

Floor Space Ratio

SITE 1: Part Lot 1087 DP 1240676 and Lots 1254-1259 DP 1240673, Mirador Drive, Mirador and Lots 1101-1105 DP 1240675, 180-188 Mirador Drive, Mirador

The Floor Space Ratio (FSR) applicable to the subject lots is 0.5:1 (Figure 1a). The EPI dataset shows a discrepancy in the alignment of the FSR with the cadastre and zone boundaries, as shown in Figure 1b.

There have been no planning proposals to amend any LEP maps on the subject land since gazettal of the *Bega Valley Local Environmental Plan 2013* (BVLEP 2013) on 2 August 2013. The source and date of these errors in the EPI data is unknown.

This planning proposal seeks to amend the FSR map layer within the EPI dataset to align with the cadastre and zone boundaries.

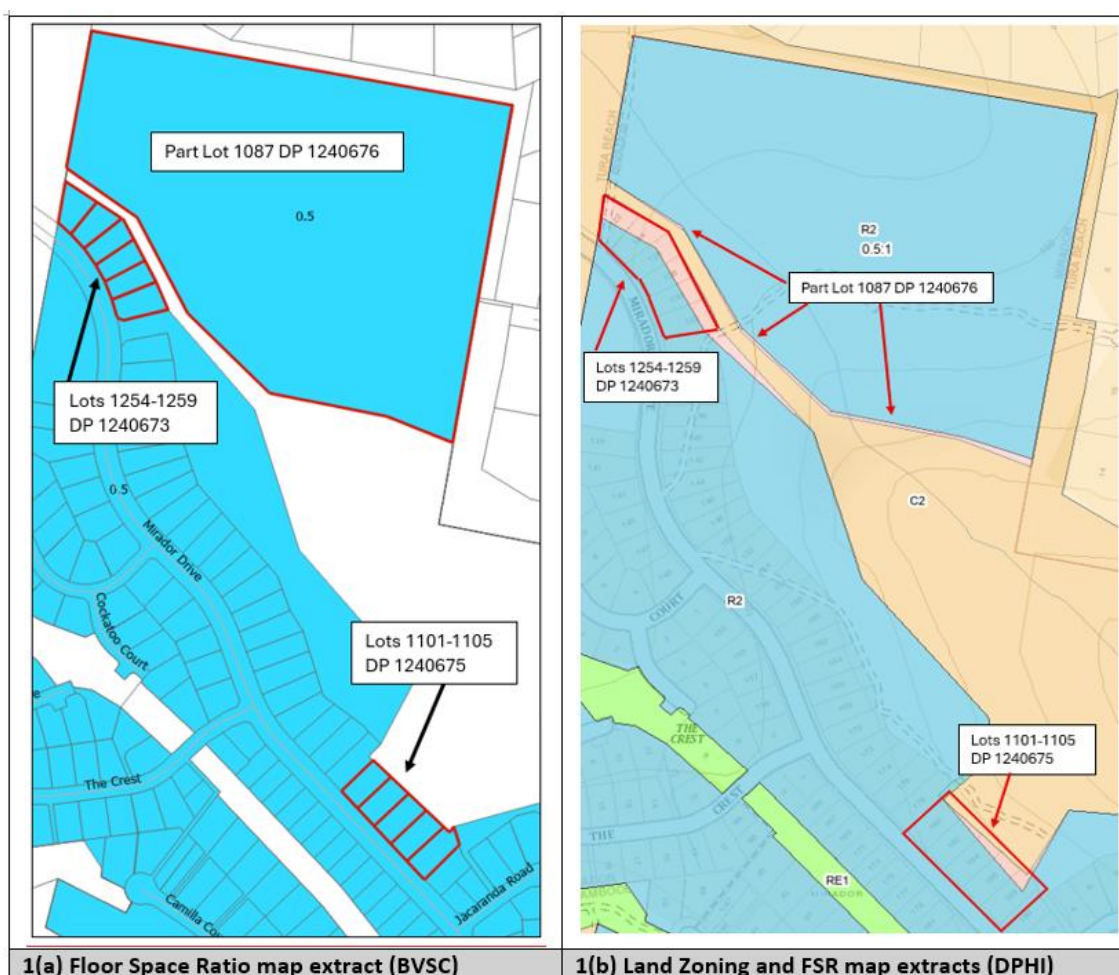


Figure 1(a): Extract from BVSC FSR map showing affected lots outlined in red and applicable FSR 0.5:1
Figure 1(b): Extract from DPHI Spatial Viewer showing FSR misalignment with property and zone boundaries for affected lots

