



Central Coast Council
Planning Proposal
Consolidated Central Coast Local Environmental Plan

F2016/02118
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Consolidated Central Coast Local Environmental Plan

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Background & Locality Context

This document describes the proposal to consolidate the *Wyong Local Environmental Plan 2013 (WLEP 2013)*, *Gosford Local Environmental Plan 2014 (GLEP 2014)*, *Gosford Planning Scheme Ordinance (GPSO)* and *Interim Development Order Number 122 – Gosford (IDO 122)*. The preparation of a Consolidated Central Coast Local Environmental Plan (CCLEP) is the first step in the process to preparing a Comprehensive CCLEP.

As a result of the State-wide Council Boundary Review process, the Wyong Shire Local Government Area (LGA) was amalgamated with the Gosford City LGA to become the new Central Coast Council. This planning proposal applies to all land located within the Central Coast LGA (figure 1) except for the land identified as 'Gosford City Centre' on the Land Application Map. *State Environmental Planning Policy (Gosford City Centre) 2018* provisions apply to Gosford City Centre. As a newly formed Council, the environmental planning instruments of the former Councils remain in force. At the level of the Local Environmental Plan, four instruments are applicable, which include the *WLEP 2013*, *GLEP 2014*, *IDO 122* and *GPSO*. The *IDO 122* and *GPSO* were originally gazetted in 1979 and 1968 respectively. The Former Gosford City Council resolved in May 2011 to bring the *IDO 122* and *GPSO* matters in line with the current NSW *Standard Instrument (Local Environmental Plans) Order 2006 (SILEP)* within five years of the gazettal of *GLEP 2014* (by 11 February 2019). As a new Council, it is imperative that this resolution be considered and the deferred matters be dealt with as part of the CCLEP process.

A key principle to the preparation of the CCLEP was to ensure that the new plan where possible reflected the SILEP. Additionally, in accordance with Part 2 Division 3 Section 19 of The Local Government (Council Amalgamations) Proclamation 2016, "*the codes, plans, strategies and policies of the new council are to be, as far as practicable, a composite of the corresponding codes, plans, strategies and policies of each of the former councils*".

In accordance with the NSW Department of Planning and Environment's (DP&E) "*Guidance for Merged Councils on Planning Functions*" (May 2016), Council has undertaken the necessary review of existing controls and where possible, aligned and harmonised planning policy, controls and standards to inform a Planning Proposal for a new CCLEP. A Gateway Determination has been issued by DP&E to proceed with this planning proposal, which includes public exhibition in order for the elected Council to endorse before the plan is made by the Relevant Planning Authority.

This Planning Proposal has been prepared in accordance with the Department of Planning and Environment's document '*A Guide to Preparing Planning Proposals*'.



Figure 1: The Central Coast Council Local Government Area

Part 1 Objectives or Intended Outcomes

The objective of this proposal is to prepare a Local Environmental Plan (LEP) which consolidates the provisions of *Wyong LEP 2013 (WLEP 2013)*, *Gosford LEP 2014 (GLEP 2014)*, *Gosford Planning Scheme Ordinance (GPSO)* and the *Interim Development Order No. 122 – Gosford (IDO 122)* and is consistent with the *Standard Instrument (Local Environmental Plans) Order 2006 (SILEP)*.

A new Central Coast LEP (CCLEP) will simplify the planning process by reducing the number of planning instruments applicable to land in the Central Coast Local Government Area (LGA), removing duplication of planning controls and aligning, where possible, the land uses and controls within the current instruments. This LEP is not a comprehensive review of all planning controls, but a consolidation of the existing instruments applicable across the region.

This Planning Proposal also aims to repeal the *GPSO* and *IDO 122*, and bring all land currently identified as “Deferred Matters” (DM) under clause 1.3 (1A) of the *GLEP 2014* into the new CCLEP. The preparation of a consolidated instrument resolves previous outstanding requests from the Department of Planning and Environment (DP&E) and outstanding resolutions of Council from 2011 to repeal the *GPSO* and *IDO 122* to ensure that a consistent land use planning approach, in the form of the SI LEP is in place.

The intended outcome of the proposal is to provide for a single Environmental Planning Instrument (EPI), which provides local environmental planning provisions for land in the Central Coast LGA. This will remove confusion and complication for the community and provide greater certainty to landowners. This will provide the basis for a more comprehensive review of planning controls across the region.

The draft CCLEP instrument and associated mapping prepared for the exhibition of this planning proposal is current as at the commencement of exhibition.

Draft CCLEP may be amended prior to being made. In addition to amendments arising from submissions received following public exhibition and as contemplated by the *Environmental Planning and Assessment Act 1979*, CCLEP, if made, will incorporate the following proposed amendments to *Wyong Local Environmental Plan 2013*, *Gosford Local Environmental Plan 2014*, *Gosford Interim Development Order 122* and the *Gosford Planning Scheme Ordinance* (each an existing planning instrument), if the amendment to the existing instrument is made prior to the making of CCLEP:

- PP_2017_CCOAS_004_00 - Beaufort Road, Terrigal, PP 90/2016 - Lot 5 DP207799 & Lots 1022 & 1023 DP 1054632 (Nos. 65, 77 & 111) Beaufort Road, Terrigal
https://www.yourvoiceourcoast.com/Planning_Proposal_RZ902016_85_77_and_111_Beaufort_Road_Terrigal
- PP_2017_CCOAS_009_00 – Additional Heritage Item Listing - Proposal to include an additional 128 items of local heritage significance in either *GLEP 2014* or *IDO 122*. The Planning Proposal also deletes one existing item from *IDO 122*
<https://www.yourvoiceourcoast.com/planning-proposal-include-new-heriage-items-in-fosford-lep-2014-or-gosford-ido-number-122>
- PP_2016_WYONG_002_00 – Major Amendment 2 to *WLEP 2013* – Housekeeping/Miscellaneous Amendments to amend the *WLEP 2013* to address issues that have arisen during the operation of *WLEP 2013* and correct minor errors and anomalies
<https://www.yourvoiceourcoast.com/19701/documents/50178>
- PP_2016_WYONG_007_00 - Ausgrid Rezoning SP2 to R2, RZ/3/2016 - Lot 2 DP 605536, 11A Brisbane Street, Noraville
<https://www.yourvoiceourcoast.com/public-exhibition-planning-proposal-rz32016>
- PP_2013_WYONG_013_00 – RZ/2/2013 – Rezoning from Ru6 to R2 and E2/E3 of various properties bounded by Johns Road, Jensen Road and Pollock Avenue Wadalba known as WELOG Precinct 2A & 2B
<https://www.yourvoiceourcoast.com/Planning-Proposal-Wadalba>
- S.3.22 Amendment to RZ/14/2012 (known as Old Farm) – To amend clause wording to reflect original intent of proposal

Information regarding these proposed amendments to existing planning instruments which will, if made prior to the making of CCLEP, be incorporated into CCLEP, if made, although not included in draft CCLEP now on exhibition, is available at the links outlined above or by contacting Council directly.

Part 2 Explanation of Provisions

The outcome will be facilitated by the preparation of a single Local Environmental Plan (LEP), which consolidates the planning controls within the following documents currently in force across the Central Coast Local Government Area (LGA):

- *Wyong LEP 2013 (WLEP 2013)*;
- *Gosford LEP 2014 (GLEP 2014)*;

- *Interim Development Order No 122 (IDO 122)*;
- *Gosford Planning Scheme Ordinance*.

This will be achieved through the:

- Consistent approach to zone objectives, principles and application across the local government area.
- Consistency in permissible land uses across similarly zoned lands within the former Gosford and Wyong LGA's.
- Rezoning of those lands identified as "Deferred Matter" (DM) under *GLEP 2014* to appropriate zones used by the Department of Planning and Environment's *Standard Instrument (Local Environmental Plans) Order 2006 (SILEP)*.
- Retention of appropriate development standards for centres mapped within the *GLEP 2014* and the *WLEP 2013*.
- Retention of additional permitted uses that exist within the *GLEP 2014* and the *WLEP 2013*
- The retention of land use permissibility through additional permitted uses where the use will become prohibited under the CCLEP.
- The review and update of clauses to address current planning issues

2.1 Central Coast Local Environmental Plan

For the purposes of the development of a single EPI for the Central Coast, *GLEP 2014* and *WLEP 2013* have been the base comparative documents given that they are prepared in the SI Local Environmental Plan (LEP) format.

The provisions of *Gosford Planning Scheme Ordinance (GPSO)* and *Interim Development Order 122 (IDO 122)* have been considered through their conversion to the SI LEP format. Those land holdings subject to *IDO 122* and the *GPSO* (i.e. the *GLEP 2014 "Deferred Matters"*) will be resolved through appropriate land rezoning. This land is estimated to comprise approximately 8,150 hectares, which represents 4.4% of the total land area of the Central Coast Local Government Area (LGA). These lands have been identified as part of the *Environmental and Urban Edge Zone Review*.

The land identified as part of the *Environmental and Urban Edge Zone Review* has been assessed in accordance with a methodology and approach that is described in Part 2.3 of this proposal and within the attachments.

This Planning Proposal outlines the methodology and principles that have been used to compare and assess *GLEP 2014* and *WLEP 2013* against the SI LEP template to prepare a consolidated Central Coast LEP (CCLEP). The existing *GLEP 2014* and *WLEP 2013* were prepared in the SI LEP format, however both existing planning instruments have included objectives and clauses above those mandated in the *Standard Instrument (Local Environmental Plans) Order 2006 (SILEP)*. This results in two "supposedly" standard instruments using zone objectives in differing ways. Where these non-standard objectives and/or clauses adversely impact on the overall intention of the standard zone including its application

across the entire Central Coast Region, the objective and/or clause impact has been amended to ensure consistency with the (SILEP).

The contents of this Central Coast Local Environmental Plan (CCLEP) Planning Proposal are as follows:

CCLEP Part 1 - Preliminary

CCLEP Part 2 - Permitted or Prohibited Development

CCLEP Part 3 - Exempt and Complying Development

CCLEP Part 4 - Principal Development Standards

CCLEP Part 5 - Miscellaneous Provisions

CCLEP Part 6 - Urban Release Areas

CCLEP Part 7 - Additional Local Provisions

CCLEP Part 8 - Additional Local Provisions – Gosford City Centre

CCLEP Schedule 1 - Additional Permitted Uses

CCLEP Schedule 2 - Exempt Development

CCLEP Schedule 3 - Complying Development

CCLEP Schedule 4 - Classification and Reclassification of Land

CCLEP Schedule 5 - Environmental Heritage

CCLEP Part 1 - Preliminary

Part 1 of the consolidated Central Coast Local Environmental Plan (CCLEP) will cover a range of preliminary matters including the overall aims of the Plan; where the Plan applies; relationships with other instruments as well as transitional arrangements.

Key Principles

Key principles were developed to compare and assess Part 1 of *Gosford Local Environmental Plan 2014 (GLEP 2014)* and *Wyong Local Environmental Plan 2013 (WLEP 2013)*. These principles are outlined below:

Principle 1 - Consistency

Consistency with the *Standard Instrument (Local Environmental Plans) Order 2006 (SILEP)*

Principle 2 - Applicability

Reflection of the Central Coast Council proclamation, extent of the new Central Coast Local Government Area (LGA) and acknowledgement of relevant regional goals for Central Coast

Principle 3 – Consolidation

Consolidate duplicated or repetitive objectives within either *GLEP 2014* or *WLEP 2013* that are similar in intent

Key Issues

- Both *GLEP 2014* and *WLEP 2013* were prepared in the SI LEP format, achieving Principle 1.
- Principle 2 – Applicability and Principle 3 – Consolidation have been used to ensure the CCLEP effectively applies to the new Central Coast LGA to achieve the following outcomes:
 1. The CCLEP is proposed to apply to the Central Coast LGA exclusive of Gosford City Centre as this is covered by *State Environmental Planning Policy (Gosford City Centre) 2018*; and
 2. Aims and objectives of *GLEP 2014* and *WLEP 2013* are proposed to be consolidated in the following manner:
 - (a) *to foster economic, environmental and social well-being so that the Central Coast continues to develop as a sustainable and prosperous place to live, work and visit,*
 - (b) *to strengthen the regional position of Gosford City Centre as the service and employment centre for the Central Coast,*
 - (c) *to encourage a range of housing, employment, recreation and services to meet the needs of existing and future residents of the Central Coast,*
 - (d) *to promote the efficient and equitable provision of public services, infrastructure and amenities,*

- (e) *to provide for a range of local and regional community facilities for recreation, culture, health and education purposes,*
 - (f) *to conserve, protect and enhance the natural environment of the Central Coast, incorporating ecologically sustainable development,*
 - (g) *to conserve, protect and enhance the environmental and cultural heritage of the Central Coast,*
 - (h) *to minimise risk to the community in areas subject to environmental hazards, including flooding, climate change and bush fires,*
 - (i) *to promote a high standard of urban design that responds appropriately to the existing or desired future character of areas,*
 - (j) *to promote design principles in all development to improve the safety, accessibility, health and wellbeing of residents and visitors,*
 - (k) *to concentrate intensive land uses and trip-generating activities in locations that are most accessible to transport and centres,*
 - (l) *to encourage the development of sustainable tourism that is compatible with the surrounding environment.*
- It is recommended that the provisions of State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development (SEPP 65) apply to the land uses of boarding houses and serviced apartments through the CCLEP. This SEPP will apply to these land uses in the same way that it applies to residential flat buildings i.e. to boarding houses or serviced apartments that are 3 or more storeys and 4 or more units. This is to ensure that appropriate and consistent controls are applied across the LGA for these land uses. An additional clause should be included in Part 1.9 Application of SEPPs. This is consistent with Part 1 section 4(4) of SEPP 65. Further assessment of this matter is provided within the Attachments (Attachment 1 – Assessment & Endorsement).

CCLEP Part 2 - Permitted or Prohibited Development

Part 2 of the consolidated Central Coast Local Environmental Plan (CCLEP) will cover the land use zones, the zone objectives and the permitted or prohibited development within each of the land use zones.

Key Principles

Key principles were developed to compare and assess Part 2 of *Gosford Local Environmental Plan 2014 (GLEP 2014)* and *Wyong Local Environmental Plan 2013 (WLEP 2013)*. These principles are outlined below:

Principle 1 - Consistency

Consistency with the *Standard Instrument (Local Environmental Plans) Order 2006 (SILEP)*

Principle 2 - Applicability

Reflect the Central Coast Council proclamation, extent of the new Central Coast Local Government Area (LGA) and acknowledgement of relevant regional goals for Central Coast

Principle 3 – Zone Retention

Retain all land use zones which are already within *GLEP 2014* and *WLEP 2013*

Principle 4 – Consolidation

Consolidate duplicated or repetitive objectives within either *GLEP 2014* or *WLEP 2013* that are similar in intent

Principle 5 – Permissibility Retention

Retain the permissibility of land uses of both *GLEP 2014* and *WLEP 2013* within the respective zones.

Key Issues

- Both *GLEP 2014* and *WLEP 2013* were prepared in the SI LEP format which achieves Principle 1.
- Clauses 2.1 – 2.8 of *WLEP 2013* and *GLEP 2014* are proposed to be retained in the Central Coast LEP (CCLEP).
- Clause 2.5 enables Additional Permitted Uses which are addressed in “CCLEP Schedule 1 - Additional Permitted Uses”.
- All land use zones of *GLEP 2014* and *WLEP 2013* will be retained, in accordance with Principle 3. *GLEP 2014* does not include the RU6 Transition, R3 Medium Density Residential, R5 Large Lot Residential, B7 Business Park, or IN2 Light Industrial zones and the *WLEP 2013* does not include the IN4 Working Waterfront zone. These zones are proposed to be retained and the objectives and land uses within these zones will be included in the CCLEP.

- The land use zones applicable under *Interim Development Order No. 122 (IDO 122)* or the *Gosford Planning Scheme Ordinance (GPSO)* are proposed to be rezoned to an SI LEP zone, in accordance with Principle 1. The methodology applied to the zone conversion for land subject to *IDO 122* or the *GPSO* is discussed in Section 2.3 of this proposal.
- Minor changes are proposed to be made to the existing *GLEP 2014* and *WLEP 2013* zone objectives and land use permissibilities. These changes have been made using Principle 3 – Applicability and Principle 4 – Consolidation.
- Principle 5 – Permissibility Retention has been applied in most circumstances. The permissible land uses in most zones in the CCLEP will be a combination of the permissible land uses of both *GLEP 2014* and *WLEP 2013*.
- In some circumstances, Principle 5 – Permissibility Retention has not been able to be applied. This is because, in some instances, the application of zones between the two former LGAs has been different. For example, the E4 Environmental Living zone in the former Wyong LGA was generally applied for the purposes of larger lot residential development in environmentally sensitive locations. While in the former Gosford LGA, the E4 Environmental Living zone was applied to enable tourist development in environmentally sensitive locations. Therefore, some land uses have been found to not always align, and may be inappropriate for application over the entire Central Coast LGA.
- The only landuse that is prohibited in all zones within the LGA is 'Heavy industry'. This is currently the case under the *WLEP 2013*. This land use is considered to have the potential for significant impact on surrounding land and requires separation from other development due to the nature of the processes involved, or the materials used, stored or produced on the site. To allow this landuse on all land within a particular zone is not supported due to the potential impacts and necessary setbacks from other uses. A site specific rezoning could be considered for an additional permitted use on land where it can be shown that this use is appropriate.
- The tables below identify where Principle 5 – Permissibility Retention has not been able to be applied. The tables then provide the outcome of the assessment of land use zone objectives using Principle 3 – Consolidation. An additional table has been provided as an attachment that discusses those land uses that may attract greater interest, where the General rule has been applied. This Land Use Considerations Table forms part of Attachment '02 Land Uses Provisions'.
- For clarity, if a zone, land use or objective of either *GLEP 2014* or *WLEP 2013* is not included within the tables below, it is proposed to be incorporated into the CCLEP in its current form.

In addition to the table below the land uses of Sewage reticulation system and Water reticulation system have been included in all proposed zones excluding SP1 and SP2 as permissible with consent. The land use of Water recycling facility has been included in all proposed zones excluding SP1, SP2, W1 and W2 as permissible with consent. This is to ensure that adequate infrastructure and effective servicing can be provided within these and adjoining zones. This will ensure that where State Environmental Planning Policy (Infrastructure) 2007, and *WLEP 2013* Clause 7.10 Council Infrastructure (which is proposed to be retained) do not apply these works can still be carried out with consent.

Table 1: RU1 Primary Production Land Use Zone Objectives and Land Use Amendments

RU1 Primary Production	
Issue 1: Non-mandated and duplicated, repetitive objectives between plans	
<i>Relevant Principle: Principle 3 – Consolidation</i>	
Justification	Action/Recommendation
<p>The objectives of the SI LEP are considered to adequately address <i>GLEP 2014</i> objective relating to land uses of the plateau.</p>	<p>Replace additional objectives of <i>GLEP 2014</i> and <i>WLEP 2013</i> with the following:</p> <p><i>To protect high quality and productive agricultural land, water catchment areas and land comprising high ecological or biodiversity value, from inappropriate development and land management practices.</i></p> <p><i>To provide for non-agricultural land uses which support the primary production purposes of the zone</i></p>
Issue 2: Permissibility of Air Transport facilities; Camping grounds; Garden centres; Horticulture; and Viticulture	
<i>Relevant Principle: Principle 5 – Permissibility Retention</i>	
Justification	Action/Recommendation
<p>The potential impacts of horticulture and viticulture warrant the need for land use regulation via development assessment as opposed to being permissible without consent.</p>	<p>Permit Horticulture and Viticulture with consent</p>
<p>The majority of RU1 zoned land in former Gosford LGA is affected by State Regional Environmental Plan (SREP) 8 – Central Coast Plateau Areas. This SREP recognises the importance of agricultural land within this area. Uses such as Garden centres and Camping grounds are inconsistent with objectives of the SREP and the zone objectives.</p> <p>Air Transport facilities are permissible with consent in the <i>WLEP 2013</i> and prohibited in the <i>GLEP 2014</i>. This use is proposed to be prohibited in RU1, as they are inconsistent with the zone objectives. Existing air transport facilities within the former Wyong LGA are zoned IN1, which is considered a more appropriate zone.</p>	<p>Prohibit Camping grounds; Garden centres; and Air transport facilities</p>

Table 2: RU2 Rural Landscape Land Use Zone Objectives and Land Use Amendments

RU2 Rural Landscape	
Issue 1: Non-mandated and duplicated, repetitive objectives between plans	
Relevant Principle: Principle 3 – Consolidation	
Justification	Action/Recommendation
The objectives of the SI LEP are considered to adequately address the additional <i>GLEP 2014</i> objectives	Replace additional objectives of <i>GLEP 2014</i> and <i>WLEP 2013</i> with the following: <i>To provide for a limited range of tourist and recreational uses that are appropriate for the rural character of the land.</i>
Issue 2: Permissibility of; Air Transport Facility; Depot; and Recreation area	
Relevant Principle: Principle 5 – Permissibility Retention	
Justification	Action/Recommendation
Recreation areas are permissible without consent in <i>GLEP 2014</i> and with consent in <i>WLEP 2013</i> . The impacts of the development in this zone are considered minor and the permissibility of <i>GLEP 2014</i> is considered appropriate.	Permit Recreation areas without consent
Air Transport facilities are permissible with consent in the <i>WLEP 2013</i> and prohibited in the <i>GLEP 2014</i> . This use is proposed to be prohibited in RU2, as they are inconsistent with the zone objectives. Existing air transport facilities within the former Wyong LGA are zoned IN1, which is considered a more appropriate zone. Depots are prohibited under the <i>GLEP 2014</i> and are not consistent with the objectives of the zone.	Prohibit Air transport facilities and Depots

Table 3: RU3 Forestry Land Use Zone Objectives and Land Use Amendments

RU3 Forestry	
Issue 1: Non-mandated and duplicated, repetitive objectives between plans	
Relevant Principle: Principle 3 – Consolidation	
Justification	Action/Recommendation
The additional objective adds value to mandated SI objectives, particularly as additional land uses are proposed	<p>Replace additional objectives of <i>GLEP 2014</i> and <i>WLEP 2013</i> with the following:</p> <p><i>To recognise the environmental values of State forests on the Central Coast.</i></p>

Table 4: RU5 Village Land Use Zone Objectives and Land Use Amendments

RU5 Village	
Issue 1: Non-mandated and duplicated, repetitive objectives between plans	
Relevant Principle: Principle 3 – Consolidation	
Justification	Action/Recommendation
The <i>WLEP 2013</i> objective relates to protection of water resources, which is relevant to the location of the zone. The <i>GLEP 2014</i> objective relates to ecologically, socially and economical sustainability which captures the intent of the additional <i>WLEP 2013</i> objective	<p>Replace additional objectives of <i>GLEP 2014</i> and <i>WLEP 2013</i> with the following:</p> <p><i>To permit development that will not place any undue demand on existing infrastructure and that will serve the needs of the local community.</i></p> <p><i>To ensure that development is compatible with the desired future character of the zone</i></p>
Issue 2: Permissibility of Bee keeping; Bulky goods premises; Extensive agriculture; Horticulture; Office premises; Retail premises; and Roads	
Relevant Principle: Principle 5 – Permissibility Retention	
Justification	Action/Recommendation
<p>Roads should require consent as RU5 is not a prescribed zone under the <i>State Environmental Planning Policy (Infrastructure), 2007 (ISEPP)</i>.</p> <p>Bee keeping is an appropriate use in the RU5 zone and is unlikely to result in land use conflict.</p>	Permit Roads; and Bee Keeping with consent

<p>Bulky goods premises, Retail Premises, and Horticulture are inconsistent with the objectives of the zone, due to the large footprint required for storage of stock, land use conflict and being catered for in surrounding rural lands.</p> <p>Office premises do not promote active street frontages required in village centres and are inconsistent with the objectives of the zone.</p> <p>Extensive agriculture is proposed to be restricted to allow bee keeping only. Most lots within this zone are small, therefore not suitable for extensive crop production or pasture based dairies. The surrounding rural lands provide for other forms of extensive agriculture.</p> <p>The RU5 zone has been applied differently between the former Councils. The <i>WLEP 2013</i> zone is more of a small housing cluster. The <i>GLEP 2014</i> zone allows for larger agricultural uses. This will be further investigated through the Rural Lands Study, which will be considered in a future comprehensive LEP.</p>	<p>Prohibit Bulky goods premises; Extensive agriculture; Horticulture; Office premises; and Retail premises</p>
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Table 5: *RU6 Transition Land Use Zone Objectives and Land Use Amendments*

