

CCDCP – Miscellaneous Housekeeping Amendments – Submission Summary Table

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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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	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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		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 adjoining and nearby owners and	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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	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 protect and expand urban tree canopy.	There are no changes proposed that will weaken controls relating to vegetation retention/removal.

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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.
D17495280	We are facing a future of rapid overdevelopment which does not allow for adequate public consultation.	There are no changes proposed that will weaken controls relating to vegetation retention/removal.

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	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.	
	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 location. Increasingly, issues such as traffic for deliveries and noise of some industries can impact on	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 environmental impact, the applications will go through a public consultation process.

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	neighbourhood amenity and neighbours should have an opportunity to comment. Most applications will not create any issues but a few may have significant impacts.	
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 DAs, replacement ratios mature tree removal and protection of existing mature trees as a priority in DAs.	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 mechanisms for unauthorised tree removal	There are no changes proposed that will alter the controls relating to vegetation retention/removal as part of this minor amendments package.
D17500508	Rather than relying solely on Council's website, the DCP should require a	These issues are dealt with through the development assessment process. In

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	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.	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 environmental and liveability protections. These could include: ● Mandatory Tree Retention Assessment	This type of changes falls outside the scope of this process.

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	• 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.</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>	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 areas and private open space areas of the dwelling and neighbouring dwellings.</i> However, control c, just specifies numerical compliance with	The current control is considered adequate. It is not possible to ensure all 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.

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	overshadowing the PPOS area, which is inconsistent.	
	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: <i>"All private open space areas are required to be directly 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	A high proportion of dual occupancy development is now assessed under SEPP Exempt and Complying Development. Private open space for dual occupancies under the Codes SEPP is 16 m sq. as opposed to 45 m sq. under the DCP.

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	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.	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 prior to 2.5.3.2. This should be found earlier in the chapter.	As per the draft exhibited DCP chapter additional information is to be provided at 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	Post exhibition change recommended

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	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.	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.