

Fact Sheet

Draft Central Coast Local Environmental Plan

Central
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Council

Environmental & Urban Edge Zone Review

What is a Deferred Matter?

Deferred Matters are lands that are excluded from the *Gosford Local Environmental Plan 2014* (GLEP 2014).

When GLEP 2014 came into effect it was considered appropriate to defer the imposition of new planning controls for certain areas of the former Gosford Local Government Area (LGA). This exclusion enabled further assessment of these lands into the most appropriate zoning.

A number of Council's land use planning zones were not compatible with the Standard Instrument zones prescribed by the NSW State Government. These new zones were required to be integrated into GLEP 2014.

Approximately 4,000 private and Government-owned land parcels containing environmental values were deferred from the GLEP 2014 for a period of up to five years until a detailed assessment could be undertaken to align them with the Standard Instrument zones. The lands within these areas are known as Deferred Matter lands.

All Deferred Matter lands remain subject to *Interim Development Order 122 - Gosford* (IDO 122) or *Gosford Planning Scheme Ordinance* (GPSO), until the Central Coast Local Environmental Plan (CCLEP) is made.

Where are the Deferred Matters?

The Deferred Matter lands are located east of the M1 Pacific Motorway and are contained within the former Gosford local government area. These lands are identified on the *Gosford Local Environmental Plan* (GLEP 2014) Land Application Map as Deferred Matters.

How many Deferred Matters are there?

There are approximately 4,000 Deferred Matter lands, including both privately-owned and government-owned parcels.

What is the Environmental and Urban Edge Zone Review?

The Environmental and Urban Edge Zone Review (the Review) is the study undertaken by Council to resolve all Deferred Matter land parcels and assign a Standard Instrument zone as directed by the Department of Planning and Environment.

The Review was guided by the Northern Councils E Zone Review and Planning Practice Note PN 09-002 Environmental Protection.

The Review used an evidence-based approach to evaluate existing zones and Standard Instrument zones with the Deferred Matter land parcels.

An individual parcel analysis was then carried out on each Deferred Matter land parcel. This analysis was performed in a spatial mapping platform to include consideration of environmental constraints, availability of infrastructure and adjoining landscapes. Proposed zonings were recommended based on the Standard Instrument for inclusion into the Central Coast Local Environmental Plan Planning Proposal.



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The objectives for this review are:

- 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; and
- Promote urban development within town centres and transit corridors to encourage viable communities where services are prevalent and accessible.

The evidence-based approach has been applied to promote optimal land use outcomes that reflect the above objectives.

Why do we need the Environmental and Urban Edge Zone Review?

Council resolved on 28 July 2015 to prioritise the review of land zoned 7(c2) Conservation and Scenic Protection (Scenic Protection – Rural Small Holdings) as part of the Urban Edge Study to determine the appropriate zoning of these lands. The appropriate zoning of these lands were required to be completed before the expiration period of five years as directed by the NSW Department of Planning.

The Environmental and Urban Edge Zone Review broadened its focus from 7(c2) Conservation and Scenic Protection (Scenic Protection – Rural Small Holdings) zoned land to include all Conservation and Scenic Protection zones, as well as all matters deferred from the *Gosford Local Environmental Plan 2014* (GLEP 2014).

The Deferred Matters also includes land zoned Open Space and Recreation comprising Community Land, Crown Land and existing/proposed Coastal Open Space System (COSS) Land. Incorporating these lands within the scope of the Environmental and Urban Edge Zone Review supports Action 12.4 of the NSW Government's Central Coast Regional Plan 2036. This action requires Council to strengthen the COSS by expanding its links and new corridors across the Region.

Direction 22.2 of the Central Coast Regional Plan 2036 (CCRP 2036) requires Council to review fringe urban zonings to identify areas suitable for urban development. The plan acknowledges there may be pockets of land available on the urban fringe that are suitable for development. Investigations will identify areas that can be efficiently serviced and avoid development in areas with high environmental values and hazards.

This review provides certainty for landowners by transferring all the Deferred Matter land parcels to a Standard Instrument zone as part of the CCLEP. Direction 22.2 matters will be examined in more detail and across the Central Coast as per to the Comprehensive Central Coast Local Environmental Plan.



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What is COSS land?

Created in 1984, the Coastal Open Space System (COSS) is unique to the former Gosford Local Government Area (LGA). It consists of over 70 natural reserves managed by Council as well as private land identified in the COSS Strategy 2010.

COSS lands are set aside for plants, animals, nature-based recreation and to preserve bushland character of the Central Coast. The COSS includes woodland ridges, rainforests, steep cliffs, wetlands, creeks and protects Aboriginal heritage. COSS provides a backdrop to urban areas and ensures residents live in the vicinity of the natural environment.

The IDO 122 has allowed for additional subdivision of land zoned 7(c2) Conservation and Scenic Protection (Scenic Protection – Rural Small Holdings). Funding for COSS has come from the collection of developer contributions and land dedication from the bonus lot subdivision provisions. The bonus lot provision under IDO 122 has enabled landowners of 7(c2) Conservation and Scenic Protection (Scenic Protection – Rural Small Holdings) zoned land that is greater than 2 hectares, to subdivide to 1 hectare lots. The funds collected have allowed Council to acquire land identified with high environmental conservation value for inclusion in the network of the COSS reserves.

