attached dwellings; Backpackers' accommodation; Biosolids treatment facilities; Boat building and repair facilities; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Dairies (pasture-based); Eco-tourist facilities; Emergency services facilities; Entertainment facilities; Exhibition villages; Extractive industries; Forestry; Freight transport facilities; Funeral homes; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Intensive livestock agriculture; Local distribution premises; Marinas; Mooring pens; Moorings; Mortuaries; Multi dwelling housing; Office premises; Open cut mining; Passenger transport facilities; Port facilities; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Residential flat buildings; Restricted premises; Retail premises; Rural industries; Rural workers' dwellings; Semi-detached dwellings; Seniors housing; Service stations; Serviced apartments; Sewage treatment plants; Sex services premises; Shop top housing; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Water recycling facilities; Water reticulation systems; Water treatment facilities; Wharf or boating facilities; Wholesale supplies</i>
RE1 Public Recreation	1 Objectives of zone - To enable land to be used for public open space or recreational purposes. - To provide a range of recreational settings and activities and compatible land uses. - To protect and enhance the natural environment for recreational purposes.	2 Permitted without consent <i>Environmental protection works</i> 3 Permitted with consent <i>Aquaculture; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Caravan parks; Centre-based child care facilities; Community facilities; Environmental facilities; Flood mitigation works; Information and education facilities; Jetties; Kiosks; Markets; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Sewage treatment plants; Water recreation structures</i> 4 Prohibited <i>Any development not specified in item 2 or 3</i>

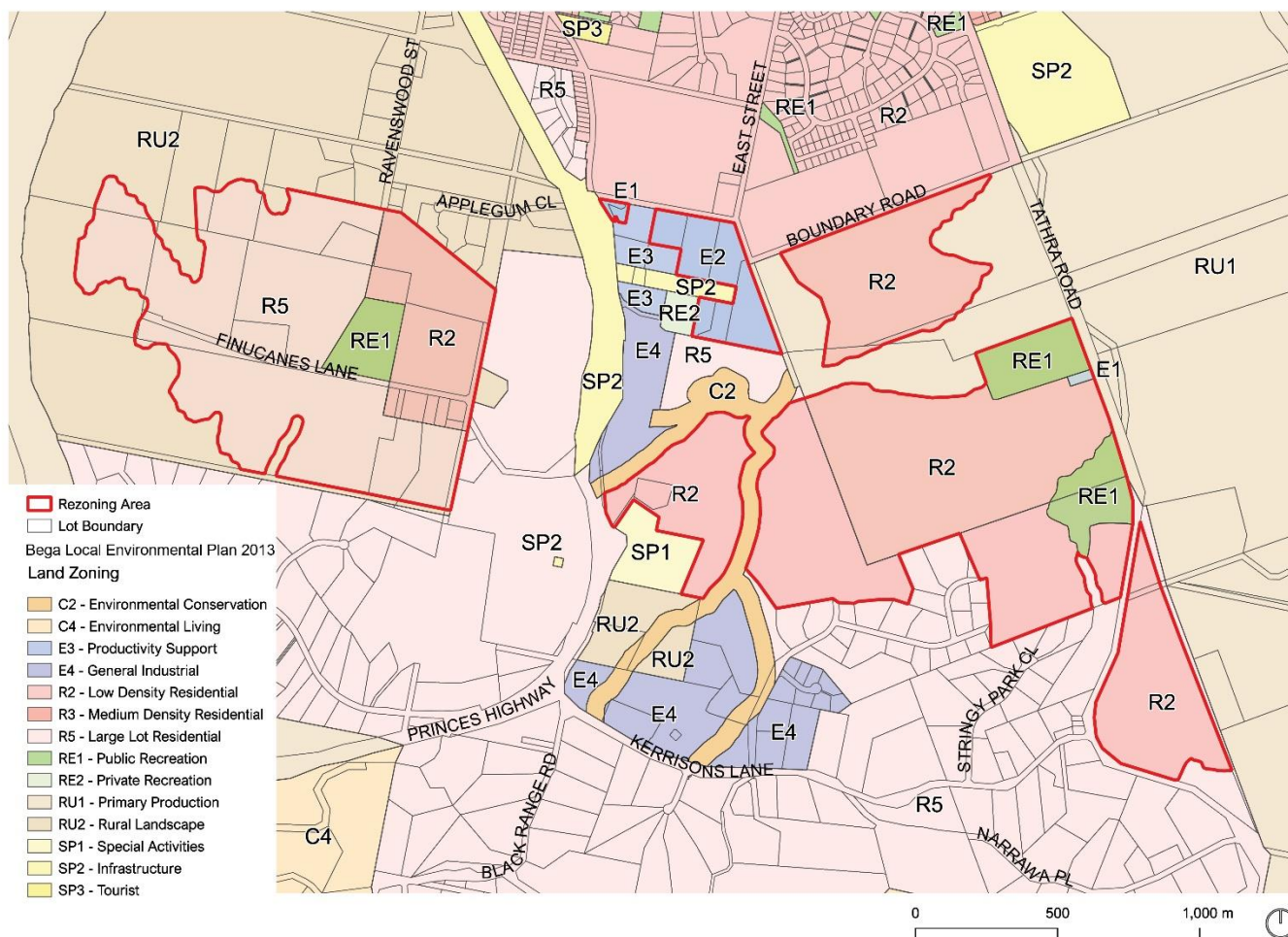


Figure 26 - Draft Land Zoning Map

6.3 Explanation of land use zone selection

The fundamental objective of the planning proposal is to rezone land for new urban neighbourhoods that will provide for diversity of housing choice and meet identified demand for existing and emerging residential accommodation types in the Bega Valley Shire and identify which parts of the urban release area are for development of low and medium density housing and which parts are for recreation, environmental protection, commercial, industrial or community use.

E1 Local Centre

Two new local centres are proposed within the urban release area. The first E1 Local Centre is proposed on the south-east corner of the intersection of Boundary Road and Newtown Road within the central precinct. The second E1 Local Centre zone is 3,000m² in area and is proposed to the south of a new area of public open space on the western side of Tathra Road within the eastern precinct. These two neighbourhood centres will provide for local convenience shopping to support surrounding residential development. Both local centres are consistent with size of other neighbourhood centres which typically accommodate a small-scale supermarket, chemist, café, newsagent and the like.

Each neighbourhood centre has good access and is generally within walking and cycling distance from more denser forms of residential development, thereby reducing the need for future residents to travel into Bega CBD via private vehicle.

E2 Commercial Centre

The proposed E2 Commercial Centre on the southern and western side of Boundary Road (and west of a future new access road) is intended to become a mixed-use area providing employment and residential /accommodation uses in one location. The E2 commercial centre zone is flexible which will enable future uses to be responsive to the changes in worker and population demographics over time. Employment and residential/employment uses are intended to support the Bega South-East Regional Hospital and administrative functions in this area. Residential uses within the E2 Commercial Centre will be provided through shop-top housing.

Residential zones

Areas within the urban release area that are generally unconstrained gentle or moderate sloping land and /or are adjacent or within convenient walk or cycle distance to open space, a local centre or commercial centre are proposed to be rezoned R2 Low Density Residential consistent with zoning approach taken in other parts of Bega Valley. It is noted that within the R2 Low Density Residential zone, development for the purpose of dual occupancies, semi-detached dwellings and multi dwelling housing in addition to dwelling houses is permissible with development consent.

It is proposed to apply an R5 Large Lot residential zoning on land adjacent to R2 Low Density zoned land, that is potentially constrained by slope, vegetation, flooding or adjacent to strategically important primary production land providing a transition between R2 land and rural land. Larger lots in these areas provides adequate space for a dwelling, open space and landscaping, car parking, privacy and solar access and is of sufficient size to accommodate the particular constraint (i.e. retention of vegetation, slope, flooding). The R5 Rural Residential zoned land also provides a buffer to adjacent primary production land.

RE1 Public Recreation

It is proposed to apply the RE1 Public Recreation zone to parks and future playing fields within the urban release area. This land is to be dedicated to Council.

6.4 Principal Development Standards

The proposed amendments to principal development standards within Bega LEP 2013 are described below.

Minimum lot size

To support the delivery of housing diversity and a product mix that is responsive to market demand and an increased range of affordable housing options, it is proposed to apply the standard minimum lot size of 550m² for a single dwelling house and other existing provisions within Bega LEP 2013 which allow smaller lot sizes in particular circumstances to the urban release area (as relevant).

Existing provisions within Bega LEP 2013 allow for smaller lot sizes to be achieved on land zoned R2 Low Density Residential. These will apply to the urban release area and are as follows:

- Clause 4.1 - Minimum subdivision lot size – which allows the subdivision of land within the R2 Low Density zone to create lots of at least 150m² if there are two existing dwellings on the land and each dwelling will be located on a separate lot resulting from the subdivision.
- Clause 4.1A – Minimum lot size for dual occupancies and secondary dwellings in Zones RU5 and R2 - which allows dual occupancies and secondary dwellings on lots not less than 550m² and 450m², respectively.
- Clause 6.15 - Exception to minimum lot sizes for certain land in Zone R2 - which allows up to 40% of lots resulting from a subdivision of land to which this clause applies to be smaller than the minimum lot size for the land if the consent authority is satisfied:
 - the land is not flood prone land and is not likely to be affected by a coastal hazard, and
 - each lot resulting from the subdivision will be at least 350m², and
 - each lot resulting from the subdivision will be serviced by a water reticulation system and a reticulated sewerage system, and
 - no lot that will be smaller than the minimum lot size for the land will be a battle-axe lot.

On land proposed to be zoned R5 Large Lot Residential, a minimum lot size of 5,000m² is proposed, consistent with the approach taken for other similarly zoned land under Bega LEP 2013.

No minimum lot size is proposed within the E1 Local Centre, E2 Commercial Centre or RE1 Public Recreation zones.

The proposed lot sizes will provide sufficient flexibility to respond to changes in the market and housing needs over the next 25-30 years, address design and site constraint issues should they arise during the detailed design phase or provide sufficient market flexibility to encourage more denser forms of housing throughout the urban release area.

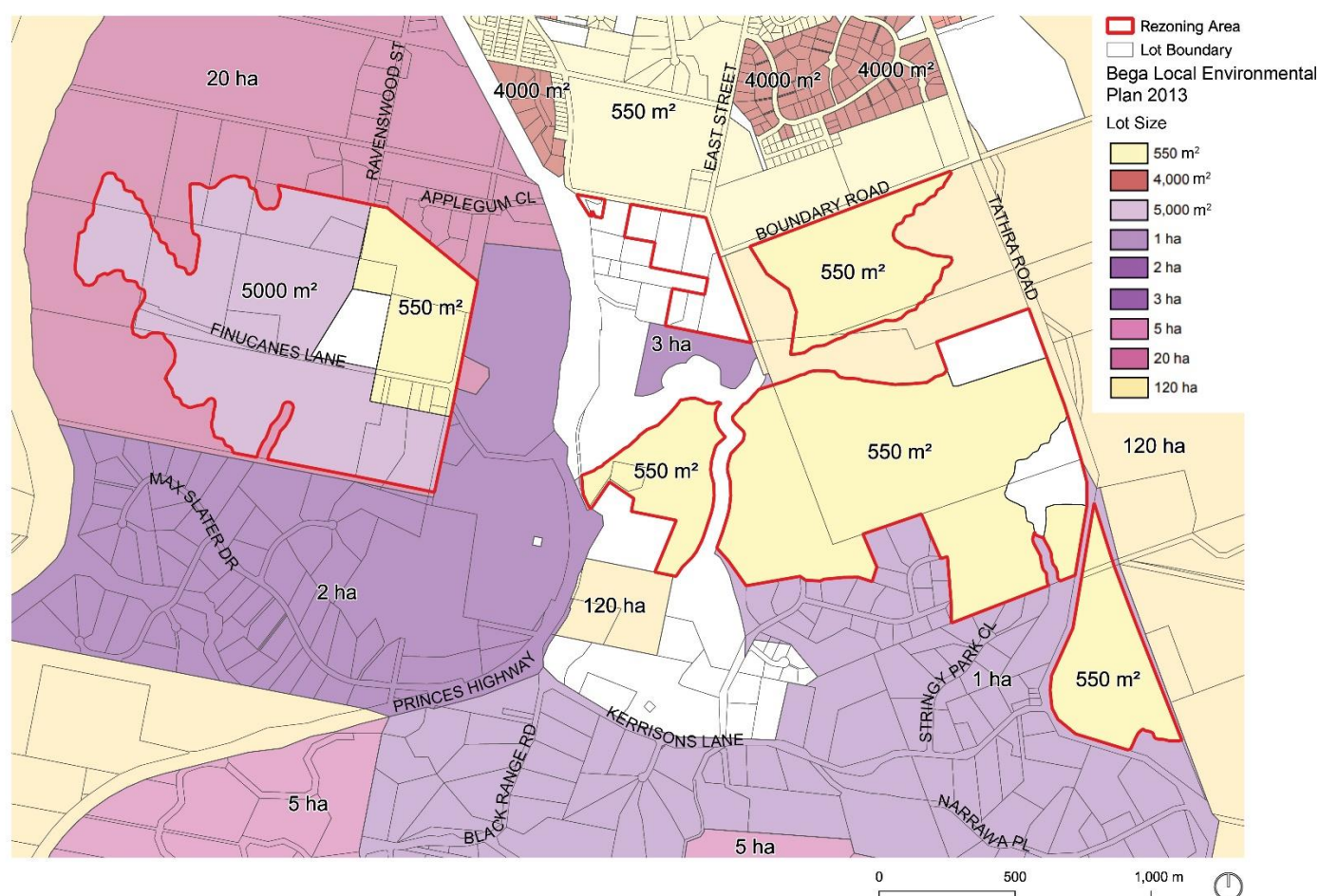


Figure 27 - Draft Lot Size Map

Maximum Height of buildings

A maximum building height of 10m is proposed within the R2 Low Density Residential and R5 Large Lot Residential zone—consistent with the existing height provisions within Bega LEP 2013. The 10m height control accounts for the sloping topography of parts of the urban release area. A maximum building height of 14m is proposed for land within the neighbourhood/local centres (i.e. E1 Local Centre or E2 Commercial Centre) to allow for buildings including shop top housing up to approximately 4 storeys.

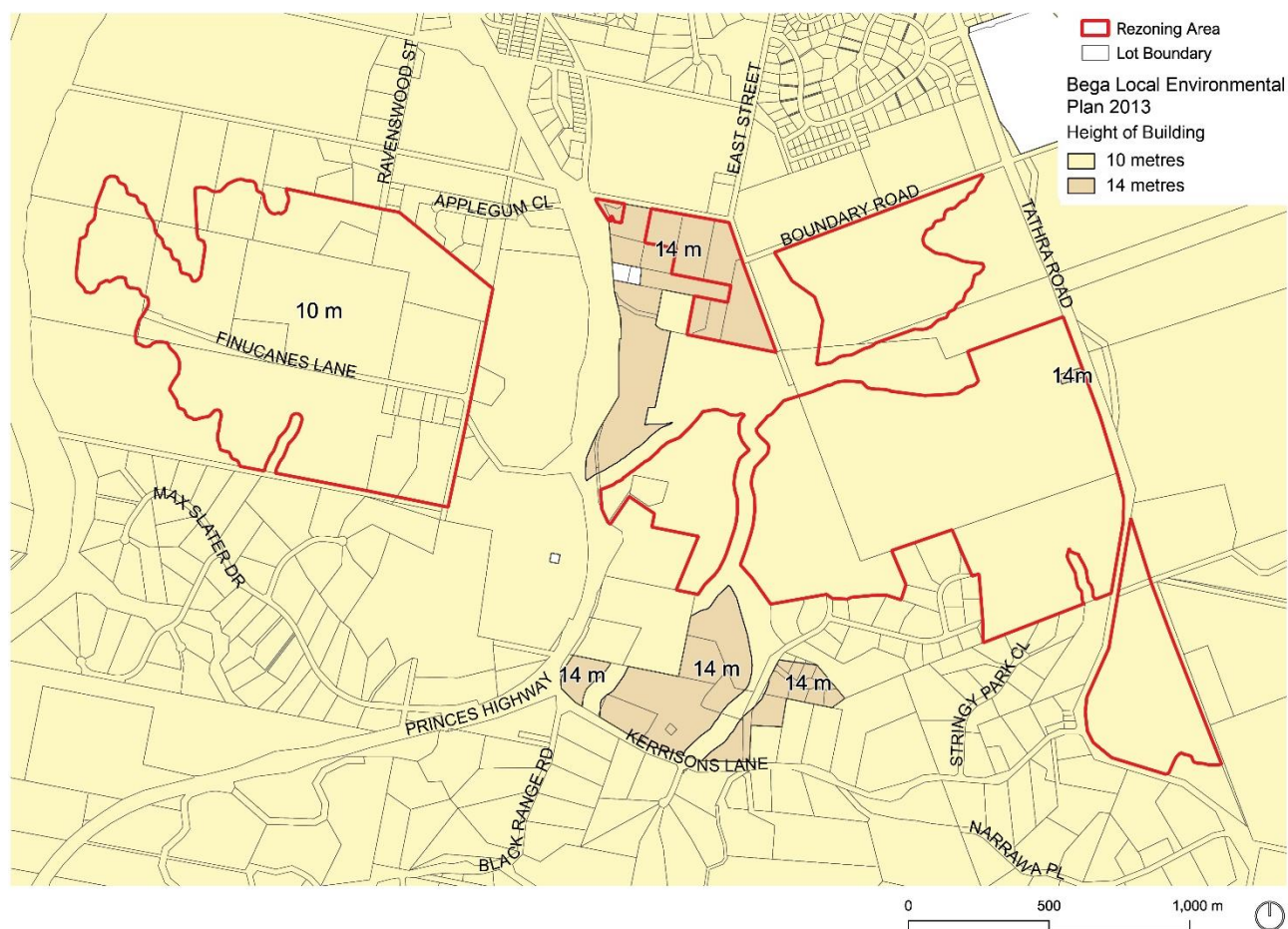


Figure 28 - Draft Height of Buildings Map

Floor space ratio

Bega LEP 2013 applies a floor space ratio (FSR) development standard of 0.5:1 for land zoned R2 Low Density Residential. It is proposed to amend the FSR Map to apply the same development standard to new areas of R2 Low Density Residential zoned land within the urban release area.

No minimum FSR development standard is proposed within the E1 Local Centre or E2 Commercial Centre.

