

LEP Instrument Comparison Table



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INTRODUCTION

In response to the Council Resolution of 9 December 2019, on the 'Outcomes of Public Exhibition of draft Central Coast Local Environmental Plan and draft Central Coast Development Control Plan', a table comparing proposed changes with the former Gosford and Wyong LEPs and referencing the clauses in the relevant instruments has been prepared.

The following information is provided to assist in in reading the following comparison table:

•	Column 1	Standard Instrument Principal LEP	this is the template for all Local Environmental Plans across NSW
•	Column 2	Wyong LEP 2013 Provision	this is the LEP instrument applying to the former Wyong Local Government Area
•	Column 3	Gosford LEP 2014 Provision	this is the LEP instrument applying to the former Gosford LGA excluding 'Deferred Matters'
•	Column 4	Draft CCLEP Post Exhibition	this is the draft CCLEP that will apply across the Central Coast LGA

- Text shown in red in column 4 identifies where a clause has been amended following exhibition
- Text shown in blue in column 4 is for information purposes only.

The following table does not include proposed amendments to mapping, the land use table or Schedule 1 -6. This table should be read in conjunction with the Land Use Matrix and CCLEP Planning Proposal.

The final CCLEP legal instrument will be drafted by Parliamentary Counsel and as such clauses may be amended from that shown in this table.

All public exhibition material including the Planning Proposal and exhibition version of the draft CCLEP instrument can be accessed on Councils Website using the link below:

https://www.yourvoiceourcoast.com/planningcontrols/documents



PART 1: PRELIMINARY:

PART 1: PRELIMINARY					
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition		
1.1 Name of Plan [compulsory] This Plan is [Name of local government area or other relevant name] Local Environmental Plan [Year].	1.1 Name of Plan This Plan is Wyong Local Environmental Plan 2013.	1.1 Name of Plan This Plan is Gosford Local Environmental Plan 2014. 1.1AA Commencement	1.1 Name of Plan This Plan is Central Coast Local Environmental Plan 2020.		
This Plan commences on the day on which it is published on the NSW legislation website.	This Plan commences on the day on which it is published on the on which it is published on the		1.1AA Commencement This Plan commences on the day on which it is published on the NSW legislation website		
 1.2 Aims of Plan [compulsory] (1) This Plan aims to make local environmental planning provisions for land in [Name of local government area or other relevant name] in accordance with the relevant standard environmental planning instrument under section 33A of the Act. (2) The particular aims of this Plan are as follows: (a) [set out particular aims of the Plan] 	1.2 Aims of Plan (1) This Plan aims to make local environmental planning provisions for land in that part of the Central Coast local government area to which this Plan applies (in this Plan referred to as Wyong) in accordance with the relevant standard environmental planning instrument under section 33A of the Act. (2) The particular aims of this Plan are as follows— (a) to foster economic, environmental and social well being so that Wyong continues to develop as a sustainable and prosperous place to live, work and visit,	1.2 Aims of Plan (1) This Plan aims to make local environmental planning provisions for land in that part of the Central Coast local government area to which this Plan applies (in this Plan referred to as Gosford) in accordance with the relevant standard environmental planning instrument under section 33A of the Act. (2) The particular aims of this Plan are as follows— (a) to encourage a range of housing, employment, recreation and services to meet the needs of existing and future residents of Gosford,	1.2 Aims of Plan (1) This Plan aims to make local environmental planning provisions for land in the Central Coast local government area in accordance with the relevant standard environmental planning instrument under section 33A of the Act. (2) The particular aims of this Plan are as follows: (a) to foster economic, environmental and social wellbeing so that the Central Coast continues to develop as a sustainable and		



PART 1: PRELIMINARY					
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition		
Standard Instrument Principal LEP	(b) to encourage a range of housing, employment, recreation, human services and appropriately located tourism-related development in Wyong to meet the existing and future needs of residents and visitors, (c) to promote the efficient and equitable provision of public services, infrastructure and amenities, (d) to provide for a range of local and regional community facilities for recreation, culture, health and education purposes, (e) to apply the principles of ecologically sustainable development to guide future development within Wyong, (f) to conserve, protect and enhance the environmental and cultural heritage (both indigenous and non-indigenous) values of Wyong, (g) to protect areas of high scenic landscape value, (h) to maintain and enhance the existing character, amenity and environmental quality of Wyong, (i) to minimise risk to the	(b) to foster economic, environmental and social well being so that Gosford continues to develop as a sustainable and prosperous place to live, work and visit, (c) to provide community and recreation facilities, maintain suitable amenities and offer a variety of quality lifestyle opportunities to a diverse population, (d) (Repealed) (e) to concentrate intensive land uses and trip-generating activities in locations that are most accessible to transport and centres, (f) to promote the efficient and equitable provision of public services, infrastructure and amenities, (g) to conserve, protect and enhance the environmental and cultural heritage of Gosford, (h) to protect and enhance the natural environment in Gosford, incorporating ecologically sustainable development, (i) to minimise risk to the	prosperous place to live, work and visit, (b) to encourage a range of housing, employment, recreation and services to meet the needs of existing and future residents of the Central Coast, (c) to promote the efficient and equitable provision of public services, infrastructure and amenities, (d) to provide for a range of local and regional community facilities for recreation, culture, health and education purposes, (e) to conserve, protect and enhance the natural environment of the Central Coast, incorporating ecologically sustainable development, (f) to conserve, protect and enhance the environmental and cultural heritage of the Central Coast,		
	community in areas subject to environmental hazards, including	community in areas subject to environmental hazards,	(g) to minimise risk to the community in areas subject to		



PART 1: PRELIMINARY					
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition		
	flooding, climate change and bush fires, (j) to promote a high standard of urban design that responds appropriately to the existing or desired future character of areas, (k) to encourage development that increases public transport patronage, walking and cycling	particularly flooding and bush fires, (j) to promote a high standard of urban design that responds appropriately to the existing or desired future character of areas, (k) to promote design principles in all development to improve the safety, accessibility, health and well being of residents and visitors, (l) to encourage the development of sustainable tourism that is compatible with the surrounding environment.	environmental hazards, including flooding, climate change and bush fires, (h) to promote a high standard of urban design that responds appropriately to the existing or desired future character of areas, (i) to promote design principles in all development to improve the safety, accessibility, health and wellbeing of residents and visitors, (j) to concentrate intensive land uses and trip-generating activities in locations that are most accessible to transport and centres, (k) to encourage the development of sustainable tourism that is compatible with the surrounding environment.		
1.3 Land to which Plan applies [compulsory] This Plan applies to the land identified on the Land Application Map.	1.3 Land to which Plan applies (1) This Plan applies to the land identified on the Land Application Map. (1A) (Repealed)	1.3 Land to which Plan applies (1) This Plan applies to the land identified on the Land Application Map. (1A) Despite subclause (1), this Plan does not apply to the following land identified on the Land Application Map—	 1.3 Land to which Plan applies (1) This Plan applies to the land identified on the Land Application Map. (1A) Despite subclause (1), this Plan does not apply to the following 		



