

4.1 Proposed Miscellaneous Amendments to Central Coast Development Control Plan 2022

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Recommendation

That the Committee recommends that Council:

- a. Adopts the amendments to Central Coast Development Control Plan 2022 as exhibited and as amended as shown under Attachment 1.***
- b. Delegates the Chief Executive Officer to take appropriate actions to bring the amendments to Central Coast Development Control Plan 2022 into effect.***
- c. Requests that those that made submissions be advised of Council's decision.***

Report Purpose

To report on the outcome of the public exhibition of Miscellaneous Amendment to Central Coast Development Control Plan (**CCDCP**) 2022.

Executive Summary

A group of Miscellaneous 'Housekeeping' Amendments to CCDCP 2022 were placed on public exhibition from 15 April to 15 May 2026. The proposed amendments were identified to improve the development application process and provide greater clarity for the community and developers who use Council's Development Control Plan (**DCP**).

It is recommended that the exhibited DCP amendments be adopted with minor amendments identified through public exhibition, that align with the intent of this DCP amendment package, also be made.

Background

At the Ordinary Meeting of 24 March Council resolved on the recommendation of the Environment and Planning Committee as follows:

EPC-26/142 - Proposed Miscellaneous Amendments to Central Coast Development Control Plan 2022

That Council:

- I. Endorses the public exhibition of Miscellaneous Housekeeping Amendments to Central Coast Development Control Plan 2022; and*
- II. Considers a further report on the outcomes of the public exhibition process.*

Since the implementation of CCDCP 2022, various operational challenges and general feedback pertaining to the DCP have been collected from both council officers and the public.

The proposed amendments are listed in **Attachment 1**. The proposed amendments have been intentionally limited to those that will have one or more of the following positive outcomes:

- Provide clarification/reduce uncertainty
- Result in simplification
- Remove typographical errors
- Provide clearer guidance
- Provide greater consistency
- Remove superfluous/outdated information
- Reduction in assessment times

Report

The public exhibition process was undertaken from 15 April 2026 to 15 May 2026.

16 submissions were received during the public exhibition period.

The following were recurrent issues within the submissions:

- Requests from Woy Woy Peninsula residents for strict tree retention and replacement requirements to be added and enforced within the DCP.
- Concerns regarding a potential reduction in public participation through amendments to Chapter 1.2 Notification of Development Proposals where instead of

relying on any variance to DCP and Local Environment Plan (**LEP**) provisions as the trigger for 14 days public exhibition an assessment against such provisions along with a review of potential environmental impact will occur.

- Concerns that commercial and industrial development would no longer be publicly exhibited. Note: This process is not changing and is only being clarified through some changes to wording.

A full summary of submissions and responses are available under **Attachment 2**.

Submissions identified some additional changes that fall within the scope of this amendment package and are of a minor nature so do not require re-exhibition and delay the adoption of the exhibited changes. These include:

- A consistent 14-day exhibition period for local development is considered appropriate. Exhibition can be extended on a case-by-case basis.
- Additional information clarifying the public exhibition process for building information certificates.
- Additional wording clarifying consideration of environmental impact for development applications.
- Retention of Chapter 2.6 Commercial Hydroponics (identified for repeal in the exhibition material) as this chapter has been used to provide guidance on multiple occasions of late.

The proposed additional changes have been added to **Attachment 1** and are shown within Table 2.

Any additional more complex issues identified in submissions will be retained for consideration in future amendments that will occur in the future as a result of the implementation of adopted strategies or as an outcome of addressing the ongoing State Government reforms.

Stakeholder Engagement

The public exhibition process was undertaken from 15 April 2026 to 15 May 2026. This included:

- Email to 57 groups with an interest in 'Planning and Development.
- eNews - Delivered to 22,031 people.
- Internal stakeholders providing input and feedback.

Financial ConsiderationsFinancial Year (FY) Implications

The proposal does not have financial implications for the current year or outer years in the LTFP.

Budget and Long-Term Financial Plan (LTFP) Impact

The FY adopted budget includes funding for this proposal.

Link to Community Strategic Plan

Our Place -The levers that help our people to live, move and enjoy their life on the Central Coast.

Goal - PL1: Balanced and sustainable urban planning, land development and housing supply.
Strategy - PL 1.1: Ensure development and land use planning that preserves local character and heritage, sustains rural areas, protects our drinking water catchments and provides access to transport, green spaces, essential amenities and services.

Risk Management

Nil

Critical Dates or Timeframes

Following Council endorsement, the DCP amendments will be brought into effect.

Attachments

1. Attachment 1 CCDCP Amendment List [13 pages]
2. Attachment 2 Submission Summary Table CCDCP Miscellaneous Housekeeping Amendments [13 pages]

DCP Chapter		Section / identifier	Issue	Proposed Amendment	Positive Outcome
1.2	Notification	1.2.3.2	Removal of newspaper reference The State Government removed the requirement for advertisements in Newspapers in 2021 due to Covid restrictions and in addition, many local papers across the state were ceasing to operate at the time.	1.2.3.2 – remove reference to ‘local newspaper’ and replace this with a reference to Council’s Website.	-Clarification -Remove obsolete information
1.2	Notification	App A	Notification for industrial and commercial Developments Current wording relating to industrial and commercial development is ambiguous with regard to whether low impact proposals such as fitouts or change of use within industrial and commercial zones require notification.	Clarify wording to clearly state that industrial development or commercial development within corresponding land use zones does not require notification.	-Clarification -Reduce assessment time.
1.2	Notification	App A	Notification - innominate uses s.1.2.2.3 b states ‘In instances where a proposed land use is not mentioned in the Notification Table and/or Council is of the opinion a proposal will have little or no environmental impact, public notification will not be required.’ However, Appendix A mandates 14-day exhibition for innominate land uses. This contradicts s.1.2.2.3 b. If a proposal for an innominate land use needs notification due to potential environmental impacts it will be notified as per s.1.2.2.3 or under s.1.2.2.4 Public Interest, if it is considered that the proposal will or has generated public interest.	Remove the ‘all other development’ row from the table in Appendix A.	-Clarification -Reduce assessment time.

