

| Item. No. | DCP Chapter |              | Section / identifier | Issue  | Proposed Amendment  |
|-----------|-------------|--------------|----------------------|--|---|
| 1         | 1.2         | Notification | 1.2.3.2              | <p><b>Removal of newspaper reference</b></p> <p>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.</p>   | 1.2.3.2 – remove reference to ‘local newspaper’ and replace this with a reference to Council’s Website.   |
| 2         | 1.2         | Notification | App A                | <p><b>Notification for industrial and commercial Developments</b></p> <p>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.</p>  | Clarify wording to clearly state that industrial development or commercial development within corresponding land use zones does not require notification. |
| 3         | 1.2         | Notification | App A                | <p><b>Notification - innominate uses</b></p> <p>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.</p> <p>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.</p> | Remove the ‘all other development’ row from the table in Appendix A.  |

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| 4        | 1.2         | Notification | 1.2.1.3 & 1.2.2.3 b  | <p><b>Definition of 'little or no environmental impact'</b></p> <p>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'.</p> <p>There is currently no information provided on what is considered little or no environmental impact</p>  | Add information to the Glossary (s.1.2.1.3) clarifying what is considered little or no environmental impact.   |
| 5        | 1.2         | Notification | App A                | <p><b>Secondary Dwelling Notification</b></p> <p>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.</p>  | 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  |
| 6        | 1.2         | Notification | App A                | <p><b>Dwelling House Notification – variations</b></p> <p>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.</p> <p>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 determination and can be commenced after a full assessment of potential environmental impacts</p> | 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.' |

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|          |             |              |                      | <p>has been completed if considered appropriate.</p> <p>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'</p>  |   |
| 7        | 1.2         | Notification | App A                | <p><b>Zone Exemption for Notification of certain land uses.</b></p> <p>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.</p> <p>These applications are relatively rare and it is considered that it is preferable to simplify this process.</p>   | Remove exemptions for business, industrial and special use zones  |
| 8        | 1.2         | Notification | 1.2.2.1              | <p><b>Application of the Chapter to Advertised, Designated, State Significant Development</b></p> <p>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&amp;AR 2021). There are some instances where the Regulation does not provide all required information, e.g. dealing with amendments.</p> | 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. |
| 9        | 1.2         | Notification | 1.2.2.6 a            | <p><b>Requirement for Models</b></p> <p>This section refers to "Plans, models and any written material submitted". Models are not a specified requirement for an application. Staff</p>   | Remove the reference to models from this section  |

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|          |             |  |                      | are occasionally questioned why a model is not available to view.   |  |
| 10       | 1.2         | Notification   | 1.2.2.10             | <p><b>Minor Amendment Notification</b></p> <p>This section refers to the opinion of Council or staff with the appropriate delegated authority. The information regarding staff delegation has caused confusion.</p>   | Remove reference to staff delegation. This is a mandatory function of Council that must be adhered to. |
| 11       | 1.2         | Notification   | All                  | <p><b>Typos and consistency</b></p> <p>Some definitions in bold and some not. Other minor typographical errors noted.</p>   | Review chapter for consistency in text and typographical errors.                                       |
| 12       | 2.1         | Dwelling Houses<br>Secondary Dwellings and Ancillary Development | 2.1.3.1              | <p><b>Setbacks – Residential Lots – Part e Waterfront setback (absolute water frontage)</b></p> <p>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'</p> | Remove reference to 'absolute water frontage'  |
| 13       | 2.2         | Dual Occupancy and Multi Dwelling Housing                        | 2.2.10.4             | <p><b>Fencing Requirements</b></p> <p>Fencing, subclause e states:<br/>".....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."</p> <p>The illustrations that are referred to provided examples only and relate to a pre-amalgamation DCP Chapter.</p>   | Omit reference to fencing diagrams.  |