RU6 Transition	
Issue 1: Non-mandated and duplicated, repetitive objectives between plans	
<i>Relevant Principle: Principle 2 – Applicability</i>	
Justification	Action/Recommendation
<p><i>WLEP 2013</i> references the North Wyong Shire Structure Plan (NWSSP) and Wyong Settlement Strategy (WSS). It is not considered necessary to specify the planning documents in which land for future investigation is nominated, particularly as these documents are proposed to be reviewed and updated as an action within the Central Coast Regional Plan.</p>	<p>Replace objectives of <i>WLEP 2013</i> with the following:</p> <p><i>To ensure that interim land uses do not have an adverse impact on the conservation or development potential of land identified for future investigation.</i></p>

Table 6: R1 General Residential Land Use Zone Objectives and Land Use Amendments

R1 General Residential	
Issue 1: Non-mandated and duplicated, repetitive objectives between plans	
<i>Relevant Principle: Principle 3 – Consolidation</i>	
Justification	Action/Recommendation
The <i>GLEP 2014</i> objective addresses the additional <i>WLEP 2013</i> objectives. The <i>GLEP 2014</i> also captures those permissible uses within this zone that are non-residential	<p>Replace additional objectives of <i>GLEP 2014</i> and <i>WLEP 2013</i> with the following:</p> <p><i>To promote best practice in the design of multi dwelling housing and other similar types of development.</i></p> <p><i>To ensure that non-residential uses do not adversely affect residential amenity or place demands on services beyond the level reasonably required for multi dwelling housing or other similar types of development.</i></p>
Issue 2: Permissibility of Caravan parks; and Recreation areas	
<i>Relevant Principle: Principle 5 – Permissibility Retention</i>	
Justification	Action/Recommendation
Recreation areas are permissible with consent in <i>WLEP 2013</i> and without consent in <i>GLEP 2014</i> . This use is appropriate in this zone and is considered to have minimal impact.	Permit Recreation areas without consent

Table 7: R2 Low Density Residential Land Use Zone Objectives and Land Use Amendments

R2 Low Density Residential	
Issue 1: Non-mandated and duplicated, repetitive objectives between plans	
<i>Relevant Principle: Principle 3 – Consolidation</i>	
Justification	Action/Recommendation
<p>The <i>WLEP 2013</i> objective covers the purpose of the <i>GLEP 2014</i> objective relating to character.</p> <p>The additional <i>GLEP 2014</i> objectives have not been included in order to reduce the overall number objectives.</p>	<p>Replace additional objectives of <i>GLEP 2014</i> and <i>WLEP 2013</i> with the following:</p> <p><i>To maintain and enhance the residential amenity and character of the surrounding area.</i></p> <p><i>To encourage best practice in the design of low-density residential development.</i></p> <p><i>To ensure that non-residential land uses do not adversely affect residential amenity or place demands on services beyond the level reasonably required for low-density housing</i></p>
Issue 2: Permissibility of Recreation areas, Carparks and Hospitals	
<i>Relevant Principle: Principle 5 – Permissibility Retention</i>	
Justification	Action/Recommendation
<p>Recreation areas are permissible with consent in <i>WLEP 2013</i> and without consent in <i>GLEP 2014</i>. This use is appropriate in this zone and is considered to have minimal impact.</p>	<p>Permit Recreation areas without consent</p>
<p>Carparks as a stand-alone use are not considered an appropriate use within the R2 zone. This use is inconsistent with the residential amenity and character of the surrounding area and is likely to have amenity issues.</p> <p>Hospitals are not an appropriate use in the R2 Low Density Residential Zone. This zone is not a prescribed zone under SEPP Infrastructure. Hospitals are generally major developments and likely to impact on amenity, parking and traffic generation in the surrounding area.</p>	<p>Prohibit Car parks; Hospitals</p>

Table 8: B1 Land Use Zone Objectives and Land Use Amendments

B1 Neighbourhood Centre	
Issue 1: Non-mandated and duplicated, repetitive objectives between plans	
<i>Relevant Principle: Principle 3 – Consolidation</i>	
Justification	Action/Recommendation
<p>Some of the objectives within <i>GLEP 2014</i> and <i>WLEP 2013</i> are covered by the aims of the CCLEP in part 1.2 of the proposed plan.</p> <p>The objectives relating to centre hierarchy are too specific and conflict with the Central Coast Regional Plan (CCRP) 2036, which moves away from centres hierarchy.</p>	<p>Replace additional objectives of <i>GLEP 2014</i> and <i>WLEP 2013</i> with the following:</p> <p><i>To encourage employment opportunities in accessible locations</i></p> <p><i>To maximise public transport patronage and encourage walking and cycling</i></p> <p><i>To minimise conflict between land uses within the zone and land uses within adjoining zones</i></p> <p><i>To allow for an increased residential population as either stand-alone development or as part of mixed use development in local nodes and neighbourhood centres where land is not required to serve local needs</i></p>
Issue 2: Permissibility of Airstrips; Dwelling houses; Highway service centres; Industrial training facility; Recreation areas; Residential flat buildings; Roads; Service station; Sewerage system (group term); Truck depots and Water storage facility	
<i>Relevant Principle: Principle 5 – Permissibility Retention</i>	
Justification	Action/Recommendation
<p>Recreation areas are considered appropriate use in this zone.</p>	<p>Permit Recreation areas without consent.</p>

Airstrips are permissible in all B zones in *GLEP 2014* but prohibited in all B zones in *WLEP 2013*. The use would raise many land use conflict issues and is not an appropriate use in this zone.

Highway service centres and Truck depots are not suitable due to potential land use conflicts and impact on traffic.

Dwelling houses and Residential flat buildings are an under-utilisation of valuable and finite land resource, zone potential and may prevent the orderly economic development of land. B1 zoned land is usually a community focal point where government services, transport and infrastructure are concentrated. Dwelling houses & Residential flat buildings are permissible in most urban areas particularly surrounding the B1 zone. As such, the use of B1 land for these land uses is not considered necessary or appropriate.

Industrial training facility is associated with an industry and while it does not need to be on the same land as the industry occurs it would be more appropriate to do so. This use is not likely to be required to be carried out nor is it considered an appropriate use in this zone.

Service stations are not an appropriate use in the B1 Neighbourhood centre. This use is likely to alienate land and result in potential land use conflict

Sewerage system (group term) is proposed to be prohibited as not all sub terms are permissible.

Water storage facilities are inconsistent with the zone objectives.

Prohibit Airstrips; Dwelling houses; Highway service centres; Industrial training facilities, Residential flat buildings; Truck depots; Service station; Sewerage system (Group Term) and Water storage facility

Table 9: B2 Local Centre Land Use Zone Objectives and Land Use Amendments

B2 Local Centre	
Issue 1: Non-mandated and duplicated, repetitive objectives between plans	
<i>Relevant Principle: Principle 3 – Consolidation</i>	
Justification	Action/Recommendation
The additional objectives in some instances are too specific and do not reflect the overall zone.	<p>Replace additional objectives of <i>GLEP 2014</i> and <i>WLEP 2013</i> with the following:</p> <p><i>To permit residential accommodation while maintaining active retail, business and other non-residential uses at street level and to contribute to the vitality of those locations</i></p> <p><i>To minimise conflict between land uses within the zone and land uses within adjoining zones</i></p>
Issue 2: Permissibility of Airstrips; Highway service centres; Industrial training facility; recreation facility (Major); Sewerage system (group term); Sex services premises; Truck depots and Water storage facility	
<i>Relevant Principle: Principle 5 – Permissibility Retention</i>	
Justification	Action/Recommendation
<p>Airstrips are permissible in all B zones in <i>GLEP 2014</i> but prohibited in all B zones in <i>WLEP 2013</i>. The use would raise many land use conflict issues and is incompatible with a business zone due to safety and proximity to residential and local business uses. It is also unlikely that this use would be taken up in this zone due to land costs and land area required.</p> <p>Highway service centres and Truck depots are not suitable due to potential land use conflicts and potential odours and noise, traffic, and alienation of a valuable and finite local land resource.</p>	Prohibit Airstrips; Highway service centres; Industrial training facility, Recreation facility (major); Sewerage system (group term); Sex Services premises; Truck depot and Water storage facility

<p>Industrial training facility is associated with an industry and while it does not need to be on the same land as the industry occurs it would be more appropriate to do so. This use is not likely to be required to be carried out nor is it considered an appropriate use in this zone.</p> <p>Recreation facility (major) includes large-scale sporting or recreation activities e.g. theme parks, sports stadiums, showgrounds and racecourses that require large land area and are considered uneconomical in the B2 zone and are likely to alienate valuable and finite land.</p> <p>Sewerage system (group term) is proposed to be prohibited as not all sub terms are permissible and are considered unsuitable in the Business zone e.g. biosolids treatment facility, sewage treatment plant. Sex Services premises are not considered appropriate in the B2 zone. The B2 zoned land is generally characterised by small local centres, which are frequented by local families and young children. It includes areas such as Avoca Beach, Kincumber, Budgewoi and East Toukley.</p> <p>Water storage facilities are inconsistent with the zone objectives. This use includes dams and weirs, which reduce the availability of finite community land.</p>	
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Table 10: B3 Commercial Core Land Use Zone Objectives and Land Use Amendments

B3 Commercial Core	
Issue 1: Non-mandated and duplicated, repetitive objectives between plans	
<i>Relevant Principle: Principle 3 – Consolidation</i>	
Justification	Action/Recommendation
All objectives of <i>GLEP 2014</i> and <i>WLEP 2013</i> (with minor amendments) are relevant for specific localities.	Replace additional objectives of <i>GLEP 2014</i> and <i>WLEP 2013</i> with the following: <i>To reinforce the role of the Tuggerah-Wyong central business district as a key strategic centre on the Central Coast</i>

	<p><i>To strengthen the role of Gosford City Centre as the regional business, retail and cultural centre of the Central Coast</i></p> <p><i>To encourage a diverse and compatible range of activities, including commercial and retail development, cultural and entertainment facilities, tourism, leisure and recreation facilities and social, education and health services</i></p> <p><i>To provide for residential uses, but only as part of a mixed use development.</i></p> <p><i>To create opportunities to improve the public domain and pedestrian links throughout the network of centres</i></p> <p><i>To protect and enhance scenic quality and to provide for the retention and creation of view corridors in Gosford, Wyong and Tuggerah Centres</i></p>
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Issue 2: Permissibility of Airstrips; Boarding house; Highway service centres; Industrial training facility; recreation facility (Major) Sewerage system (group term); Truck depots and Water storage facility

Relevant Principle: Principle 5 – Permissibility Retention

Justification	Action/Recommendation
<p>Airstrips are permissible in all B zones in <i>GLEP 2014</i> but prohibited in all B zones in <i>WLEP 2013</i>. The use would raise many land use conflict issues relating to safety, noise, land take etc.</p> <p>Boarding houses are not an appropriate use in the commercial core. Other forms of residential accommodation are prohibited and this form of residential accommodation should not be an exception. Boarding houses are not a prescribed use in the SI instrument for B3 and do not represent the commercial focus of this zone.</p> <p>Highway service centres and Truck depots are not suitable due to potential land use conflicts, odour, noise and impact on traffic.</p>	<p>Prohibit Airstrip; Boarding house; Highway service centre; Industrial training facility; Sewerage system (group term); Truck depot and Water storage facility</p>

<p>Industrial training facility is associated with an industry and while it does not need to be on the same land as the industry occurs it would be more appropriate to do so. This use is not likely to be required to be carried out nor is it considered an appropriate use in this zone.</p> <p>Sewerage system (group term) is proposed to be prohibited as not all sub terms are permissible.</p> <p>Water storage facilities are inconsistent with the zone objectives. They require large land areas to establish, and would reduce availability of valuable and finite commercial and community land.</p>	
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Table 11: B4 Mixed Use Land Use Zone Objectives and Land Use Amendments

B4 Mixed Use	
Issue 1: Non-mandated and duplicated, repetitive objectives between plans	
<i>Relevant Principle: Principle 3 – Consolidation</i>	
Justification	Action/Recommendation
<p>The amalgamation of the <i>GLEP 2014</i> and <i>WLEP 2013</i> objectives provide a consistent approach for this zone.</p> <p>An additional objective is proposed to encourage residential development only where it is part of a mixed use development.</p>	<p>Replace additional objectives of <i>GLEP 2014</i> and <i>WLEP 2013</i> with the following:</p> <p><i>To minimise conflict between land uses within the zone and land uses within adjoining zones</i></p> <p><i>To encourage a diverse and compatible range of activities, including active commercial and retail development, cultural and entertainment facilities, tourism, leisure and recreation facilities, social, education and health services</i></p> <p><i>To enliven waterfronts by allowing a wide range of commercial, retail and residential activities immediately adjacent to it and increase opportunities for more interaction between public and private domains</i></p> <p><i>To create opportunities to improve the public domain and pedestrian links</i></p>

	<p><i>To protect and enhance the scenic qualities and character such as that of Gosford City Centre</i></p> <p><i>To allow development to take advantage of and retain view corridors while avoiding a continuous built edge along the waterfront</i></p> <p><i>To provide for residential uses, but only as part of a mixed use development.</i></p>
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Issue 2: Permissibility of Airstrips; Attached dwelling; Group Home (group term); Highway service centres; Industrial Training facility; Multi dwelling housing; Residential accommodation (group term); Sewerage system (group term); Truck depots and Water storage facility

Relevant Principle: Principle 5 – Permissibility Retention

Justification	Action/Recommendation
<p>Airstrips are permissible in all B zones in <i>GLEP 2014</i> but prohibited in all B zones in <i>WLEP 2013</i>. The use would raise many land use conflict issues in this zone including safety concerns.</p> <p>Highway service centres and Truck depots are not suitable due to potential land use conflicts and impact on traffic.</p> <p>Residential accommodation (group term) is proposed to be prohibited as not all sub-terms are permissible and are inconsistent with the objectives of the zone.</p> <p>Attached dwellings and multi dwelling housing are an under-utilisation of land potential in this zone and are likely to sterilise B4 land.</p> <p>Industrial training facility is associated with an industry and while it does not need to be on the same land as the industry occurs it would be more appropriate to do so. This use is not likely to be required to be carried out, nor is it considered an appropriate use, in this zone.</p> <p>Group home (group term), and Sewerage system (group term) are proposed to be prohibited as not all sub terms are permissible.</p>	<p>Prohibit Airstrips; Attached dwelling; Group Home (group term); Highway service centres; Industrial training facility; Multi dwelling housing; Residential accommodation (group term); Sewerage system (group term); Truck depots; and Water storage facility</p>

Water storage facilities are inconsistent with the zone objectives and require a large land area that is likely to alienate valuable B4 land.	
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Table 12: B5 Business Development Land Use Zone Objectives and Land Use Amendments

B5 Business Development	
Issue 1: Non-mandated and duplicated, repetitive objectives between plans	
<i>Relevant Principle: Principle 3 – Consolidation</i>	
Justification	Action/Recommendation
<p>The amalgamation of the <i>GLEP 2014</i> and <i>WLEP 2013</i> objectives provide a consistent approach for this zone. However, objectives in some instances are too specific and do not reflect the overall zone.</p>	<p>Replace additional objectives of <i>GLEP 2014</i> and <i>WLEP 2013</i> with the following:</p> <p><i>To encourage development that supports or complements the primary office and retail functions of Zone B2 Local Centre and Zone B3 Commercial Core.</i></p> <p><i>To provide and protect land for employment-generating activities.</i></p> <p><i>To enable other complementary land uses like bulky good premises, in appropriate locations, that will not detract from the viability of business and warehouse uses.</i></p> <p><i>To ensure that the location of business' requiring large floor plates does not sterilise commercial or residential areas and does not detract from the viability of business and warehouse uses</i></p> <p><i>To ensure that business areas are not sterilised by residential development</i></p>

Issue 2: Permissibility of Airstrips; Highway Service Centre; Sewerage system (group term) and Water storage facility

Relevant Principle: Principle 5 – Permissibility Retention

Justification	Action/Recommendation
<p>Airstrips are permissible in all B zones in <i>GLEP 2014</i> but prohibited in all B zones in <i>WLEP 2013</i>. The use would raise many land use conflict issues. Highway Service Centres are not an appropriate use in the B5 zone. They are likely to result in land use conflict and have potential impacts on odour, contamination and amenity. The use is most suitably located on major freeways / highways, such as the M1 Motorway. Service station is a permissible use in this zone.</p> <p>Sewerage system (group term) is proposed to be prohibited as not all sub terms are permissible.</p> <p>Water storage facilities are inconsistent with the zone objectives. The use includes dams and weirs. Such activities are not suitable within B5 zoned areas, land would not be economical and the use would diminish availability of valuable and finite community land.</p>	<p>Prohibit Airstrip; Highway Service Centre; Sewerage system (group term) and Water storage facility</p>

Table 13: B6 Enterprise Corridor Land Use Zone Objectives and Land Use Amendments

B6 Enterprise Corridor

Issue 1: Non-mandated and duplicated, repetitive objectives between plans

Relevant Principle: Principle 3 – Consolidation

Justification	Action/Recommendation
<p>The amalgamation of the <i>GLEP 2014</i> and <i>WLEP 2013</i> objectives provide a consistent approach for this zone.</p>	<p>Replace additional objectives of <i>GLEP 2014</i> and <i>WLEP 2013</i> with the following:</p> <p><i>To provide primarily for businesses along key corridors</i></p>

Issue 2: Permissibility of Airstrips; Highway Service Centre; Sewerage system (group term); and Water storage facility

Relevant Principle: Principle 5 – Permissibility Retention

Justification	Action/Recommendation
<p>Airstrips are permissible in all B zones in <i>GLEP 2014</i> but prohibited in all B zones in <i>WLEP 2013</i>. The use would raise many land use conflict issues.</p> <p>Highway Service Centres are not an appropriate use in the B6 zone. They are likely to result in land use conflict and have potential impacts on odour, contamination and amenity. The use is most suitably located on major freeways / highways, such as the M1 Motorway. Service station is a permissible use in this zone.</p> <p>Sewerage system (group term) is proposed to be prohibited as not all sub terms are permissible.</p> <p>Water storage facilities are inconsistent with the zone objectives.</p>	<p>Prohibit Airstrip; Highway service centre; Sewerage system (group term); and Water storage facility</p>

Table 14: B7 Business Park Land Use Zone Objectives and Land Use Amendments

B7 Business Park	
Issue 1: Non-mandated and duplicated, repetitive objectives between plans	
<i>Relevant Principle: Principle 3 – Consolidation</i>	
Justification	Action/Recommendation
<p>This zone is not applicable in <i>GLEP 2014</i>. The objectives of <i>WLEP 2013</i> remain relevant.</p>	<p><i>Retain all existing objectives for the B7 zone as set out in WLEP 2013.</i></p>

Table 15: IN1 General Industrial Land Use Zone Objectives and Land Use Amendments

IN1 General Industrial	
Issue 1: Non-mandated and duplicated, repetitive objectives between plans	
<i>Relevant Principle: Principle 3 – Consolidation</i>	
Justification	Action/Recommendation
<p>Land uses in this zone should ensure that the needs of workers within these localities could be catered for.</p> <p>Any retail, commercial and service land uses should only be permitted where they are of an ancillary nature</p>	<p>Replace additional objectives of <i>GLEP 2014</i> and <i>WLEP 2013</i> with the following:</p> <p><i>To enable other land uses that provide facilities or services to meet the day-to-day needs of workers in the area</i></p> <p><i>To ensure that retail, commercial or service land uses in industrial areas are of an ancillary nature</i></p>
Issue 2: Permissibility of Educational Establishment; Hazardous industry; Heavy industry (group term); Hospital; and Recreation area	
<i>Relevant Principle: Principle 5 – Permissibility Retention</i>	
Justification	Action/Recommendation
<p>Recreation areas are permissible within <i>GLEP 2014</i> without consent. This use is appropriate in this zone.</p> <p>Educational establishments are not suitable in the IN1 zone due to land use conflict in relation to amenity, noise, potential odour, traffic impact from the school and safety concerns with young pedestrians and large transport vehicles.</p> <p>Hazardous industry, Heavy industry (group term) including offensive industries are unsuitable land uses in this zone.</p> <p>Hospitals are unsuitable in this zone due to potential land use conflicts with other permissible uses. It would be difficult to evacuate a hospital in this location in the case of an emergency arising from another industrial use. All other uses under the Health services facility group term are considered appropriate in this zone.</p>	<p>Permit Recreation area without consent</p> <p>Prohibit Educational establishment; Hazardous industry; Heavy industry (group term); and Hospital</p>

Table 16: SP1 Special Activities Zone Objectives and Land Use Amendments

SP1 Special Activities	
Issue 1: Permissibility of	
<i>Relevant Principle: Principle 5 – Permissibility Retention</i>	
Justification	Action/Recommendation
Environmental facilities, Environmental protection works, and Recreation areas are permitted without consent in the GLEP 2013 and are considered complementary uses in the SP1 zone.	Permit Environmental facilities; Environmental protection works, Recreation areas without consent.