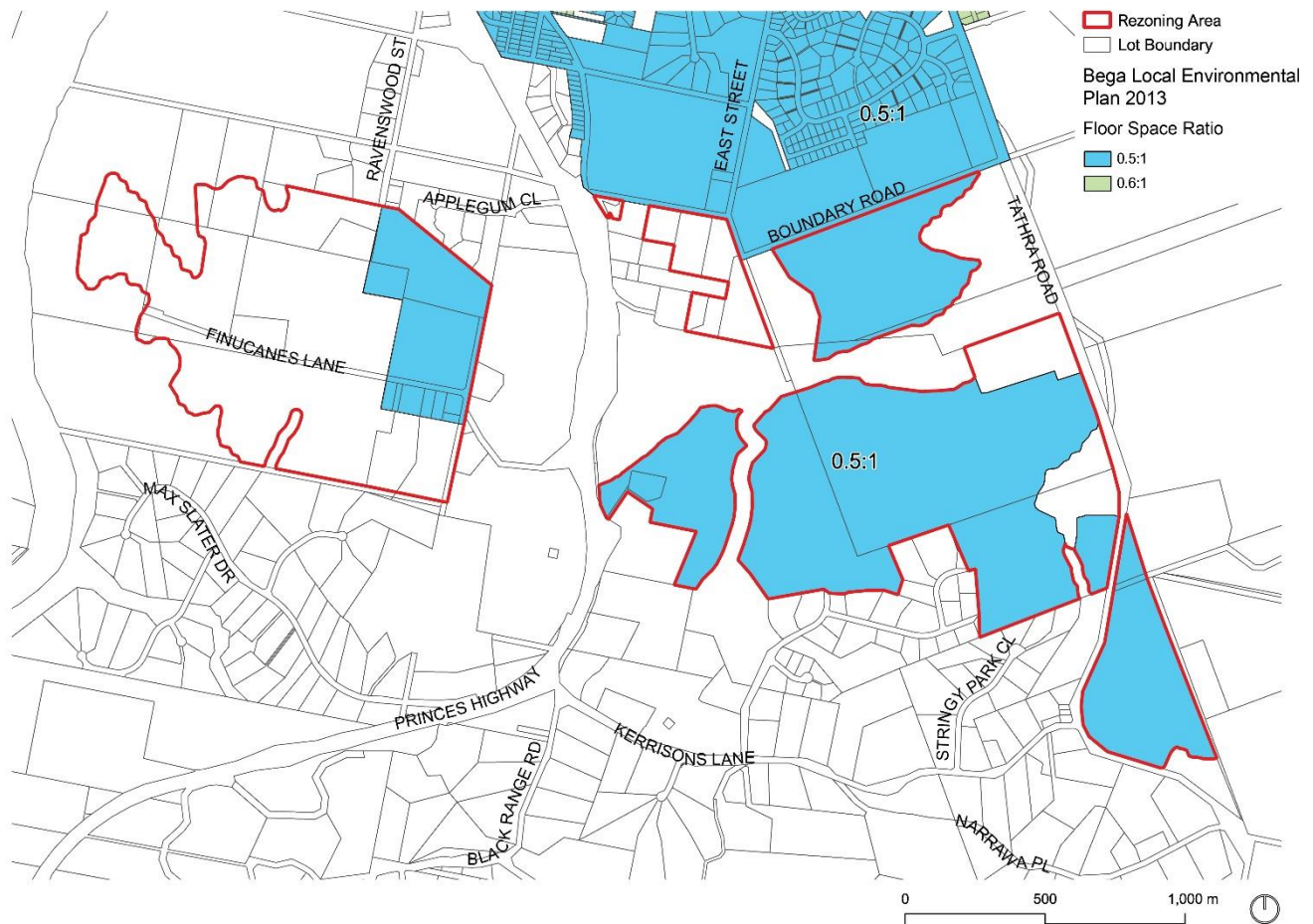


Figure 29 - Draft FSR Map

Land reservation

The proposed LEP Amendment proposes to reserve RE1 Public Recreation zoned land exclusively for a public purpose. An amendment to the Land Reservation Acquisition Map will be required.

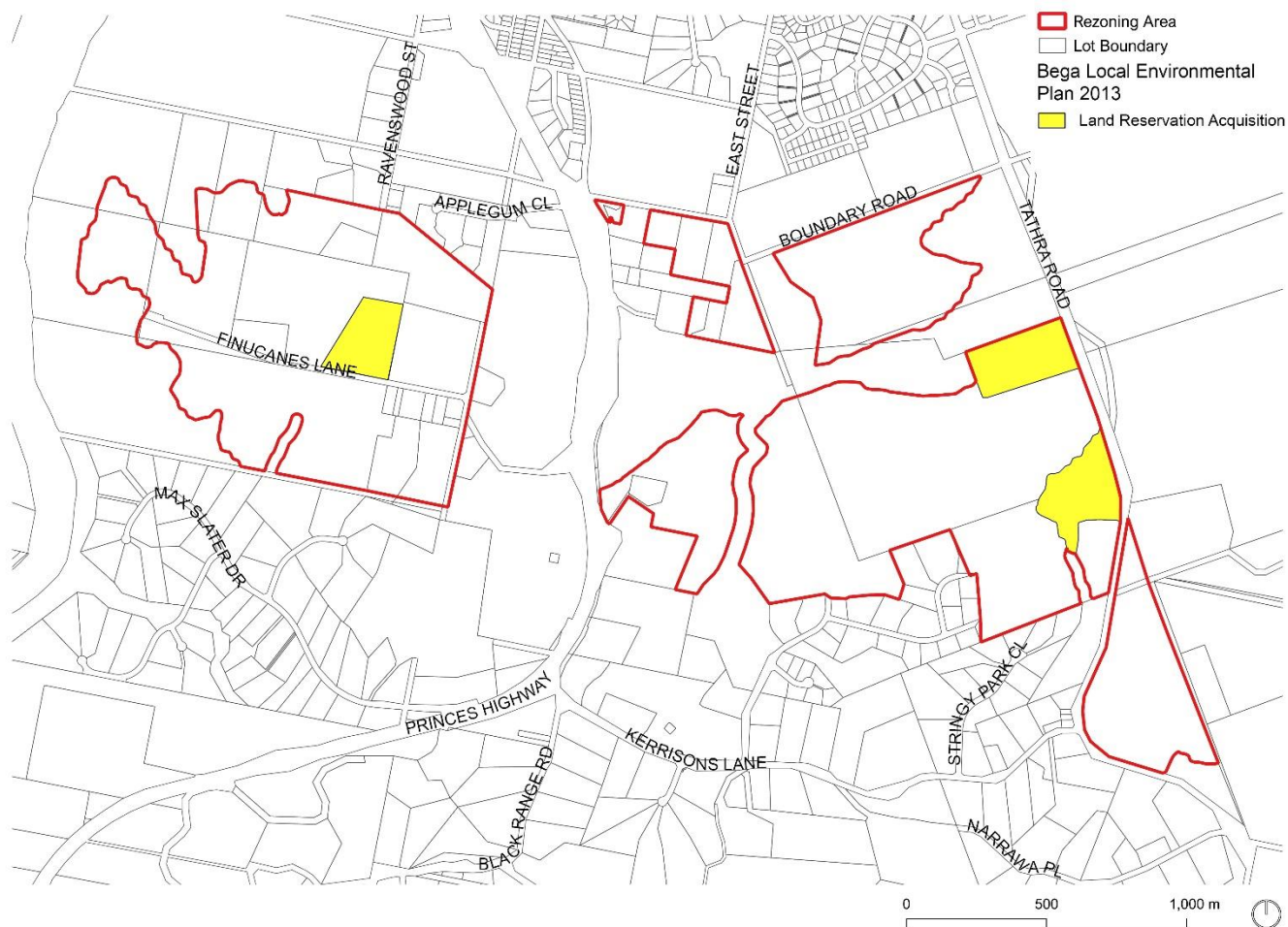


Figure 30 - Draft Land Reservation Acquisition Map

6.5 Part 6 Additional local provisions – Bega Valley Urban Release Area

It is proposed to amend Part 6 of Bega LEP 2013 to include new provisions as they relate to the urban release area. This will include identifying the urban release area in an Urban Release Area Map and the inclusion of the following provisions which will apply to land identified as an urban release area:

Local public utility infrastructure

The purpose of the following clause is to ensure suitable infrastructure is or can be provided during relevant stages of the development of the urban release area. The onus is on the proponent to demonstrate to Council that public utility infrastructure is or can be made available when it is required.

6.XX Public utility infrastructure

- (1) *Development consent must not be granted for development on land in an urban release area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required.*
- (2) *This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure.*
- (3) *In this clause –*
public utility infrastructure, in relation to an urban release area, means infrastructure for any of the following—

- (a) *the supply of water,*
- (b) *the disposal and management of waste,*
- (c) *the disposal and management of sewage.*

State Infrastructure

The purpose of the following clause is to ensure State infrastructure is or can be provided during relevant stages of the development of the urban release area.

6.XX Concurrence of Planning Secretary—urban release areas

- (1) *This clause applies to the subdivision of land identified as the Bega Urban Release Area on the Urban Release Area Map.*
- (2) *Development consent must not be granted to development to which this clause applies unless the consent authority has obtained the concurrence of the Planning Secretary.*
- (3) *In deciding whether to grant concurrence, the Planning Secretary must consider the following—*
 - (a) *the impact of the development on—*
 - (i) *existing designated State public infrastructure, and*
 - (ii) *the need for additional designated State public infrastructure,*
 - (b) *the cumulative impact of the development with other development that has been, or is likely to be, carried out in surrounding areas on—*
 - (i) *existing designated State public infrastructure, and*
 - (ii) *the need for additional designated State public infrastructure,*
 - (c) *the steps taken to address those impacts, including whether a planning agreement has been, or will be, entered into contributing to designated State public infrastructure.*
- (4) *In deciding whether to grant concurrence, the Planning Secretary must also consult the public authorities that the Planning Secretary considers relevant to the development.*
- (5) *This clause does not apply in relation to—*
 - (a) *development if all or part of the land on which the development is to be carried out is in a special contributions area to which a determination under the Act, section 7.23 applies, or*
 - (b) *a lot identified in the certificate as a residue lot, or*
 - (c) *a lot that is proposed to be reserved or dedicated for public open space, public roads, public utility undertakings, educational facilities or any other public purpose, or*
 - (d) *a subdivision for the purpose only of rectifying an encroachment on an existing lot.*

- (6) *In this clause—*

designated State public infrastructure means public facilities or services that are provided or financed by the State, or if provided or financed by the private sector, to the extent of the financial or in-kind contribution by the State, of the following kinds—

- (a) *State and regional roads,*
- (b) *bus interchanges and bus lanes,*
- (c) *rail infrastructure and land,*
- (d) *regional parks and public space,*
- (e) *social infrastructure and facilities, including schools, hospitals, emergency services and justice facilities.*

Development control plan (DCP)

The purpose of the following clause is to ensure development on land within the urban release area occurs in a logical manner and is generally consistent with the Bega Valley Structure Plan that was adopted by the Council in June 2024. The DCP provides more detailed guidelines and controls for the design and assessment of future DAs.

It is Council's intention to prepare a DCP for the urban release area. A review of DCP 2013 as it relates to the urban release area (and land to which the planning proposal relates) is currently being undertaken by Council.

It is noted that the obligation to prepare a DCP for land within the urban release area may be satisfied by the making and approval of a concept development application in respect of land within the urban release area – as described in section 4.23 of the EP&A Act.

6.XX Development control plan

- (1) *The objective of this clause is to ensure that development on land in an urban release area occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan that includes specific controls has been prepared for the land or part thereof.*
- (2) *Development consent must not be granted for development on land in an urban release area unless a development control plan that provides for the matters specified in subclause (3) has been prepared for the land.*
- (3) *The development control plan must provide for all of the following—*
 - (a) *a staging plan for the timely and efficient release of urban land, making provision for necessary infrastructure and sequencing,*
 - (b) *an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,*
 - (c) *an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain,*
 - (d) *a network of active and passive recreation areas,*
 - (e) *stormwater and water quality management controls,*
 - (f) *amelioration of natural and environmental hazards, including bush fire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected,*
 - (g) *detailed urban design controls for significant development sites,*
 - (h) *measures to encourage higher density living around transport, open space and service nodes,*
 - (i) *measures to accommodate and control appropriate neighbourhood commercial and retail uses,*
 - (j) *suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.*
- (4) *Subclause (2) does not apply to development for any of the following purposes—*
 - (a) *a subdivision for the purpose of a realignment of boundaries that does not create additional lots,*
 - (b) *a subdivision of land if any of the lots proposed to be created is to be reserved or dedicated for public open space, public roads or any other public or environment protection purpose,*
 - (c) *a subdivision of land in a zone in which the erection of structures is prohibited,*
 - (d) *development on land that is of a minor nature only, if the consent authority is of the opinion that the carrying out of the development would be consistent with the objectives of the zone in which the land is situated.*

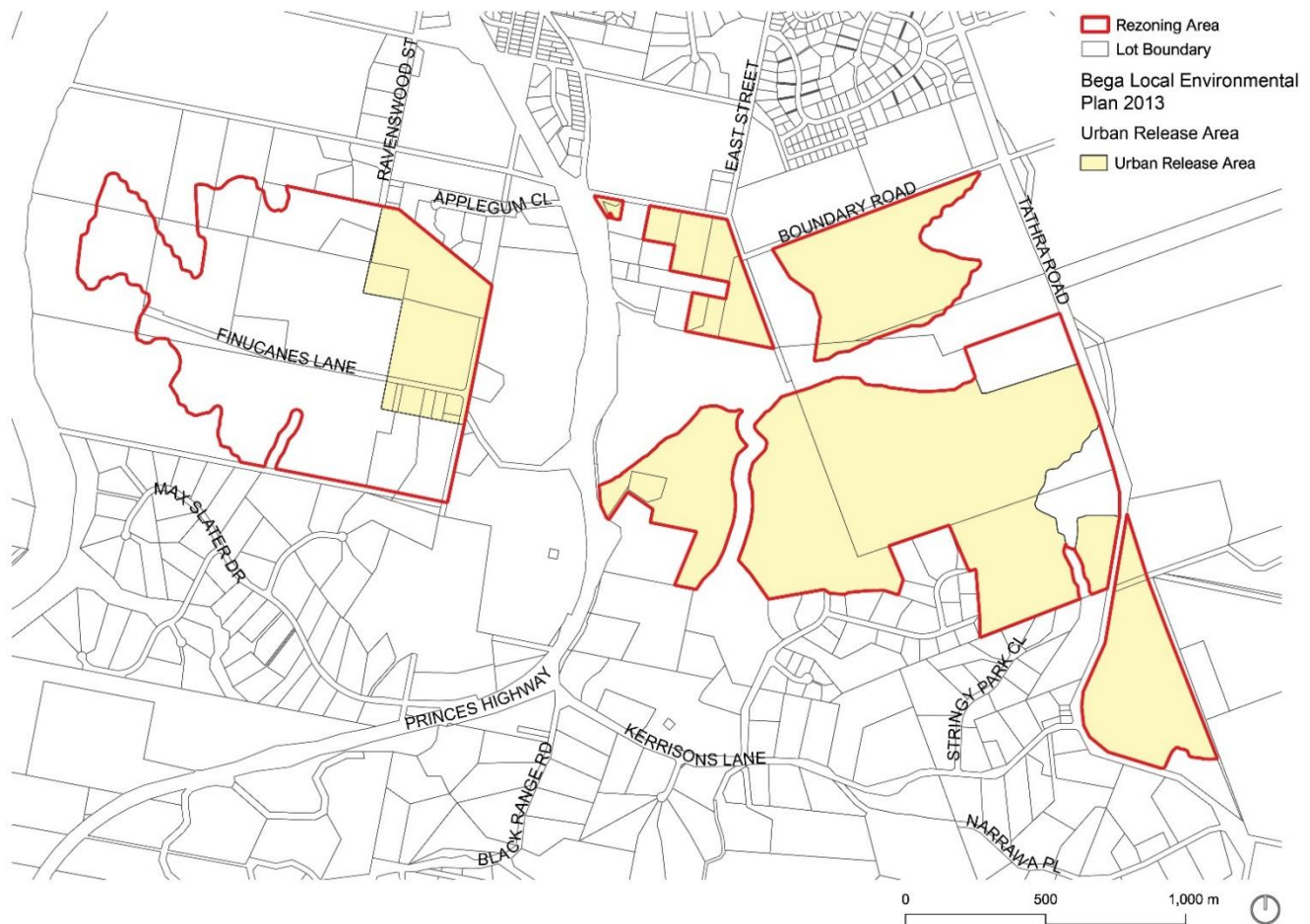


Figure 31 - Draft Urban Release Area Map

Affordable housing

The purpose of the following clause will allow Council to impose conditions of consent on new development within the urban release area for contributions for affordable housing.

6.XX Affordable housing contributions in Bega urban release area

(1) The objectives of this clause are as follows:

- (a) to capture increases in land value when changes to planning controls enable an increase in housing density,
- (b) to enable the imposition of conditions relating to the provision of affordable housing,
- (c) to deliver housing that promotes and retains a socially diverse population.

(2) This clause applies to development, other than development that is exempt from the scheme, for the purposes of residential accommodation on land identified on the Bega Affordable Housing Contributions Scheme Map.

(3) When granting development consent to development to which this clause applies, the consent authority may impose a condition requiring an affordable housing contribution, consistent with the Bega Valley Affordable Housing Contributions Scheme, to the part of the development intended to be used for residential accommodation.

(4) A condition imposed under this clause must satisfy the affordable housing contribution:

- (a) by way of a monetary contribution paid to the Council that is the per square metre value calculated in accordance with subclause (5), or:

(b) a dedication in favour of the Council of land or dwellings, or

(c) a combination of both.

(5) The contribution must be calculated in accordance with the Bega Affordable Housing Contributions Scheme.

(6) In this clause—

affordable housing contribution area means land identified as "Affordable housing contribution area" on the Affordable Housing Contribution Scheme Map

Bega Affordable Housing Contribution Scheme means the Bega Valley Shire Council Affordable Housing Contribution Scheme adopted by the Council on [XX date].

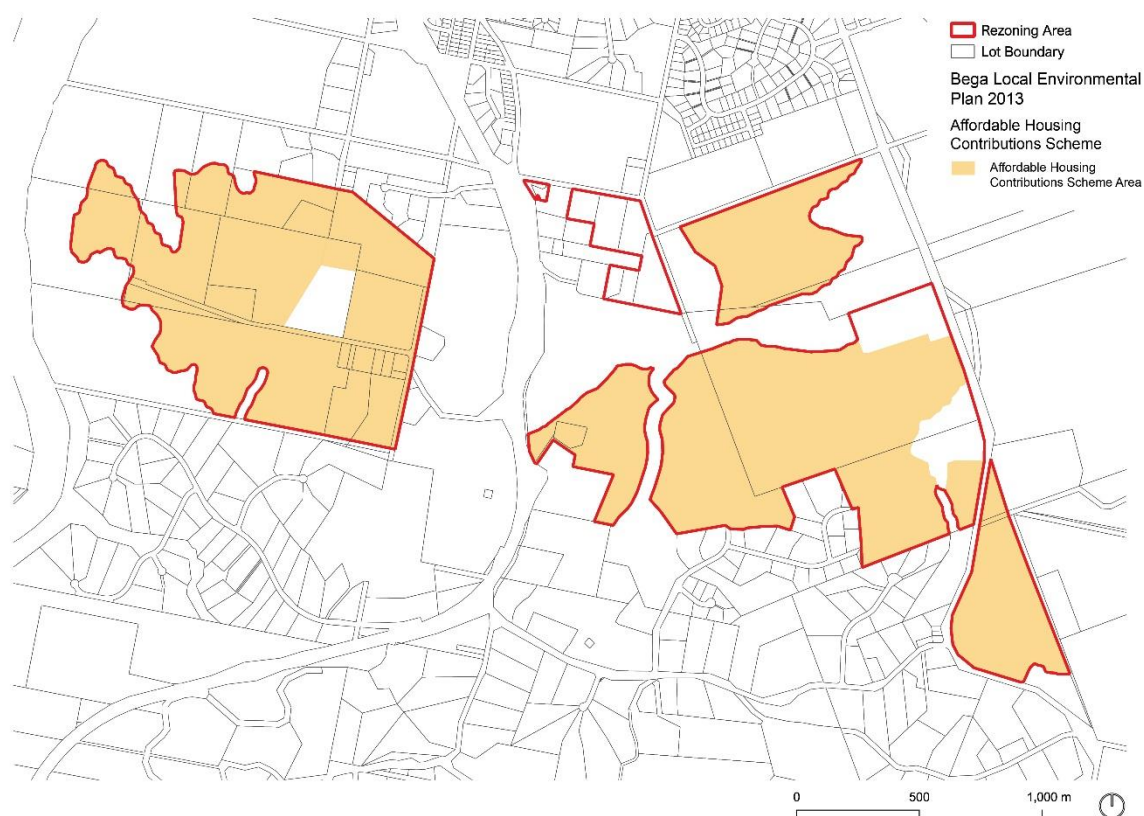


Figure 32 – draft Affordable Housing Contribution Scheme Map

6.6 Development Control Plan

Bega Valley Development Control Plan 2013 (DCP 2013) supports Bega LEP 2013 by providing detailed reasoning, guidelines, requirements and general information relating to the decision-making process and ensures that future development is consistent with the desired future character and community vision for the Bega Valley Shire's towns, villages, urban settlements and rural areas.