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| 14       | 2.2         | Dual Occupancy and Multi Dwelling Housing | 2.2.5 b              | <p><b>Side Setback</b></p> <p>Control is considered complicated to read.</p> <p>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.</p>  | 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 |
| 15       | 2.2         | Dual Occupancy and Multi Dwelling Housing | 2.2.10               | <p><b>Swimming Pools – Dual Occupancy</b></p> <p>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.</p>  | Insert the provisions relating to swimming pools under Chapter 2.1 into Chapter 2.2  |
| 16       | 2.3         | Residential Flat Buildings                | 2.3 Fig.1            | <p><b>Reference to Chapter 2.5 Retail Centres,</b></p> <p>Should be Chapter 2.5 Commercial Development.</p>   | Reference to Chapter 2.5 Retail Centres to be amended to Chapter 2.5 Commercial Development.   |
| 17       | 2.4         | Subdivision                               | 2.4 Table 2          | <p><b>Dual Occupancy Subdivision</b></p> <p>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.</p> | New Note: <i>Provisions relating to the subdivision and minimum lot size for dual occupancy development is as per CCLEP 2022.</i>  |
| 18       | 2.4         | Subdivision                               | 2.4 Table 2          | <p><b>Torrens Title Subdivision</b></p> <p>It needs to be made clear in Table 2, that the minimum subdivision allotment size should be as per the Lot Size Map.</p> <p>There may be instances where a minimum lot size under the LEP is unusual (e.g. 1850 m sq. to allow for</p> | New Note: <i>Where the minimum lot size as shown on the lot size map of CCLEP 2022 is larger than as shown in the table above, the lot size map prevails.</i>            |

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|          |             |                        |                      | sloping sites) and this (LEP) control prevails.   |   |
| 19       | 2.5         | Commercial Development | 2.5.3.1/2.5.3.2      | <p><b>Typo</b></p> <p>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.</p>   | The numbering needs to be amended to 2.5.3.2 Ceiling Heights.   |
| 20       | 2.5         | Commercial Development | 2.5.3.2 & 2.5.4.2    | <p><b>New Development definition</b></p> <p>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.</p>                      | <p>Provide a definition of ‘new development’ for the purpose of this chapter being:</p> <p>erection of new buildings only, and not a change in use of an existing building where no additional floor space is proposed.</p> |
| 21       | 2.6         | Commercial Hydroponics |                      | <p><b>Delete Chapter</b></p> <p>Rarely used if at all. Can rely on merits assessment and consultation/guidance from State Government Authorities.</p>   | Delete Chapter  |
| 22       | 2.9         | Industrial Development | 2.9.2.3              | <p><b>Dual frontage setbacks of industrial developments:</b></p> <p>The DCP chapter is currently unclear regarding which setback to apply to secondary frontages. This creates uncertainty regarding landscaping requirements, building setbacks etc.</p> <p>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</p> | <i>New Note- secondary setback to be considered as a front setback</i>  |

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|          |             |                         |                      | 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.   |  |
| 23       | 2.13        | Transport and Parking   | 2.13.4.4(b)          | <p><b>3-point turn vs 3 movements:</b></p> <p>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'.</p> <p>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</p>   | <p>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.</p> <p>This shall apply to all dual occupancies and multiple unit development.</p> |
| 24       | 2.15        | Signage and Advertising | 2.15.1.6             | <p><b>Permissibility of Advertising</b></p> <p>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.</p> <p>A development application for signage:</p> <ul style="list-style-type: none"> <li>▪ 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</i></li> </ul> | Delete final dot point under 2.15.1.6 and 2.15.1.6 (a)   |