Land Zoning

SITE 2: Lot 344 DP 750227, 194 Arthur Kaine Drive, Pambula

Amendment 11 to BVLEP 2013 was gazetted on 21 August 2015 which included amendments to rezone the subject land from E2 Environmental Conservation to E4 Environmental Living and apply a 2,000m² lot size.

NOTE: As of 1 December 2021, a reference to an Environment Protection zone E1, E2, E3 or E4 should be taken to be a reference to a Conservation zone C1, C2, C3 or C4 *(for further information refer to the Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2021)*.

The new lot size was correctly updated in the EPI data, however the zone change was not (refer Figure 2).

This planning proposal seeks to amend the EPI map data by applying the C4 Environmental Living zone to Lot 344 DP 750227.

Appendix 1 contains a copy of the Gazettal notice for Amendment 11.

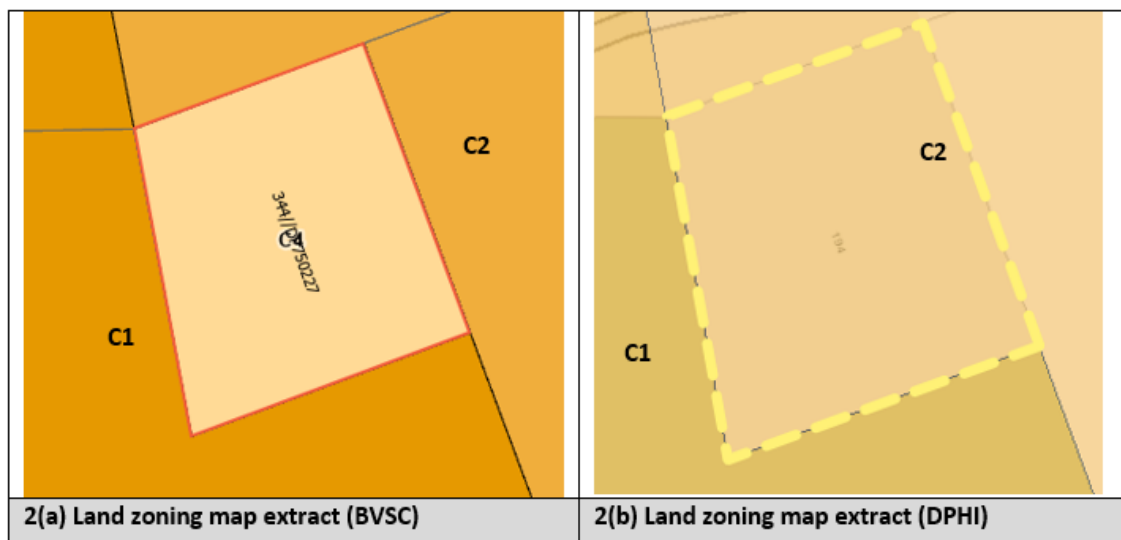


Figure 2(a) and 2(b): Extracts from BVSC Land Zoning map and DPHI Spatial Viewer indicating zone discrepancy (Site 2 indicated in red and dashed outline respectively)

Lot Size

SITE 3: Part Lot 603 DP 1277714, 110 Lakewood Drive, Merimbula

Amendment 24 to BVLEP 2013 was gazetted on 15 December 2017 which included amendments to apply E4 Environmental Living, E3 Environmental Management and E2 Environmental Conservation zonings and minimum lot sizes of 1 hectare (E4), 2 hectares (E4) and 10 hectares (E3) to the subject land.