As stated above, a review of DCP 2013 as it relates to the urban release area (and land to which the planning proposal relates) is currently being undertaken by Council. It is expected that this review will involve a new chapter will be included in DCP 2013 to ensure future development applications including subdivisions are guided by the Bega Structure Plan and to ensure that Council has all the tools, policy and planning framework required to ensure that the

rezoned land will be developed appropriately to maximise dwelling yields while ensuring safe, well designed, and well serviced neighbourhoods.

6.7 Development Contributions Plan

A new development contributions plan for the urban release area will need to be prepared – to fund the delivery of key local infrastructure necessary to support the incoming residential and worker population. This work is anticipated to commence in early 2026.

7 Strategic Justification

7.1 Introduction

The relationship of the planning proposal to relevant strategic planning documents is considered in detail below. DPHI has acknowledged the strategic merit of the proposal by providing Council with funding from Round 1 and 2 of the NSW Government Regional Housing Strategic Planning Fund to deliver a project to coordinate planning and infrastructure provision for urban residential growth areas in Bega.

The following section provides evidence that the planning proposal is consistent with the employment targets, outcomes and actions set out in these State and Local strategic planning documents. The planning proposal's consistency with State Environmental Planning Policies and Section 9.1 Directions is also examined.

The relevant State and local plans, strategies and policies applicable to the planning proposal are:

- National Housing Accord;
- Regional Housing Taskforce;
- NSW Government's 20-year vision for housing in NSW;
- South East Tablelands Regional Plan 2036;
- Draft South East Tablelands Regional Plan 2041;
- Bega Valley Shire Council Residential Land Strategy;
- Bega Valley Shire Council Local Strategic Planning Statement; and
- Bega Valley Shire Council Affordable Housing Strategy.

7.2 National Housing Accord and Housing Pipeline

Housing is the NSW Government's top priority. Under the National Housing Accord, the NSW Government has committed to contributing to a national target of 1.2 million new well-located homes over the next 5 years of which around 377,000 new homes are to be delivered in NSW by 2029 including at least 3,100 affordable homes.

Councils in Greater Sydney, Illawarra-Shoalhaven, Central Coast, Lower Hunter and Greater Newcastle along with regional NSW have a target. The NSW Government sees housing targets as being critical to address the housing crisis – helping NSW Government and local government to address the housing shortage and prioritise more diverse and well-located homes in areas with existing infrastructure. The five (5) year housing targets for Regional NSW which includes Bega Valley Shire is 55,000 new homes by 2029.

Like many regional towns throughout NSW, the COVID-19 pandemic resulted in an increase in population to Bega. This increase in population growth in Bega Valley Shire has caused a housing shortage both for purchase and for rent (particularly a lack of housing for key workers now affecting local economy as business and service organisations). Recent subdivision applications have also created a shortage of greenfield land for future residential uses. Together these factors have accelerated the need to plan for additional housing in the short and long term.

Based on the current average household size of 2.22 persons per household, an additional 1,070 homes will be required in the next 14 years. The planning proposal will provide around 2,230 dwellings (~ 25-30-year supply) within the urban release area of which a component could potentially be delivered by 2029. Notwithstanding, maintaining a housing pipeline is critical as it helps ensure that there are enough homes to meet the needs of future populations. The planning proposal is likely to contribute to longer term housing targets over the next 30 years.

7.3 Regional Housing Taskforce

In June 2021 the NSW Government established the Regional Housing Taskforce (the Taskforce) in response to increasing pressures on the supply and affordability of housing in Regional NSW. The Taskforce consulted widely with local government, experts from the development and housing sectors, community housing providers and regional communities across the state.

The Taskforce released a recommendations report in November 2021 which made five (5) main recommendations and fifteen (15) detailed recommendations. The 5 main recommendations:

- Support measures that bring forward a supply of 'development ready' land.
- Increase the availability of affordable and diverse housing across regional NSW.
- Provide more certainty about where, when and what types of homes will be built.
- Investigate planning levers to facilitate the delivery of housing that meets short-term needs.
- Improve monitoring of housing and policy outcomes and demand indicators.

In August 2022, the NSW Government adopted all recommendations of the Regional Housing Taskforce as part of a comprehensive response to support delivery of 127,000 new homes needed to house the growing population of the regions over the next 10 years.

The planning proposal is consistent with the following principles and recommendations of the Regional Housing Taskforce:

- Invest in upfront, place-based strategic planning to improve decision-making, provide certainty and enable more efficient assessments. The endorsed structure plan and planning proposal provides a strategic planning framework for the location of additional homes, employment and retail areas and open space within a nominated urban release area.
- Provide a more transparent and certain supply pipeline and activate latent supply by addressing infrastructure requirements and resolving site constraints.
- 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.
- Ensure new housing is appropriately located, well-designed, fit for purpose, and better provides for the diversity of housing needs. The proposed lot sizes and other existing provisions within Bega LEP 2013 which allow for smaller lots sizes in particular circumstances, provide sufficient flexibility to provide a range of densities, respond to changes in the market and housing needs over the next 25-30 years. They also address design and site constraint issues should they arise during the detailed design phase and provide sufficient market flexibility to encourage more denser forms of housing throughout the urban release area. The introduction of a mechanism within Bega LEP 2013 to enable Council to impose conditions to provide affordable housing to support mixed and balanced communities and maintain a socially diverse residential population, representative of all income groups in Bega Valley Shire.

7.4 NSW Government Housing 2041

Housing 2041 is a strategy that underpins the NSW Government's goal of delivering housing in the right locations, that suits the community's diverse needs. Released in March 2021, it sets a 20-year vision to unlock access to homes and improve people's lives. The strategy is a whole of government approach to deliver the right types of housing in the right locations so that everyone has access to a safe place to call home. The strategy drives the supply of affordable, diverse and resilient housing options for our communities.

The planning proposal is consistent with Housing 2041 in that it:

- Supports a pipeline of housing that creates choice for people and households at different prices, enabling people to live in homes of the right size with the right accessibility to well serviced locations, positively shaping the communities of Bega Valley Shire.

- Provides certainty and efficiency to support more stable and predictable supply patterns and market conditions that leverage investment, infrastructure and geography, and respond to changing conditions.
- Includes a mechanism which enables Council to levy contributions toward affordable housing - for people earning low to very low incomes; older people; younger households; multi-generational households; people living alone; people with disability; and essential workers in 'hard to fill' locations.
- Housing should respond to affordability challenges across the sector, including purchase and rental affordability, to ensure everyone can access the benefits of safe and secure housing in the right location, regardless of tenure.
- People should be able to access secure housing, local facilities, employment opportunities and jobs, and their personal networks, whether they own their home outright or with mortgage or rent in the public or private market. This includes older women renters reaching retirement with limited assets.
- Housing design should respond to its environment and integrate with green infrastructure, a changing climate, natural hazards and the dynamic character and demographic profile of a local area.
- Planning for housing and infrastructure should happen together and recognise that the way we plan for new homes shapes the characteristics that make a healthy and resilient community and place.
- Design should address extreme heat, bushfires, flooding and energy use.

7.5 South East and Tablelands Regional Plan (2036)

The South East and Tablelands Regional Plan 2036 (the Regional Plan 2036) provides an overarching framework to guide more detailed land use plans, development proposals and infrastructure funding decisions within the region. The Regional Plan identifies Bega as a Strategic Centre. Direction 24 of the Regional Plan identifies the need for providing housing options in Strategic Centres and encourages local housing strategies to achieve this goal.

A detailed assessment of the planning proposal against the goals and directions of the Regional Plan 2036 is provided in **Table 12** below.

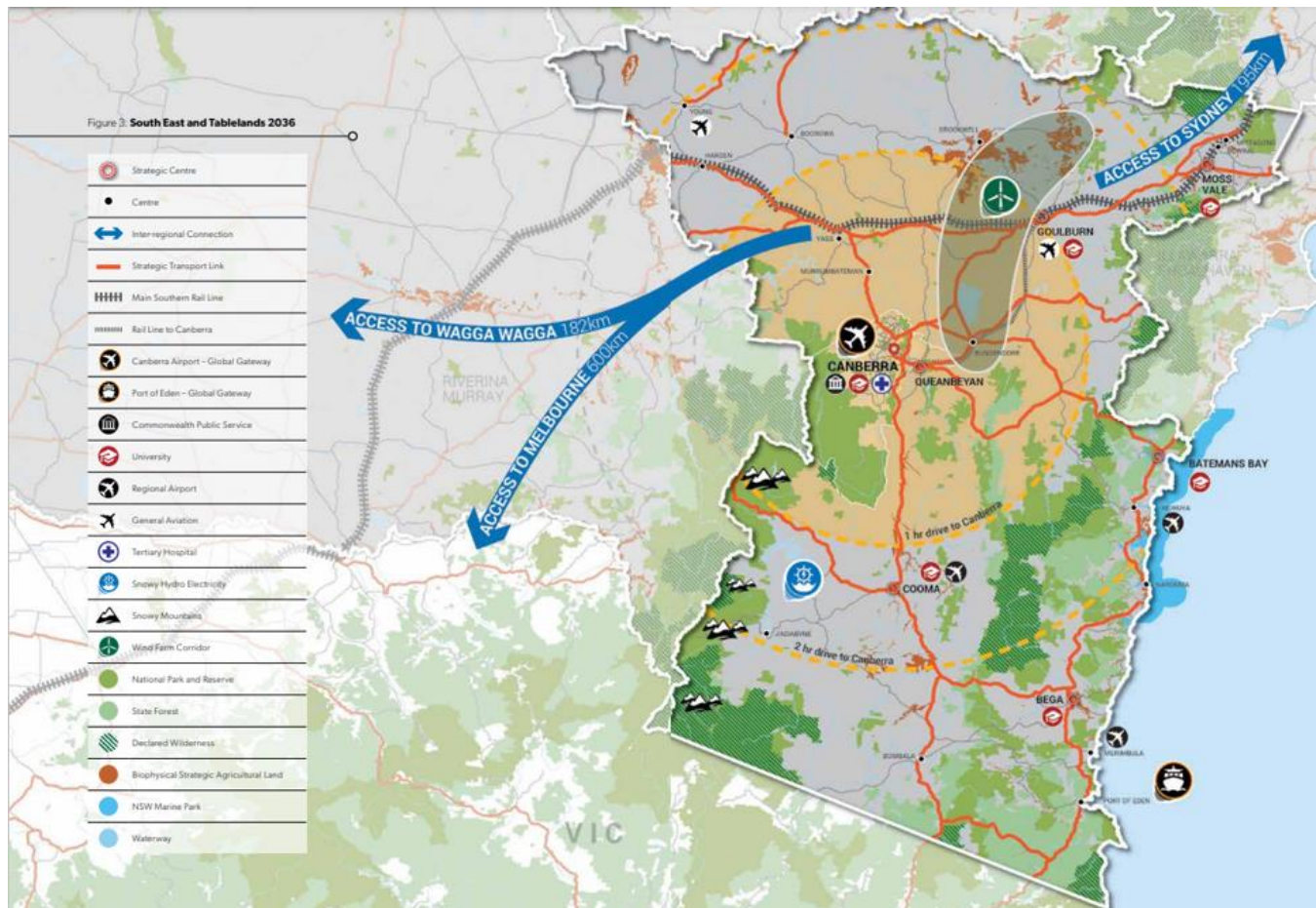


Figure 33 – South East and Tablelands Regional Plan 2036 (source: DPHI, 2017)

Table 12 – Consideration of the planning proposal with regard to the Regional Plan 2036

Goal / Direction	Relevance and Consistency
Goal 1: A connected and prosperous economy	The planning proposal is not inconsistent with Goal 1 and Directions 1-13. The structure plan proposes to consolidate the number of access points to the state road network (Princes Highway) – which will have assist in achieving an efficient transport network, one of the key initiatives for a connected and prosperous economy and consistent with Direction 11: Enhance strategic transport links to support economic growth). The proposal will also provide more homes close to employment areas, key growth industries, health and aged care precincts including accommodation for key workers and seniors housing.
Directions 1 to 7, 9-11	
Direction 8: Protect important agricultural land	An agricultural assessment and land use conflict assessment has been undertaken. Impacts to agriculture are limited to the urban release area and are minor in the context of the significant dairy and livestock grazing industries operating within the broader Bega Valley Shire LGA – identified as a key growth sector. The structure plan and planning proposal provides appropriate buffers to minimise potential conflicts with adjoining dairy farming enterprises and other agricultural land uses through physical separation buffers (location of roads) and selection of land use zones and minimum lot size controls with large lot residential buffering primary production zones.

Goal / Direction	Relevance and Consistency
	In summary: • Conflict with the dairy farming enterprises to the east of Tathra Road is mitigated by Tathra Road, with the road easement forming a physical separation buffer zone. • Boundary Road and Kerrison's Lane form suitable physical separation buffers between the proposed development and lower intensity agricultural land uses in the Eastern Precinct, while the nature of existing agricultural and property types within the Western Precinct suggests a reduced requirement for physical separation buffers to mitigate conflicts (however, buffer zones here should be considered). • The southern portion of the Eastern Precincts eastern boundary is a potential high-risk zone for future land use conflict and a physical separation buffer is recommended (the realignment of Tathra Road does this) Refer to Sections 8.4, 8.5 and 8.6 for a more detailed discussion and Appendix D.
Direction 12: Promote business activities in urban centres	The planning proposal includes a new E2 Commercial Centre zone within the central precinct, and a smaller local centre (E1 Local Centre zone) within the Eastern Precinct to service the local shopping needs of future residents. The proposal provides a suitable balance of retail/employment uses and housing. The planning proposal will not impact on the viability of Bega as an identified strategic centre. The proposed E2 Commercial Centre zone provides for a mixed-use development including shop top housing.
Direction 13	Not relevant
Goal 2: A diverse environment interconnected by biodiversity corridors Direction 14: Protect important environmental assets Direction 15: Enhance biodiversity connections Direction 16: Protect the coast and increase resilience to natural hazards Direction 17: Mitigate and adapt to climate change	The planning proposal will not undermine the objective of protecting environmental assets, the coast and increasing resilience to natural hazards. The planning proposal does not relate to or propose to rezone any land currently zoned C1 National Parks and Nature Reserves, C2 Environmental Conservation or C4 Environmental Living under Bega LEP 2013. Desktop assessment of the ecological characteristics and values of a broader study area which included the urban release area was undertaken to support the Bega Valley Structure Plan. Additional investigations were undertaken by Council officers and representatives from the Conservation, Programs, Heritage and Regulation (CPHR) division of NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW). The desktop analysis was used to produce preliminary mapping which identified parts of the broader study area that (a) require further investigation to confirm whether vegetation present was of high biodiversity value and (b) to identify parts of the broader study area that were suitable for urban development. The planning proposal generally relates to land that was identified as suitable for urban development. Detailed field assessment is required to verify preliminary mapping. In some instances, areas currently classified as a high constraint in terms of vegetation may move to a lower category of constraint once validation and ground truthing confirms the condition and extent of any TECs and threatened species habitat. Likewise, areas currently mapped as having no value or not classified, require field validation and ground truthing to gain a more accurate understanding of the biodiversity constraints.

Goal / Direction	Relevance and Consistency
	On this basis, the planning proposal does not propose to rezone land for environment conservation prior to undertaking detailed investigations to confirm the biodiversity values of the urban release area. Land use zoning is not the only way to protect or conserve native vegetation. Existing provisions within Bega LEP 2013 and DCP require future DAs to assess and manage biodiversity under the <i>Biodiversity Conservation Act</i> and EPBC Act (as relevant). If land has high biodiversity value approval will be required from the DCCEEW. This approach is considered acceptable given the size of the urban release area and 30-year horizon for implementation of the structure plan. No residential zoned land is affected by the PMF. Existing riparian areas within the PMF have been excluded from the land to which the planning proposal relates. These areas retain their current land use zoning under Bega LEP 2013.
Direction 18: Secure water resources	The planning proposal is consistent within direction 18. Water is available via bores within the urban release area. The Bega borefield is located on the floodplain on the western side of Bega. It is the source of water for Bega-Tathra water supply system. The Bega borefield can accommodate the expected incoming population. Nor will water take from the Bega borefield, current and future, have any impact on water availability for agricultural use (refer to advice provided in Appendix E).
Goal 3: Healthy and connected communities Direction 19: Strengthen cross-border connectivity Direction 20: Enhance access to goods and services by improving transport connections Direction 21: Increase access to health and education services Direction 22: Build socially inclusive, safe and healthy communities	The planning proposal provides opportunities for healthy and connected communities through: • The application of land use zones and development standards that provide housing diversity for a full range of household types and lifestyle preferences including affordable and key worker housing. • Creating an environment that provides good access to existing and new open space and neighbourhood centres, promoting healthy lifestyles, facilitating a vibrant, robust, sustainable community. • Other public benefits including additional public open space, sporting grounds and a future school site. • Provides a series of interconnected neighbourhoods with better walking and cycling paths. • Provides opportunities to contribute to housing affordability and build socially inclusive, safe and accessible. • Provides housing opportunities for key workers including health professionals within proximity to the existing services and facilities within Bega CBD including the newly completed South East Regional Hospital. • The structure plan (as amended) provides a local and regional road hierarchy that includes a network of footpaths which will integrate with the existing active transport routes within Bega centre. There will be opportunities to expand the current bus services into southern Bega as land within the urban release area is redeveloped. Bus stop locations on the proposed collector road network will support the 400-metre walking standard (residents within 400 m walking distance of a bus stop).
Direction 23: Protect the region's heritage	The planning proposal will not undermine the objective of conserving heritage assets. The urban release area (and land to which the planning proposal relates) does not include any local or State items of environmental heritage or

Goal / Direction	Relevance and Consistency
	conservation area under Bega LEP 2013. There are three (3) items within proximity to the urban release area. Existing provisions within Bega LEP 2013 (i.e. clause 5.10) require future DAs to consider impacts of proposals on heritage items.
Goal 4: Environmentally sustainable housing choices	The planning proposal takes advantage of existing job markets, commercial and retail opportunities, and infrastructure such as public transport. The planning proposal concentrates future growth in an urban release area south of and close to the existing CBD to ensure Bega's growth occurs in a sustainable way with new infrastructure planned, funded and linked to the properly sequenced release of land (rather than ad hoc new greenfield housing). New residential neighbourhoods within the urban release area have been considered and planned with regard to natural hazards including bushfire risk, flooding hazards and sloping topography. Development controls will be in place to ensure these matters are also considered and appropriately managed at the detailed development application stage.
Direction 24: Deliver greater housing supply and choice Direction 25: Focus housing growth in locations that maximise infrastructure and services Direction 27: Deliver more opportunities for affordable housing	The planning proposal supports a pipeline of housing (approximately 2,227 dwellings) in an identified urban release area to the south of, and in proximity to the existing Bega Town Centre. The planning proposal and Bega Valley Affordable Housing Contribution Scheme seek to address the need for affordable housing by providing a transparent statutory framework for the levying of affordable housing contributions. Increasing the supply of affordable housing will have positive social impacts and reduce housing stress and housing insecurity. Without a wider choice of housing low, very low and moderate income households can become trapped in low cost, low amenity neighbourhoods, thereby further limiting their choices and perpetuating their disadvantage. Direction 24 of the regional plan identifies the need for providing housing options in strategic centres. The planning proposal establishes a new mixed use central precinct which contains a combination of light industry, commercial and residential uses and has been identified for its development opportunities for uses which are complimentary to the regional hospital and light industry. It supports and reinforces Bega town centre as a strategic centre – with incoming residents and workers demand for new services and facilities, improving viability.
Direction 26: Coordinate infrastructure and water supply in a cross-border setting	Not relevant.
Direction 28: Manage rural lifestyles	The planning proposal proposes to locate new rural residential areas to the south of and close to the Bega Town Centre. It is proposed to apply an R5 Large Lot residential zoning on land adjacent to R2 Low Density Residential zoned land, that is potentially constrained by slope, vegetation, flooding or adjacent to strategically important primary production land providing a transition between R2 land and rural land. Larger lots in these areas provides adequate space for a dwelling, open space and landscaping, car parking, privacy and solar access and is of sufficient size to accommodate the particular constraint (i.e. retention of vegetation, slope, flooding). The R5 Large Lot Residential zoned land also provides a buffer to adjacent primary production land.