Table 17: SP2 Infrastructure Land Use Zone Objectives and Land Use Amendments

SP2 Infrastructure	
Issue 1: Non-mandated and duplicated, repetitive objectives between plans	
<i>Relevant Principle: Principle 3 – Consolidation</i>	
Justification	Action/Recommendation
Objectives relating to character are included in Clause 1.2 Aims of the Plan. The remainder of the objectives can be consolidated.	Replace additional objectives of <i>GLEP 2014</i> and <i>WLEP 2013</i> with the following: <i>To recognise existing railway land, major roads and utility installations to enable their future development, expansion and associated purposes</i>

Table 18: RE1 Public Recreation Land Use Zone Objectives and Land Use Amendments

RE1 Public Recreation	
Issue 1: Non-mandated and duplicated, repetitive objectives between plans	
<i>Relevant Principle: Principle 3 – Consolidation</i>	
Justification	Action/Recommendation
<p>Wording is proposed to be refined to ensure intent of zone is clear.</p> <p>The last objectives of <i>GLEP 2014</i> originally related to the former 5(a) (Special Uses) zone for drainage purposes. This land was converted to the RE1 zone and the use is required to be addressed by the objectives.</p>	<p>Replace additional objectives of <i>GLEP 2014</i> and <i>WLEP 2013</i> with the following:</p> <p><i>To identify areas for suitable for development for recreational and cultural purposes.</i></p> <p><i>To provide space for integrated stormwater treatment devices flow and water quality management.</i></p>
Issue 2: Permissibility of Environmental facility; Environmental protection works; Public administration building and Waste or resource management facility	
<i>Relevant Principle: Principle 5 – Permissibility Retention</i>	
Justification	Action/Recommendation
<p>Environmental facilities and Environmental protection works are consistent with the zone objectives. The permissibility without consent of <i>GLEP 2014</i> is appropriate within this zone.</p>	<p>Permit Environmental facility and Environmental protection works without consent</p>
<p>Public administration building is inconsistent with the objectives of the zone and does not provide for open space or recreational purposes.</p> <p>Waste or resource management facilities are not compatible with the general intent of the zone objectives and result in possible land use conflicts.</p>	<p>Prohibit Public administration building; and Waste or resource management facility</p>

Table 19: RE2 Private Recreation Land Use Zone Objectives and Land Use Amendments

RE2 Private Recreation	
Issue 1: Non-mandated and duplicated, repetitive objectives between plans	
<i>Relevant Principle: Principle 3 – Consolidation</i>	
Justification	Action/Recommendation
<p>The zone should enable some forms of compatible development that align with the current land uses found within the current zone.</p> <p>Land uses such as clubs are generally not stand-alone entities often providing mixed land uses (e.g. accommodation)</p>	<p>Replace additional objectives of <i>GLEP 2014</i> and <i>WLEP 2013</i> with the following:</p> <p><i>To offer opportunities for community and/or tourist development that is compatible with the natural environment</i></p>

Table 20: E2 Environmental Conservation Land Use Zone Objectives and Land Use Amendments

E2 Environmental Conservation	
Issue 1: Non-mandated and duplicated, repetitive objectives between plans	
<i>Relevant Principle: Principle 3 – Consolidation</i>	
Justification	Action/Recommendation
<p>The intent of the additional objectives is addressed by the SI LEP objectives.</p>	<p>Delete additional objectives as follows:</p> <p><i>To ensure that development is compatible with the desired future character of the zone;</i></p> <p><i>To limit development in areas subject to steep slopes and flooding;</i></p> <p><i>To enable development of public works and environmental facilities if such development would not have a detrimental impact on ecological, scientific, cultural or aesthetic values.</i></p>

Issue 2: Permissibility of Dwelling houses; Bed and breakfast accommodation and Home occupations

Relevant Principle: Principle 5 – Permissibility Retention

Justification	Action/Recommendation
<p>The E2 Environmental Conservation zone is not applied in the same way between the former LGAs.</p> <p>Bed and breakfast accommodation, Home occupation and Dwelling houses are prohibited under <i>WLEP 2013</i> but permissible under <i>GLEP 2014</i>. This has occurred as different methodologies were applied during the preparation of the <i>WLEP 2013</i> and <i>GLEP 2014</i> in determining the application of the E2 zone and permissibility of certain land uses.</p> <p>The E2 zone is intended to apply to the land of highest environmental value to avoid impacts from development on this land. The introduction of these uses as generally permissible will potentially impact on the quality of E2 lands in the former Wyong LGA.</p> <p>It is intended that the CCLEP will retain the dwelling rights of those property owners who currently own land zoned E2 in the former Gosford LGA where dwelling houses are currently permitted, or that are being rezoned to E2 as part of the CCLEP and had a dwelling entitlement under the IDO 122 or GPSO. This could be achieved through the inclusion of an additional Local Clause in Part 7 of the CCLEP. This interim approach will ensure that those properties that currently have dwellings or where dwellings could be developed are not denied this right under the CCLEP without further LGA wide study. An LGA-wide study of environmental lands and how the zones are applied is proposed to be undertaken as part of a future comprehensive CCLEP.</p>	<p>Prohibit Bed and breakfast accommodation; Home occupation; and Dwelling house</p>

Table 21: E3 Environmental Management Land Use Zone Objectives and Land Use Amendments

E3 Environmental Management	
Issue 1: Non-mandated and duplicated, repetitive objectives between plans	
<i>Relevant Principle: Principle 3 – Consolidation</i>	
Justification	Action/Recommendation
The revised objective consistent with Planning Practice Note PN09-002 <i>Environmental Protection Zones</i>	Replace additional objectives of <i>GLEP 2014</i> and <i>WLEP 2013</i> with the following: <i>To provide transitions to high ecologically valued land or constrained lands</i>

Table 22: E4 Environmental Living Land Use Zone Objectives and Land Use Amendments

E4 Environmental Living	
Issue 1: Non-mandated and duplicated, repetitive objectives between plans	
<i>Relevant Principle: Principle 3 – Consolidation</i>	
Justification	Action/Recommendation
Tourist development is inconsistent with the desired zone character.	Replace additional objectives of <i>GLEP 2014</i> and <i>WLEP 2013</i> with the following: <i>To allow additional land uses that will not have an adverse impact on those values</i>

Issue 2: Permissibility of Bee keeping; Caravan Park, Camping ground; Educational establishment; Farm stay accommodation; Horticulture; Hotel or motel accommodation; Pub; Recreation area; Recreation facility (indoor); Recreation facility (outdoor); Registered club; Restaurant or café; Serviced apartment; and Tourist and visitor accommodation

Relevant Principle: Principle 5 – Permissibility Retention

Justification	Action/Recommendation
<p>Recreation areas are appropriate uses in this zone with consent.</p> <p>Extensive agriculture is proposed to be restricted to allow bee keeping only. Most lots within this zone are small, therefore not suitable for extensive crop production or pasture based dairies. The surrounding rural lands provide for other forms of extensive agriculture.</p>	<p>Permit Bee Keeping; Educational establishments and Recreation area as permissible with consent</p>
<p>Educational establishments are currently permissible under IDO 122 in the 7 (c2) Scenic Protection – Rural Small Holdings zone. In the former Gosford LGA there are a number of existing educational establishments located on land currently deferred from the <i>GLEP 2014</i> and now proposed to be zoned E4. The E4 zone is also included as a prescribed zone under the draft educational SEPP.</p>	

<p>Caravan park, camping ground, farm stay accommodation, Hotel or motel accommodation, pub, recreation facility (indoor), recreation facility (outdoor), registered club, restaurant or cafe, serviced apartment, and tourist and visitor accommodation (group term) are permitted with consent in the <i>GLEP 2014</i> and prohibited in the <i>WLEP 2013</i>. These uses are inconsistent with the objectives of the zone, which is predominantly for residential development in special ecological landscapes, and may detract from the character of the zone. These uses are also likely to increase traffic, noise and impact on the amenity. Any existing uses with development consent will retain existing use rights. In relation to existing Caravan Parks, these are to be included in Schedule 1 Additional Permitted Uses and the associated Map.</p> <p>Horticulture is not considered an appropriate use within the E4 zone and is inconsistent with the objectives of this zone. The objective is predominantly for residential development in special ecological landscapes. The proposed lot size within the E4 zone of 2ha is also not supportive of this use.</p>	<p>Prohibit Caravan Park; camping ground Farm stay accommodation; Horticulture; Hotel or motel accommodation; Pub; Recreation facility (indoor); Recreation facility (outdoor); Registered club; restaurant or café; Serviced apartment; Tourist and visitor accommodation and</p> <p>Existing Caravan Parks and Manufactured Home Estates will be included in Schedule 1 Additional Permitted Uses.</p>
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Table 23: W1 Natural Waterways Land Use Zone Objectives and Land Use Amendments

W1 Natural Waterways	
Issue 1: Non-mandated and duplicated, repetitive objectives between plans	
Relevant Principle: Principle 3 – Consolidation	
Justification	Action/Recommendation
Aquaculture is proposed to be a permissible land use within this zone.	Replace additional objectives of <i>GLEP 2014</i> and <i>WLEP 2013</i> with the following: <i>To provide for aquaculture</i>
Issue 2: Permissibility of Environmental Facility; Environmental protection works and Moorings	
Relevant Principle: Principle 5 – Permissibility Retention	
Justification	Action/Recommendation
<p>Environmental Facility and Environmental protection works are permissible with consent in <i>WLEP 2013</i> and without consent in <i>GLEP 2014</i>. The use is appropriate in the zone and not considered to require consent.</p> <p>Moorings are permitted without consent in the <i>GLEP 2014</i> and prohibited in <i>WLEP 2013</i>. The use is consistent with the objectives of the zone and an appropriate use within W1. As the use is located within the navigable waterway, it is managed and licenced by the Roads and Maritime Service (RMS). Section 5.1.8 of the DPI Fisheries <i>Policy and Guidelines for Fish Habitat Conservation and Management</i> includes the policies and guidelines for moorings. It is not necessary for Council to require development consent for this use. This does not preclude the requirement for any other consent or licence.</p>	Permit Environmental Facility, Environmental protection works and Mooring without consent

Table 24: W2 Recreational Waterways Land Use Zone Objectives and Land Use Amendments

W2 Recreational Waterways	
Issue 1: Non-mandated and duplicated, repetitive objectives between plans	
<i>Relevant Principle: Principle 3 – Consolidation</i>	
Justification	Action/Recommendation
<p>The intent of the first additional objective of <i>WLEP 2013</i> is addressed by the SI LEP objectives.</p> <p>The final additional objective is to be retained.</p>	<p>Delete additional objective as follows:</p> <p><i>To ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area.</i></p>
Issue 2: Permissibility of Environmental Facility; Environmental protection works and Moorings	
<i>Relevant Principle: Principle 5 – Permissibility Retention</i>	
Justification	Action/Recommendation
<p>Environmental Facility and Environmental protection works are permissible with consent in <i>WLEP 2013</i> and without consent in <i>GLEP 2014</i>. The use is appropriate in the zone and not considered to require consent</p> <p>Moorings are permitted without consent in <i>GLEP 2014</i> and prohibited in <i>WLEP 2013</i>. This use is considered an appropriate use in the W2 zone and consistent with the zone objectives. As a mooring is located in navigable waters, the use is managed and licensed by Roads and Maritime Services (RMS). Application for a new mooring is made through the RMS and licences are renewed annually for both individual and commercial licences.</p> <p>The RMS manages the number of mooring sites within any area based on certain requirements. Given that this use is located within a navigable waterway and managed by the RMS, it is recommended that the use be permissible without development consent.</p> <p>This does not preclude the requirement for any other consent or licence. In addition, Sect 5.1.8 of the DPI Fisheries <i>Policy and Guidelines for Fish Habitat</i> includes the policies and guidelines for moorings.</p>	<p>Permit Environmental Facility, Environmental protection works and Mooring without consent</p>

CCLEP Part 3 - Exempt and Complying Development

Part 3 of the consolidated Central Coast Local Environmental Plan (CCLEP) will identify the circumstances when development can be undertaken without consent (exempt development) and as complying development.

Key Principles

Key principles were developed to compare and assess Part 3 of *Gosford Local Environmental Plan 2014 (GLEP 2014)* and *Wyong Local Environmental Plan 2013 (WLEP 2013)*. These principles are outlined below:

Principle 1 - Consistency

Consistency with the *Standard Instrument (Local Environmental Plans) Order 2006* (SILEP)

Key Issues

- Both *GLEP 2014* and *WLEP 2013* were prepared in the SI LEP format, which achieves Principle 1. Clauses 3.1 – 3.3 of *WLEP 2013* and *GLEP 2014* are proposed to be retained in the Central Coast LEP (CCLEP).
- Clauses 3.1 and 3.2 enable Exempt and Complying Development Provisions, which are addressed in “CCLEP Schedule 2 - Exempt Development” and “CCLEP Schedule 3 - Complying Development”.

CCLEP Part 4 - Principal Development Standards

Part 4 of the consolidated Central Coast Local Environmental Plan (CCLEP) will cover the development standards for minimum subdivision sizes, height of buildings and floor space ratios. This part will also identify circumstances when the development standards may be altered or varied.

Key Principles

Key principles were developed to compare and assess Part 4 of *Gosford Local Environmental Plan 2014 (GLEP 2014)* and *Wyong Local Environmental Plan 2013 (WLEP 2013)*. These principles are outlined below:

Principle 1 - Consistency

Consistency with the *Standard Instrument (Local Environmental Plans) Order 2006 (SILEP)*

Principle 2 - Applicability

Reflection of the Central Coast Council proclamation, extent of the new Central Coast Local Government Area (LGA) and acknowledgement of relevant regional goals for Central Coast

Principle 3 – Consolidation

Consolidate duplicated or repetitive objectives and development standards within either *GLEP 2014* or *WLEP 2013* that are similar in intent

Principle 4 – Flexibility

Adoption of those standards or provisions which enable the most flexible or generous approach to development standards in certain locations or situations

The intent of this principle is to ensure that existing development potential of land is retained, to reduce the need for development variations and the need to ensure equity across the Central Coast LGA

Principle 5 – Clarification

Correction of provisions, which have been inadequately drafted during the preparation of either *GLEP 2014*, *WLEP 2013*, or which require amendment to clarify the intent of the clause.

Key Issues

- Both *GLEP 2014* and *WLEP 2013* were prepared in the SI LEP format, which achieves Principle 1.
- The objectives of most clauses in this Part will require amendment and consolidation to reference the new Central Coast LGA in accordance with Principle 2 – Applicability and Principle 3 – Consolidation.
- Development standards will be aligned across the Central Coast LGA in accordance with Principle 3 Consolidation and Principle 4 – Flexibility.
- In some circumstances, Principle 4 – Flexibility has not been applied. This is because, in some instances, the application of development standards between the two former LGAs has been different. Therefore, some development standards have been found to not always align, and may be inappropriate for application over the entire Central Coast LGA.
- The tables below identify where Principle 4 – Flexibility has not been able to be applied. The tables then provide the outcome of the assessment of development standards using Principle 2 Applicability and Principle 3 – Consolidation.
- For clarity, if a provision of either *GLEP 2014* or *WLEP 2013* is not included within the tables below, it is proposed to be incorporated into CCLEP in its current form (e.g. Clause 4.22 Rural subdivision and 4.5 Calculation of floor space ratio and site area).
- It is also likely that clause reference numbers within this Part will need to be renumbered (including in clause referral numbering).

Table 25: Explanation of Principal Development Standard Amendments Relating to Lot Size

Lot Size & Subdivision	
Issue 1: Duplicated, repetitive objectives within clauses between plans	
<i>Relevant Principle: Principle 3 - Consolidation</i>	
Justification	Action/Recommendation
<p>This issue relates to <i>GLEP 2014</i> and <i>WLEP 2013</i> clauses 4.1 and 4.1AA.</p> <p>The simplification of objectives promotes a more streamlined planning instrument.</p> <p>The inclusion of all land uses ensures the CCLEP is consistent across the Central Coast LGA</p> <p><i>GLEP 4.1AA</i> applies to the RE1 Public recreation zone. This is not necessary, as community title subdivision is unlikely to occur on RE1 land.</p>	<p>The CCLEP should adopt <i>GLEP 2014</i> objectives relating to state and regional plans and ecological, social and economic sustainability.</p> <p>The CCLEP should also adopt <i>WLEP 2014</i> objectives relating to lot sizes being suitable for the intended purpose</p> <p>Clause 4.1AA</p> <p>Combine the objectives of both <i>GLEP 2014</i> and <i>WLEP 2013</i>.</p> <p>Remove RE1 Public recreation from Clause 4.1AA.</p>

Issue 2: Subdivision of split zoned parcels

Relevant Principle: Principle 5 – Clarification

Justification	Action/Recommendation
<p>This is a specific issue relating to <i>WLEP 2013 Clause 4.1A</i> which permits land which is split zoned with an E2 Environmental Conservation or E3 Environmental Management to be subdivided below the minimum lot size.</p> <p>In-include referencing errors currently permit development of the E2 or E3 land (for eco-tourist facilities, residential accommodation or tourist and visitor accommodation). The intent of the clause is for this land not to be further developed.</p> <p>The operation of the clause in its current form prohibits development for the above purposes on the primary lot if it is zoned R5 Large Lot Residential.</p> <p>Currently subclause 4.1A (4)(a) refers to subclause 3(a) but should refer to subclause 3(c). Subclause 3(c) refers to the residue lot that consists of E2 or E3 zoned land. It is this land that is not to be used for eco-tourist facilities, residential accommodation or tourist and visitor accommodation (not the R5 Large Lot Residential land that the clause currently points to). The current wording does not reflect the intent of the clause.</p>	<p>The clause is proposed to be retained.</p> <p>The clause will require amendment to ensure that the E2 Environmental Conservation or E3 Environmental Management lot created by this clause are not able to be developed and must be subject to long-term conservation and management.</p> <p>It is recommended that subclause 4.1A(4) be amended as follows:</p> <p>(4) Development consent must not be granted under subclause (3) unless the consent authority is satisfied that:</p> <ul style="list-style-type: none"> (a) the land referred to in subclause (3)(c) will not be used for the purpose of eco-tourist facilities, residential accommodation or tourist and visitor accommodation, and (b) suitable arrangements have been, or will be, made for the long-term conservation and management of that land.

Issue 3: Strata subdivision of dual occupancy developments

Relevant Principle: Principle 3 – Consolidation; Principle 4 - Flexibility

Justification	Action/Recommendation
<p>This issue relates to <i>GLEP 2014 Clause 4.1A</i> and <i>WLEP 2013 Clause 4.2A</i>.</p> <p>In addition to those zones specified by the <i>SILEP</i>, <i>GLEP 2014</i> does not permit strata subdivision of dual occupancies within the R2 Low Density Residential or RE1 Public Recreation zone where the lot created is less than the minimum lot size.</p> <p><i>WLEP 2013</i> does not permit strata subdivision of dual occupancies within the RU6 Transition, R5 Large Lot Residential or E4 Environmental Living where the lot created is less than the minimum lot size.</p> <p>Dual occupancy development is proposed to be permissible in the R2 Low Density Residential zone across the Central Coast.</p> <p>The clause applies to Residential accommodation and tourist and visitor accommodation, which are not proposed to be permissible uses in the RE1 Public recreation zone. As such, it is not necessary to apply this clause to the RE1 zone.</p> <p>Strata subdivision should not be prohibited in the R2 Low Density Zone across the Central Coast.</p>	<p>All zones within <i>GLEP 2014</i> and <i>WLEP 2013</i> excluding the R2 Low Density Residential and RE1 Public recreation zones should be subject to a similar clause in the <i>CCLEP</i>.</p>

Issue 4: Minimum lot sizes for Attached dwellings, Dual occupancies, Multi dwelling housing and Residential flat buildings

Relevant Principle: Principle 3 – Consolidation; Principle 4 - Flexibility

Justification	Action/Recommendation
<p>This issue relates to <i>GLEP 2014 Clause 4.1B</i>. This clause applies to land zoned R1 General Residential.</p> <p>The clause specifies the minimum lot sizes for Attached dwellings, Dual occupancies, Multi dwelling housing and Residential flat buildings. The objective of the clause is to achieve planned residential density in the R1 zone.</p> <p>Specific minimum lot sizes for multi-dwelling housing, residential flat buildings and attached dwellings are not set under the Central Coast Development Control Plan (CCDCP); however, this form of housing can be managed through other provisions of the DCP chapter applying to these forms of development e.g. building setback, floor space ratio, open space requirements etc.</p> <p>The removal of this clause, for these land-uses, will allow greater flexibility to encourage higher density development within the R1 zone. It will also reduce expectations of unfeasible development where greater lot sizes would be required.</p>	<p>This clause is to be amended and retained for dual occupancy. All other land uses will be removed from this clause.</p>

For dual occupancy development, it was proposed to rely on the DCP provisions to control minimum lot sizes; however, the introduction of the *Low Rise Medium Density Housing Code* has resulted in a minimum lot size of 400m² applying where no minimum lot size is specified in the LEP for this use. To ensure that lot sizes and densities are appropriate and compatible with the local context a minimum lot size such as that set out in the *GLEP 2014* and *Wyong DCP 2013* should be included in the CCLEP. 550m² is considered appropriate for attached dual occupancy as currently specified in the *GLEP 2014* and *Wyong DCP 2013*. A minimum lot size of 700m² has proven to be appropriate for detached dual occupancy as currently applicable under the *Wyong DCP 2013*. The Central Coast DCP will provide further guidelines for Dual Occupancy Development.

Include a clause specifying the minimum lot size required to undertake certain dual occupancy development. The following lot sizes are proposed for dual occupancy development:

Form of housing	Minimum lot size
Dual Occupancy (attached)	550m ²
Dual Occupancy (detached)	700m ²

Issue 5: Minimum lot size for certain residential development

Relevant Principle: Principle 3 – Consolidation; Principle 4 - Flexibility

Justification	Action/Recommendation
<p>This issue relates to <i>WLEP 2013 Clause 4.1B</i>. This clause applies to land zoned R2 Low Density Residential and permits the subdivision of land into lots smaller than the minimum lot size if it is for the purposes of integrated development (five (5) or more lots) or for a dual occupancy.</p> <p>This clause does not currently apply to land in the R1 zone, as <i>WLEP 2013</i> does not include a minimum lot size for R1 zoned land. As the <i>GLEP 2014</i> does include minimum lot sizes in the R1 zone and these lot sizes will be retained in the CCLEP it is essential that the clause be applied to the R1 zone also.</p> <p>In addition, it is proposed to split the clause to apply separately to dual occupancy and integrated development. Integrated development is not appropriate in the R2 Low Density Residential zone without a housing strategy to identify appropriate locations with adequate services and facilities. This housing form is better suited to the R1 General Residential zone. As such, the integrated development section of the clause should only apply to the R1 zone.</p> <p>The recommended approach will still ensure continued permissibility for Torrens Title subdivision of dual occupancy development.</p>	<p>The clause should be replicated in the CCLEP to separately apply to integrated development and dual occupancy development.</p> <p>The clause permitting subdivision of dual occupancy development should apply to the R1 General Residential and R2 Low Density Residential zone.</p> <p>The clause permitting subdivision of integrated development should apply to the R1 General Residential zone only.</p>

Issue 6: Subdivision of land that includes a Deferred Matter

Relevant Principle: Principle 1 – Consistency; Principle 3 - Consolidation

Justification	Action/Recommendation
<p>This issue relates to <i>GLEP 2014 Clause 4.1C</i></p> <p>The CCLEP will rezone the Deferred Matters of <i>GLEP 2014</i> to a zone that is consistent with the SI LEP.</p>	<p>It is recommended that this clause not be included within CCLEP.</p>

Issue 7: Residential Development and Subdivision

Relevant Principle: Principle 3 – Consolidation; Principle 5 - Clarification

Justification	Action/Recommendation
<p>This issue relates to <i>WLEP 2013 Clause 4.1</i> and <i>GLEP 4.1</i>.</p> <p>R2 Low Density Residential Zone</p> <p>The minimum lot size of 550m² applied to low density residential across the former Gosford LGA will be reduced to 450m², consistent with <i>WLEP 2013</i>. This approach does not apply to any R2 zoned land identified with a greater minimum lot size, i.e. 1850m², as this lot size reflects the constrained nature of those lands.</p> <p>A strategic assessment of the infrastructure demands associated with the additional lot potential which could be generated through amendment of this provision has been undertaken (as detailed in Section D of this proposal). This analysis demonstrates that the additional lots generated by adoption of this standard are unlikely to have a negative impact on the capacity of existing infrastructure delivery.</p> <p>The potential for additional lots will assist in meeting the growth targets of the Central Coast Regional Plan.</p>	<p>Adopt the minimum lot size of 450m² to the R2 zone across the LGA. Land with a greater minimum lot size, i.e. 1850m² is excluded from this amendment.</p> <p>Adopt a Minimum lot size of 2ha for the E4 zone across the LGA.</p> <p>Adopt a minimum lot size of 20ha for the E3 zone across the LGA.</p>

E3 Environmental Management Zone

The minimum lot size applicable in the E3 zone under *GLEP 2014* is 2 hectares (ha) and 20 ha under *WLEP 2013*. A reduction of the minimum *WLEP 2013* lot size for this zone is not supported as a different methodology has been applied between the two former Councils to determine the environmental land zones. It is not equitable to those within the former Wyong LGA to have a larger minimum lot size than their counterparts in the former Gosford LGA. The most appropriate minimum lot size for all environmental zones is to be the subject of further investigations to be undertaken during the preparation of a Comprehensive LEP. In the interim, the 20ha minimum is proposed to apply.

An analysis of the existing land zoned E3 and those proposed to be zoned E3 under the Environmental and Urban Edge Review has been undertaken to determine the potential impact associated with the adoption of a higher minimum lot size. This analysis has identified the existence of approximately five lots that would have reduced subdivision potential through the implementation of a 20 ha minimum lot size. Of these, three lots have significant environmental constraints (topography, flooding, ecological) which would prevent further subdivision opportunity and two lots may have further subdivision potential. Advice from at least one of these landholders indicates that they have no intention to further subdivide the land.

Of the sites already zoned E3 Environmental Management under *GLEP 2014*, approximately 6 lots have further subdivision potential. These sites have had the opportunity for subdivision to smaller lots through the operation of IDO 122 and *GLEP 2014*. This opportunity has not been taken up to date.