DCP Chapter		Section / identifier	Issue	Proposed Amendment	Positive Outcome
1.2	Notification	1.2.1.3 & 1.2.2.3 b	Definition of 'little or no environmental impact' As above, existing s.1.2.2.3 states, 'where Council is of the opinion a proposal will have little or no environmental impact, public notification will not be required'. There is currently no information provided on what is considered little or no environmental impact	Add information to the Glossary (s.1.2.1.3) clarifying what is considered little or no environmental impact.	-Clarification
1.2	Notification	App A	Secondary Dwelling Notification Unlike dwelling houses and ancillary development or additions, all secondary dwellings have a mandatory 14-day notification period whether or not they comply with all of Council's requirements or not. This is not consistent.	Remove the separate reference to secondary dwellings under Appendix A and co-locate the land use in the table with the requirements for dwelling house notification	-Consistency -Reduce assessment times.
1.2	Notification	App A	Dwelling House Notification – variations Any variation to controls, <u>no matter how minor</u>, requires a 14-day notification period. This requires a full initial assessment at time of lodgement and incorporates applications where there is no environmental impact on neighbours. If significant variations are sought it is expected that an application will require detailed assessment and therefore notification will not be the critical factor for timely	Remove the requirement for notification of a dwelling house DA where there are minor variations with the requirement for notification being 'where in the opinion of Council the proposal may have undue impact on the amenity of surrounding properties.'	-Consistency -Reduce assessment times.

DCP Chapter		Section / identifier	Issue	Proposed Amendment	Positive Outcome
			determination and can be commenced after a full assessment of potential environmental impacts has been completed if considered appropriate. As per current practice, notification will occur 'where in the opinion of Council the proposal may have undue impact on the amenity of surrounding properties'		
1.2	Notification	App A	Zone Exemption for Notification of certain land uses. For several land uses (e.g. funeral homes, tourist and visitor) accommodation there is exemption for notification in some zones. It is proposed to simplify this table and remove these exemptions. These applications are relatively rare, and it is considered that it is preferable to simplify this process.	Remove exemptions for business, industrial and special use zones	-Clarification -Simplification
1.2	Notification	1.2.2.1	Application of the Chapter to Advertised, Designated, State Significant Development The DCP Chapter currently indicates that the Chapter does not apply to certain development types as mentioned above. These forms of development are dealt with under the <i>Environmental Planning and Assessment Regulation 2021</i> (EP&AR 2021). There are some instances where the Regulation does not provide all required information, e.g. dealing with amendments.	It is proposed that the chapter is reworded and apply to all development proposals however noted that where there is any inconsistency the Regulation prevails.	-Clarification
1.2	Notification	1.2.2.6 a	Requirement for Models This section refers to "Plans, models and any written material submitted".	Remove the reference to models from this section	-Clarification

DCP Chapter		Section / identifier	Issue	Proposed Amendment	Positive Outcome
			Models are not a specified requirement for an application. Staff are occasionally questioned why a model is not available to view.		
1.2	Notification	1.2.2.10	Minor Amendment Notification This section refers to the opinion of Council or staff with the appropriate delegated authority. The information regarding staff delegation has caused confusion.	Remove reference to staff delegation. This is a mandatory function of Council that must be adhered to.	-Clarification
1.2	Notification	All	Typos and consistency Some definitions in bold and some not. Other minor typographical errors noted.	Review chapter for consistency in text and typographical errors.	-Clarification
2.1	Dwelling Houses Secondary Dwellings and Ancillary Development	2.1.3.1	Setbacks – Residential Lots – Part e Waterfront setback (absolute water frontage) The bracketed wording ‘absolute water frontage’ is problematic as it alludes to the 6.0m and 10.0m controls only apply to direct waterfront properties. This is not intended and contradicts the control which also refers to ‘setback from the waterbody or from land that is unzoned land or zoned public recreation or open space which adjoins the waterway’	Remove reference to ‘absolute water frontage	-Clarification -Reduce uncertainty
2.2	Dual Occupancy and Multi Dwelling Housing	2.2.10.4	Fencing Requirements Fencing, subclause e states: “.....A combination of materials and articulation of the fence plane is required in order to achieve better presentation to the public domain, as illustrated above.” The illustrations that are referred to provided examples only and relate	Omit reference to fencing diagrams.	-Clarification -Reduce uncertainty