PART 1: PRELIMINARY					
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition		
		(a) the land identified as "Deferred Matter", (b) the land identified as "Gosford City Centre". Note. See State Environmental Planning Policy (Gosford City Centre) 2018 for provisions applying to Gosford City Centre.	land identified on the Land Application Map: (a) the land identified as "Gosford City Centre" (b) the land identified as "Deferred Matter" on the Land Application Map. Note. See State Environmental Planning Policy (Gosford City Centre) 2018 for provisions applying to Gosford City Centre.		
1.4 Definitions [compulsory] The Dictionary at the end of this Plan defines words and expressions for the purposes of this Plan.	1.4 Definitions The Dictionary at the end of this Plan defines words and expressions for the purposes of this Plan.	1.4 Definitions The Dictionary at the end of this Plan defines words and expressions for the purposes of this Plan.	1.4 Definitions The Dictionary at the end of this Plan defines words and expressions for the purposes of this Plan.		
1.5 Notes [compulsory] Notes in this Plan are provided for guidance and do not form part of this Plan.	1.5 Notes Notes in this Plan are provided for guidance and do not form part of this Plan.	1.5 Notes Notes in this Plan are provided for guidance and do not form part of this Plan.	1.5 Notes Notes in this Plan are provided for guidance and do not form part of this Plan.		



PART 1: PRELIMINARY			
Standard Instrument Principal LEP Wyong LEP 2013 Provision		Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
1.6 Consent authority [compulsory] The consent authority for the purposes of this Plan is (subject to the Act) the Council.	1.6 Consent authority The consent authority for the purposes of this Plan is (subject to the Act) the Council.	1.6 Consent authority The consent authority for the purposes of this Plan is (subject to the Act) the Council.	The consent authority for the purposes of this Plan is (subject to the Act) the Council.
(1) A reference in this Plan to a named map adopted by this Plan is a reference to a map by that name— (a) approved by the local planmaking authority when the map is adopted, and (b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map, and approved by the local planmaking authority when the instruments are made. (1AA) (Repealed) (2) Any 2 or more named maps may be combined into a single map. In that case, a reference in	1.7 Maps (1) A reference in this Plan to a named map adopted by this Plan is a reference to a map by that name— (a) approved by the local planmaking authority when the map is adopted, and (b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map, and approved by the local planmaking authority when the instruments are made. (1AA) (Repealed) (2) Any 2 or more named maps may be combined into a single map. In that case, a reference in	1.7 Maps (1) A reference in this Plan to a named map adopted by this Plan is a reference to a map by that name— (a) approved by the local planmaking authority when the map is adopted, and (b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map, and approved by the local planmaking authority when the instruments are made. (1AA) (Repealed) (2) Any 2 or more named maps may be combined into a single map. In that case, a reference in	1.7 Maps (1) A reference in this Plan to a named map adopted by this Plan is a reference to a map by that name: (a) approved by the Minister when the map is adopted, and (b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map and approved by the Minister when the instruments are made. (1AA) A reference to the Minister in subclause (1) is taken to be a reference to the Greater Sydney Commission in the case of any map that applies to a local government area in the Greater Sydney Region (within the meaning of the Greater Sydney Commission Act 2015) and that is adopted by a local
this Plan to any such named map is	this Plan to any such named map is	this Plan to any such named map is	environmental plan on or after 27 January 2016.



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PART 1: PRELIMINARY			
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
a reference to the relevant part or	a reference to the relevant part or	a reference to the relevant part or	(2) Any 2 or more named maps may
aspect of the single map.	aspect of the single map.	aspect of the single map.	be combined into a single map. In that case, a reference in this Plan to any
(3) Any such maps are to be kept	(3) Any such maps are to be kept	(3) Any such maps are to be kept	such named map is a reference to the
and made available for public	and made available for public	and made available for public	relevant part or aspect of the single
access in accordance with	access in accordance with	access in accordance with	map.
arrangements approved by the Minister.	arrangements approved by the Minister.	arrangements approved by the Minister.	(3) Any such maps are to be kept and
wimster.	wimster.	wimster.	made available for public access in
(4) For the purposes of this Plan, a	(4) For the purposes of this Plan, a	(4) For the purposes of this Plan, a	accordance with arrangements
map may be in, and may be kept	map may be in, and may be kept	map may be in, and may be kept	approved by the Minister.
and made available in, electronic or	and made available in, electronic or	and made available in, electronic or	(4) For the purposes of this Plan, a
paper form, or both.	paper form, or both.	paper form, or both.	map may be in, and may be kept and
Note. The maps adopted by this	Note. The maps adopted by this	Note. The maps adopted by this	made available in, electronic or paper
Plan are to be made available on	Plan are to be made available on	Plan are to be made available on	form, or both.
the official NSW legislation website	the official NSW legislation website	the official NSW legislation website	Note. The maps adopted by this Plan
in connection with this Plan.	in connection with this Plan.	in connection with this Plan.	are to be made available on the official
Requirements relating to the maps	Requirements relating to the maps	Requirements relating to the maps	NSW legislation website in connection
are set out in the documents	are set out in the documents	are set out in the documents	with this Plan. Requirements relating
entitled Standard technical requirements for LEP maps and	entitled Standard technical requirements for LEP maps and	entitled Standard technical requirements for LEP maps and	to the maps are set out in the
Standard requirements for LEP GIS	Standard requirements for LEP GIS	Standard requirements for LEP GIS	documents entitled Standard technical requirements for LEP maps and
data which are available on the	data which are available on the	data which are available on the	Standard requirements for LEP GIS data
website of the Department of	website of the Department of	website of the Department of	which are available on the website of
Planning and Environment	Planning and Environment.	Planning and Environment.	the Department of Planning and
			Environment.