Goal / Direction	Relevance and Consistency
Local Government Narratives	
Priorities • Continue to expand local health and educational facilities, with targeted attraction and recognition of research and innovation opportunities along with excellence in agritech and other sectors. • Improve transport links between the Port of Eden and the Monaro, ACT and Hume rail and road corridor. • Protect and enhance Bega Valley's environmental values, underpinning the smart growth of towns and the tourism industry.	The structure plan (as amended) to support the planning proposal provides a local and regional road hierarchy – a key component of which involves rationalising the number of connections onto the Princes Highway – thereby improving transport links throughout Bega Valley and the broader region. The planning proposal will facilitate the delivery of housing (approximately 2,227 dwellings) in a range of densities, lot sizes and dwelling types to suit first home buyers, families, single person households, seniors and key workers. The shortage of housing for key workers in particular is now affecting the local economy as business and service organisations are unable to recruit in part due to lack of suitable and affordable homes for key works including teachers, police and health professionals. The planning proposal generally relates to land that was identified as suitable for urban development – consistent with the priority to protect Bega Valley's environmental values. Impacts to agriculture as a result of the rezoning proposal are generally limited to the Study Area and are considered minor in the context of the significant dairy and livestock grazing industries operating within the broader Bega Valley Shire LGA.
Economy and employment • Leverage economic growth from infrastructure improvements at the Port of Eden through new and improved transport links. • Promote and support the Shire as a base for innovation and entrepreneurs. • Grow a unique, flexible and innovative agricultural industry, including a regional food brand.	The planning proposal does not provide additional housing in a coastal zone. The planning proposal maintains a supply of appropriately serviced employment land to create opportunities for new types of industries.
Housing • Ensure residential growth in the coastal zone does not impact Bega's natural advantage. • Consolidate rural residential growth in high demand catchments near existing developments and infrastructure. • Implement long-term development plans for the Shire's villages.	

7.6 Draft South East and Tablelands Regional Plan 2041

The Draft South East and Tablelands Regional Plan 2041 (Draft Regional Plan 2041) is also applicable to the planning proposal. The draft plan was re-exhibited between December 2022 and January 2023. The draft plan contains 25 objectives under five (5) themes to guide planning and land-use decisions over the next two decades to unlock the region's potential.

The Draft Regional Plan 2041 continues to identify Bega as a strategic centre – that is well serviced with opportunities for new housing and employment growth. Bega is also identified as forming part of a strategic cluster which extends from Bega in the north, Merimbula and Eden in the south. The area to the north and south of Bega is identified as a strategic investigation area – identified within the draft plan as areas which require greater focus and/or investigation in terms of housing and employment growth, environmental protection and opportunities to strengthen local services and amenities (refer to **Figure 33**).

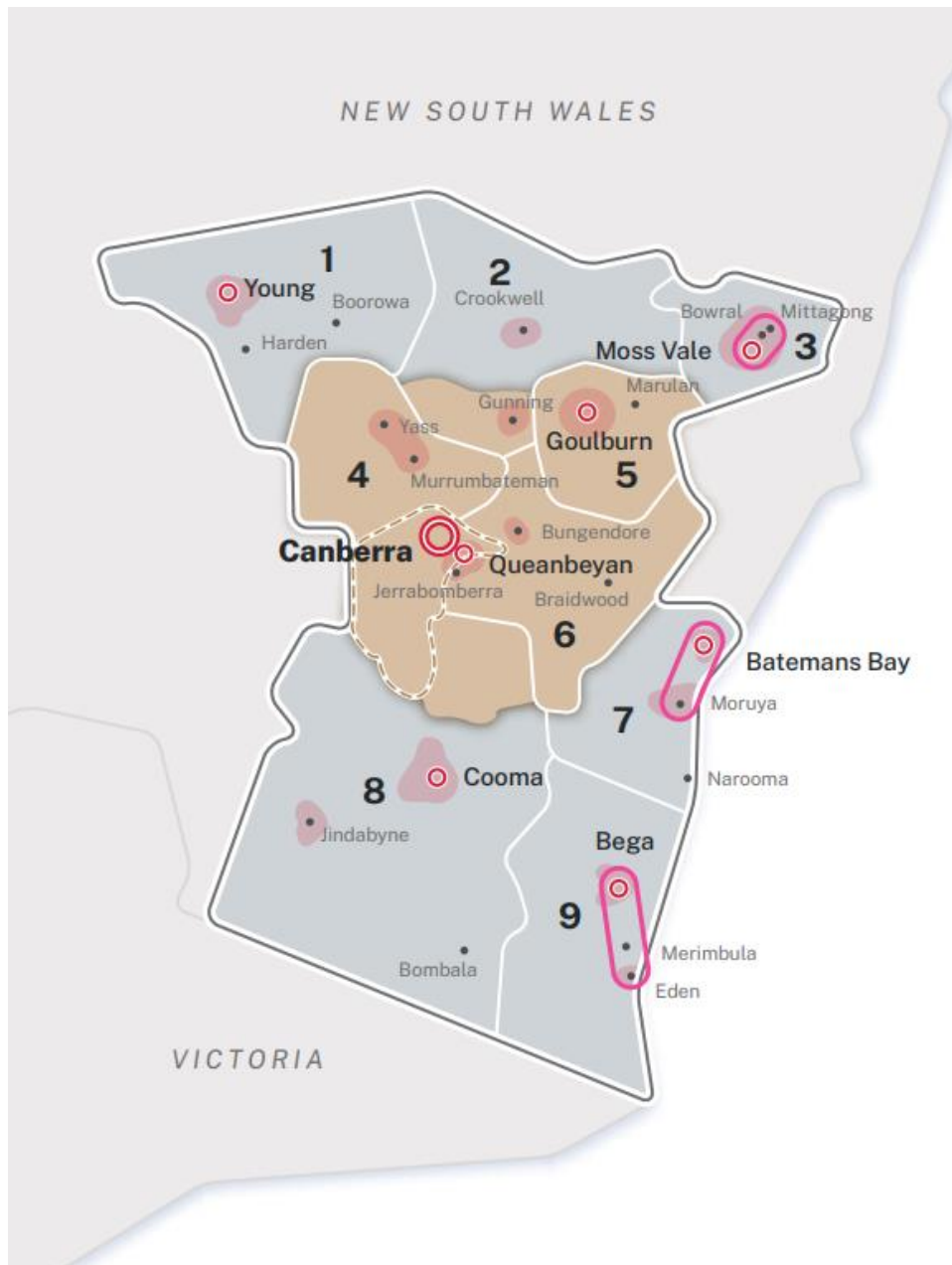


Figure 34 – Growth Investigation Areas (Draft Regional Plan 2041, DPHI 2022)

Priorities for the strategic cluster as set out in the draft plan are as follows:

- Understanding the constraints and availability of developable residential and employment lands.
- Investigating opportunities for the re-purpose of NSW Government and Council owned land assets.
- Supporting the Bega Valley Innovation Hub to continue to deliver sustainable, innovative business towards a circular economy.
- Identifying and implementing strategies to activate and support the viability of key infrastructure such as the Port of Eden and Merimbula Airport.
- Addressing the availability of visitor accommodation and rental housing.
- Ensuring the cluster and its strategic transport connections are resilient to climate change, including bush fires, coastal hazards and flooding.

The planning proposal is consistent with the priorities for the strategic cluster in that it provides a critical opportunity to deliver a pipeline of housing supply within the Bega Valley Shire over the next 25-30 years on land that through technical investigation has been identified as 'urban capable' – being suitable from a biodiversity, traffic and transport and servicing perspective to accommodate new housing, commercial, industrial and retail space and additional public open space. The planning proposal will have a number of positive economic benefits – both direct and indirect to the Bega Valley region and surrounding region's economies.

7.7 Bega Valley Residential Land Strategy 2040

In August 2019, Bega Valley Shire Council initiated a review of its urban areas to address the future need for residential land in Bega Valley Shire and provide a framework and vision for residential development for the coming 20 years. The Residential Land Strategy 2040 (RLS) identified future directions for towns and villages within Bega Valley Shire Council area, including Bega.

The planning proposal will assist with the delivery of actions from the strategy which provides a vision and framework for residential development in the Shire. The strategy addresses the future need for housing and provides direction about how and where residential growth will occur to support the growing population, aging community and changes in household structure.

Some of the key findings of the strategy are that there is a need to increase the diversity of housing in all centres including affordable housing and housing for seniors living. There is also a general need for affordable rental housing and providing sufficient land for growth is required to meet housing needs and avoid house price increases associated with supply shortfalls.

The residential land strategy establishes the resilience outcomes of liveable and connected places that will be applied to this planning proposal:

- Sustainable development and growth;
- Efficient land use;
- Enhanced natural advantages and character;
- Housing diversity;
- Improved neighbourhood amenity and access to open space networks;
- Pedestrian friendly town layouts; and
- Reduction in vehicle reliance.

The strategy establishes the following principles for new urban areas that will be applied to the planning proposal:

- Ensure sufficient residential land for population growth;
- Increase diversity of housing;
- Promote efficient use and provision of infrastructure;

- Build in hazard protection and climate resilience;
- Strengthen and support Bega as the Regional Centre;
- Reinforce existing commercial centres and promote access to shops and services;
- Preserve agricultural land and areas of high environmental value; and
- Protect and enhance local identity and sense of place.

7.8 Bega Valley Shire Council Local Strategic Planning Statement

The Bega Valley Shire Local Strategic Planning Statement 2040 (LSPS) is a planning tool that provides direction for land use in the Bega Valley Shire through to 2040 and includes twelve planning priorities, and corresponding strategic directions and actions. An assessment of the planning proposal against the planning priorities is included in **Table 13**.

Table 13 – Consistency of the planning proposal in relation to LSPS

Planning Priority	Consistency
1. Natural Environment The exceptional quality of our natural environment and sustainable development practices set us apart and underpin our way of life and economy	The planning proposal achieves a sustainable development outcome in terms of social equity, environmental balance and economic viability. The planning proposal concentrates future growth in an urban release area south of and close to the existing CBD to ensure Bega's growth occurs in a sustainable way with new infrastructure planned, funded and linked to the properly sequenced release of land (rather than ad hoc new greenfield housing). The proposal does not result in any significant adverse impact to the natural environment.
2. Natural Hazards People, land and infrastructure are well positioned to face natural hazards	The planning proposal will not result in any significant adverse environmental impacts with respect to hazards including contamination, bushfire or flooding. The proposed residential rezoned areas are located outside the PMF flood envelope associated with regional flooding of the Bega River. The structure plan and planning proposal complies with the requirements of the Planning for Bushfire Protection 2019.
3. Carbon Neutral Our community, environment and economy have actively responded to the threat of climate change and the Shire continues to work towards the goal of being carbon neutral by 2050	The planning proposal achieves a sustainable development outcome in terms of social equity, environmental balance and economic viability.
4. Aboriginal People and Culture Aboriginal culture and heritage is respected and celebrated, and local Aboriginal people have achieved economic prosperity and better health, education and employment outcomes	The Bega urban release area is located within a landscape that has the potential for the presence of Aboriginal cultural material to occur across its extent, and that a number of Aboriginal sites have also previously been recorded within the planning proposal area. As discussed in section 8.13, further investigation and assessment will be required at the detailed DA when the exact nature of future development applications and potential impact is known. The planning proposal can and should be supported without compromising any

Planning Priority	Consistency
	Aboriginal objects or places of cultural value to Aboriginal people in the planning proposal area.
5. Agriculture, Forestry & Aquaculture Innovation within the agriculture, forestry and aquaculture sectors continues as operators diversify to capitalise on new economic opportunities and are profitable and sustainable	The planning proposal concentrates future growth in an urban release area south of and close to the existing CBD to ensure Bega's growth occurs in a sustainable way with new infrastructure planned, funded and linked to the properly sequenced release of land (rather than ad hoc new greenfield housing). Impacts to agriculture as a result of the planning proposal are generally limited to the urban release area and are considered minor in the context of the significant dairy and livestock grazing industries operating within the broader Bega Valley Shire LGA.
6. Industrial land New industrial developments capitalise on the Shire's comparative and competitive advantages, providing employment options that enable more young people to stay in the area	The planning proposal maintains a supply of appropriately serviced employment land to create opportunities for new types of industries.
7. Tourism The natural and cultural assets of the Shire have been enhanced to create a flourishing year-round tourism industry supporting local employment in a wide range of associated businesses	The planning proposal does not adversely impact upon any natural or cultural asset. The planning proposal provides employment opportunities (full time and during construction). The incoming population and economic activity including flow on economic impacts, as a result of the planning proposal will likely support local businesses including the tourism industry.
8. Transport The attractiveness, sustainability and success of our Shire is enhanced by the accessible and reliable transport network which enables the movement of people and goods and provides travel choices including walking, cycling and public transport	The structure plan (as amended) to support the planning proposal provides a local and regional road hierarchy – a key component of which involves rationalising the number of connections onto the Princes Highway – thereby improving transport links throughout Bega Valley and the broader region. The planning proposal is accompanied by a traffic and transport assessment which considered the anticipated traffic and transport implications of the planning proposal on existing traffic conditions surrounding the urban release area. The planning proposal does not result in any significant adverse impact on the local, regional or State-road network.
9. Open Space and Recreation A network of green spaces has created healthier and more liveable towns and villages and public places attract people of all ages and abilities to socialise, engage in arts and culture and be active and healthy	The planning proposal provides approximately 18ha of additional public open space (active and passive). The envisaged open space and walking / cycling paths will be publicly accessible, providing valued recreation opportunities for the benefit of the wider area, and encouraging the mixing of new and existing populations.
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	There will be changes to the character of the urban release area as it will move from rural to more urban uses. It is proposed to apply an R5 Large Lot Residential zoning on land adjacent to R2 Low Density Residential zoned land, that is potentially constrained by slope, vegetation, flooding or adjacent to strategically important primary production land providing a transition between R2 land and rural land.

Planning Priority	Consistency
	However, community concerns about this change will be addressed in part by the preparation of a future development control plan which will provide additional guidance and controls to ensure new development within the urban release area protects the character of the area and town. There is limited potential for some negative impacts on some adjoining residents in terms of visual amenity, as existing rural outlooks are replaced by urban development. The future DCP will include controls for landscaping which will provide some form of visual buffer to the urban release area from more sensitive locations.
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	The planning proposal will facilitate the delivery of a housing (approximately 2,227 dwellings) in a range of densities, lot sizes and dwelling types to suit first home buyers, families, single person households, seniors and key workers.
12. Town Centres The vibrant and progressive town centres are attractive, green and clean and provide places for living, entertainment and socialising as well as access to a wide variety of shops and services	The planning proposal relates to land within an identified urban release area, to the south of and close to the existing Bega Town Centre. Incoming residents will have good access to services and facilities within the Bega Town Centre.

The planning proposal is not inconsistent with other priorities and actions contained within the LSPS.

7.9 Local Planning Directions

An assessment of the planning proposal's consistency with the relevant local planning directions listed under section 9.1 of the EP&A Act is set out in Table 14 below.

Table 14 – Consistency of the planning proposal with regard to relevant local planning directions

Focus Area	Relevant Ministerial Direction	Consistency and Implications
Focus area 1: Planning Systems	1.1 Implementation of Regional Plans	The planning proposal is consistent with the overall vision, land use strategy, goals and directions of the Regional Plan 2036 and draft Regional Plan 2041 (refer to discussion above).
	1.2 Development of Aboriginal Land Council land	Not applicable.
	1.3 Approval and Referral Requirements	The planning proposal includes no concurrence, consultation or referral provisions and does not identify development as designated development.

Focus Area	Relevant Ministerial Direction	Consistency and Implications
	1.4 Site Specific Provisions	The planning proposal includes no site-specific provisions. The planning proposal adopts land use zones and uses drawn from Bega LEP 2013 and specifies permissible and prohibited uses which represent as far as practical a role over the current planning controls.
	1.4A Exclusion of Development Standards from Variation	The planning proposal does not exclude clause 4.6 of a Standard Instrument LEP or an equivalent provision of any other EPI.
	1.5 to 1.22	Not applicable.
Focus Area 3: Biodiversity and Conservation	3.1 Conservation Zones	The planning proposal does not apply to conservation zones or land otherwise identified for environment conservation/protection purposes in a LEP and does not reduce any existing conservation standards that apply to land within the urban release area and land to which the planning proposal applies. Desktop assessment of the ecological characteristics and values of a broader study area which included the urban release area was undertaken to support the Bega Valley Structure Plan. Additional investigations were undertaken by Council officers and representatives from the DCCEEW in September 2024. The desktop analysis was used to produce preliminary mapping which identified parts of the broader study area that (a) require further investigation to confirm whether vegetation present was of high biodiversity value and (b) to identify parts of the broader study area that were suitable for urban development. The planning proposal generally relates to land that was identified as suitable for urban development. Detailed field assessment is required to verify preliminary mapping. In some instances, areas currently classified as a high constraint in terms of vegetation may move to a lower category of constraint once validation and ground truthing confirms the condition and extent of any TECs and threatened species habitat. Likewise, areas currently mapped as having no value or not classified, require field validation and ground truthing to gain a more accurate understanding of the biodiversity constraints. On this basis, the planning proposal does not propose to rezone land for environment conservation prior to undertaking detailed investigations to confirm the biodiversity values of the urban release area. The approach is considered acceptable given the size of the urban release area, council's inability to gain access to all land within the urban release area and validate high environmental value land and the 30-year horizon for implementation of structure plan – noting that biodiversity considerations are likely to change over time. Land use zoning is not the only way to protect or conserve native vegetation. Existing provisions within Bega LEP 2013 and DCP require future DAs to assess and manage biodiversity under the <i>Biodiversity Conservation Act</i> and/or EPBC Act (as relevant). Land with a high biodiversity constraint may need to be avoided or offset to gain the support of the DCCEEW if they are to be rezoned for development.

Focus Area	Relevant Ministerial Direction	Consistency and Implications
		Statutory provisions within Bega LEP 2013 and DCP require, when a proponent is undertaking a development application (DA), under Part 4 of the EP&A Act, to engage an Accredited Biodiversity Assessor to prepare a Biodiversity Development Assessment Report (BDAR) – which identifies how a future landowner/developer will propose to avoid, minimise and offset impacts from a proposal on native vegetation or biodiversity listed under the NSW Biodiversity Conservation Act 2016 and the Biodiversity Regulation 2017 and whether to apply the Biodiversity Assessment Method (BAM) to assess the impacts of a proposal. Notwithstanding the above, the following amendments to the adopted structure plan have been made (which are also reflected in the planning proposal): • Eastern precinct (Area A) – riparian land to the south of Boundary Road (between the two patches of R2 zoned land) excluded as it was affected by PMF, vegetation and riparian. This area to retain its current RU1 zoning. • Eastern precinct (Area B) – second order stream, 20 m buffer provided on either side and excluded, to retain its current R5 zoning • Western precinct (Area C) – second order stream, 20 m buffer provided on each side and excluded.
	3.2 Heritage Conservation	Consistent. The planning proposal does not affect existing LEP provisions relating to heritage conservation.
	3.3 Sydney Drinking Water Catchments	Not applicable.
	3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPS	Not applicable.
	3.5 Recreation Vehicle Areas	Not applicable.
	3.6 Strategic Conservation Planning	The planning proposal does not apply to strategic conservation land or land mapped as “avoided area”.
	3.7 Public Bushland	Not applicable.
	3.8 Willandra Lakes Region	Not applicable.
	3.9 Sydney Harbour Foreshore and Waterways Areas	Not applicable.

