

# CHAPTER 1.1 INTRODUCTION AND APPLICATION

## 1.1.1 NAME OF THIS PLAN

This Plan is called *Central Coast Development Control Plan 2022*, which may be abbreviated to "Central Coast DCP 2022" or "CCDCP 2022".

## 1.1.2 LAND TO WHICH THIS PLAN APPLIES

This Development Control Plan (DCP) applies to land identified in the Land Application Map LAP\_001 under *Central Coast Local Environmental Plan (LEP) 2022* and land to which *Interim Development Order No.122* and the *Gosford Planning Scheme Ordinance* applies except where specifically identified within the provisions of this Plan. The plan applies to all categories of development, as defined within the *Environmental Planning and Assessment Act 1979* (EP&A Act), addressed within the Chapters of this Plan.

Any reference to zoning or land use zones is to be taken to refer to land use zoning under Central Coast LEP 2022.

Applicants should note that other relevant planning authorities may have adopted a DCP relating to the land, and should investigate and have regard to the relevant provisions.

## 1.1.3 PURPOSE OF THIS PLAN

The purpose of this plan is to provide Council's requirements for sustainable quality development and environmental outcomes within the Central Coast Local Government Area (LGA).

## 1.1.4 SAVINGS PROVISION

This Plan repeals *Wyong Development Control Plan, DCP 2013* – and *Gosford Development Control Plan 2013*.

Consistent with the provisions of Clause 1.8A Central Coast LEP 2022 if a development application has been made before the commencement of this DCP in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this DCP had not commenced.

## 1.1.5 AIMS OF THIS PLAN

- To identify Council's expectations and requirements for development within the Central Coast Local Government Area
- To identify approaches and techniques which promote quality development outcomes in the Central Coast Local Government Area
- To promote best practice and quality environmental outcomes
- To facilitate the orderly and economic development of land
- To facilitate employment generating development
- To promote the integration of economic, social and ecological sustainability principles into development to encourage vibrant and liveable communities and ensure the future health of the local environment

- To ensure that land is adequately serviced

## 1.1.6 RELATIONSHIP TO OTHER LEGISLATION?

### 1.1.6.1 Central Coast Local Environmental Plan 2022

Central Coast LEP 2022 outlines the zoning of land, what development is allowed in each land use zone and any special provisions applying to land. The plan includes definitions to give a greater understanding of which uses and building types are allowed on land, and also includes planning controls that may apply to a particular site, such as properties which have a heritage listing.

Where it is determined that a proposed land use (or building) is permissible with Council's consent within the relevant zone, the provisions of this DCP identify Council's required design and construction standards.

Section 3.43 of the EP&A Act and the provisions of the *Environmental Planning and Assessment Regulation 2021*, require this DCP to be consistent with the LEP, as amended. In the event of any inconsistency, the provisions of the LEP shall prevail.

### 1.1.6.2 Related Acts and State Environmental Planning Policies (SEPPs)

The EP&A Act identifies the approval processes in NSW for development and activities. Several other Acts (Federal and State), as well as the State Environmental Planning Policies (SEPPs) made under the EP&A Act relate to development and environmental sustainability issues within the Central Coast LGA. Some contain exemptions or alternate approval processes.

Where appropriate, Council has endeavoured to identify available exemptions from the need for development consent as a result of the provisions of other legislation within the text of this DCP. If a proponent is intending to claim exemption, the provisions of the particular legislation and any requirement within for a licence, permit or approval should be checked and complied with, prior to work commencing.

### 1.1.6.3 Council Policies and Guidelines

Reference should also be made to adopted Policies and Guideline documents prepared by Council. In this regard, Council's staff should also be contacted to ensure that relevant issues are addressed.

## 1.1.7 HOW TO USE THIS PLAN

Central Coast DCP 2022 is written in an **OBJECTIVES/REQUIREMENTS** format. For specific issues, a set of **OBJECTIVES** has been devised to communicate the intent of the controls, along with a set of **REQUIREMENTS**, considered to be appropriate to meet the intent of the **OBJECTIVES**.

The various development types, specific site controls, development precincts and relevant issues are detailed within the Chapters of this DCP. **Individual Chapters should not be read in isolation**, but in conjunction with other relevant Chapters of the DCP that relate to the type of development, the design issue and the locality within which the development is proposed. The Chapters may list other related Chapters of the DCP and individually define where they take precedence, should there be a potential for an inconsistency between controls. Requirements are to be addressed in accordance with all relevant Chapters in the Development Application and accompanying Statement of Environmental Effects (SEE) submission.

Detailed plans and information may be required to address the various types and scales of development. Applicants are encouraged to **consult Council's website** for matrices and supporting information, detailing the explanation of submission requirements. It is also recommended that applicants **liaise with Council staff** to determine critical issues and applicable standards prior to the preparation of plans.

## 1.1.8 VARIATIONS TO THIS PLAN

Where a development application is lodged which relates to land to which this plan applies, Council shall take the provisions of this plan into consideration in determining that application.

Compliance with the provisions of this plan does not necessarily imply that Council will consent to any application. Council must also take into consideration those matters listed under Section 4.15 of the EP&A Act.

Where variations to the controls detailed within the Chapters of this Plan are proposed, the SEE shall indicate:

- a the **REQUIREMENT** and the extent of the variation proposed;
- b how the proposal meets the relevant **OBJECTIVES**;
- c the reasons for the variation(s) sought; and
- d the benefits resulting from the proposed variation(s) which could not be otherwise achieved through compliance with the **REQUIREMENT**.

## 1.1.9 DEFINITIONS AND TERMS

- a The Dictionary at the end of this Plan provides words and expressions for the purposes of this Plan.

*Note: The list of terms and definitions is not exhaustive and is intended to provide a guide to terms used in the DCP. Definitions and terms are listed within some individual chapters where considered appropriate or defined under the Central Coast LEP 2022 or the EP&AA Act 1979.*

## 1.1.10 INTERPRETATION OF PROVISIONS

The provisions of this Development Control Plan which apply to land zoned C2 Environmental Conservation or C4 Environmental Living under Central Coast LEP 2022 also apply to land zoned 7(a) Conservation and Scenic Protection (Conservation) or 7(c2) Conservation and Scenic Protection (Scenic Protection – Rural Small Holdings) under *Interim Development Order No. 122*.

Specifically, those provisions which apply to land zoned C2 Environmental Conservation also apply to land zoned 7(a) Conservation and Scenic Protection (Conservation) and those provisions which apply to C4 Environmental Living also apply to land zoned 7(c2) Conservation and Scenic Protection (Scenic Protection – Rural Small Holdings).