<p>Should the lot size for the E3 zone in the former Wyong LGA be reduced to match that of former Gosford LGA, it would potentially result in an additional 8,160 lots of 2ha lot size. The majority of E3 zoned land in the former Wyong LGA is in the valleys. The reduction in the minimum lot size in these localities would further fragment ownership and introduce further potential for land use conflicts for agricultural operations.</p> <p>E4 Environmental Living Zone</p> <p>The minimum lot size applicable to land zoned E4 under <i>GLEP 2014</i> is 4 ha and 2 ha under <i>WLEP 2013</i>.</p> <p>The majority of landholdings within the former Wyong LGA zoned E4 Environmental Living is already below the 2ha minimum. The retention of the 2ha minimum does not present an equity issue, as the majority of the existing holdings do not have subdivision potential.</p>	
<p>This issue relates to <i>GLEP 2014 Clause 4.2A</i>.</p> <p>The <i>GLEP 2014</i> clause applies to the RU1 Primary Production, RU2 Rural Landscape, E2 Environmental Conservation, E3 Environmental Management and E4 Environmental Living.</p> <p>The intent of this clause is to avoid the creation of dwelling entitlements from the closure of roads.</p> <p>This clause will need to apply to the RU6 Transition zone as this zone is applied under the <i>WLEP 2013</i> and will be carried into the Central Coast LEP. The E2 Environmental Conservation should be removed from this clause as dwellings are proposed prohibited in the E2 zone. The inclusion of E2 in this clause gives the impression that dwellings are supported in the E2 zone.</p>	<p>Include RU6 Transition zone as applicable and remove E2 Environmental Conservation zone from subclause 2.</p>

<p>This issue relates to <i>WLEP 2013 Clause 4.2B</i></p> <p>The <i>WLEP 2013</i> clause applies to the RU1 Primary Production, RU2 Rural Landscape, RU6 Transition and E3 Environmental zones.</p> <p>The intent of this clause is to preserve existing dwelling entitlements on land zoned RU1, RU2, RU6 and E3, which have a current entitlement under <i>WLEP 2013</i>. This will now apply to the full Central Coast LGA and should retain the dwelling entitlements under <i>GLEP 2014, IDO 122</i> and <i>GPSO</i>.</p> <p>This clause should also preserve dwelling entitlements created by the operation of the CCLEP.</p> <p>The objectives of this clause are not considered to reflect the intent of this clause and require amendment.</p>	<p>This Clause should be redrafted to clarify the intent and simplify the application. The objectives should be revised removing objectives, which refer to “unplanned rural residential development” and setting objectives that clearly outline the intent of the clause.</p> <p>Reference to the Lot Amalgamation Map should be retained and the need to amalgamate prior to development reinforced.</p> <p>The clause should refer to all land zones identified within the <i>WLEP 2013</i> clause.</p>
<p>This clause is the only clause to call up the Lot Amalgamation Map and as such, reference to this should be retained. The effectiveness of the Lot Amalgamation provisions are to be further reviewed through the Comprehensive CCLEP.</p>	

Issue 8: Drafting Errors

Relevant Principle: Principle 5 - Clarification

Justification	Action/Recommendation
<p>This issue relates to <i>WLEP 2013</i> Clause 4.1C. Amendment 17 to <i>WLEP 2013</i> applied to the following land:</p> <p>Lot 36 DP 755249; Lot 41 DP 123953; Lot 1 DP 229970; Lot 1 DP 120512; Lot 101 DP 604655; Lot A DP 396415 and Lot 1 DP 554423 – 414 Old Maitland Rd, Mardi</p> <p>And introduced <i>Clause 4.1C Exceptions to minimum subdivision lot size under community title schemes for certain large lot residential development</i>. In making this plan a drafting error occurred which has changed the intent of the</p>	<p>Retain Clause 4.1C with amendment to 4.1C(3) (d) to reflect the intent by amending the wording as follows:</p> <p>Omit “lots created by the subdivision have an area that is” from clause 4.1C (3) (d).</p> <p>Insert instead “area of the lots created by the subdivision consists of lots that have an area that is”.</p>
<p>clause from that intended under the Planning Proposal which supported Amendment 17 to <i>WLEP 2013</i>. The intended effect of that Planning Proposal sought a specific outcome in respect of the proportion of minimum sized lots of 900m² compared to 1800m². This intended effect and proportions were clearly explained in the exhibited and notified planning proposal and were supported by the former Wyong Shire Council.</p>	

Table 26: Explanation of Principal Development Standard Amendments Relating to Height of Buildings

Height of Buildings	
Issue 1: Overcomplicated clauses	
<i>Relevant Principle: Principle 1 – Consistency, Principle 3 – Consolidation; Principle 4 - Flexibility</i>	
Justification	Action/Recommendation
<p>This issue relates to <i>GLEP 2014</i> and <i>WLEP 2013</i> Clauses 4.3.</p> <p>The clause is overly complex and detracts from the primary purpose of the clause (i.e. to specify maximum building heights).</p> <p><i>WLEP 2013</i> does not specify a building height for land zoned R2 Low Density Residential unless it forms part of a Strategy Area (e.g. The Entrance).</p> <p><i>GLEP 2014</i> establishes a maximum building height of 8.5m for all land zoned R2 Low Density Residential. This height restriction is problematic for development of sloping sites or which have higher freeboard requirements due to flooding.</p> <p>Through the objectives and within the clause, development can have higher building heights in certain locations (height bonuses). Additional provisions which identify how developments, which incorporate heritage items, are also included within <i>WLEP 2013</i>.</p>	<p>It is proposed that the CCLEP adopt the SI LEP standard clause 4.3. The objective of this clause should be “to establish the maximum height limit for buildings”.</p> <p>Building height bonuses will be consolidated into a new clause, which builds on Clause 4.3A of <i>GLEP 2014</i>. The provisions under Clause 4.3 (2A) and (2B) are to be redrafted to have the maximum HOB shown on the OHB Map and clause 4.3A will outline where bonuses apply. This will not change the HOB achievable on land within these centres.</p> <p>For those centres listed in <i>GLEP 2014</i> CI 4.3, the following table outlines the HOB that should be shown on the HOB map and the bonus applicable for each centre, if criteria is met, that would be identified in the CCLEP Clause.</p>

<p>In the <i>GLEP 2014</i> Cl 4.3 (2A) and (2B), the clauses appear to work back from what could be considered the HOB bonus, as opposed to setting a HOB and then providing a bonus where development can meet specific criteria. To set the maximum HOB on the HOB Map and specify the bonus applicable where certain criteria can be met in the clause would reduce complexity and be consistent with the <i>WLEP 2013</i> approach.</p> <p>Both the <i>GLEP 2014</i> and <i>WLEP 2013</i> clauses adopt different ways of referencing where these height bonuses apply. <i>WLEP 2013</i> refers to an "Area" whilst <i>GLEP 2014</i> refers to a location (e.g. "Erina Town Centre").</p> <p>The height bonuses of <i>GLEP 2014</i> are identified on a Development Incentives Application (CL1) map as opposed to the HOB Map adopted by <i>WLEP 2013</i>.</p>	<table border="1" data-bbox="810 257 1388 772"> <thead> <tr> <th>Town Centre</th> <th>Mapped FSR under CCLEP CL 4.3</th> <th>FSR bonus in CCLEP Cl 4.3A</th> </tr> </thead> <tbody> <tr> <td>Umina Village Centre</td> <td>11.5m</td> <td>14.25m</td> </tr> <tr> <td>Ettalong Village Centre</td> <td>11.5m</td> <td>17m</td> </tr> <tr> <td>Woy Woy Town Centre</td> <td>11.5m</td> <td>19.75m</td> </tr> <tr> <td>Erina Town Centre</td> <td>11.5m</td> <td>14.25m</td> </tr> </tbody> </table> <p>Building heights within the R2 Low Density Residential zone should be removed, unless this height is specified by an adopted strategy of Council.</p> <p>The Development Incentives Application Map should not form part of the CCLEP with Town Centres and Street frontages identified on the HOB Map. Clause 4.3A should refer to 'street frontages' on the HOB map.</p>	Town Centre	Mapped FSR under CCLEP CL 4.3	FSR bonus in CCLEP Cl 4.3A	Umina Village Centre	11.5m	14.25m	Ettalong Village Centre	11.5m	17m	Woy Woy Town Centre	11.5m	19.75m	Erina Town Centre	11.5m	14.25m
Town Centre	Mapped FSR under CCLEP CL 4.3	FSR bonus in CCLEP Cl 4.3A														
Umina Village Centre	11.5m	14.25m														
Ettalong Village Centre	11.5m	17m														
Woy Woy Town Centre	11.5m	19.75m														
Erina Town Centre	11.5m	14.25m														
<p>This issue also relates to <i>GLEP 2014 Clause 4.3A</i>.</p> <p>This clause identifies exceptions to the maximum building heights in the Terrigal Village Centre as established by <i>GLEP 2014 Clause 4.3</i>.</p> <p>These bonuses are also mapped on the CL1 map.</p> <p>Using the HOB maps as per <i>WLEP 2013</i> to identify the location of the bonuses would promote consistency with the <i>SILEP</i>.</p> <p>Adoption of the <i>GLEP 2014</i> method for referring to the localities (e.g. "Erina Town Centre") would enable the sites to be more easily identifiable on the maps.</p> <p>This approach would reduce the need for an additional map layer.</p>	<p>It is recommended that <i>GLEP 2014</i> clause 4.3A be used as the basis for a new clause, which incorporates the building height bonuses across the CCLEP.</p> <p>Such a clause would enable "Exceptions to maximum building height in certain Local Centres and Enterprise Zones" across the Central Coast LGA.</p> <p>The clause would refer to height bonuses for each respective locality as identified on the HOB map for Terrigal. For other Centres, the height bonuses will form part of the clause and be in addition to those heights shown on the HOB Map.</p> <p>Existing height bonuses would be transferred from <i>GLEP 2014</i> Clause 4.3 and 4.3A and <i>WLEP 2013</i> Clause 4.3. The provisions are to be</p>															

	<p>redrafted to have the maximum HOB shown on the HOB Map and the clause will outline where bonuses apply. This will not change the height achievable on land within any of the centres. Objectives of <i>WLEP 2013</i> as they relate to heritage items should also be retained in this clause.</p> <p>The Development Incentives Application maps should not form part of the CCLEP with Town Centres and Street frontages identified on the HOB Map. Clause 4.3A should refer to 'street frontages' on the HOB map</p>
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Table 27: Explanation of Principal Development Standard Amendments Relating to Floor Space Ratio

Floor Space Ratios	
Issue 1: Overcomplicated clauses	
<i>Relevant Principle: Principle 1 – Consistency, Principle 3 – Consolidation; Principle 4 – Flexibility;</i>	
Justification	Action/Recommendation
<p>This issue relates to <i>GLEP 2014</i> and <i>WLEP Clauses 4.4</i>.</p> <p>The clause is overly complex and detracts from the primary purpose of the clause (i.e. to specify maximum FSRs).</p> <p>Through the objectives and within the clause, development can have greater FSRs in certain locations (FSR bonuses). In the <i>GLEP 2014</i>, the clause appears to work back from what could be considered the FSR bonus as opposed to setting an FSR and then providing a bonus where development can meet specific criteria.</p> <p><i>GLEP 2014</i> further specifies maximum FSRs for dwelling houses as 0.5:1. <i>WLEP 2013</i> nominates an FSR of 0.6:1 in localities, which are within a locality subject to an endorsed strategy of Council. The <i>GLEP 2014</i> is more restrictive and inconsistent with <i>WLEP 2013</i> and Principle 4.</p> <p><i>GLEP 2014</i> specifies an FSR of 0.15:1 for any other purpose on land in Zone RU5, E2, E3 and E4. This FSR is not considered appropriate particularly given the large lot sizes of land in these zones e.g. 40ha lot size could result in a building of 6,000m². Development in these zones can be managed through the DCP provisions and section 79C considerations.</p> <p>The additional FSR available for non-residential uses in the R1 zone in <i>GLEP 2014 Clause 4.4(2A)(e)</i> provides an incentive for non-residential uses in a residential zone. This is not the intent of the clause and is not appropriate for inclusion in the CCLEP.</p>	<p>It is proposed that the CCLEP adopt the SI LEP standard clause 4.4 with the inclusion of the <i>WLEP 2013</i> subclause relating to exclusion of the a heritage item from GFA calculation for FSR purposes. The objective of this clause is recommended to be a consolidation of the objectives of <i>GLEP 2014</i> and <i>WLEP 2013</i>:</p> <p style="padding-left: 20px;"><i>to establish standards for the maximum development density and intensity of land use,</i></p> <p style="padding-left: 20px;"><i>to ensure that the density, bulk and scale of development integrates with the streetscape and character of the area in which the development is located,</i></p> <p style="padding-left: 20px;"><i>to minimise adverse environmental effects on the use or enjoyment of adjoining properties and the public domain,</i></p> <p style="padding-left: 20px;"><i>to facilitate design excellence by ensuring the extent of floor space in building envelopes leaves generous space for the articulation and modulation of design,</i></p> <p style="padding-left: 20px;"><i>to encourage lot amalgamation and new development forms in Zone R1 General Residential with car parking below ground level</i></p> <p>The bonuses within Clause 4.4 should be included in Clause 4.4A. The <i>GLEP 4.4(2A)</i> FSR provisions are to be redrafted similar to those in the <i>WLEP 2013</i> where the maximum FSR is shown on the FSR Map and the clause outlines where bonuses apply. <i>GLEP 2014 4.4(2B)</i> should be deleted.</p>

Both the *GLEP 2014* and *WLEP 2013* clauses adopt different ways of referencing where these FSR bonuses apply. *WLEP 2013* refers to an "Area" whilst *GLEP 2014* refers to a location (e.g. "Umina Village Centre").

The FSR bonuses of *GLEP 2014* are identified on a Development Incentives Application (CL1) map as opposed to the FSR Map adopted by *WLEP 2013*.

WLEP 2013 does not specify a FSR for land zoned R2 Low Density Residential. *GLEP 2014* establishes a maximum FSR of 0.5:1 for all land zoned R2 Low Density Residential. The retention of the FSR map for land formerly subject to *GLEP 2014* would result in an inconsistency in the assessment process for dwelling houses across the LGA in the R2 zone.

The provisions of Wyong DCP 2013 and the proposed CCDCP regarding scale, setback and amenity provide adequate controls for dwelling house development. Removal of this FSR will reduce the need for variations to development standards. For dual occupancy development the DCP specifies an FSR of 0.5:1 where there is no mapped FSR.

A draft clause is proposed having regard for the intent of the existing *GLEP 2014* clause 4.4(2A). The FSR should be mapped at 0.5:1 for those areas currently zoned R1 and mapped at 0.7:1 and 0.85:1 on the current *GLEP 2014* FSR Map. These areas could be identified as Area 1 and Area 2 respectively in the clause and on the FSR Map and the additional FSR will be available as a bonus within the clause. This will not decrease the FSR available in these areas for residential uses. The bonuses proposed within the clause align with the FSR's outlined in the current *GLEP 2014* Clause. The additional FSR for non-residential uses (other uses) should be removed and the 0.5:1 applied for other uses. Variation to FSR within these areas under the standard FSR clause should not be permitted to exceed that outlined in the bonus clause.

Floor space ratio restrictions on land zoned R2 Low Density Residential are to be removed.

This issue also relates to *GLEP 2014 Clause 4.4A*.

This clause identifies exceptions to the maximum FSRs in Town centres and village centres as established by *GLEP 2014 Clause 4.4*.

These bonuses are also mapped on the CL1 map.

Using the FSR maps as per *WLEP 2013* to identify the location of the bonuses would promote consistency with the SILEP.

Adoption of the *GLEP 2014* method for referring to the localities (e.g. "Umina Village Centre") would enable the sites to be more easily identifiable on the maps. Areas will only be used where a bonus is applied to multiple locations such as land zoned R1 and mapped as a specific FSR e.g. land identified in *GLEP Clause 4.4 (2A)*.

This approach would reduce the need for an additional map layer.

In the *GLEP 2014*, the Town Centre FSR clauses appear to work back from what could be considered the FSR bonus as opposed to setting an FSR and then providing a bonus where development can meet specific criteria. Having the maximum FSR mapped and the clause specifying the bonus where applicable would simplify the provision and still enable the same FSR as currently achievable.

It is recommended that *GLEP 2014 clause 4.4A* be used as the basis for a new clause, which incorporates the FSR bonuses across the CCLEP.

Such a clause would enable "Exceptions to maximum floor space ratio in certain Local Centres and Enterprise Zones" across the Central Coast LGA.

The clause would refer to FSR bonuses for each respective locality as identified on the FSR map. Existing FSR bonuses would be transferred from *GLEP 2014 Clause 4.4* and *4.4A* and *WLEP 2013 Clause 4.4*. The provisions are to be redrafted to have the maximum FSR shown on the FSR Map and the clause will outline where bonuses apply. This will not change the FSR achievable on land within any of the centres.

For those town centres and village centres listed in *GLEP 2014 Cl 4.4A*, the following table outlines the FSR that should be shown on the FSR map and the bonus applicable for each town centre, if criteria is met, which would be identified in the CCLEP Clause.

Town Centre	Mapped FSR under CCLEP CL 4.4	FSR bonus in CCLEP Cl 4.4A
Terrigal Village Centre	1:1	1.8:1
Woy Woy Town Centre (sites 1000m2 - <1500m2)	1:1	2.1:1
Woy Woy Town Centre (sites 1500m2+)	1:1	2.3:1
Umina Village Centre	1:1	1.8:1
Ettalong Village Centre	1:1	2:1
Erina Town Centre	1:1	1.3:1

	<p>It is further recommended that the FSR for dwelling houses; and any other purpose in Zone RU5, E2, E3 and E4, as identified within <i>GLEP 2014</i> be removed and not included in the CCLEP.</p> <p>Objectives of <i>WLEP 2013</i> as they relate to heritage items should also be retained in this clause.</p> <p>The Development Incentives Application maps should not form part of the CCLEP with Town Centres and Street frontages identified on the FSR Map. Clause 4.4A should refer to 'street frontages' on the FSR map.</p>
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Table 28: Explanation of Principal Development Standard Amendments Relating to Variations

Variations to Development Standards	
Issue 1: Extent of standards subject to variation	
<i>Relevant Principle: Principle 3 – Consolidation; Principle 4 – Flexibility; Principle 5 - Clarification</i>	
Justification	Action/Recommendation
<p>Clause 4.6 of <i>GLEP 2014</i> and <i>WLEP 2013</i> permits variations to some development standards within each respective plan.</p> <p><i>GLEP 2014</i> prohibits variation to clauses relating to Urban release areas.</p> <p><i>WLEP 2013</i> prohibits variations to clauses relating to lot sizes for subdivision of split zoned land, building heights, development near zone boundaries and key sites. It also incorrectly prohibited variations to how heritage items should be excluded from the calculation of floor space ratio (FSR) for land at Toukley (<i>WLEP 2013 clause 4.4 (2A)</i>).</p> <p>At the time of drafting <i>WLEP 2013</i> it was identified that this should relate to the actual FSR (<i>WLEP 2013 clause 4.4 (2B)</i>). This was not corrected during the drafting process.</p> <p>The development bonuses already provide a variation to the base standard/control as</p>	<p>It is recommended that the standards of the CCLEP as they relate to building height bonuses, FSR bonuses, Urban Release Areas, lot sizes for subdivision of split zoned land, development near zone boundaries, key sites, and development near zone boundaries not be able to be varied.</p>

determined through relevant planning strategies (e.g. Toukley, The Entrance etc.)

Further variation to the bonus will result in the bonus becoming the established norm. This is inconsistent with relevant strategies and promotes unrealistic development expectations.

Amendment 17 to *WLEP 2013* omitted *Clause 5.3 Development near zone boundaries* and replaced with *Clause 7.19 Development near zone boundaries*; however, clause 4.6 was not amended to reflect this change. For clarification reference to clause 5.3 should be omitted and clause 7.19 (or equivalent clause) be added to clause 4.6

CCLEP Part 5 - Miscellaneous Provisions

Part 5 of the consolidated Central Coast Local Environmental Plan (CCLEP) will cover miscellaneous provisions including acquisition for public purposes, classification of public land, controls relating to specific land uses, preservation of trees and vegetation and heritage conservation.

Key Principles

Key principles were developed to compare and assess Part 5 of *Gosford Local Environmental Plan 2014 (GLEP 2014)* and *Wyangong Local Environmental Plan 2013 (WLEP 2013)*. These principles are outlined below:

Principle 1 - Consistency

Consistency with the *Standard Instrument (Local Environmental Plans) Order 2006 (SILEP)*

Principle 2 - Applicability

Reflection of the Central Coast Council proclamation, extent of the new Central Coast Local Government Area (LGA) and acknowledgement of relevant regional goals for Central Coast

Principle 3 – Consolidation

Consolidate duplicated or repetitive objectives, provisions and standards within either *GLEP 2014* or *WLEP 2013* that are similar in intent

Principle 4 – Flexibility

Adoption of those standards or provisions which enable the most flexible or generous approach to development standards in certain locations or situations

The intent of this principle is to ensure that existing development potential of land is retained, to reduce the need for development variations and the need to ensure equity across the Central Coast Local Government Area (LGA))

Principle 5 – Clarification

Correction of provisions, which have been inadequately drafted during the preparation of either *GLEP 2014*, or *WLEP 2013* or which require amendment to clarify the intent of the clause.

Key Issues

- Both *GLEP 2014* and *WLEP 2013* were prepared in the SI LEP format, which achieves Principle 1.
- The objectives of most clauses in this Part will require amendment and consolidation to reference the new Central Coast LGA in accordance with Principle 2 – Applicability and Principle 3 – Consolidation.
- Development standards will be aligned across the Central Coast LGA in accordance with Principle 3 Consolidation and Principle 4 – Flexibility.

- The tables below identify where the above Principles have been required to be considered for specific clauses within this Part.
- For clarity, if a provision of either *GLEP 2014* or *WLEP 2013* is not included within the tables below, it is proposed to be incorporated into CCLEP in its current form (e.g. Clauses 5.2, 5.5, 5.6, 5.7, 5.8, 5.10, 5.11, 5.12, 5.13, 5.14 & 5.15).
- It is also likely that clause reference numbers within this Part will need to be renumbered

Table 29: Land Acquisition Provisions

Land Acquisition	
Issue 1: Inconsistent referencing and site specific requirements	
<i>Relevant Principle: Principle 3 – Consolidation</i>	
Justification	Action/Recommendation
<p>This issue relates to <i>GLEP 2014</i> and <i>WLEP 2013</i> Clause 5.1.</p> <p>These clauses (supported by the Land Reservation Acquisition (LRA) map) identify where land is required for acquisition for particular purposes (e.g. open space, local roads etc.). Both plans are consistent excluding reference to acquisition for the purposes of road widening in the <i>GLEP 2014</i>. The acquisition may not only be for the purposes of road widening but also for acquisition of the road itself.</p> <p>This issue also relates to <i>WLEP 2013</i> Clause 5.1A which provides for acquisition of land for the purposes of car parking in The Entrance.</p> <p>It is also possible that some land identified on the LRA maps is not identified in the relevant Section 94 Contribution Plan. It is proposed that a full review of the LRA maps and Section 94 contribution plans is undertaken through the Comprehensive CCLEP. In many instances, the land, which forms part of this issue, will require rezoning. Rezoning of land generally is beyond the scope of the consolidated CCLEP project.</p>	<p>The provisions of clause 5.1 from both <i>GLEP 2014</i> and <i>WLEP 2013</i> are recommended for retention in the CCLEP. Where LRA map reference "Local Road Widening" this should be amended to relate to "Local Roads"</p> <p>It is recommended to retain the provisions of <i>WLEP 2013 Clause 5.1A</i> in the CCLEP</p>

Table 30: Flexible Zone Boundary and Miscellaneous Provisions

Flexible Zone Boundary and Miscellaneous Provisions Controls	
Issue 1: Inconsistent provisions and zone applications	
<i>Relevant Principle: Principle 1 – Consistency, Principle 3 – Consolidation; Principle 4 – Flexibility</i>	
Justification	Action/Recommendation
<p>This issue relates to both <i>GLEP 2014</i> and <i>WLEP 2013 clauses 5.3</i>. Both are based on the SI LEP.</p> <p>This clause permits development on the other side of a zone boundary (for a nominated distance) where the development would be compatible with the objectives of the other zone.</p> <p><i>GLEP 2014</i> specifies a distance of 10m for the purposes of this clause. <i>WLEP 2013</i> identifies 20m. 20m is generally the distance applied where this clause has been adopted in other Council areas and is considered an appropriate distance given average lot widths within the Central Coast LGA.</p> <p><i>GLEP 2014</i> applies further restrictions to the zones able to utilise this provision, including B3 Commercial Core, RE2 Private Recreation, Zone E4 Environmental Living and W2 Recreational Waterways, which are not identified within the SI LEP. Those zones considered to be of the highest sensitivity are covered in 5.3(3)(a). Assessment under section 4.15 of the EP&A Act should rule out any use that is not appropriate in the remaining zones.</p>	<p>The <i>WLEP 2013</i> provision of 20m should be incorporated within this clause in the CCLEP.</p> <p>The SILEP area exclusions for the operation of this clause should be retained. No additional zones should be included.</p>
<p>This issue also relates to Clause 5.4 of both <i>GLEP 2014</i> and <i>WLEP 2013</i>.</p> <p>This clause nominates the area or size of a number of land uses. In most instances, these are different between the two plans.</p> <p>In accordance with Principle 4, it is recommended that the provision, which provides the most flexibility, be adopted.</p>	<p>The CCLEP should adopt the control which provides the greater flexibility</p> <p>The <i>WLEP 2013</i> provisions in relation to maximum number of bedrooms and floor space restrictions should be adopted, <u>excluding</u> for Roadside stalls and kiosks where the <i>GLEP 2014</i> provisions should be utilised. For industrial retail outlets, a combination of <i>WLEP 2013</i> and <i>GLEP 2014</i> is proposed with 20% GFA or 400m².</p>

<p>Clause 5.9 of <i>GLEP 2014</i> and <i>WLEP 2013</i> also apply to different zones.</p> <p>This clause specifies the requirements for consent for vegetation removal.</p> <p>The <i>WLEP 2013</i> clause applies this clause to the RU6 Transition zone. This zone is not utilised in <i>GLEP 2014</i>.</p>	<p>The CCLEP should adopt the SI LEP provision, inclusive of the RU6 Transition zone.</p>
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Table 31: Optional SI LEP Clauses

Optional SI LEP Clauses	
Issue 3: Architectural roof features	
<i>Relevant Principle: Principle 1 – Consistency, Principle 3 – Consolidation; Principle 4 – Flexibility</i>	
Justification	Action/Recommendation
<p>This issue relates to Clause 5.6 of <i>GLEP 2014</i>. This clause permits variations to the maximum height of buildings only where the variation is to provide roof form, which provides for visual interest.</p> <p>This is an optional SI LEP clause, which was not included in <i>WLEP 2013</i>.</p> <p>The building heights (and any bonuses) included in <i>WLEP 2013</i> were adopted from relevant strategies for town centres as adopted by Council (e.g. The Entrance). Roof forms were considered in these strategies.</p> <p>In accordance with Principle 4, it is recommended that the provision, which provides the most flexibility, be adopted.</p>	<p>The CCLEP should adopt the SI LEP optional clause in relation to architectural roof features. The objectives of <i>GLEP 2014</i> should be adopted within this clause.</p>

CCLEP Part 6 - Urban Release Areas

Part 6 of the consolidated Central Coast Local Environmental Plan (CCLEP) will apply to land, which is identified and mapped on the Urban Release Area (URA) Maps. These provisions specify additional matters in relation to state infrastructure and requirements for Development Control Plans (DCPs).