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|          |             |                                |                      | <p><i>Planning Policy (Transport and Infrastructure) 2021).</i></p> <p>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></p> |   |
| 25       | 3.5         | Tree and Vegetation Management | 3.5.3.2              | <p><b>Reference to Act</b></p> <p>3.5.3.2 Exemptions under this DCP refers to Schedule 3 of the Biosecurity Act 2015. This should refer to Schedule 2.</p>  | Replace reference to 'Schedule 3' in 3.5.3.2 g with 'Schedule 2'        |
| 26       | 4.3         | Terrigal Village Centre        | Figure 4.3.2         | <p><b>Figure 4.3.2 – Terrigal Village Centre Map showing excluded Rapedo Lands:</b></p> <p>This map is incorrect and does not match the Height of Buildings provisions under CCLEP 2022. Lot 107 DP547828 (1 Campbell Cr, Terrigal.</p>   | Revise map to reflect the extent of the DCP Chapter                     |
| 27       | 4.5         | Wyong Town Centre              |                      | <p><b>East Wyong Character Area:</b> Information has been omitted from this chapter and was also omitted from original DCP.</p> <p>As a result, the chapter is missing a description of the area and requirements for new development.</p>  | Insert missing section of Wyong Town Centre DCP relating to East Wyong. |
| 28       | 5.6         | Lisarow – Toomeys Road         |                      | <p><b>Outdated Chapter</b></p> <p>The dwelling house is built. Steepness of land and environmental constraints will restrict further development to the site.</p>   | Delete Chapter  |

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| 29        | 5.10        | Pearl Beach, Residential Development | 5.10.9d i            | <p><b>Typo – Setbacks</b></p> <p>5.10.9 d (i) refers to the incorrect clause (5.10.9b(iii)). It should refer to 5.10.9c.</p>   | Change 5.10.9 d (i) to refer to 5.10.9c                   |
| 30        | 5.13        | Georges Fruit Barn                   |                      | <p><b>Outdated Chapter</b></p> <p>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.</p>   | Delete Chapter  |
| 31        | 5.14        | Various Suburbs                      |                      | <ul style="list-style-type: none"> <li>– 5.14.7.1 Reeves Street, Narara – road widening not required anymore- delete.</li> <li>– 5.14.7.3 Pandala Road, Narara – site has been developed - delete.</li> <li>– 5.14.8 - Springfield –completed</li> </ul>   | 5.14.7.1 – Delete<br>5.14.7.3 – Delete<br>5.14.8 – Delete |
| 32        | 5.15        | Gosford Racecourse                   |                      | <p><b>Outdated Chapter</b></p> <p>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 assessed against contemporary flood studies, risk management plans and revised DCP</p> | Delete Chapter  |
| 33        | 5.17        | Forresters Beach                     |                      | <p><b>Outdated Chapter</b></p> <p>Retirement village site is fully developed. The land to the south is also fully developed. DCP chapter not required.</p>   | Delete Chapter  |
| 34        | 5.22        | Hamlyn Terrace -                     |                      | <p><b>Outdated Chapter</b></p>   | Delete Chapter  |

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|           |             | Louisiana Road Infill Precinct           | Completed 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)   |   |
| 35        | 5.24        | Berkeley Vale - Keren Avenue Residential | <b>Outdated Chapter</b><br><br>Development is now completed. DCP chapter not required.  | Delete Chapter  |
| 36        | 5.30        | Jilliby - Hue Hue Road                   | <b>Outdated Chapter</b><br><br>Development is now completed. DCP chapter not required.  | Delete Chapter  |
| 37        | 5.33        | Tumbi Valley Residential                 | <b>Outdated Chapter</b><br><br>Development is now completed. DCP chapter not required.  | Delete Chapter  |
| 38        | 5.37        | Warnervale East Wadalba Northwest        | <b>Missing Section of Mapping</b><br><br>Mapping missing a section of Settlement Drive.   | Update DCP Chapter to reflect proposed development outcome. |
| 39        | 5.40        | The Entrance Key Site Development        | <b>Outdated Key (Iconic) Site Chapter</b><br><br>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  |
| 40        | 5.42        | Berkeley Vale - Anderson Road            | <b>Outdated Chapter</b><br><br>Subdivision completed with no ongoing considerations from the DCP. DCP chapter not required.   | Delete Chapter  |
| 41        | 5.45        | Toukley Beachcomber Key Site             | <b>Outdated Key (Iconic) Site Chapter</b><br><br>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  |

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|              |             |                          |                         | Consent was not pursued and has lapsed. Site has since been redeveloped.  |                    |
| 42           | 5.49        | Northern Areas Key Sites |                         | <p><b>Outdated Chapter</b></p> <p>Provisions have lapsed. Chapter to be repealed. DCP chapter not required.</p> | Delete Chapter     |