PART 1: PRELIMINARY			
Standard Instrument Principal LEP Wyong LEP 2013 Provision		Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
1.8 Repeal of planning instruments applying to land [compulsory] (1) All local environmental plans and deemed environmental planning instruments applying only to the land to which this Plan applies are repealed. (2) All local environmental plans and deemed environmental planning instruments applying to the land to which this Plan applies and to other land cease to apply to the land to which this Plan applies.	1.8 Repeal of planning instruments applying to land (1) All local environmental plans and deemed environmental planning instruments applying only to the land to which this Plan applies are repealed. (2) All local environmental plans and deemed environmental planning instruments applying to the land to which this Plan applies and to other land cease to apply to the land to which this Plan applies.	1.8 Repeal of planning instruments applying to land (1) All local environmental plans and deemed environmental planning instruments applying only to the land to which this Plan applies are repealed. Note. The following local environmental plans are repealed under this provision: Gosford City Centre Local Environmental Plan 2005 Gosford City Centre Local Environmental Plan 2007 Gosford Local Environmental Plan No 22 Hornsby Planning Scheme Ordinance (2) All local environmental plans and deemed environmental planning instruments applying to the land to which this Plan applies and to other land cease to apply to the land to which this Plan applies. Note.	 1.8 Repeal of planning instruments applying to land (1) All local environmental plans and deemed environmental planning instruments applying only to the land to which this Plan applies are repealed. Note. The following local environmental plans are repealed under this provision: 1 Wyong Local Environmental Plan 2013 2 Gosford Local Environmental Plan 2014 3 Interim Development Order No 122 4 Gosford Planning Scheme Ordinance (2) All local environmental plans and deemed environmental planning instruments applying to the land to which this Plan applies and to other land cease to apply to the land to which this Plan applies.



PART 1: PRELIMINARY				
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition	
		While Gosford Planning Scheme Ordinance and Interim Development Order No 122— Gosford no longer apply to the land to which this Plan applies, they will continue to apply to the land identified as "Deferred Matter" under clause 1.3 (1A).		
1.8A Savings provision relating to development applications		1.8A Savings provision relating to development applications	1.8A Savings provision relating to development applications	
	If a development application has been made before the commencement of this Plan 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 Plan had not commenced.	If a development application has been made before the commencement of this Plan 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 Plan had not commenced.	If a development application has been made before the commencement of this Plan 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 Plan had not commenced.	
	Note. However, under Division 4B of Part 3 of the Act, a development application may be made for consent to carry out development that may only be carried out if the environmental planning	Note. However, under Division 4B of Part 3 of the Act, a development application may be made for consent to carry out development that may only be carried out if the environmental planning	Note. However, under Division 4B of Part 3 of the Act, a development application may be made for consent to carry out development that may only be carried out if the environmental planning instrument applying to the relevant development is appropriately amended or if a	



PART 1: PRELIMINARY					
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition		
	instrument applying to the relevant development is appropriately amended or if a new instrument, including an appropriate principal environmental planning instrument, is made, and the consent authority may consider the application. The Division requires public notice of the development application and the draft environmental planning instrument allowing the development at the same time, or as closely together as is practicable.	instrument applying to the relevant development is appropriately amended or if a new instrument, including an appropriate principal environmental planning instrument, is made, and the consent authority may consider the application. The Division requires public notice of the development application and the draft environmental planning instrument allowing the development at the same time, or as closely together as is practicable.	new instrument, including an appropriate principal environmental planning instrument, is made, and the consent authority may consider the application. The Division requires public notice of the development application and the draft environmental planning instrument allowing the development at the same time, or as closely together as is practicable.		
	1.8B Amendment of SEPP (1) State Environmental Planning Policy (Major Development) 2005 is amended by omitting Part 15 of Schedule 3. (2) Each map adopted by State Environmental Planning Policy (Major Development) 2005 that is specified in Column 1 of the following table is declared by this Plan to be amended or replaced, as the case requires, by the map specified opposite in Column 2 of				



PART 1: PRELIMINARY				
Standard Instrument Principal LEP	Wyong LEP 2013	Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
	the table as approved by on the making of this Pla			
	Column 1	Column 2		
	Name of map being amended or replaced	Name of amend replacement m		
	State Environmental Planning Policy (Major	State Environm Planning Policy		
	Development) 2005 South Wallarah	Development) : South Wallarah		
	Peninsula Land Application Map (SEPP_MD_SWP_LAP_0	Peninsula Land Application Ma		
	1_20101007)	1_015_201312		
	State Environmental Planning Policy (Major	State Environm Planning Policy		
	Development) 2005 South Wallarah	Development): South Wallarah		
	Peninsula Land Zoning Map (SEPP_MD_SWP_LZN_0	Peninsula Land Map (SERP, MD, SW)		
	1_20101007)	1_015_201312		
	State Environmental	State Environm		
	Planning Policy (Major Development) 2005	Planning Policy Development)		
	South Wallarah	South Wallarah		
	Peninsula Height of	Peninsula Heigl		
	Buildings Map	Buildings Map		



RT 1: PRELIMINARY				
Standard Instrument Principal LEP	Wyong LEP 2013 P	rovision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
	(SEPP_MD_SWP_HOB_0	(SEPP_MD_SW	P_HOB_0	
	01_20101007)	01_015_20131	219)	
	State Environmental	State Environm	<u>ental</u>	
	Planning Policy (Major	Planning Policy	(Major	
	Development) 2005	Development)	<u>2005</u>	
	South Wallarah	South Wallarah		
	Peninsula Height of	Peninsula Heig	<u>nt of</u>	
	Buildings Map	Buildings Map		
	(SEPP_MD_SWP_HOB_0			
	02_20101007)	02_003_20131	219)	
	State Environmental	State Environm	<u>ental</u>	
	Planning Policy (Major	Planning Policy	(Major	
	Development) 2005	Development)	<u>2005</u>	
	South Wallarah	South Wallarah		
	Peninsula Heritage Map	Peninsula Herit	age Map	
	(SEPP_MD_SWP_HER_0			
	01_20101007)	1_003_201312	19)	
	State Environmental	State Environm	<u>ental</u>	
	Planning Policy (Major	Planning Policy	(Major	
	Development) 2005	Development)	<u>2005</u>	
	South Wallarah	South Wallarah		
	Peninsula Additional	Peninsula Addi	ional	
	Permitted Uses Map	Permitted Uses	Map Map	
	(SEPP_MD_SWP_APU_0		1 — —	
	01_20101007)	01_003_20131	219)	
	State Environmental	State Environm	<u>ental</u>	
	Planning Policy (Major	Planning Policy	(Major	
	Development) 2005	<u>Development)</u>	<u>2005</u>	
	South Wallarah	South Wallarah		



