



New South Wales

Bega Valley Local Environmental Plan 2002 (Amendment No 4)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (WOL2001461/PC)

FRANK SARTOR, M.P.,
Minister for Planning

2008 No 200

Clause 1 Bega Valley Local Environmental Plan 2002 (Amendment No 4)

Bega Valley Local Environmental Plan 2002 (Amendment No 4)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Bega Valley Local Environmental Plan 2002 (Amendment No 4)*.

2 Aims of plan

This plan aims to amend *Bega Valley Local Environmental Plan 2002*:

- (a) to rezone the land to which this plan applies from Zone 1 (c) (Rural Small Holdings Zone) to Zone 3 (a) (General Business Zone), and
- (b) to set out certain development controls for the land.

3 Land to which plan applies

This plan applies to Lot 32, DP 243029 and Lot 1196, DP 613596, corner of Sapphire Coast Drive and Tura Beach Drive, Tura Beach, as shown edged heavy black and lettered "3 (a)" on the map marked "Bega Valley Local Environmental Plan 2002 (Amendment No 4)" deposited in the office of Bega Valley Shire Council.

4 Amendment of Bega Valley Local Environmental Plan 2002

Bega Valley Local Environmental Plan 2002 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 97

Insert after clause 96:

97 Development of certain land at Sapphire Coast Drive and Tura Beach Drive, Tura Beach

- (1) This clause applies to Lot 32, DP 243029 and Lot 1196, DP 613596, corner of Sapphire Coast Drive and Tura Beach Drive, Tura Beach, as shown edged heavy black and lettered "3 (a)" on the map marked "Bega Valley Local Environmental Plan 2002 (Amendment No 4)".
- (2) Despite any other provision of this plan, a person may, with development consent, carry out development on the land to which this clause applies for the purposes of retail, commercial or community uses.
- (3) Consent may be granted to carry out the development referred to in subclause (2) only if:
 - (a) the total retail floor space on the land does not exceed 5,000 square metres in area and the total floor space of any individual retail premises does not exceed 3,200 square metres in area, and
 - (b) any proposed building is set back not less than 10 metres from the boundary of the land with Tura Beach Drive, and
 - (c) a detailed plan showing the trees and vegetation to be removed and the trees and vegetation to be planted has been considered by the consent authority, excluding any land to be set aside for the purpose of road access from Sapphire Coast Drive, and
 - (d) the consent authority is satisfied that adequate arrangements have been or will be made to service the development with roads, drainage, a reticulated water supply and effluent disposal, and
 - (e) any proposed building does not exceed 2 storeys in height and the vertical distance between any part of any such building and the natural ground level does not exceed 10 metres.
- (4) A reference in this clause to a building does not include a reference to any of the following:
 - (a) an aerial,

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Schedule 1 Amendments

- (b) a chimney stack,
- (c) a mast,
- (d) a pole,
- (e) a receiving tower,
- (f) a silo,
- (g) a transmission tower,
- (h) a utility installation,
- (i) a ventilator.

[2] Dictionary

Insert in appropriate order in the definition of *zoning map*:

Bega Valley Local Environmental Plan 2002 (Amendment No 4)

BY AUTHORITY