Key Principles

Key principles were developed to compare and assess Part 6 of *Gosford Local Environmental Plan 2014 (GLEP 2014)* and *Wyong Local Environmental Plan 2013 (WLEP 2013)*. These principles are outlined below:

Principle 1 - Consistency

Consistency with the *Standard Instrument (Local Environmental Plans) Order 2006 (SILEP)* and any settled Model Provisions or Clauses prepared by the Department of Planning and Environment (DP&E)

Principle 2 – Consolidation

Consolidate duplicated or repetitive objectives, provisions and standards within either *GLEP 2014* or *WLEP 2013* that are similar in intent

Principle 3 – Clarification

Correct provisions which have been inadequately drafted during the preparation of either *GLEP 2014* or *WLEP 2013* or which require amendment to clarify the intent of the clause.

Key Issues

- Both *GLEP 2014* and *WLEP 2013* were prepared in the SI LEP format, which achieves Principle 1.
- Both clauses 6.2 and 6.4 of *GLEP 2014* and *WLEP 2013* are consistent with the SI LEP and each other, which achieves Principles 1 and 2.
- The tables below identify where the above Principles have been required to be considered for specific clauses within this Part.

Table 32: Explanation of Urban Release Area Subdivision Standards Amendments

Subdivision standards	
Issue 1: Identification of specific localities	
<i>Relevant Principle: Principle 2 – Consolidation</i>	
Justification	Action/Recommendation
<p><i>WLEP 2013</i> clause 6.1 nominates specific localities where subdivision below the minimum lot size cannot occur in designated URAs (e.g. Gwandalan).</p> <p><i>GLEP 2014</i> does not nominate specific localities for the purposes of this clause.</p>	<p>The CCLEP should retain the references to the specific localities as identified within <i>WLEP 2013</i></p>

Table 33: Explanation of Urban Release Area DCP Requirements

Requirements for Preparation of DCPs	
Issue 1: Drafting errors	
<i>Relevant Principle: Principle 3 – Clarification</i>	
Justification	Action/Recommendation
<p>Part 6 – Urban Release Area (URA) is a “settled model local clause” package. The clauses are required to be included within a SI LEP where URAs are to be included. Part 6 aims to ensure development in these areas is supported by services and infrastructure to meet the needs of the occupants. It also seeks to ensure development of the land in a logical and cost effective way.</p> <p>Clause 6.3 of <i>GLEP 2014</i> and <i>WLEP 2013</i> identifies when a DCP is required to be developed to inform development within an Urban Release Area (URA). The current clause requires a DCP to be prepared in each URA and address specific matters.</p> <p>The requirement to prepare a site specific DCP is not always relevant or practical for every URA location.</p>	<p>The CCLEP should retain Part 6 exclusive of clause 6.3.</p>

In some instances, sites have existing approval under, the now repealed provisions of, Part 3A of the *EP&A Act, 1979*. The intent and purpose of Clause 6.3 in such localities is achieved through the existing provision of Wyong DCP 2013, Gosford DCP 2013 or the proposed Consolidated Central Coast DCP, where there are no design guidelines or state DCP's in place. For example, the provision of Part 4 Subdivision and/or Chapter 2.1 Dwelling Houses and Ancillary Structures of Wyong DCP 2013 are readily applicable to those URA's. For any new or existing URA where specific controls are required these can be prepared as part of the DCP.

Further where a major land rezoning is proposed a site specific DCP would be required as part of the rezoning process. Such site specific DCP chapters generally address those issues identified in Clause 6.3(3) as a matter of course to ensure the logical and orderly development of such land.

In addition, the current wording of Clause 6.3(4) removes the need for a DCP if any of the lots created are to be reserved or dedicated for public open space, public roads or any other public or environment protection purpose. Most subdivisions would have such a lot, thus potentially negating the need for a DCP. This is inconsistent with the intent of the clause.

For the above reasons, Council seeks to remove Clause 6.3 of *GLEP 2014* and *WLEP 2013*.

There is precedence in other Council LEP's such as The Hills Shire Council and Hawksbury City Council for this approach, where clause 6.3 has been excluded from Part 6 of their LEP's.

CCLEP Part 7 - Additional Local Provisions

Part 7 of the consolidated Central Coast Local Environmental Plan (CCLEP) will specify additional local provisions in relation to certain matters (e.g. flooding) and localities within the Local Government Area (LGA).

Key Principles

Key principles were developed to compare and assess Parts 7 & 8 of *Gosford Local Environmental Plan 2014 (GLEP 2014)* and *Wyong Local Environmental Plan 2013 (WLEP 2013)*. These principles are outlined below:

Principle 1 - Consistency

Consistency with the *Standard Instrument (Local Environmental Plans) Order 2006 (SILEP)*, and any settled Model Provisions or Clauses prepared by the Department of Planning and Environment (DP&E)

Principle 2 - Applicability

Reflect the Central Coast Council proclamation, extent of the new Central Coast Local Government Area (LGA) and acknowledgement of name changes and relevant regional goals for Central Coast

Principle 3 – Consolidation

Consolidate duplicated or repetitive objectives, provisions and standards within either *GLEP 2014* or *WLEP 2013* that are similar in intent.

Principle 4 – Streamline

Remove clauses which duplicate provisions of relevant State Environmental Planning Policies (SEPPs), State government guidelines and those clauses, which do not add value to the development assessment process.

Principle 5 – Retention

Retain additional local provisions, which provide further guidance, or provisions for specific localities or zones as contained within either *GLEP 2014* or *WLEP 2013*.

Principle 6 – Clarification

Correct provisions which have been inadequately drafted during the preparation of either *GLEP 2014* or *WLEP 2013* or which require amendment to clarify the intent of the clause.

Principle 7 – New requirements

Identify the need for new clauses to address issues raised through the consolidation process.

Key Issues

- Both *GLEP 2014* and *WLEP 2013* were prepared in the SI LEP format, which achieves Principle 1.
- Some clauses (e.g. *WLEP 2013 Clause 7.7 Airspace operations and 7.8 Development in areas subject to aircraft noise*) require amendment to reflect changes to the name of the site/ locality (e.g. Central Coast Airport) in accordance with Principle 2.
- The extension of provisions or maps (e.g. Drinking Water Catchment) is proposed to ensure a consistent approach across the LGA, in accordance with Principle 3.
- Generally, all clauses, which are location or issue specific as contained within *GLEP 2014* or *WLEP 2013*, are proposed to be retained within CCLEP, which achieves Principle 5.
- The tables below identify where the above Principles have been required to be considered for specific clauses within this Part.
- For clarity, if a provision of either *GLEP 2014* or *WLEP 2013* is not included within the tables below, it is proposed to be incorporated into CCLEP in its current form (e.g. SI LEP clauses 7.1, 7.2, *WLEP 2013* clauses 7.5, 7.14 and 7.17 and *GLEP 2014* clauses 7.9 and 7.10).
- It is also likely that clause reference numbers within this Part will need to be renumbered

Table 34: Explanation of Part 7 Local Provisions Amendments

Site Specific Requirements	
Issue 1: Irrelevant or duplicated provisions	
<i>Relevant Principle: Principle 4 - Streamline</i>	
Justification	Action/Recommendation
<p>This issue relates to clause 7.8 of <i>GLEP 2014</i> and clauses 7.6 and 7.12 of <i>WLEP 2013</i>.</p> <p>7.8 Development at Terrigal and Picketts Valley - Home businesses were not permissible in the general residential zone under the GPSO and IDO 122 that applied at that time the land was rezoned. Home businesses remained prohibited in zone R2 Low Density Residential zone under Gosford LEP 2014.</p> <p>The CCLEP proposes to permit home businesses within the R2 Low Density Residential zone. As such, the use is no longer an additional permitted use and should not be identified on the APU map. To retain this clause would require an additional map to be prepared; however, this is not considered necessary as the remainder of the controls in this clause that require adequate provisions to be made for home business and specify the floor area for this use are addressed in the VPA and DCP for this land. The VPA is not called up by CI 7.8 and can operate with <i>Gosford DCP Chapter 5.12 –Terrigal, Parkside, Kings Ave</i> independently of the LEP. It is therefore recommended that this clause be removed from the LEP.</p> <p>7.6 Development on the foreshore must ensure access - The matters dealt with by the clause are managed through the provisions of <i>State Environmental Planning Policy (Coastal Management) 2018</i></p> <p>7.12 Development for the purpose of bottle shops - The considerations in this clause are undertaken when assessing development for such purposes under Section 4.15 of the <i>EP&A Act, 1979</i>.</p>	<p>It is recommended that these clauses/provisions are not incorporated within the CCLEP.</p> <p>The land referred to in <i>GLEP 2014</i> clause 7.8 should be removed from the APU map.</p>

Issue 2: Servicing and Infrastructure provisions

Relevant Principle: Principle 2 – Applicability; Principle 3 – Consolidation; Principle 5 – Retention; Principle 6 - Clarification

Justification	Action/Recommendation
<p>This issue relates to <i>WLEP 2013</i> clauses 7.7 Airspace Operations and 7.8 Development in areas subject to aircraft noise. Clause 7.7 and 7.8 are proposed to be retained in the CCLEP. It is proposed to update the reference to the name of the airport from 'Warnervale Airport' to 'Central Coast Airport', with the wording of these clauses remaining as per the <i>WLEP 2013</i>. New obstacle and noise mapping is not required for inclusion in the CCLEP. These maps do not form part of an LEP instrument as they can be amended at short notice and keeping them separate removes the need for frequent LEP amendments.</p>	<p>The CCLEP should retain <i>WLEP 2013</i> clauses 7.7 and 7.8 subject to update of the airport name to Central Coast Airport.</p>

<p>This issue relates to <i>WLEP 2013</i> clause 7.9 Essential services</p> <p>Clause 7.9 specifies the requirement for provision of essential services (water, electricity etc.) prior to development consent being able to be granted. The current wording of this clause infers that the provision of only one of the services identified fulfils the requirement of the clause. This is not considered to be the intent of the clause and should require all services identified to be provided for The clause currently states:</p> <p><i>that the consent authority is satisfied that <u>any of</u> the following services...</i></p> <p>it is recommended that the words <i>any of</i> be removed to require all identified services to be available. It is also recommended that an additional service be identified as 7.9(g) <i>suitable provision for waste collection and management</i>. This will ensure that waste servicing is an upfront consideration of all new development proposals.</p> <p>The provisions of this clause would be equally applicable to the former Gosford LGA.</p>	<p>The CCLEP should retain <i>WLEP 2013</i> clause 7.9 subject to correction of the wording as outlined and additional requirement of <i>suitable provision for waste collection and management</i></p>
<p>This issue relates to <i>WLEP 2013</i> Clause 7.10 Council infrastructure development. DP&E, in their Gateway Determination required Council to amend the value within the Council infrastructure development clause from \$5 million to \$1 million to be consistent with other local government areas where this clause is used.</p>	<p>Amend value within <i>WLEP 2013</i> clause 7.10 to \$1 million and incorporate in the CCLEP.</p>

Issue 3: Generic additional provisions

Relevant Principle: Principle 2 – Applicability; Principle 3 – Consolidation; Principle 5 – Retention; Principle 6 - Clarification

Justification	Action/Recommendation
<p>This issue relates to existing clauses regarding Floodplain risk management and drinking water catchments.</p> <p>These provisions of <i>GLEP 2014</i> relating to floodplain risk management (Clause 7.3) include outdated references. The Flood Planning Levels (FPLs) now have varying freeboards in the former Gosford LGA.</p> <p>Further, all land uses subject to this clause are considered appropriate and harmonises the approach to this issue, excluding residential care facilities which is a form of housing already addressed through nomination of seniors housing.</p> <p>The provisions of <i>WLEP 2013</i> clause 7.4 relating to the Drinking Water Catchment (DWC) are relevant to the entire LGA. The extension of the boundaries of the catchment promotes consideration of the role and function of the DWC in land use planning assessment.</p>	<p>It is recommended that the provisions of <i>WLEP 2013</i> clause 7.3 and 7.4 are incorporated within the CCLEP.</p> <p>It is recommended that the DWC map be amended to incorporate those areas of the former Gosford LGA, which are within the DWC area.</p>
<p>This issue relates to <i>GLEP 2014 & WLEP 2013</i> clauses 7.6 and 7.18 Short-term rental accommodation. The general provisions of <i>GLEP 2014 & WLEP 2013</i> clauses 7.6 and 7.18 Short-term rental accommodation remain relevant. However, the <i>GLEP 2014</i> clause restricts land use for this purpose to 5 or 6 bedrooms, therefore does not enable development for this purpose in dwellings with less than this number of bedrooms. Clause 7.18 of <i>WLEP 2013</i> applies to dwellings containing up to 6 bedrooms.</p>	<p>It is recommended that the provisions of <i>WLEP 2013</i> clause 7.18 are incorporated within the CCLEP.</p>

This issue relates to *WLEP 2013 clause 7.13 Shop top housing in certain business zones*.

Clause 7.13 applies to land in the B5 Business Development, B6 Enterprise Corridor and B7 Business Park zones and intends to limit the gross floor area of the shop top housing to 50% of the total gross floor area of the ground floor retail premises or business premises.

The words "...will not exceed 50 per cent of the total gross floor area of the building" are not considered to reflect the intent of this clause and require amendment prior to application across the Central Coast B5, B6 and B7 zones.

Under the CCLEP proposal shop top housing will be introduced into the B5 zone in the former Gosford LGA and is already permitted in the B6 zone. While these areas have Height of Building and Floor Space Ratio Mapping there is no similar clause to Cl. 7.13 in the *GLEP 2014* that supports the intent of the definition of shop top housing.

The exhibition documentation for Wyong LEP 2012 (gazetted as *WLEP 2013*) stated that the intent (of clause 7.13) was "to limit the scale of residential development in these zones". To ensure this is achieved words that reflect the definition of shop top housing could be utilised to clarify this intent and prevent misinterpretation/use of this clause for substantial residential development with minimal retail/business floor space.

The CCLEP should retain *WLEP 2013 clause 7.13* subject to amendment of the wording to refer to the 'ground floor retail premises or business premises'.

Issue 4: Site specific local provisions

Relevant Principle: Principle 3 – Consolidation; Principle 5 – Retention

Justification	Action/Recommendation
<p>This issue relates to the following clauses.</p> <p>7.4 Development in Somersby Business Park (GLEP 2014)</p> <p>7.5 Caravan parks and manufactured home estates (GLEP 2014)</p> <p>7.7 Affordable housing at 85–93 Karalta Road, Erina (GLEP 2014)</p> <p>7.11 Development requiring the preparation of a development control plan (key sites) (WLEP 2013)</p> <p>7.15 Office premises on land at Kanwal in Zone B6 Enterprise Corridor (WLEP 2013)</p> <p>7.16 Bulky goods premises on land at Kanwal in Zone B6 Enterprise Corridor (WLEP 2013)</p> <p>The assessment of these clauses has identified that they remain relevant to the localities nominated in the respective clause.</p>	<p>It is recommended that the CCLEP retain these site/locality specific clauses, subject to relevant renaming of the areas to ensure a consistent approach.</p> <p>Retention of these clauses may require the adoption of a consistent naming approach within the clause and on any relevant mapping. For example, WLEP 2013 clause 7.15 will require the current “area” references to be the same as the centre/locality names adopted in Part 4 of the CCLEP relating to building height and floor space ratio.</p> <p>The clause relating to Karalta Road should refer to the legal description (Lot/DP) to enable the removal of the Development Incentives Application map.</p> <p>The clause relating to Key Sites (WLEP 2013 clause 7.11) will not extend beyond five years from the making of WLEP 2013. As such, this clause will not apply to development applications lodged after 23 December 2018. This approach is consistent with the current provision under WLEP 2013. The clause may be removed from the CCLEP if finalised after 23 December 2018.</p>

Issue 5: Inequitable outcomes

Principle 5 – Retention; Principle 6 – Clarification; Principle 7 – New Requirements

Justification	Action/Recommendation
<p>The E2 zone is proposed to apply to the most environmentally valuable land and significant restrictions on development will be applied.</p> <p>Dwelling houses, Home occupations and Bed and breakfast accommodation are proposed to be prohibited within E2 Environmental Conservation zone under the CCLEP.</p> <p>This will create an inequitable outcome for the former Gosford LGA where dwelling houses are permissible in the E2 zone under the <i>GLEP 2014</i>. As such, dwelling houses should be permitted on the land in former Gosford LGA where this zone applies. This should also apply to those deferred lands that are being rezoned to E2 and currently have a dwelling entitlement. Any provision that permits a dwelling, home occupation or bed and breakfast accommodation will not apply to land that does not have a dwelling entitlement immediately before the making of the CCLEP e.g. COSS lands currently zoned 6A Open Space Recreation and proposed to be zoned E2.</p> <p>A Central Coast wide environmental land review will be undertaken to inform the Comprehensive CCLEP project. This will adopt a consistent methodology across the region to better align the application of the E2 zone.</p> <p>A local clause could be utilised to deal with this matter. The proposed local clause is an appropriate interim measure until the relevant body of work can be undertaken and implemented.</p>	<p>It is recommended that a new local provision be included in Part 7 of the CCLEP that will apply to the former Gosford LGA only. This clause will permit dwelling houses, home occupations and bed and breakfast accommodation with development consent on land within the E2 Environmental Conservation zone that has a dwelling entitlement immediately prior to the commencement of the proposed CCLEP. This should be considered an interim approach until an LGA wide Environmental Lands Review is undertaken.</p> <p>A new map is to be prepared that identifies the land this clause applies to i.e. the former Gosford LGA.</p>

CCLEP - Part 8 Additional Local Provisions – Gosford City Centre

Parts 8 of Gosford Local Environmental Plan 2014 (*GLEP 2014*) was repealed on 12 October 2018 by *State Environmental Planning Policy (Gosford City Centre) 2018*. As such there is no Part 8 proposed within the consolidated Central Coast Local Environmental Plan (CCLEP).

CCLEP Schedule 1 - Additional Permitted Uses

Schedule 1 of the Central Coast Local Environmental Plan (CCLEP) will identify land within the Central Coast Local Government Area (LGA), which has additional development entitlements beyond those specified in the land use tables. This Schedule will apply to Clause 2.5 (Additional permitted uses for particular land) of the CCLEP.

Key Principles

Key principles were developed to assess Schedule 1 of *Gosford Local Environmental Plan 2014 (GLEP 2014)*. These principles are outlined below:

Principle 1 - Consistency

Consistency with the *Standard Instrument (Local Environmental Plans) Order 2006 (SILEP)*, and any settled Model Provisions or Clauses prepared by the Department of Planning and Environment (DP&E)

Principle 2 – Retention

Retain additional permissible uses, which would otherwise be an inequitable outcome for land holders across the Central Coast LGA.

Principle 3 – Clarification

Correct provisions which have been inadequately drafted during the preparation of either *GLEP 2014* or which require amendment to clarify the intent of the clause.

Principle 4 – New requirements

Identify the need for new clauses to address issues raised through the consolidation process.

Key Issues

- *GLEP 2014* and *WLEP 2013* were prepared in the SI LEP format, which achieves Principle 1.
- The majority of items listed in Schedule 1 – Additional Permitted Uses of *WLEP 2013* and *GLEP 2014* are to be retained in accordance with Principle 2.
- A consistent approach to the identification, naming and mapping of each item is required. It is proposed that the items numbers are replaced by reference to the land legal title (i.e. Lot and DP description), the street address and a general name for the site (e.g. this clause applies to land being Lot 1 DP603830, identified as “355 Ruttleys Road”).
- The tables below identify where Principles 3 and 4 are proposed to apply to the existing provisions of *GLEP 2014* and *WLEP 2013*.
- For clarity, if a zone, land use or objective of either *GLEP 2014* or *WLEP 2013* is not included within the tables below, it is proposed to be incorporated into the CCLEP in its current form.

Table 36: Explanation of Schedule 1 - Additional Permitted Uses Amendments

Additional Permitted Uses	
Issue 1: Drafting errors	
<i>Relevant Principle: Principle 3 - Clarification</i>	
Justification	Action/Recommendation
<p>This issue relates to APU Item No. 5 of <i>WLEP 2013</i>.</p> <p>The clause was drafted incorrectly during its transition from <i>Wyang Local Environmental Plan 1991 (WLEP 1991)</i> to <i>WLEP 2013</i>.</p> <p>The current wording enables 75% of the subject site to be developed for permanent residential accommodation without the need to be associated with a managed resort facility. This is not the intent of the original APU.</p>	<p>Retain the APU subject to being reworded to reflect the intent of <i>WLEP 1991</i>.</p>
Issue 2: Inequitable outcomes	
<i>Relevant Principle: Principle 2 – Retention; Principle 3 – Clarification; Principle 4 – New Requirements</i>	
Justification	Action/Recommendation
<p>It is proposed to prohibit Caravan Parks in the E4 Environmental Living zone under the CCLEP. There are currently 2 Caravan parks in the former Gosford LGA zoned E4. To ensure that the land use permissibility is retained and prevent inequitable outcomes for the landowners of these sites it is recommended that the two sites be included in Schedule 1 Additional Permitted Uses. These two sites are identified in attachment 04 – Mapping attached to this proposal.</p>	<p>It is recommended that the CCLEP apply an APU to permit caravan parks with consent, to those sites where an approved caravan park or manufactured home estate is located and the land is zoned E4 Environmental living in the former Gosford LGA.</p>
<p>Lot 241 DP 237227, 47 Carolina Park Road is currently identified in Schedule 1 of <i>GLEP 2014</i> and is to be retained and labelled to clearly distinguish between other identified caravan parks.</p>	<p>Amend the “Caravan Park” label for Lot 241 DP 237227 to “47 Carolina Park Road” to distinguish between other identified caravan parks.</p>

CCLEP Schedule 2 - Exempt Development

Schedule 2 of the Central Coast Local Environmental Plan (CCLEP) will identify exempt development, which may be undertaken without consent. This Schedule will apply to Clause 3.1 (Exempt development) of the CCLEP.

Key Principles

Key principles were developed to assess Schedule 2 of *Gosford Local Environmental Plan 2014 (GLEP 2014)* and *Wyong Local Environmental Plan 2013 (WLEP 2013)*. These principles are outlined below:

Principle 1 - Consistency

Consistency with the *Standard Instrument (Local Environmental Plans) Order 2006 (SILEP)* and *State Environmental Planning Policy (SEPP) (Exempt and Complying Development Codes), 2008*, and the *Local Government Act, 1993*

Principle 2 – Retention

Retain exempt development, which is minor in nature

Key Issues

- *WLEP 2013* does not specify additional exempt development. *GLEP 2014* contains a number of exempt developments which are in addition to those provided for by SEPP (Exempt and Complying Development Codes), 2008.
- *GLEP 2014* and *WLEP 2013* were prepared in the SI LEP format, which achieves Principle 1.
- The majority of items listed in Schedule 2 – Exempt Development of *GLEP 2014* are proposed to be retained in accordance with Principle 2.
- The tables below identify where exempt developments are proposed to be removed in accordance with Principle 1.
- For clarity, if a zone, land use or objective of either *GLEP 2014* or *WLEP 2013* is not included within the tables below, it is proposed to be incorporated into the CCLEP in its current form.
- It is likely that during the instrument drafting, amendments to the clause and subclause numbering (including in clause referral numbering) will be required.