PART 1: PRELIMINARY					
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition		
1.9 Application of SEPPs [compulsory] (1) This Plan is subject to the provisions of any State environmental planning policy that prevails over this Plan as provided by section 36 of the Act. (2) The following State environmental planning policies (or provisions) do not apply to the land to which this Plan applies: State Environmental Planning Policy No 1—Development Standards	Peninsula Land Reservation Acquisition Map (SEPP_MD_SWP_LRA_00 (SEPP_MD_SW 1_20101007) 1_015_201312 1.9 Application of SEPPs (1) This Plan is subject to the provisions of any State environmental planning policy that prevails over this Plan as provided by section 36 of the Act. (2) The following State environmental planning policies (or provisions) do not apply to the land to which this Plan applies— State Environmental Planning Policy No 1—Development Standards	quisition P_LRA_00	1.9 Application of SEPPs (1) This Plan is subject to the provisions of any State environmental planning policy that prevails over this Plan as provided by section 36 of the Act. (1A) State Environmental Planning Policy No 65 – Design Quality for Residential Apartment Development applies in the same way that it applies to residential flat buildings to the following land uses: Boarding houses; Serviced apartments (2) The following State environmental planning policies (or provisions) do not apply to the land to which this Plan applies:		
	1.9A Suspension of covenants,	1.9A Suspension of covenants,	1—Development Standards 1.9A Suspension of covenants,		
	agreements and instruments	agreements and instruments	agreements and instruments		



PART 1: PRELIMINARY	ART 1: PRELIMINARY				
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision		Draft CCLEP Post Exhibition	
	(1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose. (2) This clause does not apply—	(1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose. (2) This clause does not apply—	(1)	For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.	
	(a) to a covenant imposed by the Council or that the Council requires to	(a) to a covenant imposed by the Council or that the Council requires to	(2)	This clause does not apply:	
	be imposed, or (b) to any prescribed instrument within the meaning of section 183A of	be imposed, or (b) to any prescribed instrument within the meaning of section 183A of	(a)	to a covenant imposed by the Council or that the Council requires to be imposed, or	
	the <u>Crown Lands Act 1989</u> , or (c) to any conservation agreement within the meaning of the <u>National Parks and Wildlife Act 1974</u> , or	the <u>Crown Lands Act 1989</u> , or (c) to any conservation agreement within the meaning of the <u>National</u> Parks and Wildlife Act 1974, or	(b)	to any prescribed instrument within the meaning of section 183A of <i>the Crown Lands Act</i> 1989, or	
	(d) to any Trust agreement within the meaning of the <i>Nature Conservation Trust Act 2001</i> , or	(d) to any Trust agreement within the meaning of the <i>Nature Conservation Trust Act 2001</i> , or	(c)	to any conservation agreement within the meaning of the <i>National Parks and Wildlife Act</i> 1974, or	
	(e) to any property vegetation plan within the meaning of the <i>Native Vegetation Act 2003</i> , or	(e) to any property vegetation plan within the meaning of the <i>Native</i> <u>Vegetation Act 2003</u> , or	(d)	to any Trust agreement within the meaning of the <i>Nature Conservation Trust Act 2001</i> , or	



PART 1: PRELIMINARY			
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
	 (f) to any biobanking agreement within the meaning of Part 7A of the Threatened Species Conservation Act 1995, or (g) to any planning agreement within the meaning of Division 6 of Part 4 of the Act. (3) This clause does not affect the rights or interests of any public authority under any registered instrument. (4) Under section 28 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3). 	 (f) to any biobanking agreement within the meaning of Part 7A of the Threatened Species Conservation Act 1995, or (g) to any planning agreement within the meaning of Division 6 of Part 4 of the Act. (3) This clause does not affect the rights or interests of any public authority under any registered instrument. (4) Under section 28 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3). 	 (e) to any property vegetation plan within the meaning of the Native Vegetation Act 2003, or (f) to any biobanking agreement within the meaning of Part 7A of the Threatened Species Conservation Act 1995, or (g) to any planning agreement within the meaning of Division 6 of Part 4 of the Act. (3) This clause does not affect the rights or interests of any public authority under any registered instrument. (4) Under section 28 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3).



PART 2: PERMITTED OR PROHIBITED DEVELOPMENT

PART 2: PERMITTED OR PROHIBITED DEVELOPMENT				
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition	
2.1 Land use zones [compulsory]	2.1 Land use zones	2.1 Land use zones	2.1 Land use zones	
The land use zones under this Plan are as follows—	The land use zones under this Plan are as follows—	The land use zones under this Plan are as follows—	The land use zones under this Plan are as follows:	
Rural Zones	Rural Zones	Rural Zones	Rural Zones	
RU1 Primary Production	RU1 Primary Production	RU1 Primary Production	RU1 Primary Production	
RU2 Rural Landscape	RU2 Rural Landscape	RU2 Rural Landscape	RU2 Rural Landscape	
RU3 Forestry	RU3 Forestry	RU3 Forestry	RU3 Forestry	
RU4 Primary Production Small Lots	RU5 Village	RU5 Village	RU5 Village	
RU5 Village	RU6 Transition	Residential Zones	RU6 Transition	
RU6 Transition	Residential Zones	R1 General Residential	Residential Zones	
Residential Zones	R1 General Residential	R2 Low Density Residential	R1 General Residential	
R1 General Residential	R2 Low Density Residential	Business Zones	R2 Low Density Residential	
R2 Low Density Residential	R3 Medium Density Residential	B1 Neighbourhood Centre	R3 Medium Density Residential	
R3 Medium Density Residential	R5 Large Lot Residential	B2 Local Centre	R5 Large Lot Residential	
R4 High Density Residential	Business Zones	B3 Commercial Core	Business Zones	
R5 Large Lot Residential	B1 Neighbourhood Centre	B4 Mixed Use	B1 Neighbourhood Centre	
Business Zones	B2 Local Centre	B5 Business Development	B2 Local Centre	
B1 Neighbourhood Centre	B3 Commercial Core	B6 Enterprise Corridor	B3 Commercial Core	