Focus Area	Relevant Ministerial Direction	Consistency and Implications
	3.10 Water Catchment Protection	Consistent. Stormwater discharges from areas of increased residential density have the potential to impact on local surface water and groundwater quality. Water quality and stormwater management issues will be dealt with and addressed at the DA stage for individual subdivisions through the consideration of NSW Water Quality and River Flow Objectives and Local Planning for Healthy Waterways using NSW Water Quality Objectives and implementation of the following DCP requirements, namely: section 5.1.1 Sustainable Design Management Plan (SDMP) and section 6 Engineering requirements. Council's DCP also relies on and is underpinned by additional technical requirements in relation to stormwater drainage and erosion control and stormwater management including: • BVSC Development Design Specification • BVSC Development Construction Specification. • Managing Urban Stormwater – Soils and Construction Vol 1 (New South Wales Department of Housing). DAs are assessed and conditioned accordingly to ensure that best practice water quality and stormwater management controls are implemented.
Focus Area 4: Resilience and Hazards	4.1 Flooding	<u>Flood depth and levels</u> The proposed residential rezoned areas are located outside the PMF flood envelope associated with regional flooding of the Bega River. The proposed rezoning areas provide riparian corridors, with riparian waterway widths accommodating third- and higher-order tributaries and waterways. There are some areas that appear inundated within the areas to be rezoned, and these areas would need to be managed as part of the stormwater management system. Flood depths within the tributary waterways between rezoning areas are generally shallow, and mostly less than 0.5m with some areas up to 1m depth. <u>Flood impacts</u> The proposed rezoned areas are located outside and higher than the PMF flood level as determined by the Brogo Rivers Floodplain Risk Management Study (FRMS) (Cardno, 2018). The proposed rezoning areas, do not impinge on tributary waterway setbacks associated with 3rd and higher order creeks, as determined by Council. In this regard it is noted that the drainage of the local PMF flood associated with these higher order tributaries is generally accommodated within these recommend riparian corridor widths. <u>Stormwater and flood risk can be managed</u> Regional waterway flooding – proposed residential zoned areas are outside and higher than the regional PMF flood level as determined by the Brogo Rivers Floodplain Risk Management Study (FRMS) (Cardno, 2018).

Focus Area	Relevant Ministerial Direction	Consistency and Implications
		Local flooding in tributaries – the release area does not impinge on tributary waterway setbacks associated with 3rd and higher order creeks. In this regard it is noted that the drainage of the local PMF flood associated with these higher order tributaries is generally accommodated within these recommend riparian corridor widths. Overland flow flooding - future urban development within the release area is to be provided with stormwater management strategies to manage overland flow flood risk. Future urban development within the release area adopts the requirements and controls documented in LEP 2013 and DCP 2013 and addresses the requirements of the Flood Risk Management Manual 2023. Global temperature and climate change – would require significant updates to existing Floodplain Risk Management Study and Plan Bega & Brogo Rivers (Cardno, 2018) rainfall-runoff routing, and flood models design rainfall to reflect the impacts of rising global temperatures, to present day and into the future, which is beyond the current scope of the planning proposal. The planning proposal is not considered to be inconsistent with this direction.
	4.2 Coastal Management	Not applicable.
	4.3 Planning for Bushfire Protection	The planning proposal is accompanied by a strategic bushfire assessment which has regard to Planning for Bushfire Protection 2019. Consultation with NSW Rural Fire Service has occurred. Development of bushfire prone land requires a Bushfire Safety Authority under the Rural Fires Act 1997 at the development application stage.
	4.4 Remediation of Contaminated Land	A Preliminary Contaminated Land Assessment was undertaken by NGH in June 2023 to support the planning proposal. Supplementary information has been provided by Council officers to address the requirements of the NSW Environmental Protection Authority (EPA). The assessment made the following conclusions and recommendations: • The land to which the planning proposal relates has been used for the purposes of residential development and grazing (native and modified vegetation). • A water supply system occurs to the southeast of the western portion of the subject land. The surrounding land is largely utilised for the purposes of residential development (the town of Bega), and agricultural purposes, namely grazing. • A search of the Contaminated Land Record returned no records for the subject land. Similarly, the subject land is not listed as a contaminated site within NSW.

Focus Area	Relevant Ministerial Direction	Consistency and Implications
		- The site history review identified the following areas of environmental concern (AECs) for the subject land: - AEC1 – Hazardous building materials; - AEC2 – On and offsite contamination from motor garages and service stations; and - AEC3 – Offsite contamination from the upgradient cemetery. - Based on the findings of the PSI, it was recommended that a targeted site walkover be conducted, to determine the location and extent of the two on-site motor garages / service stations; and the presence / absence of hazardous building materials within developed areas of the subject land. Targeted inspections of the land to which the planning proposal relates was conducted by Council in September 2024. The results of this inspection are summarised as follows: - There were no current motor garages/service stations in the urban release area. No evidence could be found of any potentially disused motor garages/service stations. It is therefore concluded that there are no current or potentially disused motor garage/service station sites within the urban release area. - There did not appear to any sites that contained any hazardous building materials within the project area. Nor did there appear be any obvious signs of land contamination warranting further investigation at this stage. - Any land that is currently zoned rural or employment that is proposed to be rezoned to permit residential development will be the subject of more detailed assessment for land contamination on a site by site and development application (DA) by DA basis. This process will ensure that any existing contamination will be appropriately managed and remediated including not exacerbating any pre-existing contamination. - Chapter 4 of State Environmental Planning Policy (Resilience and Hazards) 2021 provides a state-wide planning framework for the remediation of contaminated land and to minimise the risk of harm. When Council is considering a DA for development that would involve a change of use on any of the land specified in section 4.6 (4) of the SEPP. It requires Council to consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines. - The SEPP is also applicable when remediation work is being considered and requires development consent for Category 1 remediation work as defined in section 4.8 of the SEPP. Development consent is not required for Category 2 remediation work as defined in section 4.11 of the SEPP. - Any land that is currently zoned rural or employment that is proposed to be rezoned to permit residential development will be the subject of more detailed assessment for land contamination at the detailed DA stage. At this stage remediation work has not been

Focus Area	Relevant Ministerial Direction	Consistency and Implications
		identified but when it is identified Council will ensure that the relevant provisions in Chapter 4 of the SEPP are followed. Based on the above analysis, the land to which the planning proposal relates is considered suitable for the proposed uses (or can be made suitable for the proposed uses) subject to detailed site investigations of those lands.
	4.5 Acid Sulfate Soils	Consistent. None of the items included in this planning proposal are site specific and will have no effect on land containing acid sulfate soils.
	4.6 Mine Subsidence and Unstable Land	Consistent. None of the items included in this planning proposal are site specific and will have no effect on land impacted or has the potential to be impacted by mine subsidence.
	5.1 Integrating Land Use and Transport	The planning proposal is consistent with relevant guidance documents in that the site can be suitably serviced by existing and planned future road infrastructure and transport services. It is expected that future capital works for road improvements within and adjacent to the urban release area will arise as a result of redevelopment of the site. These internal road costs will be borne by landowners/Council as required. Given the urban release area and broader area incorporates a variety of employment generating land uses, education, accommodation and supporting residential uses it is expected to facilitate a self-contained area that aims to provide residents living alongside to where they work, shop and play. As demonstrated in the structure plan, the urban release area could encourage future residents to utilise walking and cycling modes of transport to access their workplaces and/or community or retail uses from their residences within the site, recreation facilities in the locality or to use public transport links. Design of streets and cycleways will be subject of a future subdivision application which will be prepared in accordance with Council requirements.
	5.2 Reserving Land for Public Purposes	The proposed LEP Amendment proposes to reserve land exclusively for a public purpose, consistent with this direction.
	5.3 Development Near Regulated Airports and Defence Airfields	Not applicable.
	5.4 Shooting Ranges	Not applicable.
	5.5 High pressure dangerous goods pipelines	Not applicable.
Focus Area 6: Housing	6.1 Residential Zones	This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed residential zone (including the alteration of any existing residential zone boundary) or any other zone in which significant residential development is permitted or proposed to be permitted.

Focus Area	Relevant Ministerial Direction	Consistency and Implications
		In accordance with this direction, a planning proposal must include provisions that encourage the provision of housing that will: • broaden the choice of building types and locations available in the housing market, and • make more efficient use of existing infrastructure and services, and • reduce the consumption of land for housing and associated urban development on the urban fringe, and • be of good design. A planning proposal must also contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the Council, or other appropriate authority, have been made to service it). The planning proposal will deliver a range of densities, lot sizes and dwelling types and create a diverse community that is demographically balanced. The variety of housing forms will provide opportunities to respond to changing life cycle, lifestyle and work requirements over time, enabling people to age in place. The proposal does not result in any significant adverse environmental impacts and can be adequately serviced (refer to Section 8 and proposed 'satisfactory arrangements' clauses discussed in Section 6.5).
	6.2 Caravan Parks and Manufactured Home Estates	Not applicable.
Focus Area 7: Industry and Employment	7.1 Employment Zones	The objectives of this direction are to: • encourage employment growth in suitable locations, • protect employment land in business and industrial zones, and • support the viability of identified strategic centres. The planning proposal provides areas of employment land primarily in the central precinct and a new neighbourhood centre in the eastern precinct. The proposal does not reduce the total potential floor space for employment uses including industrial uses in any existing employment zone.
	7.2 Reduction in non-hosted short-term rental accommodation period.	Not applicable.
	7.3 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable.
Focus Area 8: Resources and Energy	8.1 Mining, Petroleum Production and Extractive Industries	Not applicable.

Focus Area	Relevant Ministerial Direction	Consistency and Implications
Focus Area 9: Primary Production	9.1 Rural Zones	- The objectives of this direction are to protect the agricultural production value of rural land. The planning proposal includes rezoning parts of the urban release area from RU1 Primary Production to R2 Low Density Residential and R5 Large Lot Residential. - In accordance with the direction, a planning proposal may be inconsistent with the terms of this direction if the proposal can be justified by a strategy which gives consideration to the objectives of this direction, identifies the land which is the subject of the planning proposal and is approved by the Planning Secretary of the Department of Planning, Housing and Infrastructure. - The planning proposal implements the Bega Valley Structure Plan (as amended) which was endorsed by Council in June 2023. Bega Valley Shire's population is forecast to increase over the next 20-30 years and the characteristics of the incoming population are also forecast to undergo change. A mix of well-planned infill, greenfield and rural residential development is essential for the region. The planning proposal provides an appropriate balance providing land for future homes, within an area that is in proximity to the existing Bega Town Centre and protecting the agricultural production of rural land. A report on the impact of the planning proposal on agricultural land /rural zoned land is included in Appendix D. The conclusions of this assessment are as follows: - The impacts development activities can have on land resources and agricultural productivity range from short term temporary impacts to long term and permanent impacts. Temporary impacts can include the removal of agriculture from service over a period of time, or short-term impacts to agricultural operators (i.e., during a construction period). Permanent impacts may include changes to land and soil capability and agricultural resources, or the cessation of agriculture being undertaken over an area of land. - The planning proposal will be undertaken over an area of approximately 217 ha, approximately 192 ha of which is considered by this assessment to be currently subject to agriculture land use or capable of agricultural land use. Therefore, it is anticipated that the planning proposal will permanently remove approximately 192 ha of agricultural land over the next 25-30 years. This represents 0.3% of land used for agriculture in the Bega Valley Shire LGA. - Current agricultural land use immediate to the urban release area and broader study area is not anticipated to change as a result of the planning proposal. The impact of the planning proposal on productivity of agricultural land based on the proposed change in land is estimated as \$480,318 per year. This represents 0.8% of the gross value of agriculture in the Bega Valley Shire LGA. - Agricultural productivity of land outside of the urban release area will not be affected by the planning proposal as the associated agricultural resources will not be affected and therefore, the

Focus Area	Relevant Ministerial Direction	Consistency and Implications
		planning proposal will not negatively impact any existing agricultural enterprise outside of the urban release area. • The planning proposal will have a negligible impact on local, regional and state agricultural services. Changes to the supply and viability of agricultural support services in Bega and townships within the Bega Valley Shire LGA are driven by social and market trends far exceeding the scale of the minor reduction in agricultural land use and productivity as a result of the planning proposal. • Due to the limited reduction in agricultural activity as a result of the planning proposal, and the scale of the dairy and livestock industries operating in the Bega Valley Shire LGA and broader region, there will be no impact to critical mass thresholds of agricultural enterprises needed to attract and maintain investment in agricultural service industries and infrastructure as a result of the planning proposal. Nor will there be any fragmentation or displacement of existing agricultural industries as a result of the planning proposal. • The planning proposal has the potential to generate cumulative impacts with other existing, approved or proposed developments in the region. Increased cumulative impacts including changes to land used for agricultural, localised productivity, secondary productivity and some agricultural support services are likely to be experienced where projects in the region conflict with agricultural land. However, given the nature and scale of the established agricultural industries within the region, significant impacts to critical mass thresholds and regional agricultural infrastructure are unlikely to occur in the foreseeable future. • Based on the above findings, the conclusions of this assessment are as follows: - There are several potential moderate and high-risk land use conflict risks which will require further management or design consideration, or will remain as accepted conflict risk as a result of the proposed development. These potential conflicts are determined to be consistent with existing land use conflict risks in the urban release area locality. - Impacts to agriculture as a result of the planning proposal are generally limited to the urban release area and are considered minor in the context of the significant dairy and livestock grazing industries operating within the broader Bega Valley Shire LGA. In relation to future water supply demands from the incoming population generated by redevelopment of the urban release area and impacts on additional groundwater extraction on agricultural uses/users, the following is noted: • Bega borefield is located on the floodplain on the western side of Bega. It is the source of water for Bega-Tathra water supply system (BTWSS). Water demands for an additional population of 15,000 (includes permanent population, visitors and future population within urban release area) has been estimated by

Focus Area	Relevant Ministerial Direction	Consistency and Implications
		Council at 1,850 mega litres/year. The licenced annual entitlement from the Bega borefield is 2,640 mega litres/year. - Water taken from the Bega borefield, current and future, has no impact on water availability for agricultural use (#1 to 21 irrigators) in the Brogo and Lower Bega River sections. - In the mid Bega River section near to the borefield, there are four (4) licenced surface water take locations for agricultural use (#27 – 30 irrigators) and two (2) Bega Cheese bores, used for cheese production. When there is surface flow in the mid Bega River, the aquifer in the mid Bega River section is full and there is no restriction on availability or water take. In drought times, when surface flow can cease in the mid Bega River section, there is a large volume of water stored and available in the aquifer to utilise – causing the groundwater level to decline slightly faster than it would otherwise, however this is expected to occur rarely and be of a short duration. - Groundwater levels are monitored at DCCEE monitoring bore GW039001 and is used in the Water Sharing Plan for the Bega River Area Regulated, Unregulated and Alluvial Water Sources 2023 for limiting daily water take in the mid Bega River section as groundwater level declines. At 4.5 m AHD (approximately 2.5m below the bed of the river) surface water take by irrigators in the mid Bega River section is suspended with only groundwater licence holders allowed to continue pumping, along with stock and domestic licence holders and water take for basic landholder rights.
	9.2 Rural Lands	The objectives of this direction are to protect the agricultural production value of rural land and facilitate the orderly and economic development of rural lands for rural and related purposes. A report on the impact of the planning proposal on agricultural land /rural zoned land is included in Appendix D. The conclusions of this assessment are as follows: - High and medium risk potential conflicts will require further management or design consideration or will remain as accepted conflict risk as a result of future development. - Conflict with the dairy farming enterprises to the east of Tathra Road is mitigated by Tathra Road, with the road easement forming a physical separation buffer zone. - Boundary Road and Kerrison's Lane form suitable physical separation buffers between the proposed development and lower intensity agricultural land uses in the Eastern Precinct, while the nature of existing agricultural and property types within the Western Precinct suggests a reduced requirement for physical separation buffers to mitigate conflicts (however, buffer zones here should be considered). - The southern portion of the Eastern Precincts eastern boundary is a potential high-risk zone for future land use conflict and a physical

Focus Area	Relevant Ministerial Direction	Consistency and Implications
		separation buffer is recommended. The proposed realignment of Tathra Road achieves this. Impacts to agriculture as a result of the rezoning proposal are generally limited to the urban release area and are considered minor in the context of the significant dairy and livestock grazing industries operating within the broader Bega Valley Shire LGA.
	9.3 Oyster Aquaculture	The objectives of this direction are to: (a) ensure that 'Priority Oyster Aquaculture Areas' and oyster aquaculture outside such an area are adequately considered when preparing a planning proposal, and (b) protect 'Priority Oyster Aquaculture Areas' and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and consequently, on the health of oysters and oyster consumers. The planning proposal will not result in any significant impact to priority oyster aquaculture areas.
	9.4 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable.

7.10 State Environmental Planning Policies

The following State Environmental Planning Policies (SEPPs) are relevant to the planning proposal (refer to **Table 15**):

Table 15 – Consistency of the planning proposal with regard to relevant SEPPs

SEPP	Relevance	Consistency and implications
SEPP (Biodiversity Conservation) 2021	Chapter 4 – Koala habitat protection 2020 Chapter 13 – Strategic Conservation Planning	SEPP (Biodiversity Conservation) 2021 among other matters aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas, and identify and protect areas with high biodiversity value or regionally significant biodiversity that can support ecological functions, including TECs, species and areas with important connectivity or ecological restoration potential. Statutory provisions within Bega LEP 2013 and DCP require, when a proponent is undertaking a development application (DA) under Part 4 of the EP&A Act, to engage an accredited biodiversity assessor to prepare a BDAR in accordance with the NSW <i>Biodiversity Conservation Act 2016</i> . The planning proposal is consistent with the aims and objectives of SEPP (Biodiversity Conservation) 2021.
SEPP (Exempt and Complying Development Codes) 2008	No	
SEPP (Housing) 2021	Yes	SEPP (Housing) 2021 among other matters facilitates

SEPP	Relevance	Consistency and implications
		the delivery of diverse housing types including short term accommodation and build to rent housing, affordable housing, ensures housing is well-located and provides residents an appropriate level of amenity. The planning proposal is consistent with the principles of SEPP (Housing) 2021 in that it provides a diverse range of housing types, enables Council to collect contributions towards affordable housing, provides housing within a nominated urban release area which is well located and makes good use of existing infrastructure. The planning proposal is consistent with SEPP (Housing) 2021.
SEPP (Industry and Employment) 2021	No	
SEPP (Planning Systems) 2021	No	
SEPP (Precincts Central River City) 2021	No	
SEPP (Precincts Eastern Harbour City) 2021	No	
SEPP (Precincts Regional) 2021 SEPP (Precincts Western Parkland City) 2021	No	
SEPP (Primary Production) 2021	Chapter 2 – Primary Production and rural development	SEPP (Primary Production) 2021 aims to facilitate the orderly economic use and development of lands for primary production, reduce land use conflict and sterilisation of rural land, protect of native vegetation, biodiversity and water resources and identifies State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations. The planning proposal is accompanied by an agricultural impact assessment and land use conflict risk assessment. There are several potential moderate and high-risk land use conflict risks which will require further management or design consideration, or will remain as accepted conflict risk as a result of the proposed development. These potential conflicts are consistent with existing land use conflict risks already experienced in the locality and are manageable. Impacts to agriculture as a result of the planning proposal are generally limited to the urban release area and are considered minor in the context of the significant dairy and livestock grazing industries operating within the broader Bega Valley Shire LGA. The planning proposal is consistent with the aims of SEPP (Primary Production) 2021.
SEPP (Resilience and Hazards) 2021	Chapter 4 – Remediation of Contamination Land	The objective of SEPP (Resilience and Hazards) 2021 is to provide for a Statewide planning approach to the remediation of contaminated land. In accordance with this SEPP, a consent authority must not consent to the carrying out of any development on land unless it has (a) considered whether the land is contaminated, (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for

SEPP	Relevance	Consistency and implications
		which the development is proposed to be carried out, and (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose. The planning proposal is accompanied by a preliminary site investigation assessment. The potential for contamination constraints within the urban release area in respect of the development proposed is low. Any future development of the urban release area will be subject to further detailed environmental investigations and these matters addressed as part of a future development applications(s). The urban release area can be made suitable for the proposed uses.
SEPP (Resources and Energy) 2021	No	
SEPP (Sustainable Buildings) 2022	Chapter 2 – Standards for residential development - BASIX	BASIX certificates required at the detailed DA stage (where relevant)
SEPP (Transport and Infrastructure) 2021	Chapter 2 - Infrastructure	SEPP (Transport and Infrastructure) 2021 relevantly identifies the consultation requirements and matters to be considered in the assessment of development adjacent to particular types of infrastructure development including regional and State roads. The planning proposal is accompanied by a traffic and transport assessment which considered the anticipated traffic and transport implications of the planning proposal on existing traffic conditions surrounding the urban release area. It also identifies road and intersection upgrades required to support the planning proposal. The planning proposal is consistent with the objectives of this SEPP.