The Environmental and Urban Edge Zone Review recommends all COSS land be zoned E2 Environmental Conservation. This zone is applied to land with high ecological, scientific, cultural or aesthetic values, outside national parks and nature reserves. The zone provides the highest level of protection, management and restoration available to Council for the COSS land.

Despite numerous requests by the former Gosford City Council and Central Coast Council an E5 Public Conservation zone was not supported by the NSW Department of Planning and Environment into the Standard Instrument

The Central Coast Regional Plan directs Council to strengthen the COSS by expanding its links and extending new corridors to balance growth in the north of the region and protect the network of natural areas across the regions. In line with this Direction, Council is undertaking investigations to expand the COSS and the funding mechanisms for the purchase of additional lands will be further investigated as part of the Comprehensive Local Environmental Plan project.

For further information the COSS Strategy 2010 can be found [here](#).

What are the Environmental zones (E zones)?

The Environment Protection Zones, E1 through to E4, are applied where the protection of the environmental significance of the land is the primary consideration. Their importance for visitation, tourism and job creation should also be considered.

The NSW State Government Environmental Zones include:

E1 National Parks and Nature Reserves – this zone is for existing national parks, nature reserves and conservation areas and new areas proposed for reservation that have been identified and agreed by the NSW Government.

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E2 Environmental Conservation – this zone is for areas with high ecological, scientific, cultural or aesthetic values outside national parks and nature reserves. The zone provides the highest level of protection, management and restoration for such lands whilst allowing uses compatible with those values.

As part of the multi-criteria evaluation methodology, Council has relied upon overlays of high ecological conservation values including threatened species, riparian vegetation, wildlife corridors and regionally significant native vegetation.

E3 Environmental Management – this zone is for land where there are special ecological, scientific, cultural or aesthetic attributes or environmental hazards/processes that require careful consideration/management and for uses compatible with these values.

As part of the multi-criteria evaluation methodology, Council has relied upon overlays of lands that are environmentally constrained and require consideration of landslip (steep slope), flood affected or low conservation value lands.

E4 Environmental Living – this zone is for land with special environmental or scenic values, and accommodates low impact residential development.

As part of the multi-criteria evaluation methodology, Council has incorporated lands that are rural residential in character adjoining existing low-impact residential zones.

What are the proposed land uses for the E zones?

The proposed land uses for the environment protection zones are outlined within the Draft Land Use Matrix that supports the CCLEP.

What are the minimum lot sizes of the E zones?

As part of the amalgamation, the Local Environmental Plans for Gosford and Wyong require consolidation into the draft CCLEP. The existing and proposed minimum lot sizes for the E zones are outlined below:

Minimum Lot Size

Zone	Gosford LEP 2014	Wyong LEP 2013	Consolidated Draft Central Coast LEP
E2 Environmental Conservation	40 ha	40 ha	40 ha
E3 Environmental Management	2 ha	20 ha	20 ha
E4 Environmental Living	4 ha	2 ha	2 ha

Any resulting lot created from a subdivision must meet the minimum lot size shown above. The CCLEP will not carry over the bonus lot subdivision provisions from Clause 18(4) of IDO 122 which applies to the 7(c2) Conservation and Scenic Protection (Scenic Protection – Rural Small Holdings) zone. Council will investigate alternate provisions and funding mechanisms for the COSS lands as part of the future Comprehensive Local Environmental Plan project.

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Why can't I have a residential zone?

The objectives and scope of the Environmental and Urban Edge Zone Review was to align all 'deferred matters' land to an appropriate Standard Instrument zone.

Direction 22.2 of the NSW Government's Central Coast Regional Plan 2036 requires Council to review fringe urban zonings to identify areas suitable for urban development. The plan acknowledges there may be pockets of land available on the urban fringe that are suitable for development.

Council will identify strategic locations on the urban fringe where residential intensification may be appropriate as a part of Council's future Comprehensive Local Environmental Plan project. Investigation for additional supply of residential lands was outside the scope of the Environmental and Urban Edge Zone Review.

What is a split zone?

A split zone is where different land zones apply to a single allotment. Split zones can distinguish areas of high environmental value on the land from areas of low environmental value land such as residential and open space.

What if my existing use is not permitted?

Any approved use that is no longer permitted, can continue to operate under the existing use right provisions of s. 4.65 – 4.70 of the *Environmental Planning and Assessment Act 1979*(EP&A Act).

What if I lodge a development application before the Central Coast Local Environmental Plan is adopted?

The draft CCLEP includes a clause for savings provision relating to development applications.

If a development application has been made before the commencement of the consolidated CCLEP and the application has not been finally determined, the application must be determined as if the consolidated CCLEP had not commenced.

What is the project timeline?

The zonings determined by the Environmental and Urban Edge Review are being implemented through the CCLEP Planning Proposal process. This process is set by the NSW State Government and more information on this process can be found at [DPE Gateway process](#).

Quick Links:

<https://www.yourvoiceourcoast.com/Currently-on-Exhibition>

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