PART 2: PERMITTED OR PROHIBITED DEVELOPMENT				
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition	
B2 Local Centre	B4 Mixed Use	Industrial Zones	B4 Mixed Use	
B3 Commercial Core	B5 Business Development	IN1 General Industrial	B5 Business Development	
B4 Mixed Use	B6 Enterprise Corridor	IN4 Working Waterfront	B6 Enterprise Corridor	
B5 Business Development	B7 Business Park	Special Purpose Zones	B7 Business Park	
B6 Enterprise Corridor	Industrial Zones	SP1 Special Activities	Industrial Zones	
B7 Business Park	IN1 General Industrial	SP2 Infrastructure	IN1 General Industrial	
B8 Metropolitan Centre	IN2 Light Industrial	Recreation Zones	IN2 Light Industrial	
Industrial Zones	Special Purpose Zones	RE1 Public Recreation	IN4 Working Waterfront	
IN1 General Industrial	SP1 Special Activities	RE2 Private Recreation	Special Purpose Zones	
IN2 Light Industrial	SP2 Infrastructure	Environment Protection Zones	SP1 Special Activities	
IN3 Heavy Industrial	SP3 Tourist	E1 National Parks and Nature Reserves	SP2 Infrastructure	
IN4 Working Waterfront	Recreation Zones	E2 Environmental Conservation	SP3 Tourist	
Special Purpose Zones	RE1 Public Recreation	E3 Environmental Management	Recreation Zones	
SP1 Special Activities	RE2 Private Recreation	E4 Environmental Living	RE1 Public Recreation	
SP2 Infrastructure	Environment Protection Zones	Waterway Zones	RE2 Private Recreation	
SP3 Tourist	E1 National Parks and Nature	W1 Natural Waterways	Environment Protection Zones	
Recreation Zones	Reserves	W2 Recreational Waterways	E1 National Parks and Nature Reserves	
RE1 Public Recreation	E2 Environmental Conservation		E2 Environmental Conservation	
RE2 Private Recreation	E3 Environmental Management		E3 Environmental Management	



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Environment Protection Zones	E4 Environmental Living		E4 Environmental Living
E1 National Parks and Nature Reserves	Waterway Zones		Waterway Zones
E2 Environmental Conservation	W1 Natural Waterways		W1 Natural Waterways
E3 Environmental Management	W2 Recreational Waterways		W2 Recreational Waterways
E4 Environmental Living			
Waterway Zones			
W1 Natural Waterways			
W2 Recreational Waterways			
W3 Working Waterways			
2.2 Zoning of land to which Plan applies [compulsory]	2.2 Zoning of land to which Plan applies	2.2 Zoning of land to which Plan applies	2.2 Zoning of land to which Plan applies
For the purposes of this Plan, land is within the zones shown on the Land Zoning Map.	For the purposes of this Plan, land is within the zones shown on the <u>Land</u> <u>Zoning Map</u> .	For the purposes of this Plan, land is within the zones shown on the <u>Land</u> <u>Zoning Map</u> .	For the purposes of this Plan, land is within the zones shown on the Land Zoning Map.



2.3 Zone objectives and Land Use Table [compulsory]

- (1) The Land Use Table at the end of this Part specifies for each zone—
- (a) the objectives for development, and
- (b) development that may be carried out without development consent, and
- (c) development that may be carried out only with development consent, and
- (d) development that is prohibited.
- (2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.
- (3) In the Land Use Table at the end of this Part—
- (a) a reference to a type of building or other thing is a reference to development for the purposes of that type of building or other thing, and
- (b) a reference to a type of building or other thing does not include (despite any definition in this Plan) a reference to a type of building or other thing referred to separately in the Land Use Table in relation to the same zone.

2.3 Zone objectives and Land Use Table

- (1) The Land Use Table at the end of this Part specifies for each zone—
- (a) the objectives for development, and
- (b) development that may be carried out without development consent, and
- (c) development that may be carried out only with development consent, and
- (d) development that is prohibited.
- (2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.
- (3) In the Land Use Table at the end of this Part—
- (a) a reference to a type of building or other thing is a reference to development for the purposes of that type of building or other thing, and
- (b) a reference to a type of building or other thing does not include (despite any definition in this Plan) a reference to a type of building or other thing referred to separately in the Land Use Table in relation to the same zone.

2.3 Zone objectives and Land Use Table

- (1) The Land Use Table at the end of this Part specifies for each zone—
- (a) the objectives for development, and
- (b) development that may be carried out without development consent, and
- (c) development that may be carried out only with development consent, and
- (d) development that is prohibited.
- (2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.
- (3) In the Land Use Table at the end of this Part—
- (a) a reference to a type of building or other thing is a reference to development for the purposes of that type of building or other thing, and

2.3 Zone objectives and Land Use Table

- (1) The Land Use Table at the end of this Part specifies for each zone:
- (a) the objectives for development, and
- (b) development that may be carried out without development consent, and
- (c) development that may be carried out only with development consent, and
- (d) development that is prohibited.
- (2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.
- (3) In the Land Use Table at the end of this Part:
- (a) a reference to a type of building or other thing is a reference to development for the purposes of that type of building or other thing, and
- (b) a reference to a type of building or other thing does not include (despite any definition in this Plan) a reference to a type of building or other thing