DCP Chapter		Section / identifier	Issue	Proposed Amendment	Positive Outcome
			to a pre-amalgamation DCP Chapter.		
2.2	Dual Occupancy and Multi Dwelling Housing	2.2.5 b	Side Setback Control is considered complicated to read. This control is the same as under Chapter 2.1, but it has the aid of a diagram that helps clarify the application of the clause.	Control is the same as under Chapter 2.1, but it has the aid of a diagram that helps clarify the application of the clause. A similar diagram to be added to Chapter 2.2	-Clarification -Consistency
2.2	Dual Occupancy and Multi Dwelling Housing	2.2.10	Swimming Pools – Dual Occupancy Swimming pools are often proposed for dual occupancies. There are controls in Chapter 2.1 guiding swimming pool development but not guidance under Chapter 2.2.	Insert the provisions relating to swimming pools under Chapter 2.1 into Chapter 2.2	-Clarification -Reduce uncertainty
2.3	Residential Flat Buildings	2.3 Fig.1	Reference to Chapter 2.5 Retail Centres, Should be Chapter 2.5 Commercial Development.	Reference to Chapter 2.5 Retail Centres to be amended to Chapter 2.5 Commercial Development.	-Typo -Clarification
2.4	Subdivision	2.4 Table 2	Dual Occupancy Subdivision Need clarification to indicate that the minimum subdivision allotment size and minimum width requirement in Table 2 is not applicable/required for Dual Occupancy Subdivision that is undertaken under the provisions of the LEP.	New Note: <i>Provisions relating to the subdivision and minimum lot size for dual occupancy development is as per CCLEP 2022.</i>	-Clarification -Reduce uncertainty
2.4	Subdivision	2.4 Table 2	Torrens Title Subdivision It needs to be made clear in Table 2, that the minimum subdivision	New Note: <i>Where the minimum lot size as shown on the lot size map of CCLEP 2022 is</i>	-Clarification -Reduce uncertainty

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			allotment size should be as per the Lot Size Map. There may be instances where a minimum lot size under the LEP is unusual (e.g. 1850 m sq. to allow for sloping sites) and this (LEP) control prevails.	<i>larger than as shown in the table above, the lot size map prevails.</i>	
2.5	Commercial Development	2.5.3.1/2.5.3.2	Typo The DCP chapter has a typographical error and refers to section 2.5.3.1 Building Heights and Section 2.5.3.1 Ceiling Heights.	The numbering needs to be amended to 2.5.3.2 Ceiling Heights.	-Typo. -Clarification
2.5	Commercial Development	2.5.3.2 & 2.5.4.2	New Development definition The chapter to be amended to clarify that the term "new development" should apply to the erection of new buildings only, and not a change in use of an existing building where no additional floor space is proposed. It is apparent that existing buildings may not be able to attain some of the standards required under the DCP Chapter – e.g. floor to ceiling heights.	Provide a definition of 'new development' for the purpose of this chapter being: erection of new buildings only, and not a change in use of an existing building where no additional floor space is proposed.	-Promote redevelopment -Clarification -Reduce uncertainty
2.6	Commercial Hydroponics		Delete Chapter ~~Rarely used if at all. Can rely on merits assessment and consultation/guidance from State Government Authorities.~~	Delete Chapter	-Simplification of DCP
2.9	Industrial Development	2.9.2.3	Dual frontage setbacks of industrial developments: The DCP chapter is currently unclear regarding which setback to apply to secondary frontages. This creates uncertainty regarding	<i>New Note- secondary setback to be considered as a front setback</i>	-Consistency -Clarification

DCP Chapter		Section / identifier	Issue	Proposed Amendment	Positive Outcome
			landscaping requirements, building setbacks etc. Secondary street frontages (i.e. rear/parallel roads) should be treated as a front setback rather than a rear setback. This is consistent with the way SEPP Exempt and Complying Development 5A.10, deals with blocks that have street frontages at both the front and rear. Note this does not change the current controls for corner lots which are provided for in the DCP Chapter.		
2.13	Transport and Parking	2.13.4.4(b)	3-point turn vs 3 movements: 2.13.4.4(b) states: 'For developments where car parking is proposed along or at the end of a common driveway, or access handle/right of way, an adequate manoeuvring area must also be provided on-site so that the vehicles of residents can enter and leave the site in a forward manner using no more than a 3-point turn'. This can be misinterpreted as a 3-point turn within the site/driveway and not as per AS/NZS2890.1 which permits 3 turns in total for entry and exit to the site	This clause be amended to reference compliance with user class 1 in AS/NZS2890.1 to allow for 3 turns in total for entry and exit to the site. This shall apply to all dual occupancies and multiple unit development.	-Clarification -Reduce uncertainty
2.15	Signage and Advertising	2.15.1.6	Permissibility of Advertising The following points have created confusion and do not relate to DCP requirements and are related to land use permissibility issues that should only be identified/dealt with under LEPs or SEPPs. A development application for signage:	Delete final dot point under 2.15.1.6 and 2.15.1.6 (a)	-Clarification -Reduce uncertainty