NOTE: As of 1 December 2021, a reference to an Environment Protection zone E1, E2, E3 or E4 should be taken to be a reference to a Conservation zone C1, C2, C3 or C4 (*for further information refer to the Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2021*).

Although the new zones were correctly updated in the EPI data, there was an error in the application of the lot sizes with the EPI data for the land at the boundary of the C3 and C4 zones (refer Figure 3b).

This planning proposal seeks to rectify the error by applying the 2ha lot size standard to the portion of Site 3 that is zoned C4, as shown circled in red in Figure 3b.

Appendix 2 contains a copy of the Gazettal notice for Amendment 24.

Figure 4 shows the proposed amended land use zones and minimum lot sizes (which were ultimately gazetted) as reported to Council on 28/6/2017.

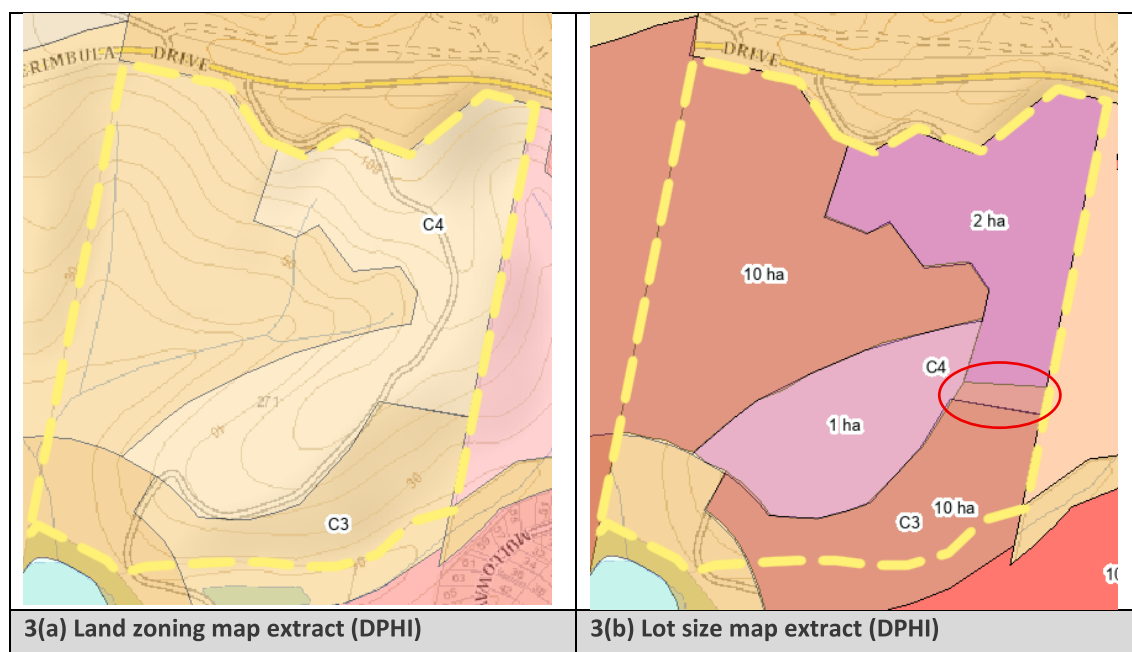


Figure 3(a) and 3(b): Extract from DPHI Spatial Viewer showing Site 3 indicated by dashed outline. 2ha lot size to be applied to area circled in red in Figure 3b.