8 Environmental, Social and Economic Impacts

This section addresses the environmental assessment of the planning proposal in respect to the relevant matters for consideration under section 3.33(3) of the EP&A Act. The environmental assessment draws upon the site analysis, which justifies the configuration of the proposed development and the land use zones proposed. The following factors have been considered in this section:

- transport and access assessment;
- biodiversity (flora and fauna);
- economic analysis;
- land use risk conflict assessment;
- agricultural impact assessment;
- contamination assessment;
- visual impact;
- Aboriginal cultural assessment;
- social impacts; and
- flooding, surface water and groundwater quality.

8.1 Traffic and Transport

A traffic and transport assessment of the planning proposal and structure plan has been prepared by GHD, a copy of which is included at **Appendix F**. The assessment considered the anticipated traffic and transport implications of the planning proposal on existing traffic conditions surrounding the urban release area.

Key Assumptions

For the purpose of assessing the impacts of the planning proposal on the surrounding road network, the following assumptions have been made:

- 15-year period to 2040 has been used as the basis of the assessment.
- A 1% per annum growth rate has been applied to Princes Highway and Tathra Road to determine the 2040 background traffic volumes.
- The proposed roundabout on Princes Highway (at Finucane Lane) and the Princes Highway/Newtown Road intersection have been modelled as a network.
- The horizon year traffic modelling has included the two priority-controlled T-junctions that are proposed to support access/egress to and from the Eastern Precinct.
- The intersection of Princes Highway and Newtown Road is left in/left out.
- The four-legged roundabout has been constructed at the Finucane Lane/Princes Highway intersection.

Trip Generation and Distribution

The trip generation characteristics of the project were determined in accordance with the NSW Government's Guide to Transport Impact Assessment (2024). The analysis indicates that the residential component of the project will generate:

- 1,664 trips in the AM peak hour.
- 1,684 trips in the PM peak hour.

While the non-residential trips will generate:

- 651 trips in the AM peak hour.
- 890 trips in the PM peak hour.

The trip distribution was undertaken on a per-precinct basis. The calculated trips generated through this process were then distributed through the surrounding road network through the proposed access and egress points, with volumes added to adjacent intersections where possible.

For the purpose of analysis, residential trips associated with the project have been divided into:

- Local trips between the residential areas and the Bega Town Centre.
- Regional trips that will utilise the Princes Highway or Tathra Road as part of their journey.

Intersection Warrant Analysis

A review of applicable intersection treatment has been conducted for the two additional proposed access intersections on Tathra Road. The speed limit of Tathra Road is 80 km/h at the location of the proposed access intersection. Based upon this review and evaluation of operation performance, the following is noted:

- The intersection of Tathra Road and Boundary Road should be updated with a Channelised left turn; (CHL) and Channelised right turn (CHR) treatment.
- Access points for the Section B and Section C intersections require Basic left turn (BAL) and CHR treatments on the major road.
- Implementing CHL and CHR treatments on Tathra Road would reduce 'rear-end' crashes and 'overtaking-intersection' vehicle crashes by providing a designated space for stationary right-turning vehicles, preventing them from obstructing through traffic.
- BAL treatment on the major road would assist turning vehicles by allowing them to move further off the through carriageway, reducing potential delays and making it easier for through traffic to pass safely.
- Based on the above analysis, the geometry of Tathra Road and Boundary Street (Section A) and the two proposed access intersections (Section B and Section C), as modelled in SIDRA are provided in **Figures 34-35**, respectively.

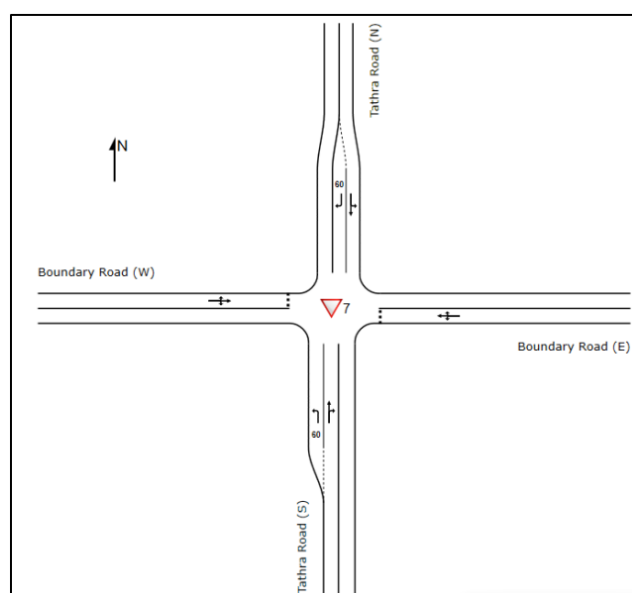


Figure 35 – Tathra Road and Boundary Road intersection layout (source: GHD, 2025)

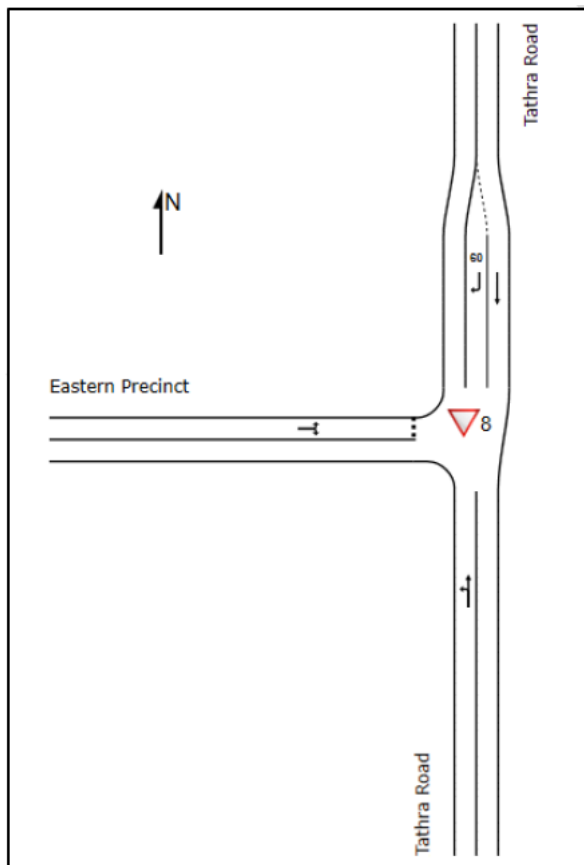


Figure 36 – Tathra Road access intersections layout (source: GHD, 2025)

Future Year SIDRA Analysis

The results of the 2040 SIDRA analysis are displayed in **Table 16**. As shown, the intersections of interest are expected to operate with a good LoS at the 2040 horizon year.

Table 16 – 2040 SIDRA results summary (source: GHD, 2025)

Int. No.	Intersection name	AM Peak Hour (8.00-9.00 am)				PM Peak Hour (4.30-5.30pm)			
		Ave delay (s)	LoS	95 th % Queue (min)	DoS (Degree of saturation)	Ave Delay (s)	LoS	95 th % Queue (min)	DoS
1	Princes Highway / Carp Street	5.9	A	27	0.35	5.5	A	23	0.38
2	Princes Highway/Newtown Road	6.4	A	2	0.16	7.5	A	4	0.31
3	Princes Highway/Kerrisons Lane	36.1	C	33	0.76	27.5	B	17	0.56
4	Tathra Road/Kerrisons Lane	10.5	A	5	0.17	11.3	A	4	0.17
5	Princes Highway/Finucane Lane	11.0	A	1.5	0.08	11.9	A	3	0.14
6	Ravenswood Street/Rawlinson Street	9.6	A	1	0.03	8.8	A	1	0.03
7	Tathra Road/Boundary Road	23.8	B	20	0.61	18.4	B	0	0.13
8	Tathra Road/Section B access	12.9	A	16	0.46	7.9	A	2	0.08
9	Tathra Road/Section C access	9.0	A	4	0.16	6.6	A	1	0.03

Active and Public Transport

As identified in the ATS for Bega, it is recommended that Council investigate the provision of a shared path along Park Lane and East Street to Tathra Road in the medium term and identify key routes that link planned growth at South Bega with the existing residential area in North Bega. The Structure Plan proposes a network of footpaths that will integrate with the Bega Township's current active transport. The footpaths along the street typologies were also assessed with footpath widths of 1.2 to 1.5m identified, which complies with the Austroads guidelines (Guide to Road Design 6a). As redevelopment of the urban release area occurs, there will be opportunities to expand the current bus services into southern Bega. In accordance with the Council's Geometric Road Design, the proposed collector roads will be designed and constructed to be bus-capable and support integration with the current bus services. The locations of the bus stops on the proposed collector road network will be identified at a later time to support the 400-metre walking provision specified in the Geometric Road Design.

Conclusion

An assessment of the anticipated transport implications of the proposal has considered capacity of the existing transport network to accommodate development yields as envisaged within the urban release area and capacity of the future transport network to accommodate the ultimate development proposal of the urban release area. The infrastructure improvements to accommodate the planning proposal both internally and external to the urban release area have been identified. In summary, the package of transport improvement works identified in this assessment

when combined with the identified transport improvement works envisaged will satisfactorily accommodate the future transport demands of the urban release area and planning proposal development.

8.2 Biodiversity

Previous Analysis

As discussed in Section 2.12, a desktop assessment of the ecological characteristics and values of a broader study area which included the urban release area (and land to which the planning proposal relates) was undertaken by NGH Pty Ltd to inform the Bega Structure Plan.

The findings from desktop analysis found the following biodiversity values within the planning area, namely: TECs, protected riparian land, key fish habitat, aquatic habitat for a range of fauna and flora species (including the threatened Australian Grayling, *Prototroctes maraena*) and scattered trees and wooded vegetation, providing threatened species habitat and the possibility of hollow-bearing trees.

Some parts of the urban release area will require a Biodiversity Development Assessment Report (BDAR) be prepared in accordance with the BAM pursuant to the BC Act – to demonstrate how impacts have been avoided, mitigated and offset. The constraints mapping provided in this preliminary assessment will need to be ground-truthed through detailed ecological surveys and further investigation.

Potential Impacts on Biodiversity

A supplementary assessment of the potential impacts of the planning proposal was undertaken by NGH in April 2025 (refer to **Appendix G**). The conclusions of this assessment are as follows.

The land to which the planning proposal relates comprises 29.849 ha of land that is mapped as having some biodiversity value. Three (3) TECs have been identified as occurring in the urban release area:

- River-flat Eucalypt Forest
- Lowland Grassy Woodland
- Freshwater Wetlands on Coastal Floodplains.

Table 17 provides comment on each of these within the proposed residential zones in the planning precincts. Lowland Grassy Woodland TEC is the most extensive with the greatest potential to constrain future development proposals.

Table 18 identifies the TECs that occur within each precinct which makes up the urban release area.

Table 17 - Biodiversity constraints that intersect with the planning precincts (source: NGH, April 2025)

Constraint type	Area (ha)	Comment
Biodiversity Values Mapping (BVM)	0.057	Small areas are avoidable; would trigger Biodiversity Offset Scheme if clearing proposed in these areas.
High Environmental Values Mapping (HEV)	0.176	One area relates to TEC (refer below); two other areas are snippets of a buffer and are unlikely to affect future developments
Wetlands and riparian buffers (hydrological)	1.966	Includes existing dams, drainage lines and wetland area. Requirements for riparian buffers at DA stage would consider this constraint.
Key Fish Habitat	1.056	KFH buffers intersect with planning precincts; if riparian buffers observed, no impacts likely and manageable at DA stage.
TEC/SVTM	29.849	Refer to Table 18 below.

Table 18 - Threatened ecological communities that occur in the planning precincts (source: NGH, April 2025)

PCT ID	Area (ha)	TEC	Comments
3181	1.719	River-flat Eucalypt Forest (BC Act, EPBC Act)	Small and highly fragmented patches in western precinct R5 & eastern precinct R2. Condition unknown. Sufficiently small 3185 0.18 River-flat Eucalypt Forest (BC Act, EPBC to be assessed via DA. Act).
3185	0.18	River-flat Eucalypt Forest (BC Act, EPBC to be assessed via DA. Act)	
3332	26.376	Lowland Grassy Woodland (BC Act, EPBC Act)	most extensive, most constraining.
3975	1.574	Freshwater wetlands on Coastal Floodplains (BC Act)	Majority mapped in cleared industrial area, unlikely to occur. Small portion mapped in western precinct R5; aerial suggests may occur although R5 zoning avoids actual drainage line.

Western Precinct

Within the proposed R5 Large Lot Residential zone, NGH have identified small patches of potential Lowland Grassy Woodland that are likely to qualify under the BC Act. A proposed minimum lot size of 5,000m² is proposed within the R5 Large Lot Residential zone to allow a future subdivision pattern, which is of a sufficient size, to accommodate patches of vegetation at the detailed DA stage - if this vegetation is confirmed as Lowland Grassy Woodland.

Within the proposed R2 Low Density Residential zoned land, patches of vegetation consisted of a mix of planted native species and remnant trees associated with Lowland Grassy Woodland. However, this vegetation is unlikely to meet Lowland Grassy Woodland classification (refer to **Figure 37**). Whilst NGH note that the presence of native vegetation (threatened species habitat) including planted vegetation and hollow-bearing trees may be a constraint to future development in this location – this will need to be determined at the detailed DA stage when a future subdivision layout is known.

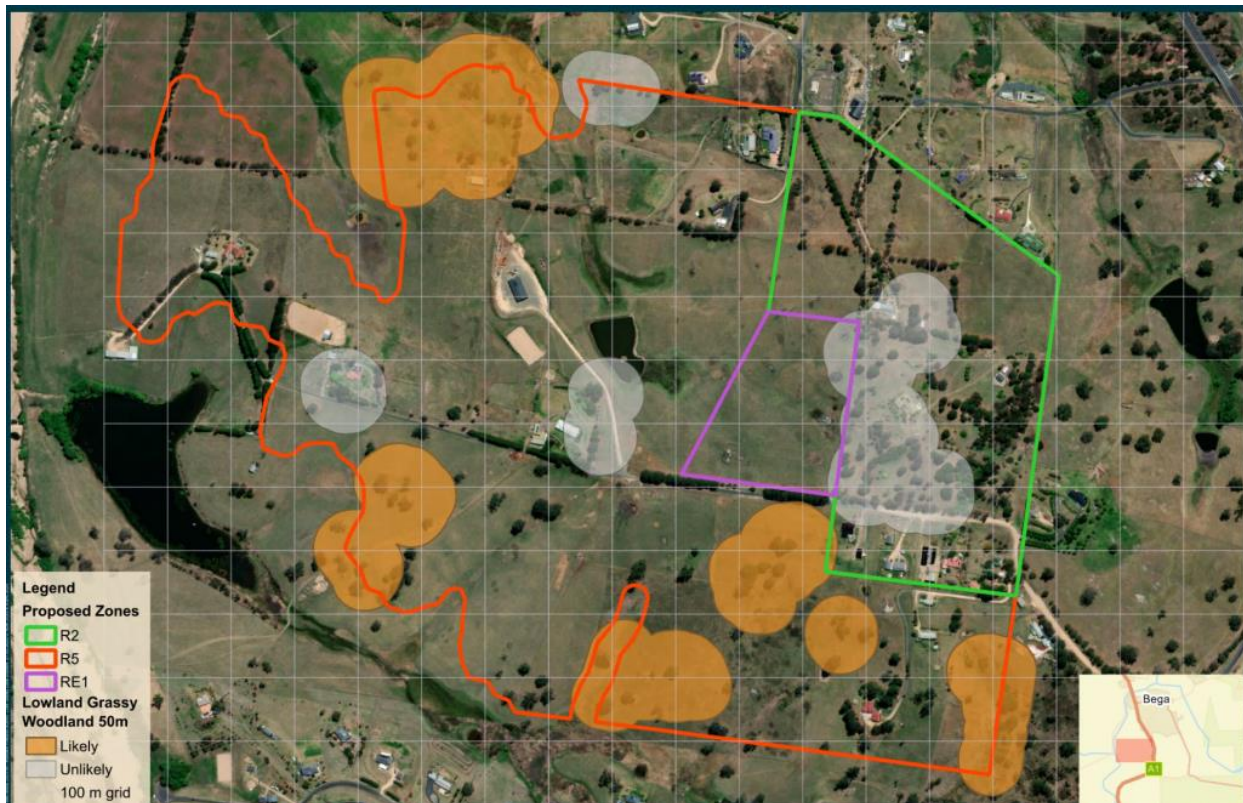


Figure 37 - Lowland Grassy Woodland patches and proposed zoning in the western precinct

Central Precinct

Figure 37 shows that patches identified by SVTM as potential Lowland Grassy Woodland are 'unlikely' or 'possible' to occur, meaning that remnant trees within the 'possible' patch may be derived from an associated PCT. However, fragmentation and degradation from past clearing and current land use has likely reduced the structural and floristic diversity of this patch such that it may have only low biodiversity value. This would need to be confirmed via a field survey, which would form part of a future DA.



Figure 38 - Central precinct with unlikely and possible areas of Lowland Grassy Woodland

Eastern Precinct

Within the RE1 Public Recreation zone, a patch of likely Lowland Grassy Woodland intersects with the southern proposed RE1 Public Recreation zone (to be dedicated to Council) while the other is proposed over a low-lying paddock area (refer to **Figure 38**). Under the *Local Government Act 1993*, a Plan of Management is required to be prepared for public land owned by a Council. A Plan of Management provides the framework for managing public land. It sets out how public land is intended to be used, managed, maintained and enhanced in the future. The plan of management will be required to address how native vegetation including the likely patch of Lowland Grassy Woodland will be managed and/or protected.

Within the R2 Low Density Residential zone, avoidance would need to be demonstrated on a case by case basis for high value remnant trees. There are two key areas of native vegetation within the eastern precinct. The first comprises a patch of Lowland Grassy Woodland on either side of Parbery Creek and a small patch of Lowland Grassy Woodland south of Warragaburra Road. These patches of vegetation are identified in Figure 38 as 'known' Lowland Grassy Woodland. Based on a site inspection by representatives from the DCCEEW in September 2024, adjacent biodiversity assessments for previous developments and past NGH inspections in the Travelling Stock Route and cemetery, these two patches are likely to be of moderate to high quality and potentially qualify for EPBC Act Lowland Grassy Woodland status also.