DCP Chapter		Section / identifier	Issue	Proposed Amendment	Positive Outcome
			- Can only be lodged on land where signage not prohibited is permissible under Central Coast LEP 2022 or other Environmental Planning Instrument such as <i>State Environmental Planning Policy (Industry and Employment) 2021</i> and <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>. - a Must verify that the signage relates to the approved use of the land upon which it is located except as otherwise permitted under other instruments such as <i>State Environmental Planning Policy (Industry and Employment) 2021</i> and <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>.		
3.5	Tree and Vegetation Management	3.5.3.2	Reference to Act 3.5.3.2 Exemptions under this DCP refers to Schedule 3 of the Biosecurity Act 2015. This should refer to Schedule 2.	Replace reference to 'Schedule 3' in 3.5.3.2 g with 'Schedule 2'	-Typo
4.3	Terrigal Village Centre	Figure 4.3.2	Figure 4.3.2 – Terrigal Village Centre Map showing excluded Rapedo Lands: This map is incorrect and does not match the Height of Buildings provisions under CCLEP 2022. Lot 107 DP547828 (1 Campbell Cr, Terrigal.	Revise map to reflect the extent of the DCP Chapter	-Typo -Clarification
4.5	Wyang Town Centre		East Wyong Character Area: Information has been omitted from this chapter and was also omitted from original DCP.	Insert omitted section of Wyong Town Centre DCP relating to East Wyong.	-Clarification -Better guidance for development

DCP Chapter		Section / identifier	Issue	Proposed Amendment	Positive Outcome
			As a result, the chapter is missing a description of the area and requirements for new development.		
5.6	Lisarow – Toomeys Road		Outdated Chapter The dwelling house is built. Steepness of land and environmental constraints will restrict further development to the site.	Delete Chapter	-Remove superfluous information
5.10	Pearl Beach, Residential Development	5.10.9d i	Typo – Setbacks 5.10.9 d (i) refers to the incorrect clause (5.10.9b(iii)). It should refer to 5.10.9c.	Change 5.10.9 d (i) to refer to 5.10.9c	-Typo
5.13	Georges Fruit Barn		Outdated Chapter Floor space requirement has been included in the CCLEP 2022 as part of the Deferred Matters Planning Proposal (Schedule 1 Clause 28 – Use of land at 251 Scenic Highway, Terrigal). This chapter can be deleted.	Delete Chapter	-Remove superfluous information
5.14	Various Suburbs		5.14.7.1 Reeves Street, Narara – road widening not required anymore- delete. 5.14.7.3 Pandala Road, Narara – site has been developed - delete. 5.14.8 - Springfield –completed	5.14.7.1 – Delete 5.14.7.3 – Delete 5.14.8 – Delete	-Remove superfluous information
5.15	Gosford Racecourse		Outdated Chapter This Chapter related to an additional permitted use for the land as a recreation facility (major) under Gosford LEP 2014. Clause 2.8 of CCLEP 2022 identifies and enables a temporary use of land - the additional permitted use is no longer in place. The Chapter relates specifically to flooding issues on this site. Any future proposal will be	Delete Chapter	-Remove superfluous information

DCP Chapter		Section / identifier	Issue	Proposed Amendment	Positive Outcome
			assessed against contemporary flood studies, risk management plans and revised DCP		
5.17	Forresters Beach		Outdated Chapter Retirement village site is fully developed. The land to the south is also fully developed. DCP chapter not required.	Delete Chapter	-Remove superfluous information
5.22	Hamlyn Terrace - Louisiana Road Infill Precinct		Outdated Chapter Competed except for a road connection proposed to be provided through 110 Louisiana Rd, Hamlyn Terrace. This issue has been dealt with under conditions of consent (DA/953/2008/A)	Delete Chapter	-Remove superfluous information
5.24	Berkeley Vale - Keren Avenue Residential		Outdated Chapter Development is now completed. DCP chapter not required.	Delete Chapter	-Remove superfluous information
5.30	Jiliby - Hue Hue Road		Outdated Chapter Development is now completed. DCP chapter not required.	Delete Chapter	-Remove superfluous information
5.33	Tumbi Valley Residential		Outdated Chapter Development is now completed. DCP chapter not required.	Delete Chapter	-Remove superfluous information
5.37	Warnervale East Wadalba Northwest		Missing Section of Mapping Mapping missing a section of Settlement Drive.	Update DCP Chapter to reflect proposed development outcome.	-Typo Clarification
5.40	The Entrance Key Site Development		Outdated Key (Iconic) Site Chapter The provisions relating to Key Sites only apply to successful development applications lodged on or prior to 23 December 2018 under the provisions of Clause 7.11 of Wyong LEP 2013.	Delete Chapter	-Remove superfluous information

DCP Chapter		Section / identifier	Issue	Proposed Amendment	Positive Outcome
5.42	Berkeley Vale - Anderson Road		Outdated Chapter Subdivision completed with no ongoing considerations from the DCP. DCP chapter not required.	Delete Chapter	-Remove superfluous information
5.45	Toukley Beachcomber Key Site		Outdated Key (Iconic) Site Chapter The provisions relating to Key Sites only apply to successful development applications lodged on or prior to 23 December 2018 under the provisions of Clause 7.11 of Wyong LEP 2013. Consent was not pursued and has lapsed. Site has since been redeveloped.	Delete Chapter	-Remove superfluous information
5.49	Northern Areas Key Sites		Outdated Chapter Provisions have lapsed. Chapter to be repealed. DCP chapter not required.	Delete Chapter	-Remove superfluous information

Table 1 -Exhibited Amendments

DCP Chapter		Section / identifier	Issue	Response/ Proposed Amendment	Positive Outcome
1.2	Notification	App A	14 and 21 Day Exhibition Periods 21 day exhibition process for some land uses is inconsistent with other uses and proposed State Government Community Participation Plan	Agreed- A consistent 14 day exhibition period for local development is considered appropriate. Exhibition can be extended on request and on a case-by-case basis. Recommend that the Notification Table be altered with those land uses identifying a 21 day exhibition period be changed to 14 days	-Consistency -Reduce assessment time.