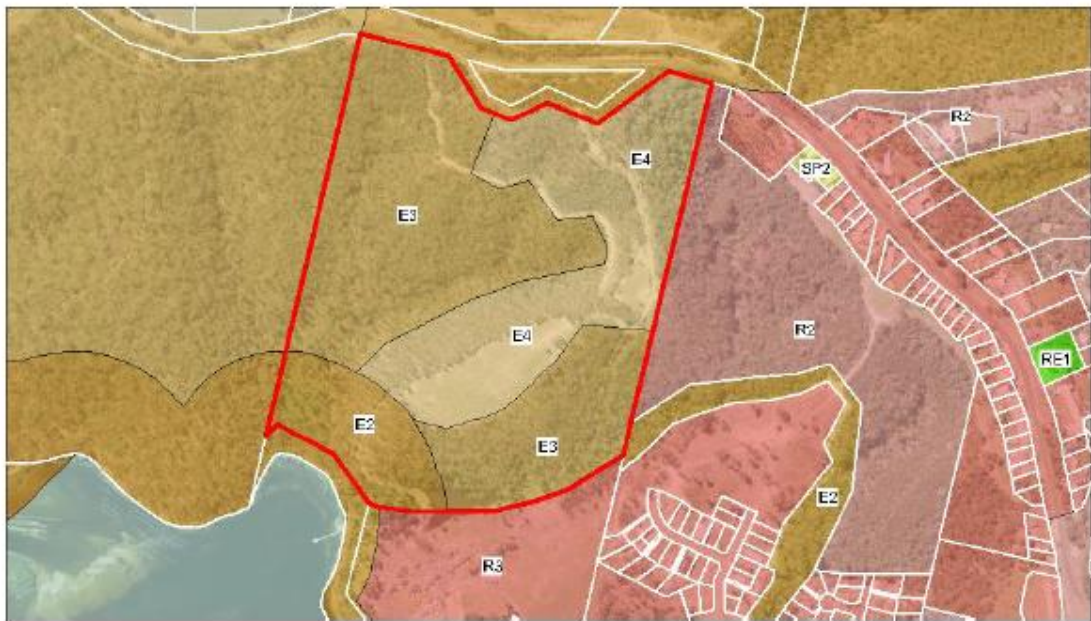


Figure 19: Merimbula Drive, Merimbula: Proposed Amended Land Use Zones

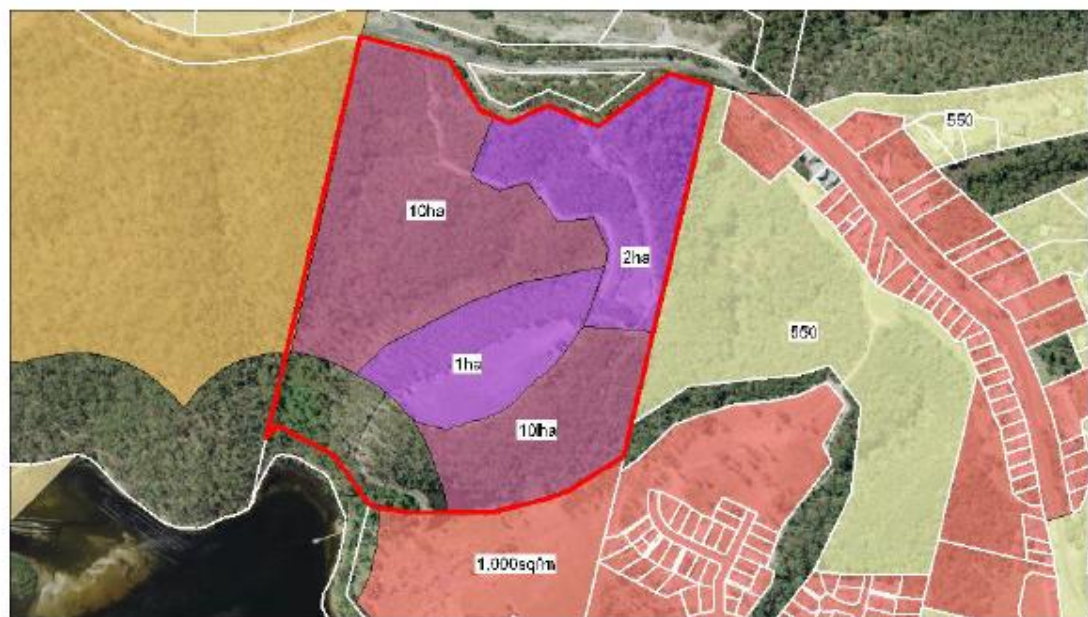


Figure 20: Merimbula Drive, Merimbula: Proposed Amended Minimum Lot Sizes

Figure 4: Extract from Council report 28/6/2017 showing proposed amended land use zones and minimum lot sizes which were gazetted on 15 December 2017