PART 2: PERMITTED OR PROHIBITED DEVELOPMENT				
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition	
(4) This clause is subject to the other provisions of this Plan. Notes. 1 Schedule 1 sets out additional permitted uses for particular land. 2 Schedule 2 sets out exempt development (which is generally exempt from both Parts 4 and 5 of the Act). Development in the land use table that may be carried out without consent is nevertheless subject to the environmental assessment and approval requirements of Part 5 of the Act or, if applicable, Part 3A of the Act. 3 Schedule 3 sets out complying development (for which a complying development certificate may be issued as an alternative to obtaining development consent). 4 Clause 2.6 requires consent for subdivision of land. 5 Part 5 contains other provisions which require consent for particular	 Wyong LEP 2013 Provision (4) This clause is subject to the other provisions of this Plan. Notes. 1 Schedule 1 sets out additional permitted uses for particular land. 2 Schedule 2 sets out exempt development (which is generally exempt from both Parts 4 and 5 of the Act). Development in the land use table that may be carried out without consent is nevertheless subject to the environmental assessment and approval requirements of Part 5 of the Act or, if applicable, Part 3A of the Act. 3 Schedule 3 sets out complying development (for which a complying development certificate may be issued as an alternative to obtaining development consent). 4 Clause 2.6 requires consent for subdivision of land. 5 Part 5 contains other provisions which require consent for particular 	(b) a reference to a type of building or other thing does not include (despite any definition in this Plan) a reference to a type of building or other thing referred to separately in the Land Use Table in relation to the same zone. (4) This clause is subject to the other provisions of this Plan. Notes. 1 Schedule 1 sets out additional permitted uses for particular land. 2 Schedule 2 sets out exempt development (which is generally exempt from both Parts 4 and 5 of the Act). Development in the land use table that may be carried out without consent is nevertheless subject to the environmental assessment and approval requirements of Part 5 of the Act or, if applicable, Part 3A of the Act. 3 Schedule 3 sets out complying development	referred to separately in the Land Use Table in relation to the same zone. (4) This clause is subject to the other provisions of this Plan. Notes. 1 Schedule 1 sets out additional permitted uses for particular land. 2 Schedule 2 sets out exempt development (which is generally exempt from both Parts 4 and 5 of the Act). Development in the land use table that may be carried out without consent is nevertheless subject to the environmental assessment and approval requirements of Part 5 of the Act or, if applicable, Part 3A of the Act. 3 Schedule 3 sets out complying development (for which a complying development certificate may be issued as an alternative to obtaining development consent). 4 Clause 2.6 requires consent for subdivision of land. 5 Part 5 contains other provisions which require consent for particular development.	
-		1	development.	



Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
		 4 Clause 2.6 requires consent for subdivision of land. 5 Part 5 contains other provisions which require consent for particular development. 	
2.4 Unzoned land [compulsory]	2.4 Unzoned land	2.4 Unzoned land	2.4 Unzoned land
(1) Development may be carried out on unzoned land only with development consent.	(1) Development may be carried out on unzoned land only with development consent.	(1) Development may be carried out on unzoned land only with development consent.	(1) Development may be carried out on unzoned land only with development consent.
(2) In deciding whether to grant development consent, the consent authority—	(2) In deciding whether to grant development consent, the consent authority—	(2) In deciding whether to grant development consent, the consent authority—	(2) In deciding whether to grant development consent, the consent authority:
(a) must consider whether the development will impact on adjoining zoned land and, if so, consider the objectives for development in the zones of the adjoining land, and	(a) must consider whether the development will impact on adjoining zoned land and, if so, consider the objectives for development in the zones of the adjoining land, and	 (a) must consider whether the development will impact on adjoining zoned land and, if so, consider the objectives for development in the zones of the adjoining land, and (b) must be satisfied that the 	(a) must consider whether the development will impact on adjoining zoned land and, if so, consider the objectives for development in the zones of the adjoining land, and (b) must be satisfied that the
(b) must be satisfied that the development is appropriate and is compatible with permissible land uses in any such adjoining land.	(b) must be satisfied that the development is appropriate and is compatible with permissible land uses in any such adjoining land.	development is appropriate and is compatible with permissible land uses in any such adjoining land.	development is appropriate and is compatible with permissible land uses in any such adjoining land.



PART 2: PERMITTED OR PROHIBITED DEVELOPMENT				
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition	
2.5 Additional permitted uses for particular land [compulsory]	2.5 Additional permitted uses for particular land	2.5 Additional permitted uses for particular land	2.5 Additional permitted uses for particular land	
(1) Development on particular land that is described or referred to in Schedule 1 may be carried out—	(1) Development on particular land that is described or referred to in Schedule 1 may be carried out—	(1) Development on particular land that is described or referred to in Schedule 1 may be carried out—	(1) Development on particular land that is described or referred to in Schedule 1 may be carried out:	
(a) with development consent, or				
(b) if the Schedule so provides— without development consent,	(b) if the Schedule so provides—without development consent,	(b) if the Schedule so provides—without development consent,	(b) if the Schedule so provides— without development consent,	
in accordance with the conditions (if any) specified in that Schedule in relation to that development.	in accordance with the conditions (if any) specified in that Schedule in relation to that development.	in accordance with the conditions (if any) specified in that Schedule in relation to that development.	in accordance with the conditions (if any) specified in that Schedule in relation to that development.	
(2) This clause has effect despite anything to the contrary in the Land Use Table or other provision of this Plan.	(2) This clause has effect despite anything to the contrary in the Land Use Table or other provision of this Plan.	(2) This clause has effect despite anything to the contrary in the Land Use Table or other provision of this Plan.	(2) This clause has effect despite anything to the contrary in the Land Use Table or other provision of this Plan.	
2.6 Subdivision—consent requirements [compulsory]	2.6 Subdivision—consent requirements	2.6 Subdivision—consent requirements	2.6 Subdivision—consent requirements	
(1) Land to which this Plan applies may be subdivided, but only with development consent.	(1) Land to which this Plan applies may be subdivided, but only with development consent.	(1) Land to which this Plan applies may be subdivided, but only with development consent.	(1) Land to which this Plan applies may be subdivided, but only with development consent.	
Notes.	Notes.	Notes.	Notes.	
If a subdivision is specified as exempt development in an	If a subdivision is specified as exempt development in an	If a subdivision is specified as exempt development in an applicable environmental planning	If a subdivision is specified as exempt development in an applicable environmental planning instrument,	



Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
applicable environmental planning instrument, such as this Plan or <u>State Environmental Planning Policy (Exempt and Complying Development Codes)</u> 2008, the Act enables it to be carried out without development consent. 2 Part 6 of <u>State Environmental Planning Policy (Exempt and Complying Development Codes)</u> 2008 provides that the strata subdivision of a building in certain circumstances is complying development . (2) Development consent must not be granted for the subdivision of land on which a secondary dwelling is situated if the subdivision would result in the principal dwelling and the secondary dwelling being situated on separate lots, unless the resulting lots are not less than the minimum size shown on the Lot Size Map in relation to that land. Note. The definition of secondary dwelling in the Dictionary requires the dwelling to be on the same lot of land	applicable environmental planning instrument, such as this Plan or <u>State Environmental Planning Policy (Exempt and Complying Development Codes)</u> 2008, the Act enables it to be carried out without development consent. 2 Part 6 of <u>State Environmental Planning Policy (Exempt and Complying Development Codes)</u> 2008 provides that the strata subdivision of a building in certain circumstances is complying development . (2) Development consent must not be granted for the subdivision of land on which a secondary dwelling is situated if the subdivision would result in the principal dwelling and the secondary dwelling being situated on separate lots, unless the resulting lots are not less than the minimum size shown on the <u>Lot Size Map</u> in relation to that land. Note. The definition of <i>secondary dwelling</i> in the Dictionary requires the dwelling to be on the same lot of land	instrument, such as this Plan or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, the Act enables it to be carried out without development consent. 2 Part 6 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 provides that the strata subdivision of a building in certain circumstances is complying development. (2) Development consent must not be granted for the subdivision of land on which a secondary dwelling is situated if the subdivision would result in the principal dwelling and the secondary dwelling being situated on separate lots, unless the resulting lots are not less than the minimum size shown on the Lot Size Map in relation to that land. Note. The definition of secondary dwelling in the Dictionary requires the dwelling to be on the same lot of land as the principal dwelling.	such as this Plan or State Environmental Planning Policy (Exemp and Complying Development Codes) 2008, the Act enables it to be carried out without development consent. 2 Part 6 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 provides that the strata subdivision of a building in certain circumstances is complying development. (2) Development consent must not be granted for the subdivision of land on which a secondary dwelling is situated if the subdivision would result in the principal dwelling and the secondary dwelling being situated on separate lots, unless the resulting lots are not less than the minimum size shown on the Lot Size Map in relation to that land. Note. The definition of secondary dwelling to be on the same lot of land as the principal dwelling.