DCP Chapter		Section / identifier	Issue	Response/ Proposed Amendment	Positive Outcome
1.2	Notification	1.2.1.2, 1.2.1.3 & 1.2.3.2	Building Information Certificate (BIC) Notification Process Staff are regularly explaining to applicants the legal acceptance of a “notional planning assessment” related to BIC applications which are subject of unauthorised building work, and how that assessment must adopt the same process applied to a DA assessment.eg. public consultation.	Agreed – the following changes to be made to Chapter 1.2 1.2.1.2 Application of this Chapter (insert the following new paragraph) An application for a BIC which relates to a building or structure which has not received a prior development consent or is inconsistent with a development consent or construction certificate in force will be subject to the requirements contained in this Chapter as if it were a development application. 1.2.1.3 Glossary (insert the following new definition) Building Information Certificate (BIC) means an application made to the Local Council in accordance with Division 6.7 of the EP&A Act 1979. 1.2.3.2 Advertisements of Consents or Certificates (add word “Information”) i.e.- Building Information Certificates for unauthorised works.	Clarification
1.2	Notification	1.2.1.3 & 1.2.2.3 b	Definition of ‘little or no environmental impact’	It is considered important that some information be provided to provide	Clarification

DCP Chapter		Section / identifier	Issue	Response/ Proposed Amendment	Positive Outcome
			Should a definition of 'environmental impact' be provided where the most recent practice note from the Department of Planning references the following: <i>"The interpretation of section 4.55, including key concepts such as "no environmental impact", is likely to evolve as it is tested and considered by the Court.</i> <i>Applicants, <u>consent authorities</u> and members of the community are encouraged to <u>seek independent legal or planning advice</u> to understand how case law may affect specific projects, noting that advice may vary on a case-by-case basis.</i>	guidance regarding this issue. Other submissions have raised this issue. Propose that wording be added to say "for the purposes of this DCP Chapter" so the definition in the glossary is not inadvertently applied elsewhere.	
2.6	Commercial Hydroponics		Retain Chapter Proposed to be revoked. Consultation has identified that this chapter is still utilised for a number of applications that are received for the Plateau area, including multiple applications in the last 12 months.	Retain Chapter	-Clarification -Consistency

Table 2 – Additional amendments- outcome of exhibition/ identified from submissions

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Document No.	Issue(s)	Response
D17425736	21 day exhibition process for some local development is inconsistent with the majority of land uses, without justification. A consistent 14 day exhibition period would be more appropriate with extensions provided as required.	Agreed – post exhibition change recommended- A consistent 14 day exhibition period for local development is considered appropriate. Exhibition can be extended on a case-by-case basis. Recommend that the Notification Table be altered with those land uses identifying a 21 day exhibition period be changed to 14 days.
D17488739	Tree retention and urban canopy are already under pressure, especially in areas like the Peninsula. Weakening planning controls risks accelerating loss of mature trees, increasing urban heat, reducing biodiversity, and worsening stormwater runoff. Given these challenges, the DCP should be strengthened, not weakened, to enhance tree protection and urban greening	There are no changes proposed that will weaken controls relating to vegetation retention/removal.
	There is growing concern that planning controls are being adjusted to allow higher site densities, reduced setbacks, and less landscaping. Even small incremental changes across multiple developments can lead to overdevelopment, damaging neighbourhood character, sunlight access, privacy, and open space. Council must ensure amendments protect these aspects and maintain residential amenity.	None of the exhibited amendments relate to higher site densities, reduced setbacks and less landscaping.
	Upcoming State changes may reduce public notice periods and limit community input on developments. Combined with relaxed local controls, this risks diminishing transparency and oversight. Council should retain strong local notification requirements, advocate for community rights, and	A Statewide Community Participation Plan has recently been exhibited. Council has made a submission, (considered at the May Council Meeting) which outline concerns regarding changes in the public participation process.

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Document No.	Issue(s)	Response
	avoid any amendments that reduce public involvement or accountability.	
D17488782	Item 3: Chapter 1.2 Where it states that Council is of the opinion a proposal will have little or no environmental impact, public notification will not be required. Who is Council in this statement? Is it Council planners? Is it Councillors? Is it Council executive?	There are existing provisions under Chapter 1.2 (1.2.2.3 and 1.2.2.4) that requires assessment staff to use discretion regarding environmental impact. The proposed changes to the DCP are intended to provide greater clarity with respect to how this is assessed.
D17485869	Council regularly notifies Building Information Certificate (BIC) applications which relate to unauthorised building work as part of our “notional planning assessment”. The current chapter does not contain commentary requiring notification of BICs for unauthorised building work. It does contain at clause 1.2.3.2 requirements to publish the BIC for unauthorised building work in the Council website. This is however after the BIC has been determined and does not enable any form of public consultation for the purpose of the “notional planning assessment”. Staff are regularly explaining to applicants the legal acceptance of a “notional planning assessment” related to BIC applications which are subject of unauthorised building work, and how that assessment must adopt the same process applied to a DA assessment.eg. public consultation.	Agreed – post exhibition change recommended The following changes to be made to Chapter 1.2 1.2.1.2 Application of this Chapter (insert the following new paragraph) An application for a BIC which relates to a building or structure which has not received a prior development consent or is inconsistent with a development consent or construction certificate in force will be subject to the requirements contained in this Chapter as if it were a development application. 1.2.1.3 Glossary (insert the following new definition) Building Information Certificate (BIC) means an application made to the Local Council in accordance with Division 6.7 of the EP&A Act 1979. 1.2.3.2 Advertisements of Consents or Certificates (add word “Information”) (i.e.- Building Information Certificates for unauthorised works.)

