

## Summary of Amendments (Post-Exhibition)

The following tables summarise and discuss the amendments proposed to be made to the consolidated Central Coast Local Environmental Plan (CCLEP) and Central Coast Development Control Plan (CCDCP) having regard for the consideration of submissions received during the agency and public exhibition processes.

*Table 1 Proposed CCLEP Amendments and Discussion Post-exhibition*

LEP Amendments	Discussion
Lands currently identified as Deferred Matters under <i>Gosford Local Environmental Plan 2014</i> (GLEP 2014) to maintain their current land use zoning provisions and be removed from CCLEP mapping.	Submissions and further review have identified issues with the methodology used to establish the proposed zoning of Deferred Matters land.
Retention of the current zoning of land under GLEP 2014 for those parcels identified to be rezoned in the exhibited planning proposal to be consistent with the adjacent Deferred Matters proposed land use zoning.	Some land currently under GLEP 2014 located adjacent to the Deferred Matters lands were proposed to be rezoned in line with the methodology used to establish the proposed zoning of Deferred Matters land and should retain the current zoning.
Height of building map currently applying to the R2 Low Density Residential zone under GLEP 2014 will be retained and included as a mapping layer for the CCLEP.	In response to submissions and agreed to in consultation with Council in September 2019.
Lot 1 DP 394499 No. 27 Althorp Street, East Gosford be zoned R1 General Residential.	Clearly evident that the zoning of RE1 was an error and the R1 zone is supported by the previous GLEP 2014 Planning Proposal and exhibited Land Zone Map.
The minimum lot size map applying to the R2 Low Density Residential zone under GLEP 2014 will be retained (where mapped at 550m <sup>2</sup> ) and included as a mapping layer for the CCLEP.	In response to submissions and agreed to in consultation with Council June 2020.
Residential flat buildings, multi dwelling housing and serviced apartments be prohibited in the B6 Enterprise Corridor zone and Serviced apartments be prohibited in the B7 Business Park zone.	Removal of land uses that detract from and conflict with the zone objectives. Further detail in the main body of the 9 December Report – Item 10 under response to public submissions.

LEP Amendments	Discussion
<p>Clause 7.14 be amended to ensure that the total gross floor area able to be used for shop top housing remains at 50% of the total gross floor area of that part of the building used only for shop top housing and ground floor business or retail premises.</p>	<p>Amend to clarify that the total gross floor area able to be used for shop top housing remains at 50% of the total gross floor area of that part of the building used only for shop top housing and ground floor business or retail premises.</p> <p>Considered in the main body of the 9 December Report – see Item 11 under response to public submissions.</p>
<p>Clause 7.22 and relevant map layer be amended to apply only to land currently zoned E2 Environmental Conservation under the GLEP 2014.</p>	<p>To clarify that the dwelling entitlement only applies to those lands currently zoned E2 under the GLEP 2014 where a dwelling entitlement currently exists.</p>
<p>CCLEP Schedule 5 Item Number 173 'Kendalls Glen Memorial' be retitled "'Kendalls Glen" reserve, rock and memorial'.</p>	<p>Amends anomaly - Draft CCLEP Schedule 5 Item Number 173 identifies 'Kendalls Glen Memorial' but does not include the reserve and rock.</p> <p>Considered in the main body of the 9 December Report --see Item 15 under response to public submissions</p>
<p>Include in Schedule 5 as an item of state heritage significance and show on the Heritage Conservation Map 'Calga Aboriginal Cultural Landscape' situated on Lot 1 DP 1006218; Part Lot 40 DP 1087374; Part Lot 45 DP 1197008; Part Lot 108 DP 755221; Lot 1 DP 805358; Part Lot 2 DP 805358; Part Lot 235 DP 822125 as per the listing on the State Heritage Register.</p>	<p>Inclusion of item of State Significance in Schedule 5 consistent with the listing on the State Heritage Register and in response to agency submission. Considered in the main body of the 9 December Report -refer to agency consultation</p>
<p>Additional Permitted Use to be included in Schedule 1 of CCLEP and shown on the Additional Permitted Use Map Layer to permit the following land uses on Lot 204 DP 747845; Lot 205 DP 747845; Lot 20 DP 859538; and Lot 21 DP 859538: Camping grounds; Caravan parks; Pubs; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Restaurants or cafes; Tourist and visitor accommodation</p>	<p>No environmental impact – retaining current permissible uses.</p> <p>Considered in the main body of the 9 December Report – see Item 17 under response to public submissions</p>
<p>Clause 4.2A (3)(e) to be amended to include provision for minor realignment of</p>	<p>Inclusion of subclause 3(e) that was erroneously excluded from draft provision</p>

LEP Amendments	Discussion
boundaries as per current clause in WLEP 2013.	when exhibited as per explanation in 9 March Council Report see Item 18 under response to public submissions.
Amendment to include WLEP 2013 Clause 4.1B (4A) Development consent may be granted to the subdivision of land on which a dual occupancy had been lawfully erected to create 2 lots of a size that is less than the minimum size shown on the Lot Size Map in relation to that land, consistent with amendment 28 to WLEP 2013.	Consistency of adopted provision regarding subdivision of existing dual occupancies.
Clause 4.2A and 7.22 – insert the word 'house' as this has been unintentionally omitted when referring to a 'dwelling house.'	Fixing a typographical error as described.
Clause 4.3A and 4.4A – amend the title to remove the words 'in certain Local Centres and Enterprise Zones' as these clauses apply to bonuses outside these areas.	Fixing a typographical error as described.
CCLEP – Minor typographical and clarification statements	As referred to in 9 March Council Report.
Inclusion of amendments which have come or will come into effect under GLEP 2014 and WLEP 2013 during or after the public exhibition of CCLEP and prior to the CCLEP coming into force.	To enable the inclusion of amending LEP's and other relevant legislative changes that have been made since exhibition of the CCLEP.