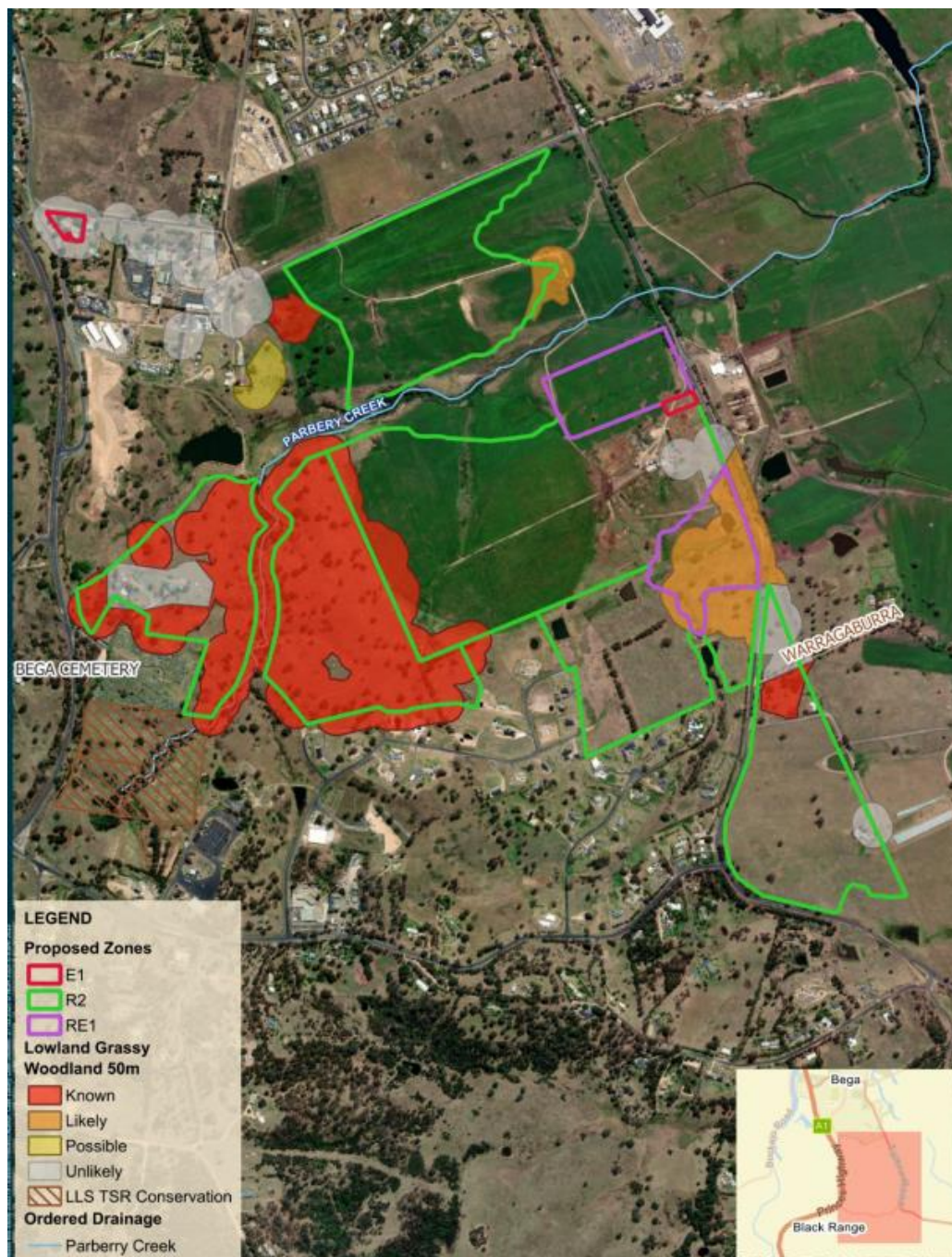


Figure 39 - Lowland Grassy Woodland distribution in the eastern precinct

Conclusion

The planning proposal has proposed urban release areas to avoid large areas of Lowland Grassy Woodland locally. The planning proposal has potential to result in the clearing of and therefore impact on Lowland Grassy Woodland TEC within the planning precincts. The most intact areas of Lowland Grassy Woodland occur in the eastern precinct and will require further assessment and careful planning at the detailed DA stage. Tests of Significance under the EP&A Act and Biodiversity Conservation Act 2016 requires the consideration of any impact to this vegetation at the local scale. Part 4 EP&A Act development approval pathway provides an adequate means of assessment including avoiding and minimising higher quality Lowland Grassy Woodland on a microscale but avoided areas would need some formal in-perpetuity conservation mechanism to provide meaningful protection.

Notwithstanding, given the widespread local occurrence of this TEC, the cumulative impacts are considered unlikely to lead to local extinction of Lowland Grassy Woodland. This would be evidenced by a test of significance on a case-by-case basis through development applications to Council against the specifics of a proposal. NGH agree that with conditioned in-perpetuity protection such as through a Biodiversity Stewardship Agreement (BSA) under the BC Act or a s.88b instrument under the Conveyancing Act 1919, patches of TECs within the urban release area have potential to be used by private landholders as avoided areas or offsets for future DAs, creating a mosaic of protected lands in Bega's residential areas which would maintain habitat connectivity and pollination pathways through the town.

8.3 Economic Impacts

An Economic Impact Assessment was prepared by Think Economics to support the Bega Structure Plan (refer to **Appendix H**). Whilst the timing of economic benefits will be largely dependent on the market and appetite of landowners to redevelop land within the urban release area, the scale of the development envisaged within the urban release area will result in significant economic benefits to Bega Valley and surrounding areas.

This initial project investment will generate a range of direct and indirect project benefits associated with economic output, gross value-add, income and employment. The construction related investment of \$1.722 billion in the urban release area is estimated to support up to \$4.524 billion in economic output, \$1.695 billion in gross value add, and \$873 million in income based on the combined direct and indirect benefits attributed to the project.

In addition, the anticipated construction within the urban release area is expected to support an average of 437 fulltime equivalent (FTE) jobs per annum during the estimated 25-year project timeframe. This includes direct and indirect jobs, with 151 jobs estimated onsite per annum with an additional 285 jobs supported in construction related industry sectors per annum.

Of these total benefits, the direct benefits will predominantly be realised within the urban release area while much of the indirect benefit is expected to be realised within the Bega Valley region and surrounding region's economies based on the capacity within the construction sector and related industry sectors.

Once complete, the urban release area will support a range of ongoing investment and employment activities related to the new commercial centres and other uses anticipated to be delivered throughout the urban release area. This onsite economic and employment activity supports offsite economic activity and employment opportunities in the related sectors, such as wholesale trade, transport and logistics, manufacturing, and service industries.

The planned net increase in employment land uses onsite is expected to support a total of 143 FTE jobs, which is expected to generate an overall economic impact of \$39 million per annum in economic output, \$22 million per annum in gross value add and \$13 million per annum in income based on the combined direct and indirect impacts (attributed to economic flow on effects). The combined direct and indirect operational employment impacts are estimated as a total of 191 FTE jobs per annum. In addition to those regional economic benefits indicated above, the increase in residential dwellings will also increase General Rates paid to Council. The planned 2,600 additional dwellings within the structure plan area will generate \$1.75 million per annum once completed (based on the Bega Valley 2023-24 rates schedule).

8.4 Land Use Conflict Risk Assessment (LUCRA)

The Land Use Conflict Risk Assessment (LUCRA) has been prepared by Minesoils Pty Ltd to support the planning proposal (refer to **Appendix D**). Direct consultation to inform this assessment was undertaken with land managers regarding current and historical management of land and agricultural practices within the urban release area and surrounds, and the potential effects on current enterprises, neighbouring properties, local industries and support services as a result to changes to agricultural land use in the urban release area.

The aim of the LUCRA is to:

- identify and address potential land use conflict issues and risk of occurrence before a new land use proceeds or a dispute arises;
- assess the effect of a proposed land use on neighbouring land uses;
- Increase the understanding of potential land use conflict to inform and complement development control and buffer requirements; and

- highlight or recommend strategies to help minimise the potential for land use conflicts to occur and contribute to the negotiation, proposal, implementation and evaluation of separation strategies.

Land Use Conflicts Generally

Land use conflicts occur when one land user is perceived to infringe upon the rights or impact the values or amenity of another. In rural areas land use conflicts commonly occur between agricultural and residential uses. However, land use conflicts can also occur between different agricultural enterprises and other primary industries. Rural amenity issues are the most common land use conflict issues, followed by environmental protection issues. Rural amenity issues include impacts to air quality due to agricultural and rural industry (odour, pesticides, dust, smoke and particulates); use and enjoyment of neighbouring land e.g., noise from machinery; and visual amenity associated with rural industry e.g., the use of netting, planting of monocultures and impacts on views. Environmental protection issues include soil erosion leading to land and water pollution, clearing of native vegetation, and stock access to waterways. Direct impacts from neighbouring land uses on farming operations can also cause conflict, such as: harassment of livestock from straying domestic animals; trespass; changes to storm water flows or water availability; and poor management of pest animals and weeds.

Precinct Approach

The LUCRA is separated into the eastern precinct and the western precinct. These two precincts were separated for the purpose of the LUCRA as they were determined to generally pose a different level land use conflict risk: The Eastern and the Western Precinct contain many of the same risk items, albeit with different risk rating, owing to the nature of the proposed provisions and the existing surrounding land uses. The key difference between these two areas in the context of the LUCRA is that the Eastern Precinct contains areas of proposed low density residential development adjacent to good quality agricultural lands, with dairy farming being undertaken to the east, representing a generally higher land use conflict risk. Meanwhile, the western Precinct contains more areas of proposed large lot residential land amongst existing semi-rural properties which are characterised by lower intensity agricultural land uses such as meat cattle grazing, representing a lower land use conflict risk. Due to the existing semi-industrial nature of the Central Precinct, the proposed provisions, and the nature of surrounding land-uses, no land use conflicts for this area were identified.

Potential Impacts

Tables 19-20 describe the potential perceived or actual land use impact of the planning proposal for the eastern and western precincts and applies a conflict risk rating (high, moderate or low).

Table 19 – Moderate and High Risk Items and Risk Controls Summary (source: Minesoils, 2025)

Potential Conflict Category	Potential Conflict Description	Conflict Risk
Eastern Precinct		
Change in land use impacting agriculture	Agricultural operators adjacent to the Eastern Precinct or within the broader locality may be concerned about the required groundwater take of the proposed land uses and the implication for agricultural operations.	High
Change in land use impacting existing residents	Residents and stakeholders in the locality who wish to maintain views of the existing agricultural landscape may be concerned about the change in visual amenity of the Eastern Precinct resulting from the change in land use.	High
Change in land use impacting existing residents	Existing residential land owners/users in the locality may be concerned about potential devaluation of properties due to development.	High
Agriculture impacting proposed land uses	Residents and land users of the proposed development may have concerns about nuisance noise from livestock and farm machinery.	High

Potential Conflict Category	Potential Conflict Description	Conflict Risk
Eastern Precinct		
Agriculture impacting proposed land uses	Residents and land users of the proposed development may have concerns about odour from adjacent livestock, fertilisers, chemical applications, etc.	High
Construction impacting agriculture	Agricultural operators adjacent to the Eastern Precinct or within the broader locality, may be concerned about weed, pest animal, or plant/animal disease introduction from increased volume of vehicles and workers from out of area during construction and spread to agricultural land.	Moderate
Change in land use impacting agriculture	Agricultural operators adjacent to the Eastern Precinct or within the broader locality may be concerned about future optionality relating to agricultural enterprises able to be undertaken adjacent to the proposal land uses.	Moderate
Change in land use impacting agriculture	Agricultural operators adjacent to the Eastern Precinct or within the broader locality may be concerned about having to address complaints relating to their existing agricultural operations (such as in relation to noise, odour, animal welfare, etc).	Moderate
Agriculture impacting proposed land uses	Residents and land users of the proposed development may be concerned about potential agricultural land uses that could occur on adjacent lands without development consent.	Moderate
Agriculture impacting proposed land uses	Residents and land users of the proposed development may have concerns about spray drift of water, fertilisers, pesticides, etc., from pasture management entering residential or recreational land.	Moderate

Table 20 – Moderate and High Risk Items and Risk Controls Summary (source: Minesoils, 2025)

Potential Conflict Category	Potential Conflict Description	Conflict Risk
Western Precinct		
Change in land use impacting existing residents	Residents and stakeholders in the locality who wish to maintain views of the existing agricultural landscape may be concerned about the change in visual amenity of the Western Precinct resulting from the change in land use.	High
Change in land use impacting existing residents	Existing residential land owners/users in the locality may be concerned about potential devaluation of properties due to development.	High
Change in land use impacting agriculture	Agricultural operators adjacent to the Western Precinct or within the broader locality may be concerned about the required groundwater take of the proposed land uses and the implication for agricultural operations.	Moderate
Change in land use impacting agriculture	Agricultural operators adjacent to the Western Precinct or within the broader locality may be concerned about future optionality relating to agricultural enterprises able to be undertaken adjacent to the proposal land uses.	Moderate
Agriculture impacting proposed land uses	Residents and land users of the proposed development may have concerns about nuisance noise from livestock and farm machinery and light agri-industrial activities.	Moderate

Potential Conflict Category	Potential Conflict Description	Conflict Risk
Western Precinct		
Agriculture impacting proposed land uses	Residents and land users of the proposed development may have concerns about odour from adjacent livestock, fertilisers, chemical applications, etc.	Moderate
Agriculture impacting proposed land uses	Residents and land users of the proposed development may be concerned about potential agricultural land uses that could occur on adjacent lands without development consent.	Moderate

Proposed Recommendations

There are several potential moderate and high-risk land use conflict risks which will require further management or design consideration or will remain as accepted conflict risk as a result of the planning proposal. These potential conflicts are determined to be consistent with existing land use conflict risks in the project locality.

Key mitigation strategies include:

- Conflicts with dairy farming enterprises to the east of Tathra Road can largely be mitigated by the proposed realignment of Tathra Road further westwards, with the road easement forming a physical separation buffer zone with additional setbacks of residential properties away from Tathra Road recommended.
- Boundary Road and Kerrison's Lane form suitable physical separation buffers between the proposed development and lower intensity agricultural land uses in the Eastern Precinct, while the nature of existing agricultural and property types within the Western Precinct suggests a reduced requirement for physical separation buffers to mitigate conflicts (however, buffer zones here should be considered).
- Implementation of a physical separation buffer zone along the boundary of the southern portion of the Eastern Precinct's eastern boundary.
- Land to the immediate east of the southern portion of the Eastern Precinct contains dairy heifers which is not a dairy farm per se, but has the potential to increase intensity of this use without development consent. Therefore, an access road, or physical separation buffer or some sort is recommended to be implemented as a design control to avoid direct backing of residential properties to agricultural land and the increased risk of land use conflict that would result.
- Establishment of a clear channel (i.e. point of contact) to resolve any land use conflicts which arise as a result of the Project, independent of any agency with a perceived interest.

8.5 Impacts on Ground Water Usage

An assessment of future water supply/demands from the planning proposal and impacts on additional groundwater extraction on agricultural uses/users has been undertaken by Council (refer to advice included in **Appendix E**). In relation to future water supply demands from the incoming population generated by redevelopment of the urban release area and impacts on additional groundwater extraction on agricultural uses/users, the following is noted:

- Bega borefield is located on the floodplain on the western side of Bega. It is the source of water for Bega-Tathra water supply system (BTWSS). Water demands for an additional population of 15,000 (includes permanent population, visitors and future population within urban release area) has been estimated by Council at 1,850 mega litres/year.
- The licenced annual entitlement from the Bega borefield is 2,640 mega litres/year. The proposed water-take from the Bega borefield, current and future, has no impact on water availability for agricultural use (#1 to 21 irrigators) in the Brogo and Lower Bega River sections. In the mid Bega River section near to the borefield, there are four (4) licenced surface water take locations for agricultural use (#27 – 30 irrigators) and two (2) Bega Cheese bores, used for cheese production. When there is surface flow in the mid Bega River, the aquifer in the mid Bega River section is full and there is no restriction on availability or water take.

- In drought times, when surface flow can cease in the mid Bega River section, there is a large volume of water stored and available in the aquifer to utilise. Groundwater levels are monitored at DCCEEW monitoring bore GW039001 and is used in the Water Sharing Plan for the Bega River Area Regulated, Unregulated and Alluvial Water Sources 2023 for limiting daily water take in the mid Bega River section as groundwater level declines. At 4.5 m AHD (approximately 2.5m below the bed of the river) surface water take by irrigators in the mid Bega River section is suspended with only groundwater licence holders allowed to continue pumping, along with stock and domestic licence holders and water take for basic landholder rights. This may cause the groundwater level to decline slightly faster than it would otherwise, however this is expected to occur only rarely and be of a short duration.

The planning proposal does not result in any significant adverse impacts on agricultural uses/users in relation to groundwater usage.

8.6 Agricultural Impact Assessment

An assessment of the impacts of the planning proposal on agricultural land has been undertaken by Minesoils Pty Ltd (refer to **Appendix D**). The impacts development activities can have on land resources and agricultural productivity range from short term temporary impacts to long term and permanent impacts. Temporary impacts can include the removal of agriculture from service over a period of the 'life' of the urban release area, or short-term impacts to agricultural operators (i.e., during a construction period). Permanent impacts may include changes to land and soil capability and agricultural resources, or the cessation of agriculture being undertaken over an area of land. The key findings of this assessment are as follows:

- The land release area covers approximately 217 ha of which approximately 192 ha comprises agricultural land and/or is capable of agricultural land use. Redevelopment of the entire urban release area will remove approximately 192 ha of agricultural land which represents 0.3% of land used for agriculture within the Bega Valley Shire LGA. The planning proposal is not anticipated to adversely impact any current agricultural land uses immediate to the project area or the broader LGA.
- In terms of impacts to productivity and enterprises associated with the agricultural land, the impact of the planning proposal on the gross value of agriculture within the Bega Valley Shire LGA is approximately 0.8% (or equivalent value of \$480,318 per year). The planning proposal is not anticipated to impact the agricultural productivity of land outside the urban release area, nor will it have an impact on local, regional and state agricultural services, and it will not fragment or displace existing agricultural industries. The absence of impacts in this respect is largely owing to the small percentage of agricultural land to be removed as a component of the project, in the context of the available agricultural land within the LGA (being 0.3%).
- The findings of the agricultural assessment determined that the project will not be associated with adverse impacts in relation to agricultural resources. Soils within the area will be subject to permanent impacts by way of earthworks, however this is necessary for construction and not associated with direct or indirect impacts to neighbouring lots or the locality. Similarly, land with agricultural capability will be removed, but is inconsequential when considered in the amount of agricultural land within the LGA. The planning proposal does not result in any significant adverse impacts on agricultural uses/users in relation to groundwater usage. Any erosion and sediment control measures would be prepared at a later development stage.
- Other potential impacts to agricultural land include the introduction of pest species, biosecurity risks, introduction of air quality and dust issues, introduction of traffic within the locality, and potential noise and vibration impacts. To manage these potential impacts, weeds within the urban release area would need to be managed in such a way that does not encourage pest species, which would concurrently reduce biosecurity risks. Construction works may be associated with air quality and dust issues and noise and vibration impacts, which would be managed through standard construction practices and adherence to standard noise criteria for construction works. On-going noise and vibration impacts to agricultural land can be managed.
- There will be no fragmentation or displacement of existing agricultural industries as a result of the planning proposal.
- Groundwater impacts from extraction are expected to be generally negligible (refer to discussion in Section 8.5 above) as extraction volumes will be responsive to climatic pressures and within the specific rules and regulations governing the groundwater source. The planning proposal does not result in any significant adverse impacts on agricultural uses/users in relation to groundwater usage.

- The planning proposal has the potential to generate cumulative impacts with other existing, approved or proposed developments in the region. Increased cumulative impacts including changes to land used for agricultural, localised productivity, secondary productivity and some agricultural support services are likely to be experienced where projects in the region conflict with agricultural land. However, given the nature and scale of the established agricultural industries within the region, significant impacts to critical mass thresholds and regional agricultural infrastructure are unlikely to occur in the foreseeable future.
- Impacts to agriculture as a result of the planning proposal are generally limited to the urban release area and are considered minor in the context of the significant dairy and livestock grazing industries operating within the broader Bega Valley Shire LGA.

8.7 Visual Impact

There will be changes to the character of the urban release area as it will move from rural to urban uses. It is proposed to apply an R5 Large Lot Residential zoning on land adjacent to R2 Low Density Residential zoned land, that is potentially constrained by slope, vegetation, flooding or adjacent to strategically important primary production land providing a transition between R2 land and rural land. However, community concerns about this change will be addressed in part by the preparation of a future development control plan which will provide additional guidance and controls to ensure that future development within the urban release area recognises, protects and enhances the natural features, amenity and character of Bega Shire Valley. There is limited potential for some negative impacts on some adjoining residents in terms of visual amenity, as existing rural outlooks are replaced by urban development. The future DCP will include controls for landscaping which will provide some form of visual buffer to the urban release area from more sensitive locations.