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D17488688	The “All other Development” safety net is being removed. Right now, if someone wants to build something unusual that’s not on Council’s list of typical developments adjoining neighbours automatically get 14 days’ notice due to the “all other developments” catch-all. Under the new rules, that catch-all is disappearing, so I am no longer automatically entitled to notice, and will only find out if a Council officer decides it’s worth telling me about. (Amendment Item 3 — Chapter 1.2, Appendix A)	As per the exhibition material there is an inconsistency in the DCP Chapter s.1.2.2.3 b states ‘In instances where a proposed land use is not mentioned in the Notification Table and/or Council is of the opinion a proposal will have little or no environmental impact, public notification will not be required.’ However, Appendix A mandates 14-day exhibition for innominate land uses. This contradicts s.1.2.2.3 b. If a proposal for an innominate land use needs notification due to potential environmental impacts it will be notified as per s.1.2.2.3 or under s.1.2.2.4 Public Interest, if it is considered that the proposal will, or has, generated public interest. This is current practice and is not proposed to be changed.
	Today if my neighbour wants to build closer to my fence, taller, or bigger than the rules allow (even by a tiny bit) I automatically get notified. Under the new rules, I only get notified if a Council officer thinks it’ll cause “undue impact.” Real example: a two-storey extension goes up 80cm closer to my bedroom window than the rules allow. Today I’d be told and could have a say. Under the new rules? If a Council officer doesn’t think it’ll cause “undue impact”	There are existing provisions under Chapter 1.2 (1.2.2.3 and 1.2.2.4) that requires assessment staff to use discretion regarding environmental impact. The proposed changes to the DCP are intended to provide greater clarity with respect to how this is assessed.
D17488520	Retain the “all other development” catch-all row in Appendix A, so that unusual or novel land uses default to 14-day notification rather than relying on a discretionary judgment;	As per the exhibition material there is an inconsistency in the DCP Chapter s.1.2.2.3 b states ‘In instances where a proposed land use is not mentioned in the Notification Table and/or Council is of the

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Document No.	Issue(s)	Response
		opinion a proposal will have little or no environmental impact, public notification will not be required.' This is current practice that is not proposed to be changed.
	(b) Re-exhibit the proposed definition of "little or no environmental impact" so that the public can see the actual wording before it is adopted, given that this definition will function as a key gate to the notification system;	The definition of environmental impact (for the purposes of this DCP Chapter) was exhibited in the draft version of Chapter 1.2
	(c) Retain mandatory notification for any DA proposing a variation to setback, site coverage, floor space ratio, or building height controls, on the principle that these controls exist to protect neighbour amenity and a variation is precisely the situation in which neighbours have the strongest interest in being heard; and	There are existing provisions under Chapter 1.2 (1.2.2.3 and 1.2.2.4) that requires assessment staff to use discretion regarding environmental impact. The proposed changes to the DCP are intended to provide greater clarity with respect to how this is assessed.
	(d) Retain notification for change of use in industrial and commercial zones where the change of use materially alters operating hours, traffic generation, noise, or other amenity-relevant factors – while continuing to exempt fitouts that do not change the operational character of the use	Change of use in commercial and industrial zones are currently only notified where they are not within designated zones (e.g. existing use rights). The changes to the text in the DCP Chapter is to clarify that this is the case. In most cases such proposals are dealt with under SEPP Exempt and Complying Development
	(e) Adjust the wording of section 1.2.2.6 a so that any models or 3D visualisations voluntarily lodged with an application remain available for public inspection, even though models are not a required submission item; and	If models are provided it is appropriate they be made publicly available.
	(f) Confirm in section 1.2.2.1 that, where a proposal would have material amenity, environmental, or infrastructure impacts on nearby residents – including State Significant Development – Council will notify	For proposals that are not local development the provisions of the EP&A Regulation prevail. The change proposed is to provide guidance and consistency where the Regulation is silent such as re-exhibition or amendments. S.1.2.2.4

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	adjoining and nearby owners and publish details on its website, in addition to any notification required under the Environmental Planning and Assessment Regulation 2021.	permits Council to extend notification where it is considered appropriate.
D17494824	Weakening of planning controls—especially where vegetation removal or site coverage is affected—risks accelerating: • Loss of mature trees • Increased urban heat island effects • Reduced biodiversity and habitat • Decline in stormwater absorption and increased runoff The DCP should be strengthened—not weakened—when it comes to tree retention and urban greening.	There are no changes proposed that will weaken controls relating to vegetation retention/removal.
	Council must ensure that any amendments do not erode: • Local character • Access to sunlight, privacy, and open space • The overall amenity of residential areas	The proposed amendments are minor housekeeping amendments only identified to provide clarification, consistency and remove superfluous information. The proposed DCP changes do not significantly amend residential planning controls
	A key concern is the broader planning context, including anticipated NSW Government changes to development application (DA) exhibition and notification processes. Council should: • Retain and strengthen local notification requirements wherever possible • Advocate for continued community participation rights • Avoid introducing DCP changes that reduce transparency or accountability	Council has lodged a submission with respect the proposed Statewide Community Participation Plan. Council's Notification DCP Chapter will remain in force at this time.
	As part of this submission, I also wish to propose that Council consider proactive amendments to the DCP to	There are no changes proposed that will weaken controls relating to vegetation retention/removal.