Table 37: Explanation of Schedule 2 – Exempt Development Amendments

Exempt Development	
Issue 1: Drafting errors	
Relevant Principle: Principle 1 - Consistency	
Justification	Action/Recommendation
<p>This issue relates exempt development for the purposes of Recreation facilities (indoor, major or outdoor), Outdoor lighting and Solid fuel heaters as provided for by <i>GLEP 2014</i>.</p> <p>Recreation facilities (indoor, major or outdoor) apply to both public and private land. The extent of the development enabled by this clause is not considered minor in nature and not consistent with the intent of exempt development.</p> <p>Outdoor lighting is identified as exempt development under the provisions of subclause 39 of <i>State Environmental Planning Policy (SEPP) (Exempt and Complying Development Codes) 2008</i>.</p> <p>Solid fuel heaters require consent under Section 68 of the <i>Local Government Act, 1993</i> so cannot be exempt development.</p>	<p>The CCLEP should remove Recreation facilities (indoor, major or outdoor), Outdoor lighting and Solid fuel heaters from Schedule 2.</p>

CCLEP Schedule 3 - Complying Development

Schedule 3 of the Central Coast Local Environmental Plan (CCLEP) will identify development, which may be undertaken as complying development. This Schedule will apply to Clause 3.2 (Complying development) of the CCLEP.

Key Principles

Key principles were developed to assess Schedule 3 of *Gosford Local Environmental Plan 2014 (GLEP 2014)* and *Wyong Local Environmental Plan 2013 (WLEP 2013)*. These principles are outlined below:

Principle 1 - Consistency

Consistency with the *Standard Instrument (Local Environmental Plans) Order 2006 (SILEP)* and SEPP (Exempt and Complying Development Codes), 2008, and the *Local Government Act, 1993*

Principle 2 – Retention

Retain complying development, which is minor in nature

Key Issues

- Neither *GLEP 2014* nor *WLEP 2013* specifies complying development within Schedule 3 Complying Development.

CCLEP Schedule 4 - Classifications and Reclassification of Public Land

Schedule 4 of the Central Coast Local Environmental Plan (CCLEP) will identify any public land, which is proposed to be reclassified in accordance with the Provisions of the *Local Government Act, 1993*. This Schedule will apply to Clause 5.2 (Classification and reclassification of land) of the CCLEP.

Key Principles

Key principles were developed to assess Schedule 4 of *Gosford Local Environmental Plan 2014 (GLEP 2014)* and *Wyong Local Environmental Plan 2013 (WLEP 2013)*. These principles are outlined below:

Principle 1 - Consistency

Consistency with the *Standard Instrument (Local Environmental Plans) Order 2006 (SILEP)* and the *Local Government Act, 1993*

Principle 2 – Avoid Reclassifications

The scope of the CCLEP does not include the reclassification of land.

Key Issues

- The land identified within Schedule 4 of *GLEP 2014* and *WLEP 2013* was reclassified in accordance with the provisions of the *Environmental Planning and Assessment (EP&A) Act, 1979* and the *Local Government Act, 1993* at the time of the gazettal/notification of the respective plans. This satisfied Principle 1.
- The land identified in these schedules will retain this classification status in accordance with Principle 1. The CCLEP will not be required to include any land within Schedule 4 unless additional land is proposed to be reclassified.
- In accordance with Principle 2, no land is proposed to be reclassified through the CCLEP. Reclassifications may be further considered during the preparation of a comprehensive CCLEP.

CCLEP Schedule 5 - Environmental Heritage

Schedule 5 of the Central Coast Local Environmental Plan (CCLEP) will identify heritage items, heritage conservation areas and archaeological sites. This Schedule will apply to Clause 5.10 (Heritage conservation) of the CCLEP.

Key Principles

Key principles were developed to assess Schedule 5 of *Gosford Local Environmental Plan 2014 (GLEP 2014)* and *Wyong Local Environmental Plan 2013 (WLEP 2013)*. These principles are outlined below:

Principle 1 - Consistency

Consistency with the *Standard Instrument (Local Environmental Plans) Order 2006 (SILEP)*

Principle 2 – Retention

Retain existing heritage items of both *GLEP 2014* and *WLEP 2013*.

Key Issues

- Schedule 5 of *GLEP 2014* and *WLEP 2013* were prepared in accordance with the SI LEP format, which achieves Principle 1.
- All listed Heritage Items, Heritage Conservation Areas and Archaeological Sites included in the *GLEP 2014*, *GPSO*, *IDO 122* and *WLEP 2013* are proposed to be retained within the CCLEP, except where these items have been demolished in accordance with a development consent or resolved by Council to be removed and Council's Heritage Advisor has supported removal of these items.
- It is likely that during the instrument drafting, amendments to the clause and subclause numbering (including in clause referral numbering) will be required.
- Identification of new Heritage Items, Heritage Conservation Areas and Archaeological Sites and review of those existing may be undertaken through the Comprehensive CCLEP process or separate Planning Proposal. This will also include a review of those items with significant interiors in accordance with the SILEP which states, "if any interior features are part of the heritage significance of a heritage item, these should also be described" in the listing. In reviewing the items included in Schedule 5, it was noted that there were some drafting errors, changes to property descriptions and sites that have been demolished, which require the schedule to be updated. The proposed amendments are outlined in the table below:

Table 38: Explanation of Schedule 5 – Environmental Heritage

Environmental Heritage					
Issue 1: Retention of all heritage items					
Relevant Principle: Principle 2 - Retention					
Justification			Action/Recommendation		
There are five items of heritage significance included in either GPSO or IDO 122 that are to be included in Schedule 5 of CCLEP. These items are to be transferred in the SILEP format.			Include the additional five heritage items from GPSO and IDO 122 in Schedule 5 as items 204 – 208 in SILEP format as outlined below:		
Suburb	Item name	Address	Property description	Significance	Proposed Item no
Erina	House "Laythams"	31 Portsmouth Road	Lot 116 DP 805652	local	204
Mount Elliot	Mount Elliot House	92 Toomeys Road	Lot 7 DP 833975	local	205
Niagara Park	Weir	30 Siletta Road	LOT 11 DP 17201	local	206
Saratoga	Veteran Hall Cemetery	63 Henderson Road	Lot 1 DP 572652	local	207
West Gosford	roadworks known as "Devils Elbow"	Debenham Road (previously Old Gosford Road)		local	208
Issue 2: Drafting error					
Relevant Principle: Principle 2 - Retention					
Justification			Action/Recommendation		
This issue relates to <i>GLEP 2014</i> Schedule 5 Part 1 Item Number 101. The address listed in the <i>GLEP 2014</i> is listed incorrectly as 1223 George Downes Drive; however, this should read 1709 George Downes Drive. The lot and DP remain unchanged.			Amend the listed address of <i>GLEP 2014</i> Schedule 5 Part 1 item 101 to: 1709 George Downes Drive		
This issue relates to <i>GLEP 2014</i> Schedule 5 Part 1 Item Number 200. The item name listed in the <i>GLEP 2014</i> is listed incorrectly and does not include mention of the Jetty, which forms part of the heritage item.			Amend the listed name of <i>GLEP 2014</i> Schedule 5 Part 1 item 200 to: Yattalunga Baths and Jetty		

<p>This issue relates to <i>WLEP 2013</i> Schedule 5 Part 1 Item Number I93 The Entrance Hotel. The address listed in the <i>WLEP 2013</i> is listed incorrectly as 71-78 The Entrance Road; however, this should read 71-87. The lot and DP remain unchanged.</p>	<p>Amend the listed address of <i>WLEP 2013</i> Schedule 5 Part 1 item I93 to: 71-87 The Entrance Road</p>
<p>This issue relates to <i>GLEP 2014</i> Schedule 5 Part 1 Item Number 6. Item number 6 states that the Davistown Baths are 'adjacent to Lot 7034, DP 1125784'; however, they are located on this lot and therefore the word adjacent to should be removed.</p>	<p>Amend the listed Property Description of <i>GLEP 2014</i> Schedule 5 Part 1 Item 6 to remove the words 'adjacent to'</p>
<p>This issue relates to Item number 176 lists the property description as "adjacent to Lot A DP 191003. This item is not adjacent to Lot A but part of this lot. The property Description should be amended to include this lot and lot where the bridge crosses the land which is Lot 100 DP 1184087. The address and mapping remain unchanged.</p>	<p>Amend the listed Property Description of <i>GLEP 2014</i> Schedule 5 Part 1 Item 176 to remove the words 'Adjacent to' and state: Lot A, DP 191003, Lot 100 DP 1184087</p>
<p>Item number 165 does not list a property description. This property is located on Terrigal Beach Shoreline on Lot 1 DP 1060783. The address and mapping remain unchanged</p>	<p>Amend the listed Property Description of <i>GLEP 2014</i> Schedule 5 Part 1 Item 165 to state: Lot 1 DP 1060783</p>
<p>Issue 3: Removal of items</p>	
<p><i>Relevant Principle: Principle 2 - Retention</i></p>	
<p>Justification</p>	<p>Action/Recommendation</p>
<p>The following items are listed in Schedule 5 Part 1 Heritage Items; however, these items have been demolished with consent and are recommended by Council's Heritage Advisor and Heritage Officer to be removed from the Schedule:</p> <ul style="list-style-type: none"> • <i>WLEP 2013</i> Item I1 Castle Rose • <i>GLEP 2014</i> Item 103 Post Office, shop and outbuilding (Pryor Brothers) 	<p>Remove Item I1 of <i>WLEP 2013</i> Schedule 5 and Item 103 of <i>GLEP 2014</i> Schedule 5.</p>

<p>This issue relates to <i>IDO 122 Schedule 2 Environmental heritage</i>, which lists <i>House, "Alpha", Lot 4, DP 382701, No 42 Palmers Lane, Bensville</i> as a heritage item. This item was to be removed during preparation of <i>GLEP 2014</i> following the resolution of the former Gosford City Council on 1 June 2010 to remove the property from the heritage list. As this resolution was made after the Draft Gosford LEP was exhibited, the matter was addressed in a report to Council on 31 May 2011 where all submissions were considered. At this meeting the former Gosford Council resolved:</p> <p>Amend Schedule 5 as follows:</p> <p><i>c) Delete Item 34 - House "Alpha", 42 Palmers Lane, Lot 4 DP 382701, Bensville</i></p> <p>Also at this meeting on 31 May 2011, Council resolved to defer all privately owned land zoned 7(a) Conservation and 7(c2) Scenic Protection located east of the Freeway. As such '42 Palmers Lane' was deferred from the <i>GLEP 2014</i> and was inadvertently retained in <i>IDO 122</i>.</p> <p>To rectify this anomaly it is not proposed to transfer '42 Palmers Lane' from Schedule 2 of <i>IDO 122</i> to Schedule 5 of the CCLEP.</p> <p>It should be noted that this item is currently subject to another Planning Proposal which seeks to remove this item from <i>IDO 122</i>. That planning proposal has been exhibited and is awaiting finalisation.</p>	<p>Do not include <i>IDO 122</i> Schedule 2 Heritage item <i>House, "Alpha", Lot 4, DP 382701, No 42 Palmers Lane, Bensville</i> in Schedule 5 of CCLEP.</p>
<p>Issue 4: Update of Property Description</p>	
<p><i>Relevant Principle: Principle 2 - Retention</i></p>	
<p>Justification</p>	<p>Action/Recommendation</p>

In some instances properties where heritage items and archaeological sites are located have been subdivided or consolidated and as such the property description may have changed. This requires an update to the listing in Schedule 5 of CCLEP to reflect the current property details.

This issue relates to *GLEP 2014* Schedule 5 Part 1 Items Number 2, 52, 78, 94, 93, 120, 123, 121, 122, 127, 119, 124, 125, 126, 129, 131, 191 and Part 3 Item numbers A18 and A20

Item number 2 Property Description is listed as Lot 3 DP 861482. This lot has been subdivided and as such the property description has changed and is now Lot 5 DP 1210421. The address and mapping remain unchanged.

Item number 52 lists the property description as being on Lot 371 DP 129586. This description is not current and should be listed as Lot 37 DP 755253 which is the current property description as per the certificate of title. The address and mapping remain unchanged

Item number 78 lists the property description as Lot 49 DP 302278. This should be listed as Lot 1 in the same DP. Lot 49 is not current. The address and mapping remain unchanged.

Item number 94 lists the property description as Lot 1 DP 252634. This property has been subdivided and the property description should be updated Lot 22 DP 1186526. The address and mapping remain unchanged.

Item number 93 lists the property description as Lot 1 DP 587129. This property has been subdivided and the property description should be updated Lot 21 DP 1186526. The address and mapping remain unchanged.

Amend the listed Property Description of *GLEP 2014* Schedule 5 Part 1 Item 2 to state:

Lot 5 DP 1210421

Amend the listed Property Description of *GLEP 2014* Schedule 5 Part 1 Item 52 to state:

Lot 37 DP 755253

Amend the listed Property Description of *GLEP 2014* Schedule 5 Part 1 Item 78 to state:

Lot 1 DP 302278

Amend the listed Property Description of *GLEP 2014* Schedule 5 Part 1 Item 94 to state:

Lot 22 DP 1186526

Amend the listed Property Description of *GLEP 2014* Schedule 5 Part 1 Item 93 to state:

Lot 21 DP 1186526.

Item number 120 lists the property description as Lot 13 DP 1126998. This property has been subdivided and the property description should be updated Lot 37 DP 270882. The address and mapping remain unchanged.

Item number 123 lists the property description as Lot 13 DP 1126998. This property has been subdivided and the property description should be updated Lots 37 and 38 DP 270882. The address and mapping remain unchanged.

Item numbers 121 and 122 lists the property description as Lot 13 DP 1126998. This property has been subdivided and the property description should be updated Lot 1 DP 270882. The address and mapping remain unchanged.

Item number 127 lists the property description as Lot 13 DP 1126998. This property has been subdivided and the property description should be updated to 'Adjacent to Lot 1 DP 270882'. The address and mapping remain unchanged.

Item number 119 lists the property description as Lot 13 DP 1126998. This property has been subdivided and the property description should be updated to Lot 15 DP 270882. The address and mapping remain unchanged.

Item numbers 124 and 125 lists the property descriptions as Lot 13 DP 1126998. This property has been subdivided and the property description should be updated to Lot 38 DP 270882. The address and mapping remain unchanged.

Amend the listed Property Description of *GLEP 2014* Schedule 5 Part 1 Item 120 to state:

Lot 37 DP 270882

Amend the listed Property Description of *GLEP 2014* Schedule 5 Part 1 Item 123 to state:

Lot 37 DP 270882, Lot 38 DP 270882

Amend the listed Property Description of *GLEP 2014* Schedule 5 Part 1 Item 121 and Item 122 to state:

Lot 1 DP 270882

Amend the listed Property Description of *GLEP 2014* Schedule 5 Part 1 Item 127 to state:

Adjacent to Lot 1 DP 270882

Amend the listed Property Description of *GLEP 2014* Schedule 5 Part 1 Item 119 to state:

Lot 15 DP 270882

Amend the listed Property Description of *GLEP 2014* Schedule 5 Part 1 Item 124 and 125 to state:

Lot 38 DP 270882

Item number 126 lists the property description as Lot 13 DP 1126998. This property has been subdivided and the property description should be updated Lots 37-38 DP 270882. The address and mapping remain unchanged.

Item number 129 lists the property description as Lots 1-3 DP 755227; Lot 7042, DP 1020641. The property description should be updated to remove Lots 1-3 DP 755227 as this DP was cancelled and not the current property description. The address and mapping remain unchanged.

Item number 131 lists the property description as Lot 5 DP 23839. This property has been consolidated with adjoining property and the property description is now Lot 58 DP 1247465. The address and mapping remain unchanged.

Item number 191 lists the property description as Lot 1 SP 39309. This property has been strata subdivided and the listing should apply to the entire site. The property description should be Lot 0 SP 39309. The address and mapping remain unchanged.

Item number A18 lists the property description as Part Lot 2, DP431999. This property was subject to a plan of subdivision and redefinition and the property description should be Lot 12 DP 1158746. The address and mapping remain unchanged.

Item number A20 lists the property description as Part Reserve 36775. This property was subject to Crown Land conversion and the property description should be Lot 7301 DP 1158002. The address and mapping remain unchanged.

Amend the listed Property Description of *GLEP 2014* Schedule 5 Part 1 Item 126 to state:

Lots 37-38 DP 270882

Amend the listed Property Description of *GLEP 2014* Schedule 5 Part 1 Item 129 to remove reference to:

Lots 1-3 DP 755227

Amend the listed Property Description of *GLEP 2014* Schedule 5 Part 1 Item 131 to state:

Lot 58 DP 1247465

Amend the listed Property Description of *GLEP 2014* Schedule 5 Part 1 Item 191 to state:

Lot 0, SP 39309

Amend the listed Property Description of *GLEP 2014* Schedule 5 Part 3 Item A18 to state:

Lot 12 DP 1158746

Amend the listed Property Description of *GLEP 2014* Schedule 5 Part 3 Item A20 to state:

Lot 7301 DP 1158002

2.2 Deferred Matters

During the preparation of the *Gosford Local Environmental Plan (GLEP 2014)*, a number of planning issues were raised by the public during public exhibition. This primarily related to non-residential uses on environmental lands east of the M1 Motorway.

On 31 May 2011 Council resolved to defer these lands from *GLEP 2014* for a period of up to five years from the date the *GLEP 2014* was adopted, until an assessment was carried out to appropriately zone these lands. The Department of Planning and Environment (DP&E) agreed to the deferral.

The study area is comprised of approximately 3,862 parcels of Deferred Matters (DM) zones, of which approximately 3,340 are privately owned and 522 are government owned. The DM lands consist of land under the *Gosford Planning Scheme Ordinance (GPSO)* and the *Interim Development Order 122 (IDO 122)*, specifically conservation and scenic protection lands east of the M1 Motorway. The majority of parcels within the study area are characterised by large lot rural residential, consisting of substantial high value ecological land including ecologically endangered vegetation, significant ridgeways and constrained land (e.g. flooding and steep slopes).



Figure 2 Study Area of the Environmental and Urban Edge Zone Review (as highlighted in yellow)

In order to resolve the deferred matters, in 2015 Council commenced the *Environmental and Urban Edge Zone Review* to align all DM zones to the most appropriate zone of the *Standard Instrument (Local Environmental Plans) Order 2006 (SILEP)*. The following objectives were adopted to develop a robust methodology through which to enable consideration of these lands:

- Retain high environmental value lands for protection and conservation.
- Contain urban sprawl to reduce land use conflicts in environmentally sensitive areas.
- Identify rural residential or equivalent lands to conserve environmental lifestyles.
- Promote urban development within town centres and transit corridors to encourage viable communities where services are prevalent and accessible.
- Review urban fringe lands to identify those areas with limited or no environmental value and which are within strategic locations with capacity for infrastructure.

The methodology incorporated recommendations from the Northern Councils E Zone Review Final Recommendations Report and the Planning Practice Note PN 09-002 Environment Protection Zones. An evidence-based approach was applied using an innovative multi-criteria evaluation (MCE) technique to allocate the lands into the most appropriate zone based on an agreed set of criteria. The methodology in full is detailed within the Attachments to this proposal.

The outcomes of this assessment has identified that predominantly, the SILEP zones proposed to apply to the DM lands comprised the following:

- E2 Environmental Conservation;
- E3 Environmental Management; and
- E4 Environmental Living.

The SP2 Infrastructure zone is proposed to apply to those lands that contain an existing school or infrastructure.

Some of the DM lands have been identified as having potential for future urban residential development subject to further site investigations being carried out. Land identified as such may have the capacity to provide for more consolidated residential housing on the urban fringe and provide a transition zone from urban centres to environmental and/or rural lands. Additional investigative studies (e.g. water and sewer, contamination, traffic etc.) would be required to be undertaken in order to support the rezoning of these sites for further residential development. The intention of the future investigation category is to signal those properties that have the opportunity to pursue a rezoning application based on the strategic zone review. Landowners of properties identified for further investigation will be able to lodge a planning proposal for rezoning their land. As part of the preparation of the Comprehensive CCLEP, Council may also carry out expert reports deemed necessary to support a planning proposal to amend the LEP to an urban zoning. In the interim, these DM properties have been zoned E4 Environmental Living.

For ease of display and analysis, the DM properties were grouped into eight (8) precincts across the former Gosford Local Government Area (LGA). A table list of each property and its zone conversion is provided within the Attachments, along with a spatial map showing the zone change. Detailed lot descriptions and mapping has been provided to the Department of Planning and Environment in a digital geodatabase. These zone changes have now been incorporated into the draft CCLEP mapping that will be accessible for Agency Consultation and public exhibition of the Planning Proposal.

2.3 Mapping

Central Coast Council, with the Department of Planning and Environment (DP&E), are investigating the use of digital mapping for Local Environmental Plans (LEPs). Council has entered into discussions with DP&E to act as a test case for digital mapping. As such Council seeks to prepare this Planning Proposal using digitally based mapping (no portable document files (pdf) maps will be prepared). This is considered to be in keeping with the move to digital technologies and will result in greater efficiencies, reduced costs and reduced timeframes for preparation and review.

Key Principles

The Key Principles adopted for the CCLEP Parts 1 –7 and the Schedules are proposed to be reflected in the CCLEP mapping layers.

Key Issues

- Map layers pertaining to zones, development standards (e.g. height of buildings and floor space ratios), additional local provisions etc. will be required to consolidate the existing provisions of both *Gosford Local Environmental Plan 2014 (GLEP 2014)* and *Wyong Local Environmental Plan 2013 (WLEP)*.
- Map layers for Foreshore Building Line, Lot Amalgamation, Urban Release Areas, Caravan Parks and Manufactured Home Estates, and Dwelling Density are not proposed to alter, excluding any changes required to ensure consistency with the drafting requirements for an SI LEP and application of the plan to the Central Coast Local Government Area (LGA).
- Where minor mapping anomalies have occurred under *GLEP 2014* or *WLEP 2013* these are proposed to be rectified to be consistent with the intent of previous Planning Proposals. Those lands that are proposed to be rezoned as the result of a mapping anomaly are identified in Attachment 04 Mapping.
- The table below identifies the proposed amendments to the map layers as a result of the CCLEP.

Table 38: Explanation of Mapping Amendments

Mapping	
Issue 1: Consolidation	
Relevant Principle: Consistency; Applicability	
Justification	Action/Recommendation
<p>Acid Sulphate Soils (ASS) Map</p> <p>Clause 7.1 Acid Sulfate Soils will be carried into the <i>Central Coast Local Environmental Plan (CCLEP)</i>. The mapping must apply to any land subject to the CCLEP, including that land which is currently deferred from <i>GLEP 2014</i> which is identified on the Acid Sulfate Soil Risk Maps held by Office of Environment and Heritage</p>	<p>Amend the Acid Sulfate Soils maps to include land currently identified as Deferred Matter under <i>GLEP 2014</i> that is Class 1, 2, 3, 4 or 5 Acid Sulfate Soils. Acid sulphate soils will be mapped to 500m from any Class 1, 2, 3 or 4 soils.</p>

<p>Additional Permitted Use (APU) Map</p> <p>The alignment of the provisions of <i>GLEP 2014</i> and <i>WLEP 2013</i> requires a consistent approach to the identification of APUs to be established. Item names are to be used to identify these sites on the APU Map. .</p> <p>Caravan parks are proposed to be prohibited in the E4 Environmental Living zone. Two sites have been identified in the existing E4 zone under <i>GLEP 2014</i> that are to be included in Schedule 1 Additional Permitted Uses. This will ensure retention of the development right for the purpose of caravan parks on these sites.</p> <p>Clause 7.8 of <i>GLEP 2014</i> identifies land in Terrigal and Picketts Valley, which is shown, on the APU map. This clause is proposed to be removed, as the land use, home business, is no longer a prohibited use in the R2 zone.</p>	<p>Sites are to be labelled on the APU map as per their item name shown in the Draft CCLEP.</p> <p>Amend the APU map to include the following sites:</p> <p>Avoca Beach Caravan Park - Lot 6 DP 826812</p> <p>Kincumber Nautical Village - Lot 1 DP 742084</p> <p>Amend the “Caravan Park” label for Lot 241 DP 237227 to “47 Carolina Park Road” to distinguish between other identified caravan parks.</p> <p>Amend the APU map to remove the land identified as ‘Kings Ridge’ on APU Map Sheet APU_017B.</p>
<p>Drinking Water Catchment Map (DWC)</p> <p>The drinking water catchment is mapped under <i>WLEP 2013</i> and requires inclusion of the Gosford drinking water catchment.</p>	<p>Map the former Gosford LGA drinking water catchments on the DWC Map.</p>

Height of Buildings (HOB) Map

The mapping amendments are required to be consistent with the approach proposed for development bonuses in relation to HOB.