8.8 Social Impacts

The planning proposal will have the following positive social impacts:

- delivery of additional 2,230 residential dwellings in a range of lot sizes and dwelling types in close proximity to jobs, services and facilities and open space;
- provision of housing diversity for a full range of household types and lifestyle preferences;
- increasing the supply of affordable housing will have positive social impacts and reduce housing stress and housing insecurity;
- creation of an environment that provides access to public and private spaces and promotes healthy lifestyles, facilitating a vibrant, robust, sustainable community;
- public benefits including additional public open space, sporting grounds, future school and future community facilities;
- the planning proposal will generate a population of sufficient size to form a fairly self-contained catchment for local level facilities and services;
- In terms of social integration between the existing population of Bega and the incoming population, it is noted that population growth will occur over a 25-30-year timeframe, enabling the existing community to absorb newcomers gradually and adjust to any changes;
- The social integration of new and existing communities will be enhanced through the provision of a range of retail and commercial facilities and services serving the wider area, ensuring that existing residents are not disadvantaged in their access to services and facilities, but are able to enjoy access to the new social infrastructure. It will draw the surrounding community into the development and encourage mixing with the new community;
- The local employment opportunities provided by the local and neighbourhood centres; and
- The envisaged open space and walking / cycling paths will be publicly accessible, providing valued recreation opportunities for the benefit of the wider area, and encouraging the mixing of new and existing populations.

8.9 Contamination

A preliminary site investigation assessment of the broader study area including the urban release area was undertaken by NGH to support the Bega Structure Plan (refer to **Appendix I**). The results of the preliminary site investigation indicate that the broader area has been largely used for residential development, as well as grazing (native and modified vegetation). As discussed in section 2.10, the site history review identified the following areas of environmental concern (AECs):

- AEC1 – Hazardous building materials
- AEC2 – On and offsite contamination from motor garages and service stations
- AEC3 – Offsite contamination from the upgradient cemetery

Based on the findings of the preliminary site investigation, the investigation recommended that a targeted site walkover be conducted to determine:

- The location and extent of the two on-site motor garages / service stations; and
- The presence / absence of hazardous building materials within developed areas of the subject land.

The preliminary assessment was referred to the NSW EPA as part of the scoping report. In relation to land contamination, the EPA provided the following advice:

- Council confirms whether other contamination assessments have been undertaken in the study area, including for areas that may have already been rezoned and subdivided, prior to development;
- Council ensures that proposed development does not exacerbate pre-existing contamination;
- Council ensures that reports on contamination are prepared by certified consultants (see, the EPA's Contaminated Land Consultant Certification Policy (EPA, 2022));
- Council assesses the suitability of land for proposed development and undertakes remediation accordingly as per the Resilience and Hazards SEPP 2021; and
- The EPA is notified of any contamination identified which meets the triggers in the Guidelines for the Duty to Report Contamination (EPA, 2015) (see s60, CLM Act).

Supplementary information was provided to the EPA in October 2024 in response to the matters raised, namely:

- The site inspection of the cemetery perimeter (AEC 3) was unable to determine the prospect of any potential contamination from the cemetery to any future down gradient residential development areas immediately to the north and east.
- Any land that is currently zoned rural or employment that is proposed to be rezoned to permit residential development within the urban release area will be the subject of more detailed assessment for land contamination at the detailed DA stage. This process will ensure that any existing contamination will be appropriately managed and remediated including not exacerbating any pre-existing contamination.
- Having addressed the EPA's recommendations and the recommendations of the preliminary site investigation it is concluded that the urban release area and land to which the planning proposal relates is considered suitable for the proposed uses, subject to detailed site investigation of those lands:
 - zoned rural and proposed to be rezoned to residential; and
 - to be rezoned to E1 Local Centre and E2 Commercial Centre and that will permit "residential accommodation", being undertaken as part of the submission of any future DA.

Based on the additional information provided, NSW EPA has confirmed that no further information is required (refer to **Appendix I**).

The potential for contamination constraints within the urban release area in respect of the development proposed is low. Any future development of the urban release area will be subject to further detailed environmental investigations and these matters addressed as part of a future development applications(s). The urban release area can be made suitable for the proposed uses.

8.10 Flooding

A Flooding Assessment was prepared by GHD in support of the proposal and is included in **Appendix J**. The main objective of the assessment is to undertake a preliminary technical flood study to support the rezoning of the three precincts identified for rezoning within the Bega Structure Plan, with the study exploring both flooding characteristics and stormwater management over the urban release area.

The flood risk over the site can be attributed to regional waterway flooding (from the Bega River in the context of the project area), local flooding in tributaries drainage to regional waterways as a result of local stormwater run-off, and overland flow flooding within the undeveloped and areas identified for rezoning, also as a result of local stormwater run-off. These three instances of potential flood impacts will need to be managed as a component of future development. Regional waterway flooding can typically be managed through land use planning (e.g. locating future allotments outside of areas prone to flood risk), whilst local and flow flooding can be managed through stormwater management strategies, including Water Sensitive Urban Design Strategies (WSUD) such as riparian corridors and stormwater detention facilities, as well as appropriate collection, conveyance and management of stormwater.

In relation to regional waterway flooding, portions of the project area are susceptible to flooding impacts from the Bega River and its associated tributaries, with several tributaries draining to the Bega River in the vicinity of the project area. The majority of the project area is free from flood impacts during the 1% Annual Exceedance Probability Event (AEP), with impacts primarily localised to the proposed RE1 zones, which are not typically associated with residential development. These areas, however, will need to be managed as part of the stormwater management system. The project area is located outside of the extent of impacts during the Probable Maximum Flood (PMF) and the lands are located higher than the PMF flood level. The existing tributaries located within proximity to the site will be maintained as riparian waterways with associated riparian corridors. Generally speaking, the project area does not impinge on the tributary waterways and achieves adequate setbacks to said waterways.

Once detailed design of the layout etc. is undertaken with relation to the project area, considerations to WSUD principles would need to be undertaken, and adherence to Council's DCP requirements for flooding risk management would apply. General engineering design guidelines would also apply and would need to be considered. Overall, it is considered that land use changes from the rezoning have the potential to alter existing stormwater quantity and quality, and the flood risk environment. These impacts would need to be managed through future stormwater management strategies and adoption of the requirements and controls of the Bega Valley LEP and DCP, as well as the Flood Risk Management Manual. The report generally concludes that flood risk and stormwater impacts can be suitably managed through future detailed design.

8.11 Bushfire

A strategic bushfire study has been prepared by AEP to support the planning proposal and respond to advice received by NSW Rural Fire Service (RFS) (refer to **Appendix K**). The conclusions of this assessment are set out in **Table 21**.

Table 21 – Bushfire assessment (source: Minesoils, 2025)

Criteria and risk items	Consideration	Assessment
Bushfire landscape assessment		
A Bushfire landscape assessment considers the likelihood of a bushfire, its potential severity and intensity and the potential impact on life and property in the context of the broader surrounding landscape.	The bush fire hazard in the surrounding area, including: • Vegetation • Topography • Weather	The land within and surrounding the urban release area is mainly managed rural land (open grassland and some scattered trees). Slopes within and surrounding the urban release area are best classified as rolling hills and river flat plains. Slopes vary throughout the precincts and surrounds from flat to an ~15° rise. Weather in the Bega area follows most Australian weather patterns with a hot period from November to March. Between November to March is also the time where the greatest amount of rain falls. Within the summer months in the morning Bega will have light winds blowing in from the northeast and east, with stronger winds from the south and

Criteria and risk items	Consideration	Assessment
		southwest. During the afternoon the breezes from the northeast and east will tend to blow more strongly with less frequent strong winds from the southwest.
	Potential Fire Behaviour	The lack of forests in close proximity to the urban release area precludes the risk of large canopy fires within and on surrounding lands. Grass fires are likely to be the greatest hazard to the new precincts with the most likely run, coming from the south or southwest, starting in the Black Range and pushed by a strong breeze from that direction. Another possibility would be a fire starting in Tanja State Forest and pushed towards Bega and the proposed precincts by strong late afternoon breeze. While there are riparian corridors to the east and west it is not considered likely that these will lead to a high degree of fire risk to future development.
	Bushfire History in the area.	There is only one historic fire that has directly impacted the urban release area. This fire occurred in 1951/52 and burned through the entire Bega region from the northwest. Since that time other fires have occurred in the Tanja State Forest to the east and northeast (1980/81, 1987/88 and 2017/18), with the latter fire running into Tathra township. Historic fires have also occurred to the south in 1986/87 and 1990/91 though these were contained to the forest well to the south of the urban release area.
	Potential fire paths and intensity	Canopy fire to the urban release area is limited given there is substantial space between forest hazard and urban release area. Grassfires are more likely to impact the proposed precincts though there are some areas of revegetation that will run through the eastern precinct. These fires are likely to be of a lower intensity than if canopy was present nearby. The most likely fire path that could affect the western precinct is likely from the west or northwest based on topology, though winds generally would come from other directions. The eastern and central precincts are most likely to be affected by a fire from the eastern or southern areas, with fire pushed in from Reedy Swamp by easterly breezes that are common in the area.
	Fire Management Operations Assessment of the difficulty in accessing and suppressing a fire, the continuity of bush fire hazards or the fragmentation of landscape fuels and the complexity of the associated terrain.	Bushfire hazards are minimal, generally grassland or smalls areas of open woodland. There is an area of vegetation that is to be regenerated to woodland that will run through the eastern precinct and along the southern border of the central precinct. This is a riparian area and should be fairly narrow. While it has to provide a fire path to future development in the precincts it is not connected to larger areas of woodland that would allow for a broader scale fire and as such the threat is considered limited. Roads currently present would provide limited ability to combat a bushfire given that most areas are farmland. With new subdivision and development, it is expected that additional

Criteria and risk items	Consideration	Assessment
		roads and upgrades to existing roads would increase the ability of fire fighters to combat a bushfire in the area.
Land Use Assessment		
The land use assessment will identify the most appropriate locations within the masterplan area or site layout for the proposed land uses.	Risk profile of different areas of the development layout	Western precinct This area is surrounded by rural lands with a central hill. Hazard vegetation is unmanaged grassland and potentially the riparian corridor to the west. The biggest challenge for this precinct will be ensuring appropriate access points onto the Princes Highway, capable of allowing for the volume of traffic that will be generated. Given the current access it is not considered suitable for this area to support an SFPP development currently. Central precinct This is currently an industrial area. Vegetation hazards are limited to the south and west. This northern part of this precinct could support more sensitive uses (Special Fire Protection Developments (SFPP) such as schools, child care, seniors housing etc in the west and north with multiple access roads and sufficient distance from hazard vegetation. The southern part of this precinct, to the north of the cemetery is limited in access, and likely to remain so. This area is surrounded to the west, north and east by areas proposed for revegetation which could create evacuation problems and any development in this area would require a secondary access point, possibly to the east across the riparian area. Eastern precinct The eastern precinct is surrounded by rural lands, though it also has an area of riparian vegetation to the north and east that is proposed for regeneration. The riparian area separates this precinct into two, with the northern area likely being suitable for residential development, though an upgraded Boundary Road (envisaged to occur). The southern area will have accessibility considerations that development will need to be considerate of in relation to the riparian vegetation to the north and west. There is suitable land for perimeter roads to be provided that will provide firefighting access in this area and allow for residential development.
	Land use zones and permitted uses.	The proposed residential, public recreation and environmental zoning is suitable. Any areas that will include future SFPP developments must consider the provision of SFPP APZs.
	Appropriate siting of different land uses based on risk profiles within the site	The western precinct is currently not suitable for SFPP developments given the limited accessibility to this area. If this were fixed and easy links to the Princes Highway were established then this area could support an SFPP development, noting the ridge running through the middle of the precinct would not be the optimal location for such. The eastern precinct could support an SFPP development in the east and southeast, connected directly to Tathra Road, but the

Criteria and risk items	Consideration	Assessment
		western and northern areas are considered unsuitable due to the presence of hazard vegetation in the riparian corridors and the current lack of access. The northwest corner of the central precinct is best placed currently to support SFPP development being insulated from hazard vegetation and having a good network of roads connected to it.
	Siting and APZ provisions	Provision of APZs with each of the precincts is acceptable. Hazard vegetation is generally grassland, and in some cases woodland, which have relatively small APZ requirements. Slopes for the most part are not above 15° which would allow for maintenance to occur on them. In general, each of the precincts could afford an area for SFPP development, noting the caveats mentioned for each previously. The southern part of the central precinct is likely the most constrained area and it is unclear if this area could support the required access roads as part of new development.
Access and Egress		
A study of the existing and proposed road networks both within and external to the masterplan area or site layout.	The capacity for the proposed road network to deal with evacuating residents and responding emergency services, based on the existing and proposed community profile.	The current road network would need to be upgraded to provide for the additional amount of traffic movement including Boundary Road, Tathra Road and the entry points onto the Princes Highway. Newtown Road would also likely require an upgrade to support a potential traffic increase. New roads, and connections to the Princes Highway, would be required for the Western precinct to be developed to ensure adequate access and egress in the case of an emergency. Note. These roads are proposed to be upgraded to support the planning proposal – refer to discussion in Sections 4.4 and 8.1.
	Location of key access routes and direction of travel.	Key access roads associated with the precinct are the Princes Highway and Tathra Road. It will be important to ensure that there is adequate road access onto the Princes Highway before development of the western precinct occurs. Evacuation into Bega is highly unlikely to be broken for any of the precincts, noting that if the Princes Highway is closed in the west, then egress from Bega would be limited to Tathra Road and other smaller, minor roads to the east with limited ability to carry large volumes of traffic. The closure of the Princes Highway around Bega is not considered a high risk given the limited availability of canopy fuel in and around the Bega area.
	Potential for development to be isolated in the event of a bush fire.	It is very unlikely that any of the precincts within the urban release area would become isolated from Bega Town Centre. There is a small chance that a fire running up the western side of the Princes Highway could cut the western precinct off but this is considered highly unlikely to happen.

Criteria and risk items	Consideration	Assessment
Emergency services		
An assessment of the future impact of new development on emergency services.	Consideration of the increase in demand for emergency services responding to a bush fire emergency including the need for new stations/ brigades.	The addition of a large amount of residential zoned land has the potential to increase the demand for emergency services. An examination of the current emergency services capabilities and resources will need to be undertaken to ensure there is adequate ability to service the increased residential density and use from these new precincts.
	Impact on the ability of emergency services to carry out fire suppression in a bush fire emergency.	The precincts are unlikely to have any impact on bushfire hazard reduction works though the revegetation riparian area may require management on occasion to ensure that it does not become overgrown and create a more substantial bushfire hazard.
Infrastructure		
An assessment of the issues associated with infrastructure and utilities.	The ability of the reticulated water system to deal with a major bush fire event in terms of pressures, flows, and spacing of hydrants.	Future development within the urban release area would be serviced by a reticulated water supply system extended from existing and proposed residential areas. This may require additional supply and/or pumping capabilities, both of which should be examined as part of a future services assessment. The reticulated water supply and street hydrant access will need to be delivered in accordance with AS 2419.1–2021. It is expected that as development occurs new infrastructure would be installed to ensure that pressure and flow is maintained.
	Life safety issues associated with fire and proximity to high voltage power lines, natural gas supply lines etc	It is expected that electrical transmission would be delivered via underground conduits. No high voltage lines currently run through the urban release area and any natural gas supply lines would be installed underground.
Adjoining land		
The impact of new development on adjoining landowners and their ability to undertake bush fire management.	Consideration of the implications of a change in land use on adjoining land including increased pressure on BPMs through the implementation of Bush Fire Management Plans.	The planning proposal is likely to reduce the risk of bushfire to the adjoining land, given the areas proposed will be managed to a larger extent than they currently are, therefore, reducing the risk of grass fires. It is likely that the precincts will also fragment grassland fire runs as well as providing better access to these areas than is currently present. All APZs can be contained within the Precinct Area and these would not increase the pressure on BPMs on adjoining lands

8.12 State heritage and historical archaeological impacts

The planning proposal will have no impacts on any items listed on the State Heritage Register. The planning proposal may have the potential to impact on the following local heritage items listed under Bega LEP 2013 which are in proximity to the urban release area:

- The Old Bega Hospital (Main building and outbuildings) (Item: 009);
- Bega Cemetery (Item: I657); and
- Warragaburra Homestead (Item: I002).

Clause 5.10 of Bega LEP 2013 requires Council to consider the effect of future development on land within the vicinity of land on which a heritage item is located. The planning proposal is unlikely to have a significant adverse impact on any heritage item within proximity to the urban release area.

8.13 Aboriginal cultural heritage

As discussed in Section 2.7, the Bega urban release area is located within a landscape that has the potential for the presence of Aboriginal cultural material to occur across its extent, and that a number of Aboriginal sites have also previously been recorded within the planning proposal area (refer to assessment included in **Appendix L**). Further investigation and assessment will be required at the detailed DA when the exact nature of future development applications and potential impact is known. Clause 5.10 of Bega LEP 2013 requires Council to consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and notify the local Aboriginal communities about the application and take into consideration any response received.

Each DA will include the more detailed plans and information of the development that will be proposed on individual sites and lots within the urban release area - enabling a more thorough assessment of:

- the cultural significance of Aboriginal object(s) and/or place(s) that may be present;
- potential or likely impact of the proposal on any Aboriginal object(s) and/or place(s); and
- management proposals or measures to avoid or reduce impacts.

Applicants who wish to subdivide and develop land in the future will need to prepare an Aboriginal cultural heritage report (ACHAR) and apply for an Aboriginal heritage impact permit (AHIP) if the proposed development is likely to cause harm to Aboriginal objects or places that are known to be present or are likely to be present on the land to which the DA relates. The ACHARs that will be prepared for future individual developments will need to comply with the relevant guidelines.

The planning proposal can and should be supported without compromising any Aboriginal objects or places of cultural value to Aboriginal people in the planning proposal area.

9 Conclusion

The planning proposal presented in this report has been prepared to support an amendment to Bega LEP 2013 to rezone a combined 279.4ha parcel of land to the south of the Bega Town Centre to accommodate 2,230 new homes over the next 25-30 years. The planning proposal has been prepared in accordance with DPHI's Local Environmental Plan Making Guideline and addresses the relevant matters for consideration as set out in section 3.33(3) of the EP&A Act. The strategic justification for the rezoning of urban release area has been demonstrated by the identification of the land within the Regional Plan 2036 and Draft Regional Plan 2041 and LSPS which encourages additional homes and employment areas (jobs) with good access to strategic centres and the existing services and facilities which are accommodated within them.

In addition to providing homes, the proposed rezoning of the site will make available additional employment and retail floor space and a future school site within the urban release area. The anticipated construction within the urban release area is expected to support an average of 356 fulltime equivalent (FTE) jobs per annum during the estimated 25-year project timeframe. This includes direct and indirect jobs, with 124 jobs estimated onsite per annum with an additional 233 jobs supported in construction related industry sectors per annum. The planned net increase in employment land uses onsite is expected to support a total of 135 FTE jobs, which is expected to generate an overall economic impact of \$37 million per annum in economic output, \$20 million per annum in gross value add and \$12 million per annum in income based on the combined direct and indirect impacts (attributed to economic flow on effects). The combined direct and indirect operational employment impacts are estimated as a total of 181 FTE jobs per annum. The proposal provides a critical opportunity to deliver a pipeline of housing supply within the Bega Valley Shire over the next 25-30 years. Land within the urban release area is 'urban capable' – being suitable from a biodiversity, traffic and transport and servicing perspective to accommodate new housing, commercial, industrial and retail space and additional public open space.

The urban release area contains large tracts of land capable of being developed in a streamlined way. This opportunity is rare as many other development areas or release areas are highly fragmented which can prevent timely and efficient development. The planning proposal is supported by a structure plan, which represents the overall planning framework and preferred outcome for the urban release area.

The planning proposal demonstrates how infrastructure is to be delivered to support redevelopment of the urban release area in a timely and efficient manner. A site-specific Development Control Plan (DCP) for the urban release area will be prepared in due course to guide the assessment of future detailed DAs and subdivisions.

The planning proposal will deliver a number of positive social and economic impacts.

As demonstrated throughout the planning proposal, the proposed development will not result in any significant adverse environmental, social or economic impact. Environmental impacts with respect to biodiversity (flora and fauna), transport and accessibility, contamination, social impacts, servicing, Aboriginal heritage are demonstrated to be appropriately managed.

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