
8.2. Endorsement of EPI Mapping Errors Planning Proposal

This report seeks a Council resolution to support a planning proposal to correct minor discrepancies in the Department of Planning, Housing and Infrastructure's Environmental Planning Instrument (EPI) dataset.

Director Community Environment and Planning

Officer's Recommendation

That Council:

1. Support the planning proposal.
2. Authorise Council officers to submit the planning proposal (Attachment 1) and supporting information to the Department of Planning, Housing and Infrastructure requesting a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*.
3. Authorise Council officers, subject to the conditions of the Gateway Determination and providing no substantial changes to the planning proposal are required, to progress the planning proposal to finalisation and gazettal without a further report to Council.

Executive Summary

This report seeks Council's resolution to support a planning proposal (Attachment 1) to correct five discrepancies in the Department of Planning, Housing and Infrastructure's (DPHI) Environmental Planning Instrument (EPI) dataset. A 'basic' planning proposal is the appropriate mechanism for making these amendments.

Background

Council conducted an audit to compare its Local Environmental Plan (LEP) dataset with the Department of Planning, Housing and Infrastructure's Environmental Planning Instrument (EPI) dataset. This review identified five discrepancies within the EPI dataset that require rectification. Two discrepancies relate to planning proposal outcomes (LEP Amendments) that are not accurately reflected in the dataset, while the remaining discrepancies appear to result from an unidentified error in the EPI data source.

The planning proposal aims to correct the following mapping errors by requesting the DPHI amend their dataset to:

1. Amend the Floor Space Ratio map for various lots including 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 to match cadastre and zone boundaries within the vicinity.
2. Amend the Land Zoning Map for Lot 344 DP 750227, 194 Arthur Kaine Drive, Pambula by applying the C4 Environmental Living zone.
3. Amend the Lot Size Map for part Lot 603 DP 1277714, 110 Lakewood Drive, Merimbula by applying a 2 hectare lot size to the part of the portion of Lot 603 DP 1277714 that is zoned C4 Environmental Living zone.

The rationale and impact of each change is explained in the planning proposal (Attachment 1).

Assessment of Planning Proposal

Strategic merit assessment criteria

The planning proposal:

- is not inconsistent with the *South East and Tablelands Regional Plan 2036*
- is not inconsistent with the *Bega Valley Shire Local Strategic Planning Statement 2040*
- does not respond to a change in circumstances that has not been recognised by the existing planning framework.

Site-specific merit assessment criteria

The planning proposal does not include provisions that will unreasonably:

- increase the likelihood of additional impacts on the natural environment or other affected land
- increase the likelihood of additional impacts to existing uses, approved uses, and likely future uses of land in the vicinity
- impact services and infrastructure that are or will be available to meet demand.

Options

This report recommends that Council support the planning proposal to rectify the minor discrepancies in the DPHI's EPI dataset to ensure consistency in the LEP mapping datasets.

Council could choose to not make these changes and the errors, inconsistencies and issues would remain as there is no other avenue to make the proposed changes other than through the planning proposal process. This option is not recommended.

Community and Stakeholder Engagement

Engagement undertaken

No community consultation has yet been undertaken.

Engagement planned

Council has liaised with officers from the DPHI during the preparation of this planning proposal and it was determined that, given the planning proposal seeks to correct minor discrepancies in the DPHI's mapping dataset, no community or agency consultation is required. The planning proposal relates to map-only amendments and seeks to correct minor discrepancies in the DPHI's mapping dataset to align with previously determined outcomes.

Financial and Resource Considerations

The processing of the planning proposal will be undertaken as part of Council's regular work program. The DPHI GIS team have advised they will prepare the maps and GIS data given the circumstances.

Legal /Policy

The planning proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* and the NSW Department of Planning and Environment's *Local Environmental Plan Making Guideline* (August 2023).

Impacts on Strategic/Operational/Asset Management Plan/Risk

Strategic Alignment

The planning proposal is consistent with the *South East and Tablelands Regional Plan 2036*, *Bega Valley Community Strategic Plan 2042*, and the *Bega Valley Shire Local Strategic Planning Statement 2040*.

Environment and Climate Change

The planning proposal is administrative in nature and will not increase the risks associated with climate change or result in any significant impacts on the environment.

Economic

The planning proposal is administrative in nature and will not result in any significant positive or negative economic impacts.

Risk

The planning proposal seeks to address minor risks to Council and the broader community by correcting mapping errors and removing inconsistencies.

Social / Cultural

The planning proposal is administrative in nature and will not result in any material positive or negative social or cultural impacts.

Attachments

1. Minor Amendments Planning Proposal 2026