All land within the former Gosford LGA as zoned R2 Low Density Residential has a maximum HOB of 8.5m. Development form is restricted on sloping site or where there are higher freeboard requirements. Removal of this HOB will reduce the need for variations to development standards.

Land zoned Environmental does not currently have a mapped height under the *WLEP 2013* which is consistent with many other LGA's. There are very few sites mapped as Environmental zones under the *GLEP 2014* at present with the majority of these lands having a maximum HOB of 8.5m. As part of this proposal, there are approximately 3800 lots proposed to be zoned to an Environmental zone and it is not intended to include these on the HOB Map. To ensure a consistent approach across the entire LGA it is proposed to remove the existing Environmentally zoned land with a HOB of 8.5m from the HOB map. This will affect approx. 1500 lots. The DCP provisions for relevant land uses provide provisions for height of buildings.

The HOB maps will require amendment to include all height bonuses currently shown on the development incentives map under *GLEP 2014* and as per the proposed amendments to *GLEP Clause 4.3* where the maximum HOB will be mapped, exclusive of bonuses.

Building height restrictions on land zoned R2 Low Density Residential excluding where this zone is located within a nominated Strategy area (e.g. The Entrance Town Centre) are to be removed.

Remove the properties zoned E2, E3 and E4 under the *GLEP 2014* with a mapped HOB of 8.5m from the HOB map.

<p>Floor Space Ratio (FSR) Map</p> <p>The mapping amendments are required to the FSR maps to be consistent with the approach proposed for development bonuses in relation to FSR as discussed in Part 2.</p> <p>'Areas' identified on the <i>WLEP 2013</i> FSR Map are to be identified by site name for ease of reference. Complex areas in the former Gosford LGA where bonuses may apply will be identified as 'Area 1' and 'Area 2' as identified in Clause 4.4A of the draft CCLEP.</p> <p>All land within the former Gosford LGA as zoned R2 Low Density Residential has a maximum FSR of 0.5:1. The provisions of Wyong DCP 2013 and the proposed Consolidated DCP regarding scale, setback and amenity provide adequate controls for dwelling house development. Removal of this FSR will reduce the need for variations to development standards.</p>	<p>FSR map layers will require amendment to include all FSR bonuses currently shown on the Development Incentives Map under <i>GLEP 2014</i> and as per the proposed amendments to <i>GLEP Clause 4.4</i> where the maximum FSR will be mapped, exclusive of bonuses.</p> <p>The maximum FSR shown on the FSR Map for the areas currently zoned R1 and mapped as 0.7:1 and 0.85:1 will be mapped at 0.5:1 on the CCLEP FSR Map.</p> <p>'Areas' in the former Wyong LGA will be identified by site name and complex area in the former Gosford LGA will be identified by 'Area 1' and 'Area 2'.</p> <p>Floor space ratio restrictions on land zoned R2 Low Density Residential are to be removed.</p>
<p>Heritage Items (HER) Map</p> <p>The CCLEP will combine all existing heritage items of Schedule 5 of <i>GLEP 2014</i> and <i>WLEP 2013</i> except where the item has been removed. Five items from <i>GPSO</i> and <i>IDO 122</i> will also be added to the <i>HER map</i>.</p>	<p>HER maps will be required to map all existing heritage items identified within Schedule 5 – Heritage Items of <i>WLEP 2013</i> and <i>GLEP 2014</i> with the exclusion of <i>WLEP2013 Schedule 5 Item 11 'Castle Rose'</i> and <i>GLEP 2014 Schedule 5 Item 103 'Post Office, shop and outbuilding (Pryor Brothers)'</i>. The five heritage items identified in Section 2.1 of this report from <i>GPSO</i> and <i>IDO 122</i> will also be included on the HER map. The map is to be consistent with any amendment to property details as outlined in Section 2.1 of this Proposal.</p>

<p>Key Sites (KYS) Map</p> <p>The CCLEP will combine all existing key sites of <i>GLEP 2014</i> and <i>WLEP 2013</i>. As the <i>GLEP 2014</i> Key Sites, Development Incentives Application (CL1) Map is proposed to be removed, <i>The Somersby Plan of Management Layer</i> on this map is to be shown on the Key Sites map.</p> <p>It is noted that Clause 7.13 of <i>WLEP 2013</i> is not proposed to be extended beyond the current date of application. As such this map may require amendment if the instrument is made after the 23 December 2018.</p>	<p>KYS maps will be required to map all sites identified within the Additional Local Provisions as Key Sites. Amend the KYS map to include the Somersby Plan of Management Layer currently on the CL1 map.</p>
<p>Key Sites, Development Incentives Application (CL1) Map</p> <p>All content is proposed to be included on the FSR and HOB maps to reflect the revised approach to development bonuses. The Somersby Plan of Management Layer on the CL1 map is to be shown on the Key Sites map.</p> <p>Land at 85-93 Karalta Road, Erina will be referenced by Lot/DP in the Local Provision, which removes the need for mapping of the site.</p>	<p>Remove the CL1 Map.</p>
<p>Land Application (LAP) Map</p> <p>The CCLEP will apply to the entire Central Coast LGA exclusive of Gosford City Centre.</p>	<p>The LAP map will require amendment to include all land within Central Coast LGA except for the land excluded by State Environmental Planning Policy (Gosford) 2018.</p>

<p>Land Reservation Acquisition (LRA) Map</p> <p>Nomenclature is required to be updated for consistency - not all local road acquisitions are for widening purposes.</p> <p>Roads and Maritime Service (RMS) have identified that Lot 12 DP 1174174 32A Central Coast Highway, West Gosford is now in RMS ownership and is no longer required for acquisition.</p>	<p>The LRA will require amendment to state "Local Road" and not "Local Road Widening" as shown on all <i>GLEP 2014</i> LRA maps</p> <p>Remove Lot 12 DP 1174174 from the LRA map.</p> <p>It was originally identified that this Planning Proposal would remove that land zoned SP2 within the Narara Road Corridor identified within the correspondence from the Roads and Maritime Service (RMS) attached to this proposal. The RMS has reconsidered their position in relation to this road corridor and has advised that the removal of these properties from the LRA map is no longer required. Further investigations will be undertaken by the RMS to determine future road corridors in this area. As such, amendment to the LRA map for this purpose no longer forms part of this proposal.</p>
<p>Land Zoning (LZN) Map</p> <p>The CCLEP seeks to incorporate all DM land and requires a zoning consistent with the <i>Standard Instrument Local Environmental Plan (SILEP)</i>.</p>	<p>The LZN map will require amendment to rezone the land identified as 'Deferred Matter' (DM) under the <i>GLEP 2014</i> in accordance with recommendations of <i>Environmental and Urban Edge Zone Review</i>. Minor mapping anomalies as identified in Attachment 04 Mapping will also be rectified on the draft CCLEP Mapping.</p>

<p>Lot Size (LSZ) Map</p> <p>Alignment of the provisions of <i>GLEP 2014</i> and <i>WLEP 2013</i> requires the adoption of standard minimum lot size provisions within the R2 Low Density Residential zone, E3 Environmental Management zones and E4 Environmental Living Zones.</p> <p>The <i>WLEP 2013</i> provisions are proposed to be adopted for the above mentioned zones. This excludes those R2 sites within the former Gosford LGA, which have a minimum lot size other than 550m² shown on the LSZ map i.e. 1850m². These lot sizes are appropriate to respond to the constraints of these sites.</p>	<p>The LSZ map will require amendment to:</p> <p>allocate a minimum lot size of 450m² to all land within the former Gosford LGA that is currently zoned R2 Low Density Residential and has a minimum lot size of 550m² under the <i>GLEP 2014</i>. This excludes any land which has a mapped minimum lot size of 1850m²</p> <p>allocate a minimum lot size of 20ha for all E3 Environmental Management zoned land in the former Gosford LGA</p> <p>Allocate a minimum lot size of 2ha for all E4 land in the former Gosford LGA.</p> <p>Amendment to lot size as a result of those changes required by NSW National Parks and Wildlife Service relating to National Parks boundaries will be incorporated into the draft CCLEP Lot Size Map. These amendments are outlined in Attachment 04 Mapping.</p>
<p>New Map</p> <p>It is the intent of Council to retain the dwelling rights of those property owners who currently own land zoned E2 or land that is deferred in the former Gosford LGA where dwelling houses are currently permitted, the land has a dwelling entitlement and is are proposed to be rezoned to E2. This new map will identify land that the proposed new Clause applies to and will result in the retention of dwelling entitlement as an interim measure until an LGA wide environmental lands review is undertaken.</p> <p>This option is considered superior to identifying the land on the Additional Permitted Use map, as with an APU map there is large room for error given the number of lots this would apply to and the possibility of removing dwelling entitlement or providing where it does not already exist. This new map would reduce the risk and easily identify the applicable land.</p>	<p>Prepare a new map that identifies the former Gosford LGA as an area. This map will relate to proposed Local Clause 7.22.</p>

Part 3 Justification

Section A – Need for the Planning Proposal

1. *Is the Planning Proposal a result of any Strategic Study or report?*

The Planning Proposal has been initiated as a result of an amalgamation between the former Wyong Shire Council and Gosford City Council on 12 May 2016.

The Department of Planning and Environment's (DP&E) '*Guidance for merged Councils on Planning Functions*' provides guidance to maintain efficient land use planning functions and recommends the harmonisation of local planning controls.

The creation of a new *Central Coast Local Environmental Plan (CCLEP)* will be achieved via a two-step process. The first step is a Consolidated CCLEP that will consolidate, simplify and align where possible the controls within the *Wyong Local Environmental Plan (WLEP 2013)*, *Gosford Local Environmental Plan 2014 (GLEP 2014)*, *Interim Development Order No 122 (IDO 122)*, and *Gosford Planning Scheme Ordinance (GPSO)* into a single environmental planning instrument (EPI).

The *Environmental and Urban Edge Zone Review* (the Review) commenced in 2015 following the Notification/Gazettal of *GLEP 2014*. The primary function of the Review is to transfer land remaining subject to the provisions of *IDO 122* and the *GPSO*. The Review (as detailed within the attachments) recommends appropriate zones under the *Standard Instrument Local Environmental Plan Order 2006 (SILEP)* to apply to the *GLEP 2014* deferred matter (DM) lands.

Following the making of the Consolidated CCLEP, Council will undertake a Comprehensive CCLEP that will further harmonise the controls taking into consideration Local Government Area (LGA) wide studies and investigations.

2. *Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

All the matters covered by the Planning Proposal relate to achieving a single environmental planning instrument (EPI) and as such are statutory issues under Part 3 of the *Environmental Planning and Assessment (EP&A) Act, 1979*.

In this regard, the Planning Proposal is the only mechanism for achieving the intended outcomes.

Section B – Relationship to strategic planning framework

3. Is the Planning Proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

Central Coast Regional Plan (2036)

An assessment of the proposal against the goals, directions and actions of the *Central Coast Regional Plan (CCRP) 2036* has been undertaken as detailed within the attachments. The assessment undertaken demonstrates that the proposal is able to assist or is consistent with the Directions of the CCRP.

Through the creation of a harmonised planning framework across the Central Coast, the proposal will provide greater certainty for new development as land use planning provisions across the region will be consistent.

The consolidation of land use planning controls will result in a broader range of land use permissibilities within the majority of zones. Further, the consolidation of controls will assist in meeting growth targets through the addition of appropriate land uses such as dual occupancy in low density residential areas and the reduction of lot sizes from 550m² to 450m² for R2 Low Density Residential land within the former Gosford Local Government Area.

The proposed rezoning of the Deferred Matters (DM) proposes an approach which has taken into consideration areas of high environmental value, wildlife corridors, significant vegetation and threatened species, Aboriginal heritage, and environmental considerations including steep slopes, acid sulfate soils, flooding and bushfire. Additionally, the *Urban and Environmental Edge Zone Review* has had regard for the Direction 23.1 of the CCRP, which is directly relevant to rural residential development. The recommendations stemming from the review will align conservation and scenic protection zones with environmental zones, providing for rural residential opportunities in the former Gosford local government area. There are limited opportunities and areas suitable for this form of development within the study area.

The rezoning of land proposed by the Review have considered the implications of permissible and prohibited uses, particularly on existing uses before recommending zones. Uses permissible in certain zones that will have an adverse effect on surrounding water catchments have been minimised through certain environmental zone recommendations.

North Wyong Shire Structure Plan

The *North Wyong Shire Structure Plan (NWSSP)* identifies where and when development is planned to occur and ensures sufficient land exists to meet regional housing and employment targets. It reinforces the *Central Coast Regional Plan (CCRP) 2036*.

Rezoning of land within the NWSSP area is not proposed as part of the Consolidated Central Coast Local Environmental Plan (CCLEP).

4. Is the Planning Proposal consistent with the local Council's local strategy or other local strategic plan?

Wyong Settlement Strategy 2013

Wyong Shire Council's Settlement Strategy (WSSS) was exhibited with draft *Wyong Local Environmental Plan 2013 (WLEP 2013)* and came into force with the adoption of *WLEP 2013* in December 2013.

The WSSS examines population growth and demographic change over the next 25 years and plans for employment opportunities, needed infrastructure and utilities, transport improvements and future land use.

The WSSS includes several considerations and objectives that are relevant to this proposal including:

- Protect and reinforce the existing hierarchy of commercial and retail centres
- Higher density residential development to be located around the commercial core of Centres
- Increase the provision of locally based jobs

It is considered that this proposal meets the above objectives.

Draft Gosford Land Use Strategy 2031, Draft Gosford Centres Strategy 2008 and Draft Gosford Residential Strategy 2008

The *Draft Gosford Land Use Strategy 2031* was informed by the *Draft Gosford Centres Strategy 2008* and *Draft Gosford Residential Strategy 2008* and utilised as a strategic plan to provide the foundation for the preparation and implementation of *Gosford Local Environmental Plan 2014 (GLEP 2014)*.

The primary aim of the *Gosford Land Use Strategy 2031* was to implement strategic land use directions from the community's *Gosford Vision 2025* and statutory obligations such as the (then) *Central Coast Regional Strategy 2031*.

The provisions of these draft plans remain relevant and applicable for those aspects of *GLEP 2014* that are proposed to be incorporated within the Consolidated Central Coast Local Environmental Plan (CCLEP).

Central Coast Community Strategic Plan – One Central Coast

The Central Coast Community Strategic Plan (CSP) "*One – Central Coast*" defines the community's vision and roadmap for the future. The plan, prepared with extensive community input, establishes themes and focus areas which set key directions and priorities for the sustainable growth of the Central Coast.

An assessment of the Planning Proposal against the themes and objectives of the CSP has been undertaken, as attached to this proposal. The Planning Proposal supports the themes of the CSP.

5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The proposal has been considered against relevant State Environmental Planning Policies (SEPP) and State Regional Planning Policies (SREP) as contained within the Attachments (Attachment 1 - Assessment and Endorsement) to this proposal. The following policies have been considered:

- SEPP 19 – Bushland in Urban Areas
- SEPP 55 – Remediation of Land
- SEPP 62 – Sustainable Aquaculture
- SEPP 65 – Design Quality of Residential Apartment Development
- SEPP (Infrastructure) 2007
- SEPP (Coastal Management) 2018
- SEPP (Educational Establishments and Childcare Facilities) 2017
- SEPP (Gosford City Centre) 2018
- SEPP (Vegetation in Non-Rural Areas) 2017
- SREP 8 – Central Coast Plateau Areas
- SREP 9 – Extractive Industry
- SREP 20 – Hawkesbury-Nepean River

The proposal is consistent with the relevant provisions.

6. Is the Planning Proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

The proposal has been considered against the relevant Ministerial Section 9.1 Directions as summarised below. The full assessment of these Directions is contained within the Attachments (Attachment 1 - Assessment and Endorsement) to this proposal.

Table 39: S.9.1 Ministerial Direction Compliance

No.	Direction	Applicable	Consistent
Employment & Resources			
1.1	Business & Industrial Zones	Y	Y
1.2	Rural Zones	Y	Y
1.3	Mining, Petroleum Production and Extractive Industries	Y	Y
1.4	Oyster Aquaculture	Y	Y
1.5	Rural Lands	N	N/A
Environment & Heritage			
2.1	Environmental Protection Zones	Y	Y*
2.2	Coastal Management	Y	Y

No.	Direction	Applicable	Consistent
2.3	Heritage Conservation	Y	Y
2.4	Recreation Vehicle Areas	Y	Y
2.5	Application of E2 & E3 Zones and Environmental Overlays in the Far North Coast LEPS	N	N/A
Housing, Infrastructure & Urban Development			
3.1	Residential Zones	Y	Y
3.2	Caravan Parks and Manufactured Home Estates	Y	N*
3.3	Home Occupations	Y	N*
3.4	Integrating Land Use & Transport	Y	Y
3.5	Development Near Regulated Airports and Defence Airfields	Y	N*
3.6	Shooting Ranges	Y	Y
Hazard & Risk			
4.1	Acid Sulfate Soils	Y	Y
4.2	Mine Subsidence and Unstable Land	Y	Y
4.3	Flood Prone Land	Y	Y
4.4	Planning for Bushfire Protection	Y	Y
Regional Planning			
5.1	Implementation of Regional Strategies	N	N/A
5.2	Sydney Drinking Water Catchments	N	N/A
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	N	N/A
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	N	N/A
5.9	North West Rail Link Corridor Strategy	N	N/A
5.10	Implementation of Regional Plans	Y	Y
Local Plan Making			

No.	Direction	Applicable	Consistent
6.1	Approval and Referral Requirements	Y	Y
6.2	Reserving Land for Public Purposes	Y	Y
6.3	Site Specific Provisions	N	N/A
Metropolitan Planning			
7.1	Implementation of A Plan for Growing Sydney	N	N/A
7.2	Implementation of Greater Macarthur Land Release Investigation	N	N/A
7.3	Parramatta Road Corridor Urban Transformation Strategy	N	N/A
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N	N/A
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Plan	N	N/A
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N	N/A
7.7	Implementation of Glenfield to Macarthur Urban Renewal Corridor	N	N/A
7.8	Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	N	N/A
7.9	Implementation of Bayside West Precincts 2036 Plan	N	N/A
7.10	Implementation of Planning Principles for the Cooks Cove Principles	N	N/A

Notes:

N*: *The inconsistency is considered to be of minor significance*

Section C – Environmental, Social and Economic Impact

7. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

The Planning Proposal provides an opportunity to consolidate four separate planning controls. The alignment of these controls with the *Standard Instrument Local Environmental Plan (SILEP)* requires the rezoning of certain land in the former Gosford LGA. This land is subject to *Interim Development Order No. 122 (IDO 122)* and *Gosford Planning Scheme Ordinance (GPSO)* and is identified as "Deferred Matters" (DM) under *Gosford Local Environmental Plan 2014 (GLEP 2014)*.

Zonings applicable under *Wyong Local Environmental Plan 2013 (WLEP 2013)* are not proposed to be altered through the Consolidated Central Coast Local Environmental Plan (CCLEP) unless there has been a minor anomaly noted in Attachment 04 Mapping.

The analysis of the *GLEP 2014* DM lands for transition into the *SILEP* zoning was undertaken through *Environmental and Urban Edge Zone Review*. The methodology and outcomes of this review are attached to this proposal and have been incorporated in the CCLEP Land Zone Map.

The following objectives were adopted to develop a robust methodology through which to enable consideration of these lands:

- Retain high environmental value lands for protection and conservation.
- Contain urban sprawl to reduce land use conflicts in environmentally sensitive areas.
- Identify rural residential or equivalent lands to conserve environmental lifestyles.
- Promote urban development within town centres and transit corridors to encourage viable communities where services are prevalent and accessible.
- Review urban fringe lands to identify those areas with limited or no environmental value and which are within strategic locations with capacity for infrastructure.

The outcomes of this assessment has identified that predominantly, the *SILEP* zones proposed to apply to the DM lands comprised the following:

- E2 Environmental Conservation;
- E3 Environmental Management; and
- E4 Environmental Living.

All DM land has been individually investigated to align with the most appropriate environmental zone of the *SILEP*.

The E zones are considered comparable zones to the *IDO 122* zones and therefore there will be no adverse impacts on critical habitat or threatened species. Furthermore, significant ecological criteria were a key consideration in land suitable for application of an E zone in the Review of DM lands.

The E2 Environmental Conservation zone is intended to protect land that has high conservation values and prevent development that could destroy, damage or adversely affect its value. The use of this zone needs to be justified by appropriate evaluation of the area in terms of high ecological, scientific, cultural or aesthetic attributes. An additional map has been prepared that shows the COSS lands overlaid with the E2 zone and is attached to this planning proposal.

The E3 Environmental Management zone is to be applied to land that has special ecological, scientific, cultural or aesthetic attributes, or land highly constrained by geotechnical or other hazards, which need to be managed. This zone may provide for limited development in a transition zone between areas of high conservation value and other more intensive land uses.

The E4 Environmental Living zone is intended for land with special environmental or scenic values and accommodates low impact residential development and urban support uses which do not adversely affect environmental areas. The Northern Councils E Zone Review recommended that the E4 zone be applied to land which may include already zoned land for rural residential that have higher conservation values. This zone intends to safeguard rural residential lifestyles and environmental amenity.

The application of the above zones aims to minimise further subdivision of environmentally sensitive land, which reduces the potential for major loss of vegetation through clearing for dwellings and bushfire control. Any development occurring in these localities will also be subject to development controls, which will be applied at Development Assessment stage.

Further, and in order to preserve the integrity of the E2 Environmental Conservation zone as it applies within the former Wyong Local Government Area (LGA), the permissibility of land uses within this zone within the CCLEP will remain relatively restrictive. Until such time as an LGA-wide environmental lands review can be undertaken to inform a Comprehensive CCLEP, dwelling houses, bed and breakfast accommodation and home occupations are proposed to be permissible with consent in the E2 zone within the former Gosford LGA, where a dwelling entitlement exists prior to the making of the CCLEP. This will be reflected in a proposed local provision and new map. If included in the final CCLEP a notation is proposed to be included on the relevant Section 149(2) Certificates.

8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Bushfire

Much of the Central Coast Local Government Area (LGA) is categorised as being bushfire prone vegetation or located within bushfire buffer areas.

The Consolidated Central Coast Local Environmental Plan (CCLEP) proposes to retain *Clause 5.11 Bushfire hazard reduction* as contained within *Gosford Local Environmental Plan 2014 (GLEP 2014)* and *Wyong Local Environmental Plan 2013 (WLEP 2013)*.

The *Environmental and Urban Edge Zone Review* considered bushfire risk as part of the assessment of the *GLEP 2014 "Deferred Matters"* (DM) land. Areas of land which were not already proposed to be zoned E2 Environmental Conservation or E3 Environmental Management zone through the presence of other features (e.g. critical habitat for threatened species, riparian corridors etc.) were further subjected to analysis of environmental hazards including bushfire. Those areas identified as being significantly affected by bushfire risk were not considered further for application of less restrictive zoning (e.g. E4 Environmental Living)

Natural Resources

The Central Coast LGA has a vastness of natural resources. The plateaus and valleys west of the M1 Pacific Motorway comprise high quality agricultural soils, as well as being the source of the drinking water supply for the entire Central Coast and supplementary water supply for the Hunter Valley. The

same area also contains mineral and extractive resources in the form of sand, sandstone, coal and coal seam gas, as well as in some instances being utilised for State Forestry operation. Areas within the north of the LGA also contain important gravel, clay and coal resources.

The majority of land within these localities has been zoned during the preparation of *GLEP 2014* and *WLEP 2013*. These zonings, predominantly being the rural, environmental and infrastructure zones are not proposed to be altered through the implementation of the consolidated CCLEP.

Some of the *GLEP 2014* DM lands are located within these localities and have been considered through the *Environmental and Urban Edge Zone Review*. This primarily related to Precinct 6, *The Mountains Precinct*. The Multi-Criteria Evaluation (MCE) has recommended the majority of land within this precinct to be rezoned to E2 Environmental Conservation, having regard for the steep slope and vegetated qualities of the land. A smaller number of parcels near Patonga are recommended to be rezoned to E3 Environmental Management. Having regard for the current 7(a) Conservation zoning under *Interim Development Order No. 122 (IDO 122)*, the proposed zoning does not reflect a substantial landscape change.

