



New South Wales

Bega Valley Local Environmental Plan 2013 (Amendment No 41)

under the

Environmental Planning and Assessment Act 1979

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

DANIEL THOMPSON

As delegate for the Minister for Planning and Public Spaces

Bega Valley Local Environmental Plan 2013 (Amendment No 41)

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1 Name of plan

This plan is *Bega Valley Local Environmental Plan 2013 (Amendment No 41)*.

2 Commencement

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

3 Land to which plan applies

This plan applies to certain land in Zone E1 Local Centre and Zone E2 Commercial Centre under *Bega Valley Local Environmental Plan 2013*.

4 Maps

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

Schedule 1 Amendment of Bega Valley Local Environmental Plan 2013

[1] Part 6 Additional local provisions

Insert at the end of the part, with appropriate clause numbering—

Residential accommodation as part of mixed use development in Zones E1 and E2

- (1) The objective of this clause is to maintain and enhance the commercial viability of local centres by encouraging appropriate residential development in the centres.
- (2) This clause applies to land in Zone E1 Local Centre and Zone E2 Commercial Centre identified as “6.11” on the Local Clauses Map.
- (3) Development consent must not be granted to development for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings on land to which this clause applies unless the consent authority is satisfied—
 - (a) the development is part of mixed use development, and
 - (b) the part of the ground floor that faces the street will be used for the purposes of amusement centres, commercial premises, early education and care facilities, health services facilities, information and education facilities or recreation facilities (indoor).
- (4) Subclause (3)(b) does not apply to a part of a building used for one or more of the following—
 - (a) entrances and lobbies, including as part of mixed use development,
 - (b) access for fire services,
 - (c) vehicle access.
- (5) Development consent must not be granted to a subdivision of land to which this clause applies if the subdivision would result in dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings being situated on a separate lot to the non-residential component of the mixed use development.
- (6) Subclause (5) does not apply to a subdivision of land by the registration of a strata plan or strata plan of subdivision under the *Strata Schemes Development Act 2015*.

[2] Schedule 1 Additional permitted uses

Insert at the end of the schedule, with appropriate clause numbering—

Use of certain land in Zones E1 and E2

- (1) This clause applies to land in Zones E1 and E2 identified as “24” on the Additional Permitted Uses Map.
- (2) Development for the purposes of dwelling houses, dual occupancies, multi dwelling housing and residential flat buildings is permitted with development consent.