PART 2: PERMITTED OR PROHIBITED DEVELOPMENT			
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
2.7 Demolition requires development consent [compulsory]	2.7 Demolition requires development consent	2.7 Demolition requires development consent	2.7 Demolition requires development consent
The demolition of a building or work may be carried out only with development consent. Note. If the demolition of a building or work is identified in an applicable environmental planning instrument, such as this Plan or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, as exempt development, the Act enables it to be carried out without development consent.	The demolition of a building or work may be carried out only with development consent. Note. If the demolition of a building or work is identified in an applicable environmental planning instrument, such as this Plan or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, as exempt development, the Act enables it to be carried out without development consent.	The demolition of a building or work may be carried out only with development consent. Note. If the demolition of a building or work is identified in an applicable environmental planning instrument, such as this Plan or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, as exempt development, the Act enables it to be carried out without development consent.	The demolition of a building or work may be carried out only with development consent. Note. If the demolition of a building or work is identified in an applicable environmental planning instrument, such as this Plan or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, as exempt development, the Act enables it to be carried out without development consent.
(1) The objective of this clause is to provide for the temporary use of land if the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land. (2) Despite any other provision of this Plan, development consent may be granted for development on land in any zone for a temporary use for a maximum period of 52 [or another number] days (whether or not	2.8 Temporary use of land (1) The objective of this clause is to provide for the temporary use of land if the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land. (2) Despite any other provision of this Plan, development consent may be granted for development on land in any zone for a temporary use for a maximum period of 28 days (whether	2.8 Temporary use of land (1) The objective of this clause is to provide for the temporary use of land if the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land. (2) Despite any other provision of this Plan, development consent may be granted for development on land in any zone for a temporary use for a maximum period of 28 days (whether or not consecutive days) in any period of 12 months.	2.8 Temporary use of land (1) The objective of this clause is to provide for the temporary use of land if the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land. (2) Despite any other provision of this Plan, development consent may be granted for development on land in any zone for a temporary use for a maximum period of 28 days (whether or not consecutive days) in any period of 12 months.



PART 2: PERMITTED OR PROHIBITED DEVELOPMENT				
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition	
consecutive days) in any period of 12	or not consecutive days) in any period	(3) Development consent must not be	(3) Development consent must not	
months.	of 12 months.	granted unless the consent authority is	be granted unless the consent	
(3) Development consent must not be	(3) Development consent must not be	satisfied that—	authority is satisfied that:	
granted unless the consent authority is	granted unless the consent authority is	(a) the temporary use will not prejudice	(a) the temporary use will not	
satisfied that—	satisfied that—	the subsequent carrying out of	prejudice the subsequent carrying out	
()		development on the land in accordance	of development on the land in	
(a) the temporary use will not prejudice	(a) the temporary use will not prejudice	with this Plan and any other applicable	accordance with this Plan and any	
the subsequent carrying out of development on the land in accordance	the subsequent carrying out of development on the land in accordance	environmental planning instrument, and	other applicable environmental planning instrument, and	
with this Plan and any other applicable	with this Plan and any other applicable	anu	planning instrument, and	
environmental planning instrument,	environmental planning instrument,	(b) the temporary use will not	(b) the temporary use will not	
and	and	adversely impact on any adjoining land or the amenity of the neighbourhood,	adversely impact on any adjoining land	
(1)		and	or the amenity of the neighbourhood, and	
(b) the temporary use will not	(b) the temporary use will not		anu	
adversely impact on any adjoining land or the amenity of the neighbourhood,	adversely impact on any adjoining land or the amenity of the neighbourhood,	(c) the temporary use and location of	(c) the temporary use and location of	
and	and	any structures related to the use will not adversely impact on environmental	any structures related to the use will	
		attributes or features of the land, or	not adversely impact on environmental attributes or features of the land, or	
(c) the temporary use and location of	(c) the temporary use and location of	increase the risk of natural hazards that	increase the risk of natural hazards that	
any structures related to the use will	any structures related to the use will	may affect the land, and	may affect the land, and	
not adversely impact on environmental attributes or features of the land, or	not adversely impact on environmental attributes or features of the land, or	(d) at the end of the temporary use		
increase the risk of natural hazards that	increase the risk of natural hazards that	period the land will, as far as is	(d) at the end of the temporary use	
may affect the land, and	may affect the land, and	practicable, be restored to the	period the land will, as far as is practicable, be restored to the	
		condition in which it was before the	condition in which it was before the	
(d) at the end of the temporary use	(d) at the end of the temporary use	commencement of the use.	commencement of the use.	
period the land will, as far as is	period the land will, as far as is	(4) Despite subclause (2), the	(4) Dospito subslaves (2) the	
practicable, be restored to the condition in which it was before the	practicable, be restored to the condition in which it was before the	temporary use of a dwelling as a sales	(4) Despite subclause (2), the temporary use of a dwelling as a sales	
commencement of the use.	commencement of the use.	office for a new release area or a new	office for a new release area or a new	
commencement of the asc.	de la contraction de la contra	housing estate may exceed the	housing estate may exceed the	



Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
 (4) Despite subclause (2), the temporary use of a dwelling as a sales office for a new release area or a new housing estate may exceed the maximum number of days specified in that subclause. (5) Subclause (3)(d) does not apply to the temporary use of a dwelling as a sales office mentioned in subclause (4). 	 (4) Despite subclause (2), the temporary use of a dwelling as a sales office for a new release area or a new housing estate may exceed the maximum number of days specified in that subclause. (5) Subclause (3)(d) does not apply to the temporary use of a dwelling as a sales office mentioned in subclause (4). 	maximum number of days specified in that subclause. (5) Subclause (3)(d) does not apply to the temporary use of a dwelling as a sales office mentioned in subclause (4).	maximum number of days specified in that subclause. (5) Subclause (3) (d) does not apply to the temporary use of a dwelling as a sales office mentioned in subclause (4).