Table 2 Proposed CCDCP Amendments and Discussion Post-exhibition

DCP Amendments	Discussion
Chapter 3.1 Floodplain Management - Retention of existing controls as per Council Resolution 112/19 of 11 February 2019.	Interim retention of existing controls as per Council Resolution 112/19 of 11 February 2019.
Chapter 3.8 Acid Sulfate Soils – not to be adopted.	Duplicates information covered in the LEP
Chapter 3.9 Erosion and Sediment Control – not to be adopted.	Information provided within State Government Guidelines.
The inclusion and adoption of DCP Chapters and amendments which have come or will come into force under Wyong DCP 2013 and Gosford DCP 2013 during or after the public exhibition of CCDCP and prior to the CCDCP coming into force.	To enable the inclusion of new DCP Chapters and changes that have been made to DCPs since exhibition of the CCDCP.
CCDCP – Minor typographical and clarification statements	Minor errors and updates to reflect changes to related documents occurring since exhibition (see table 3 below).

Table 3 Proposed CCDCP Minor Typographical and Clarification Statements - Amendments Post-exhibition

Issue	Amendment
Table 2 of Chapter 2.4 deals with additional minimum lot size requirements for sloping or steep sites. This guidance may potentially conflict with the minimum lot size map of the LEP where the minimum lot size under the LEP exceeds that in the DCP table.	Amend: Chapter 2.4 - Table 2 and add text to clarify that this guidance is subject to the minimum lot size requirements of the CCLEP.
Improved clarity of requirements for small lot housing proposals (permissible in the R1 zone) under Ch 2.4.	Amend: 2.4.4.1 - Alter to indicate, that dwelling designs must comply with Chapter 2.1, that battle-axe lots are not appropriate, all lots are to have direct access to a public road, that corner lots dwelling designs are to address both street frontages and must provide for required sight lines. Add a note to require that small lot locations within a larger subdivision need to be contiguous and clearly designated.
Clarification of conflict in controls – parking side setbacks for dual occupancies.	Amend: 2.2.8.2.2 – Ground Level Parking - amend side setback from 1m to 500mm as per exhibited diagram.

Issue	Amendment
Remove additional storage requirements for dual occupancy and townhouse development – should only be applied to residential flat buildings.	Delete: 2.2.7.6 - Delete storage requirements.
Reinforcement and clarification of site slope requirements for battle-axe lots.	Add: 2.4.3.4 – add a note to reinforce that site slope/ lot size controls will be considered in calculating the minimum lot size for a battle-axe lot.
Alter the provisions for ancillary retail development related to industrial development to align with the provisions within the LEP.	Amend: 2.9.2.25 - Change from 10% or 500m sq. to 20% or 400m sq. for maximum ancillary retail development.
Clarification and refinement – Ch 2.14 Site Waste Management.	Ch 2.14 - Hyperlink to Waste Management Guidelines.
	Add: Ch 2.3 - Part 2.3.10.3 Garbage and Waste Services, Requirements, refers to Chapter 3.1 and should refer to Chapter 2.14.
	Add: Ch 2.4 & Ch 2.8 - add a reference to Ch 2.14 and as a related chapter.
	Delete: Ch 2.5 photograph Part 2.5.7 removed.
Additional information providing clarification of information that is to be provided when applying to subdivide a dual occupancy.	Add: 2.2.11.5 DUAL OCCUPANCY SUBDIVISION a. Applications for subdivision of dual occupancy development where permissible must include the following information: i. proposed plan of subdivision; ii. details of proposed easements, rights of carriageway or restrictions as to user; iii. details of the location of any existing easements or services on site and proposed services for each dwelling;
Typographical omission – reference to Civil Works Guidelines for subdivision road and associated works.	Add: 2.4.2.8 Roads Paths and Cycleways - requiring reference to Civil Works Spec and kerb and gutter requirements.
Additional text required to provide clarification of side setback requirements for dual occupancies on corner lots.	Add: 2.2.5 e <i>Note: On corner allotments the side street is generally taken to be the boundary with the greater frontage.</i>
	Add:

Issue	Amendment
	<p>2.2.5 f Detached dual occupancy on a corner allotment</p> <p>i. A detached dual occupancy on a corner lot is required to address both street frontages. Each dwelling will have a frontage to a "nominated" primary road. Setbacks to the other boundaries on the site will be side boundary setbacks.</p>
<p>Additional text required to provide clarification of side setback requirements for multi dwelling housing on corner lots.</p>	<p>Add:</p> <p>2.2.5 g Corner Allotments side street -multi dwelling housing.</p> <p>i 3.0m, plus compliance with sight preservation lines.</p>
<p>Clarification regarding primary access requirements for dual occupancies.</p>	<p>Add:</p> <p>2.2.5 a</p> <p><i>Note: Dwellings must have direct access to a public road for pedestrian access, mail and waste collection.</i></p>
<p>Ch 2.12 Waterfront Structures – jetty length conflicts.</p>	<p>Amend:</p> <p>2.12.4.3</p> <p>Jetty length for Lake Macquarie reduced from 50m to 30m.</p>
<p>Zoning References – retention of deemed EPIs.</p>	<p>Amend:</p> <p>Reintroduce the existing zoning to Chapters 5.14 and 5.16. At this stage the areas covered by these zones will retain their current zonings (e.g. IDO 122 7(a) and not E2).</p>