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	protect and expand urban tree canopy.	
D17495237	Council needs to strengthen the DCP rather than weakened, to ensure liveable, cool, resilient and attractive suburbs are prioritised. Make amendments to the DCP, to increase urban tree protections, to combat the ongoing loss of mature canopy across our suburbs.	There are no changes proposed that will weaken controls relating to vegetation retention/removal. The proposed amendments are minor housekeeping amendments only identified to provide clarification, consistency and remove superfluous information.
D17495240	Council needs to strengthen the DCP rather than weakened, to ensure liveable, cool, resilient and attractive suburbs are prioritised. Make amendments to the DCP, to increase urban tree protections, to combat the ongoing loss of mature canopy across our suburbs.	There are no changes proposed that will weaken controls relating to vegetation retention/removal. The proposed amendments are minor housekeeping amendments only identified to provide clarification, consistency and remove superfluous information.
D17495254	We are ratepayers and residents are appalled at the lack of focus on decreasing urban heat stress in the Peninsula by ensuring tree planting, maintenance and protection. Central Coast Council is drastically out of step with most NSW and Australian councils in this regard, despite the central coast and the Peninsula in particular suffering from an extreme lack of street trees. Make amendments to the DCP, to increase urban tree protections, to combat the ongoing loss of mature canopy across our suburbs.	There are no changes proposed that will weaken controls relating to vegetation retention/removal. The proposed amendments are minor housekeeping amendments, identified to provide clarification, consistency and remove superfluous information.

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D17495280	We are facing a future of rapid overdevelopment which does not allow for adequate public consultation. The liveability of our suburbs is declining along with our mature urban canopy and we are facing an exacerbation of the urban heat island effect throughout the area where I live. Our right to participate in the democratic process relating to urban planning is being ignored.	There are no changes proposed that will weaken controls relating to vegetation retention/removal.
	Our DCP should prioritise ensuring an improvement in the liveability of out suburbs, and should be much more targeted at preventing the loss of mature trees or at least ensuring adequate, workable plans for their replacement.	The proposed amendments are minor housekeeping amendments only identified to provide clarification, consistency and remove superfluous information.
D17500222	Change of use in an industrial or commercial zone – should still require notification to adjoining owners and on Council website to provide an opportunity to comment.	Change of use in commercial and industrial zones are currently only notified where they are not within designated zones (e.g. existing use rights). The changes to the text in the DCP Chapter is to clarify that this is the case. In most cases such proposals are dealt with under SEPP Exempt and Complying Development.
	Dwelling houses and secondary dwellings should require notification on the Council website and to neighbours if there is significant vegetation removal or a reduction in landscaping standards proposed.	Notification is provided where there are environmental impacts.
	Notification of applications to neighbours should be retained for home industry or businesses. These businesses or industries should not have an impact on the environment or residential amenity however only neighbours may be able to identify issues that may apply to a specific	In the vast majority of cases, Home Businesses and Home Industries are generally not required to attain development consent and are dealt with under SEPP Exempt and Complying Development. Where it is considered that any such applications would have an

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	location. Increasingly, issues such as traffic for deliveries and noise of some industries can impact on neighbourhood amenity and neighbours should have an opportunity to comment. Most applications will not create any issues but a few may have significant impacts.	environmental impact, the applications will go through a public consultation process.
D17500274	There should be an increase of urban tree protections and mature canopy trees should be saved when developments are planned. Amendments should be considered to the DCP Minimum tree retention and replacement requirements for DA's, replacement ratios mature tree removal and protection of existing mature trees as a priority in DA's.	There are no changes proposed that will alter the controls relating to vegetation retention/removal as part of this minor amendments package.
D17500335	Additional amendments are required to the DCP to extend to urban tree protections For example: • Minimum tree retention requirements for development sites • Mandatory replacement ratios (e.g. 2:1 or much higher for mature tree removal) and proof of retention for 2 years past planting date • Increased deep soil zones to support large canopy species • Protection of existing mature trees as a priority design constraint • Quantifiable canopy targets aligned with climate resilience goals • Stronger enforcement	There are no changes proposed that will alter the controls relating to vegetation retention/removal as part of this minor amendments package.

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	mechanisms for unauthorised tree removal	
D17500508	Rather than relying solely on Council's website, the DCP should require a broader multi-channel notification approach for developments involving: ● removal of significant vegetation, ● variation to landscaping standards, ● reduced deep soil areas, ● or departures from canopy targets.	These issues are dealt with through the development assessment process. In circumstances where it is considered there will be environmental impacts public notification will occur.
	Developments involving any of the following should still require notification: ● tree removal, ● reduction in landscaped area, ● increased hardstand, ● reduced deep soil, ● variation to landscaping requirements, ● significant façade changes, ● increased traffic generation, ● or impacts on neighbouring residential areas.	
	A key concern is that the amendment package appears heavily focused on: ● streamlining, ● administrative efficiency, ● and reducing notification requirements, without corresponding strengthening of: ● urban greening protections, ● canopy retention, ● climate resilience, ● or public domain quality.	These focus areas are the intent of the package as stated in the exhibition material and Council Report.
	To balance the reduced notification provisions, Council should simultaneously introduce stronger	This type of changes falls outside the scope of this process.