Around the Mooney Mooney area, the MCE identified that there are a small number of parcels, which have limited site constraints, which may be appropriate for a future E4 Environmental Living zoning.

The provisions of SREP 8 – Central Coast Plateau Areas and SREP 9 – Extractive Industry prevail in the event of any inconsistency in land use permissibilities within their area of affectation. Therefore, the ability for future resource extraction, where covered by the SREPs, is not affected by the zoning proposed by this Planning Proposal.

Aboriginal and European Cultural Heritage Items

Excluding the land subject to the *Environmental and Urban Edge Zone Review*, the consolidated CCLEP does not seek to rezone any land, therefore impacts on existing items of heritage significance are considered minimal.

The CCLEP seeks to retain all heritage items listed within *GLEP 2014*, *GPSO*, *IDO 122* and *WLEP 2013*, unless specified in Part 2 of this Proposal. The itemisation or listing number of the respective heritage items within both existing instruments may require amendment to reflect current mapping standards and/or requirements of the Department of Planning and Environment (DP&E).

The provisions in relation to management and development of heritage items as provided within *Clause 5.10 Heritage conservation* of both *GLEP 2014* and *WLEP 2013* are proposed to be retained and transferred into the consolidated CCLEP.

The *Environmental and Urban Edge Zone Review* considered culturally significant lands and sites of Aboriginal Heritage Significance as part of the assessment of the *GLEP 2014* DM land. Areas where such items were likely or known to be present within the DM areas is proposed to be zoned E2 Environmental Conservation. The E2 Environmental Conservation zone is the most restrictive zone in terms of development potential, which will assist in protecting items of heritage significance.

The Review had regard for sites of Aboriginal heritage as an environmental criterion in land suitable for E zones. This is in accordance with the Planning Practice Note 09-002 and recommendations of the Draft Northern Councils E zone Review – Interim Report that was the prevailing document at the time of the Review.

Contaminated Land and Acid Sulfate Soils

Generally, the CCLEP will not rezone land, excluding that subject to the *Environmental and Urban Edge Zone Review*, which considered the *GLEP 2014* DM lands.

Clause 7.1 Acid Sulfate Soils as contained within both *GLEP 2014* and *WLEP 2013* is proposed to be retained within the CCLEP, as is the associated map layer.

The *Environmental and Urban Edge Zone Review* has had regard for the provisions of *State Environmental Planning Policy (SEPP) 55 – Remediation of Land* and Acid Sulfate Soils mapping during the MCE of land subject to the review.

Areas of land which were not already proposed to be zoned E2 Environmental Conservation or E3 Environmental Management zone through the presence of other features (e.g. critical habitat for threatened species, riparian corridors etc.) were further subjected to analysis of hazards including acid sulfate soils and contaminated land. Those areas identified as being subject to these risks were not considered further for application of less restrictive zoning (e.g. E4 Environmental Living).

The preparation of the CCLEP will require the augmentation of the *GLEP 2014* Acid Sulfate Soils map layer to apply to those areas, which are currently subject to the provisions of the *IDO 122* or *Gosford Planning Scheme Ordinance (GPSO)*.

Flooding and Drainage

The Central Coast LGA has an extensive network of waterways, lakes and coastal systems, which contribute to the natural character of the locality. These systems also present risks through flooding. The CCLEP seeks to preserve the integrity of these systems and protect existing and future development from flooding risks associated with these systems.

The CCLEP seeks to retain provisions of *GLEP 2014* and *WLEP 2013* in relation to Flood Planning, including retention of *Clause 7.2 Flood Planning*.

The provisions of *Clause 7.3 Floodplain risk management* are also proposed to be retained, subject to minor modification as detailed in Part 2 of this Proposal. The amendments proposed include the removal of an obsolete reference within *GLEP 2014* to the 1:100 Annual Recurrence Interval (ARI). The amendments further combine the land uses of both *GLEP 2014* and *WLEP 2013* to which the clause applies.

Generally, the CCLEP will not rezone land, excluding that subject to the *Environmental and Urban Edge Zone Review*, which considered the *GLEP 2014* DM lands. In identifying suitable zonings for the DM land, the *Review* has considered the likely impacts of flooding and extent of riparian areas and associated buffers on the subject land.

The Multi Criteria Evaluation (MCE) technique adopted criterion, which sought to protect wetlands, water sources, waterways and riparian vegetation in determining land, which should be subject to an E2 Environmental Conservation or E3 Environmental Management zoning. Further, land which is subject to flooding (during the 1% Annual Exceedance Probability Event (AEP) and/or the Probable Maximum Flood (PMF)) is proposed to be zoned as E3 Environmental Management.

Adoption of the above approach for the DM land ensures that further land use intensification where significant flooding risks are present, or where the land incorporates riparian corridors or buffer land, does not occur.

Mine Subsidence

Much of the northern area of the CC LGA is located within the gazetted Mandalong, Hue Hue, Wyong, and Swansea and The Entrance Mine Subsidence Districts. Land use zonings within these localities are not proposed to alter through the implementation of the consolidated CCLEP.

Some minor amendments are proposed to the land use tables applicable to the zones within these areas, however these amendments are considered to be compatible with the existing zone objectives. Further, any development for the purposes enabled through the additional land uses would be required to obtain development consent. Referrals under the provisions relating to integrated development would apply in such instances, and further consultation would be required with Subsidence Advisory NSW.

9. Has the Planning Proposal adequately addressed any social and economic impacts?

Social Issues

The Planning Proposal provides an opportunity to consolidate the four current local planning instruments applicable within the Central Coast LGA to reduce the number of documents to one single local environmental Plan. This will help to provide greater certainty to landowners, resolve any errors and align controls and land uses where possible.

The intention is to retain the development right of landowners where there is currently a dwelling right and the use is considered appropriate.

Economic Impacts

The *Central Coast Local Environmental Plan (CCLEP)* encompasses land, which is zoned for development purposes, including business, industrial and residential zones.

The CCLEP will align the objectives and land use permissibilities between *Gosford Local Environmental Plan 2014 (GLEP 2014)* and *Wyong Local Environmental Plan 2013 (WLEP 2013)* across all zones. This will create a harmonised planning framework across the Central Coast, promoting greater certainty for new development.

The CCLEP will generally adopt the lot size mapping approach of *WLEP 2013* for land within the R2 Low Density Residential Zone, being a minimum lot size of 450m². This will potentially improve the ability for additional infill housing development within the former Gosford Local Government Area (LGA).

Note: Any R2 Low Density Residential land within the GLEP 2014 area which currently has a minimum lot size of 1850m² is proposed to be retained as relevant site constraints (e.g. steep land) are considered prohibitive to further intensified land uses.

The CCLEP does not seek to alter the zoning or minimum lot sizes of land which is currently zoned for primary production, rural landscape or rural village purposes. The retention of these standards is considered essential to provide certainty for agricultural land uses which contribute significantly to the

economy of the Central Coast. A number of additional permissible uses are proposed for inclusion however. These are considered to be ancillary or complementary to the objectives of these zones.

Further structure and master planning, including the northern and southern growth corridors and the preparation of a Comprehensive CCLEP will further enhance development and economic opportunities on the Central Coast.

Section D – State and Commonwealth Interests

10. Is there adequate public infrastructure for the Planning Proposal?

The CCLEP is primarily a consolidation of the existing provisions of *Gosford Local Environmental Plan 2014 (GLEP 2014)* and *Wyong Local Environmental Plan 2013 (WLEP 2013)*. The implementation of the *Central Coast Local Environmental Plan (CCLEP)* is not expected to alter the infrastructure requirements for the Central Coast.

Where land rezoning is proposed through the *Environmental and Urban Edge Zone Review*, consideration has been given to the availability of public (and private) infrastructure availability as detailed in the methodology attached to this proposal. Intensification of land uses is unlikely to be a significant outcome of the lands to which the review applied.

The CCLEP is primarily a consolidation of the existing provisions of *Gosford Local Environmental Plan 2014 (GLEP 2014)* and *Wyong Local Environmental Plan 2013 (WLEP 2013)*. In order to consolidate existing provisions, the CCLEP will rezone "deferred matters" to an appropriate Standard Instrument Zone. It also seeks to reduce the minimum lot size of land zoned R2 in the former Gosford Local Government Area (LGA) which has an existing minimum lot size of 550m² to 450m².

Where land rezoning is proposed through the *Environmental and Urban Edge Zone Review*, consideration has been given to the availability of public (and private) infrastructure as detailed in the methodology attached to this proposal. Intensification of land uses is unlikely to be a significant outcome of the lands to which the review applied.

In relation to the reduction in lot size to land zoned R2 in form Gosford LGS a strategic assessment, based on the desktop mapping and preliminary infrastructure investigations, has been undertaken to:

1. Establish the potential number of additional lots that could be created through the implementation of a 450m² minimum lot size, and
2. Understand the effects any additional lots (and the associated population) will have on the available supply of infrastructure, in terms of open space provision, water and sewerage infrastructure as well as roads and drainage infrastructure

This assessment has identified that as a result of the reduced minimum lot size; approximately 1140 parcels of land will have the potential for subdivision to create one additional allotment of land which the current lot size provisions (i.e. 550m²) do not enable.

A map indicating the potential areas of affectation is provided below.

In terms of infrastructure impacts, the strategic assessment has indicated the following:

Open Space and Recreation

Analysis indicates that there is currently an oversupply of passive open space areas (parks, playgrounds etc.) within the former Gosford LGA, based on demands generated by the current (2016) population. In relation to active open space (sportsgrounds, skate parks, BMX tracks, hard court facilities, pools and leisure centres etc.); there are existing deficits in supply to cater for existing population demands.

The impact associated with the population created by the additional subdivision potential enabled by the CCLEP is relatively minor (a possible 7% increase to the current active open space deficit). The additional population enabled by the CCLEP will not result in a deficit of passive open space areas.

In order to address the current deficits in active open space provision, Council is in the process of preparing a Central Coast Recreation Open Space Plan.

Water Infrastructure

In relation to water supply infrastructure, analysis was undertaken to determine any customer supply points that would not comply with minimum pressure requirements, or mains that exceeded standard head pressure loss and velocity requirements.

The analysis indicates that most of the water supply network did not show any significant performance difference arising from the additional demands generated by the additional lot potential.

Sewerage Infrastructure

The analysis of sewerage infrastructure identified that the sewer network has some deficiencies in some service catchments. Notwithstanding this, analysis indicates that the additional loads generated by the additional lot potential would not introduce significant performance deterioration in any of the catchments. Further, analysis also indicates that there is no clear nexus between the scale of additional potential lots within a catchment and the requirement to augment capacities.

Council is undertaking a prioritised upgrade of its sewerage network in line with performance targets set within relevant Environmental Protection Licences to meet the needs of existing and future customers.

Additionally, Water and Sewerage Developer charges are collected as part of new developments (via Water and Sewerage Development Servicing Plans) and are used to fund the required capacity upgrades to service new development. These programs are guided by the outcomes of hydraulic modelling investigations and monitoring of network performance.

Roads Infrastructure

The location of additional lot potential is geographically widespread; therefore analysis indicated that in most localities, the impact of additional traffic would have a limited impact on existing road networks.

In relation to existing road infrastructure condition, analysis indicates that increased traffic loading associated with additional lot potential would have a minor impact on accelerating asset deterioration and maintenance requirements.

Council is in the process of preparing a Bike Plan and Pedestrian Mobility Plan that will improve the provision of bike paths, footpaths and shared paths in priority areas across the entire LGA. Further, Council is reviewing its Construction Priority System to expand its application from the former Gosford LGA to the entire Central Coast LGA.

Drainage Infrastructure

Assessment has determined that increased development associated with the reduction in minimum lot size will result in only a minor reduction in the capacity of existing drainage systems. The impacts associated with the additional potential development will be able to be further determined and offset as part of the development process by ensuring appropriate stormwater controls and on-site detention measures are incorporated into future development.

The strategic infrastructure assessment has been based on the immediate take up of the subdivision opportunity by those parcels determined to have subdivision potential. This has been a conservative measure to determine the full extent of impacts if this were to occur. However, there are a number of factors involved which would see that subdivision potential would not be immediately taken up by those parcels which may have subdivision potential. Other site specific constraints including vegetation cover and quality may prove to be prohibitive to further subdivision. Additionally, existing dwelling location and siting, and/or desires of current owners to subdivide are factors which would impact on the number of lots (and subsequent additional population) that could be generated by a reduction in the minimum lot size provision. These considerations also impact on the likely timing for further subdivision, therefore impacts would not all be immediately felt.

Therefore, whilst some infrastructure impacts have been identified through this assessment, these impacts could be considered lessened by virtue of the above considerations.

Merits based assessment of the development will require consideration of Clause 7.9 Essential Services and Part 6 Urban Release Areas, both of which are proposed to be incorporated within the CCLEP. Additionally, merits based assessment relating to infrastructure will also be required to have consideration of relevant controls as contained within the applicable Development Control Plan (DCP).

The impacts of the adoption of a smaller minimum lot size within the R2 zone is therefore considered minor in nature.

Further more extensive amendments to land zonings through the Comprehensive CCLEP will require greater consideration of the public infrastructure impacts.

11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?

Consultation with relevant state government agencies and stakeholder groups as required by the Gateway Determination has been ongoing since December 2017 until May 2018.

Those agencies consulted, and the trigger or reason for their consultation is listed in the table below. The table also identifies whether the agency objected to the progression of the planning proposal or provided further matters to be considered within the proposal.

A summary of the matters raised is provided within the Supporting Documentation - *Agency Responses* in addition to the responses in full.

Table 40: Agency Consultation

Agency	Consultation Trigger/Reason	Response
Commonwealth Department of Environment	<i>Environmental Protection (Biodiversity Conservation), Act, 1999</i>	No response
Civil Aviation Safety Authority	Section 9.1 Direction 3.5 Development near Licenced Aerodromes (note: Central Coast Airport is not a licenced aerodrome) Gateway Condition	No objection
Darkinjung Local Aboriginal Land Council	Section 9.1 Direction 2.3 Heritage Conservation Environmental and Urban Edge Zone Review Gateway Condition	Additional recommendations provided (refer to Supporting Documentation - <i>Agency Responses</i>)
Department of Industry (Crown Lands)	Environmental and Urban Edge Zone Review	Additional recommendations provided (refer to Supporting Documentation - <i>Agency Responses</i>)
Department of Industry (Water)	Environmental and Urban Edge Zone Review	No objection
Department of Planning and Environment	Section 9.1 Direction 4.1 Acid Sulfate Soils Section 9.1 Direction 5.10 Implementation of Regional Plans Section 9.1 Direction 6.2 Reserving Land for Public Purposes Environmental and Urban Edge Zone Review	No objection

Agency	Consultation Trigger/Reason	Response
Department of Primary Industries (Agriculture)	Section 9.1 Direction 1.2 Rural Zones SREP 8 – Central Coast Plateau Areas Environmental and Urban Edge Zone Review Gateway Condition	Additional recommendations provided (refer to Supporting Documentation - <i>Agency Responses</i>)
Department of Primary Industries (Fisheries)	Section 9.1 Direction 1.4 Oyster Aquaculture SEPP 62 – Sustainable Aquaculture SREP 20 – Hawkesbury-Nepean River Environmental and Urban Edge Zone Review	Additional recommendations provided (refer to Supporting Documentation - <i>Agency Responses</i>)
Forestry Corporation of NSW	Environmental and Urban Edge Zone Review	Additional recommendations provided (refer to Supporting Documentation - <i>Agency Responses</i>)
Guringai Tribal Link Aboriginal Land Council	Section 9.1 Direction 2.3 Heritage Conservation Environmental and Urban Edge Zone Review Gateway Condition	No response
Local Land Services	Environmental and Urban Edge Zone Review	No response
National Parks and Wildlife Services	Section 9.1 Direction 2.2 Coastal Protection Environmental and Urban Edge Zone Review	Additional recommendations provided (refer to Supporting Documentation - <i>Agency Responses</i>)
Office of Environment & Heritage (OEH)	Section 9.1 Direction 2.1 Environment Protection Zones Section 9.1 Direction 2.2 Coastal Protection Section 9.1 Direction 4.3. Flood Prone Land Environmental and Urban Edge Zone Review Gateway Condition	Additional recommendations provided (refer to Supporting Documentation - <i>Agency Responses</i>)

Agency	Consultation Trigger/Reason	Response
Office of Environment & Heritage (OEH - Heritage)	Section 9.1 Direction 2.3 Heritage Conservation	No objection
Resources and Geosciences	Section 9.1 Directions 1.3 Mining, Petroleum Production and Extractive Industries Gateway Condition	Additional recommendations provided (refer to Supporting Documentation - <i>Agency Responses</i>)
Roads and Maritime Services	Environmental and Urban Edge Zone Review Land Reservation Acquisition Mapping amendments Gateway Condition	Additional recommendations provided (refer to Supporting Documentation - <i>Agency Responses</i>)
Rural Fire Service	Section 9.1 Direction 4.4 Planning for Bushfire Protection Gateway Condition	No objection
Subsidence Advisory NSW	Section 9.1 Directions 1.3 Mining, Petroleum Production and Extractive Industries Section 9.1 Direction 4.2 Mine Subsidence & Unstable Land Gateway Condition	No objection
Transport for NSW	Section 9.1 Direction 3.4 Integrating Land Use and Transport Gateway Condition	No objection

* NOTE: Section 3.25 of the EP&A Act requires the RPA to consult with the Director-General (Secretary) of the Department of Environment, Climate Change and Water (OEH) if, in the opinion of the RPA, critical habitat or threatened species, populations or ecological communities, or their habitats may be adversely affected by the proposed instrument.

- The consultation is to commence after a Gateway Determination is issued unless the Regulations specify otherwise.
- The period for consultation is 21 days unless agreed differently between the RPA & the DG or by the Regulations.

Part 4 Mapping

Central Coast Council is investigating with the Department of Planning and Environment (DP&E) the possibility of acting as a test case for digital mapping. As such it is proposed that all mapping for this proposal will be digitally based and no portable document files (pdf) maps will be prepared.

Amendments to mapping are outlined as amendments to the map layers as opposed to utilising the map tile referencing currently utilised by *Gosford Local Environmental Plan 2014 (GLEP 2014)* and *Wyong Local Environmental Plan 2013 (WLEP 2013)*.

The maps in the following table are proposed to be retained and/or amended and have been prepared post-Gateway Determination as part of the digital mapping pilot project. It is proposed that the *GLEP 2014* CL1 'Key Sites Map, Development Incentives Application Map' not be carried over into the Consolidated Central Coast Local Environmental Plan (CCLEP) for the reasons outlined in Part 2. A new map is also proposed to identify land in the former Gosford LGA where a new local clause is proposed to retain dwelling entitlements on E2 land.

The draft CCLEP instrument and associated mapping prepared for the exhibition of this planning proposal is current as at the commencement of exhibition. Any amendment made to *WLEP 2013*, *GLEP 2014*, IDO 122 or GPSO after this date will be incorporated following exhibition and prior to finalisation of the Consolidated Central Coast LEP.

Table 41: Existing and Proposed Provisions

Map	Map Title
A.	Land Application Plan (LAP)
B.	Acid Sulfate Soils Map (ASS)
C.	Additional Permitted Uses Map (APU)
D.	Drinking Water Catchment Map (DWC)
E.	Floor Space Ratio Map (FSR)
F.	Foreshore Building Line Map (FBL)
G.	Height of Building Map (HOB)
H.	Heritage Map (HER)
I.	Key Site Map (KYS)
J.	Land Reservation Acquisition Map (LRA)
K.	Land Zoning Map (LZN) <i>Note: A snapshot of the zone conversions proposed for the eight (8) DM precincts is provided within the Mapping Attachments.</i>
L.	Lot Amalgamation Map (LAM) – yet to be drafted

Map	Map Title
M.	Lot Size Map (LSZ)
N.	Urban Release Area Map (URA)
O.	Manufactured Home Estates Map (CL2)
P.	Dwelling Opportunities Map (DWE) (New Map)
Q.	Dwelling Density Map (DWD)

Part 5 Community Consultation

The consultation undertaken to date in relation to the *Environmental and Urban Edge Zone Review* is provided in full within the report methodology attached to this proposal. In summary, the consultation undertaken during the initiation and progression of the project comprised the following consultation activities to date:

<i>Quarter 4 2015 – Quarter 1 2016</i>	<i>Quarter 2 2016 – Quarter 4 2016</i>	<i>Quarter 1-2 2017</i>
<ul style="list-style-type: none">- Key stakeholder workshops- State government briefings- Council staff updates on the study- Building and launch <i>Have Your Say</i> online collaboration portal- Environmental Committee input	<ul style="list-style-type: none">Letter to landowners informing of study process- <i>Have Your Say</i> activity- Brochure- Surveys- Interactive mapping- Q & A- Discussion Forum- One-on-one meetings and special interest groups- Council staff updates- Dedicated contact line	<ul style="list-style-type: none">- <i>Have Your Say</i> activity- Interactive mapping- Discussion Forum- Special interest group sessions- Community information sessions- State Government briefings- Council staff update- Dedicated contact line

Agency consultation has been undertaken, following receipt of a Gateway Determination to proceed with the proposal.

The Consolidated Central Coast Local Environmental Plan (CCLEP) is proposed to be made available for **ten weeks** for community/agency consultation and be undertaken in accordance with any determinations made by the Gateway. It is noted that the Gateway Determination requires the planning proposal be made publicly available for a minimum period of 28 days.

The proposal does not seek to reclassify any land. In this regard, it is not proposed to hold Public Hearings.

It is expected that the proposal will be made available at the following locations:

- Wyong Office (2 Hely Street, Wyong) and Gosford Office (49 Mann Street, Gosford);
- Selected Libraries across the Central Coast
- Council's website: <http://www.haveyoursaycentralcoast.com.au/>

Part 6 Project Timeline

Table 42: Key Project Timeframes

Action	Period	Start Date	End Date
Anticipated commencement date (date of Gateway Determination)	6 months	31 March 2017	October 2017
Anticipated timeframe for the completion of required technical information	6 weeks	October 2017	November 2017
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	2.5 months	December 2017	April 2018
Commencement and completion dates for public exhibition	Min. 28 days (10 weeks proposed)	December 2018	February 2018
Dates for public hearing (if required)	N/A	N/A	N/A
Timeframe for consideration of submissions	6 weeks	March 2019	April 2019
Timeframe for consideration of a proposal post exhibition	6 weeks	April 2019	June 2019
Date of submission to the Department to finalise LEP	3 weeks	June 2019	July 2019
Anticipated date plan is made by Minister	5 weeks	July 2019	August 2019
Anticipated date RPA will forward to the Department for notification	4 weeks	September 2019	October 2019

Supporting Documentation

Table 43: Supporting Documentation

No.	Document
01 Assessment and Endorsement	
A.	Council Report and Minutes – 23 November 2016
B.	Gateway Determination – 16 October 2017
C.	Gateway Extension – 29 November 2018
D.	Central Coast Regional Plan 2036 Assessment
E.	State Environmental Planning Policy and Sydney Regional Environmental Plan Assessment
F.	Section 9.1 Ministerial Direction Assessment
G.	Central Coast Community Strategic Plan Assessment
02 Land Use Provisions	
A.	Land Use Considerations
B.	Summary of Land Use Amendments
C.	Land Use Matrix Comparison Tables
03 Agency Responses	
A.	Civil Aviation Safety Authority
B.	Darkinjung Local Aboriginal Land Council
C.	Department of Industry (Crown Lands)
D.	Department of Industry (Water)
E.	Department of Planning and Environment
F.	Department of Primary Industries (Agriculture)
G.	Department of Primary Industries (Fisheries)
H.	Forestry Corporation of NSW
I.	National Parks and Wildlife Service
J.	Office of Environment and Heritage
K.	Office of Environment and Heritage (Heritage Branch)
L.	Resources & Geoscience, Geological Survey of NSW

No.	Document
M.	Roads and Maritime Services
N.	Rural Fire Service
O.	Subsidence Advisory NSW
P.	Transport for NSW
04 Mapping	
A.	Environmental and Urban Edge Zone Review Mapping Conversions
B.	Caravan Parks and Manufactured Home Estates in E4 Zone
C.	Anomalous Mapping Amendments Summary
D.	COSS and E2 Environmental Conservation Zone Overlay
05 Supporting Studies	
A.	Environmental and Urban Edge Zone Review Report
B.	Deferred Matters Property Listing and Proposed Zoning