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	environmental and liveability protections. These could include: • Mandatory Tree Retention Assessment • Deep Soil Protection Controls • Urban Heat Mitigation Requirements • Minimum Landscape Canopy Targets • 5. Public Domain Shade Standards	
D17508869	Should a definition of 'environmental impact' be provided where the most recent practice note from the Department of Planning references the following: <i>"The interpretation of section 4.55, including key concepts such as "no environmental impact", is likely to evolve as it is tested and considered by the Court. Applicants, <u>consent authorities</u> and members of the community are encouraged to <u>seek independent legal or planning advice</u> to understand how case law may affect specific projects, noting that advice may vary on a case-by-case basis.</i>	Noted. However, it is considered important that some information be provided to provide guidance regarding this issue. Other submissions have raised this issue. Post exhibition change recommended Propose that wording be added to say "for the purposes of this DCP Chapter" so the definition in the glossary is not inadvertently applied elsewhere.
	Where a dual occupancy has one dwelling fronting the shorter boundary and the other fronting the longer boundary, applicants often propose a 2m setback to one of the dwellings as well. The DCP should provide clarification to confirm that the minimum front setback to the boundary which each dwelling faces.	A high proportion of dual occupancy development is now assessed under SEPP Exempt and Complying Development. The current interpretation of side setback is consistent with the SEPP.
	2.2.7.5 – Sunlight Access. The objectives states - <i>To facilitate solar access to the living</i>	The current control is considered adequate. It is not possible to ensure all

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	<i>areas and private open space areas of the dwelling and neighbouring dwellings.</i> However, control c, just specifies numerical compliance with overshadowing the PPOS area, which is inconsistent.	nearby dwellings living areas are designed to meet current standards. Noted for future review of Chapters 2.1 and 2.2 noting the wording is the same in both.
	The front setback controls duplicating single dwelling controls is overly punitive for dual occ and multi dwelling housing which are a key driver of urban consolidation on the Central Coast. The front setback would be more appropriate at 4.5m	The front setback requirements that reflect the Codes SEPP requirements are generally considered to be hard to manage for both dual occupancy/multi dwelling housing and single dwelling housing. Noted for future review of Chapters 2.1 and 2.2 It is proposed that this will be reviewed under a future review of residential DCP chapters as a future stage of the residential zone review and in response to the major planning and building reforms currently being conducted by DPHI. This would be a significant DCP change post-exhibition. Additional and more restrictive controls are not considered under this amendment package.
	Dual occupancy and multi-dwelling housing courtyards should be permitted within the frontage to local roads where solar access is improved and a 1.5m setback is achieved to the courtyard.	This can be assessed as a variation where the objectives of the DCP are met as opposed to allowing this as a default setting. Noted for future review of Chapters 2.1 and 2.2
	2.2.7.3 – Private Open Space Areas The following control should be added: "<u>All</u> private open space areas are required to be directly	A high proportion of dual occupancy development is now assessed under SEPP Exempt and Complying Development.

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	<i>accessible from living areas of the dwelling."</i> The wording of 2.2.7.3(a) including "generally" has been used by DA applicants to propose access to balcony private open space as part of the principal private open space requirement through a private bedroom or similar, which is not considered to be aligned with the objectives to ensure the spaces are functional and responsive to the environment, and integrated with the form/detail of the development.	Private open space for dual occupancies under the Codes SEPP is 16 m sq. as opposed to 45 m sq. under the DCP. It is not intended to increase the restrictions on development through this amendment package. This issue can be examined in the upcoming residential controls review.
	Dual Occupancy appearance - The following control should be added: <i>"Mirror-image' side-by-side dual occupancies are generally not acceptable. The shape of the building shall be articulated and varied, for example, stepping back adjoining garages where located on the front elevation, massing of different materials, stepping of walls, alterations to the roofline, etc."</i> This will help to improve the streetscape appearance of attached dual occupancies, and the articulation/variation of the dwellings will also improve the residential address by clearly defining the two dwellings as separate. It is thought that dual occupancy designs will still be able to be cohesive without being identical.	A high proportion of dual occupancy development is now assessed under SEPP Exempt and Complying Development which contains no such requirement. It is considered that other provisions regarding building appearance are appropriate. This issue can be examined in the upcoming residential controls review.
	Chapter 2.5 - References to 'new development' occur in this chapter	As per the draft exhibited DCP chapter additional information is to be provided at

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	prior to 2.5.3.2. This should be found earlier in the chapter.	2.5.3.1 regarding the term 'new development' in relation to this chapter.
	Chapter 2.6 Commercial Hydroponics - This chapter is still utilised for a number of applications that are received for the Plateau area, including multiple applications in the last 12 months. Without this chapter there would be no requirement for such developments, especially in regard to the placement of such structures which are ever increasing in size. Although the placement of the structures could be considered on a merits basis all of the other requirements within the chapter are still relevant and required for the assessment of such applications. There is currently no consultation/guidance provided by any State Government Authorities for these applications.	Post exhibition change recommended Chapter to be retained as it provides suitable additional guidance
	Signage - Removing 2.15.1.6(a) would effectively make third party advertising permissible in all commercial, industrial zones and some residential zones. This appears to be more than a housekeeping amendment as it will make third party advertising permissible where it currently is prohibited.	Land use permissibility cannot be restricted through a DCP. Any conjecture is eliminated through the proposed omission of this reference as proposed.