Land Use Table

See separate Land Use Matrix for land use permissibility

PART 3: EXEMPT AND COMPLYING DEVELOPMENT

PART 3: EXEMPT AND COMPLYING DEVELOPMENT				
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition	
3.1 Exempt development	3.1 Exempt development	3.1 Exempt development	3.1 Exempt development	
[compulsory]	Note. Under section 76 of the Act, exempt development may be carried	Note. Under section 76 of the Act, exempt development may be carried	Note . Under section 76 of the Act, exempt development may be carried	



PART 3: EXEMPT AND COMPLYING DEVE	LOPMENT		
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
Note. Under section 76 of the Act, exempt development may be carried out without the need for development consent under Part 4 of the Act or for assessment under Part 5 of the Act.	out without the need for development consent under Part 4 of the Act or for assessment under Part 5 of the Act. The section states that exempt development—	out without the need for development consent under Part 4 of the Act or for assessment under Part 5 of the Act. The section states that exempt development—	out without the need for development consent under Part 4 of the Act or for assessment under Part 5 of the Act. The section states that exempt development:
The section states that exempt development—	(a) must be of minimal environmental impact, and	(a) must be of minimal environmental impact, and	(a) must be of minimal environmental impact, and
(a) must be of minimal environmental impact, and	(b) cannot be carried out in a declared area of outstanding biodiversity value	(b) cannot be carried out in a declared area of outstanding biodiversity value	(b) cannot be carried out in a declared area of outstanding
(b) cannot be carried out in a declared area of outstanding biodiversity value under the <i>Biodiversity Conservation Act</i> 2016 or declared critical habitat under	under the <u>Biodiversity Conservation Act</u> <u>2016</u> or declared critical habitat under Part 7A of the <u>Fisheries Management</u> <u>Act 1994</u> , and	under the <u>Biodiversity Conservation Act</u> <u>2016</u> or declared critical habitat under Part 7A of the <u>Fisheries Management</u> <u>Act 1994</u> , and	biodiversity value under the Biodiversity Conservation Act 2016 or declared critical habitat under Part 7A of the Fisheries Management Act 1994,
Part 7A of the <i>Fisheries Management</i> Act 1994, and (c) cannot be carried out in a	(c) cannot be carried out in a wilderness area (identified under the <i>Wilderness Act 1987</i>).	(c) cannot be carried out in a wilderness area (identified under the <i>Wilderness Act 1987</i>).	(c) cannot be carried out in a wilderness area (identified under the
wilderness area (identified under the <u>Wilderness Act 1987</u>).	(1) The objective of this clause is to identify development of minimal	(1) The objective of this clause is to identify development of minimal	Wilderness Act 1987). (1) The objective of this clause is
(1) The objective of this clause is to identify development of minimal environmental impact as exempt	development.	development.	to identify development of minimal environmental impact as exempt development.
development. (2) Development specified in Schedule 2 that meets the standards for the development contained in that Schedule and that complies with the	(2) Development specified in Schedule 2 that meets the standards for the development contained in that Schedule and that complies with the requirements of this Part is exempt development.	(2) Development specified in Schedule 2 that meets the standards for the development contained in that Schedule and that complies with the requirements of this Part is exempt development.	(2) Development specified in Schedule 2 that meets the standards for the development contained in that Schedule and that complies with the



PART 3: EXEMPT AND COMPLYING DEVELOPMENT			
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
requirements of this Part is exempt development.	(3) To be exempt development, the development—	(3) To be exempt development, the development—	requirements of this Part is exempt development.
(3) To be exempt development, the development—	(a) must meet the relevant deemed-to- satisfy provisions of the <i>Building Code</i> of Australia or, if there are no such	(a) must meet the relevant deemed-to- satisfy provisions of the <i>Building Code</i> of Australia or, if there are no such	(3) To be exempt development, the development:
(a) must meet the relevant deemed-to- satisfy provisions of the <i>Building Code</i> of <i>Australia</i> or, if there are no such	relevant provisions, must be structurally adequate, and	relevant provisions, must be structurally adequate, and	(a) must meet the relevant deemed-to-satisfy provisions of the Building Code of Australia or, if there
relevant provisions, must be structurally adequate, and	(b) must not, if it relates to an existing building, cause the building to contravene the <i>Building Code of</i>	(b) must not, if it relates to an existing building, cause the building to contravene the <i>Building Code of</i>	are no such relevant provisions, must be structurally adequate, and
(b) must not, if it relates to an existing building, cause the building to	Australia, and	Australia, and	(b) must not, if it relates to an existing building, cause the building to
contravene the Building Code of Australia, and	(c) must not be designated development, and	(c) must not be designated development, and	contravene the Building Code of Australia, and
(c) must not be designated development, and	(d) must not be carried out on land that comprises, or on which there is, an item	(d) must not be carried out on land that comprises, or on which there is, an item	(c) must not be designated development, and
(d) must not be carried out on land that comprises, or on which there is, an item that is listed on the State Heritage Register under the <u>Heritage Act 1977</u> or	that is listed on the State Heritage Register under the <u>Heritage Act 1977</u> or that is subject to an interim heritage order under the <u>Heritage Act 1977</u> .	that is listed on the State Heritage Register under the <u>Heritage Act 1977</u> or that is subject to an interim heritage order under the <u>Heritage Act 1977</u> .	(d) must not be carried out on land that comprises, or on which there is, an item that is listed on the State Heritage Register under the Heritage
that is subject to an interim heritage order under the <u>Heritage Act 1977</u> .	(4) Development that relates to an existing building that is classified under	(4) Development that relates to an existing building that is classified under	Act 1977 or that is subject to an interim heritage order under the Heritage Act
(e) (Repealed)	the <i>Building Code of Australia</i> as class 1b or class 2–9 is exempt development	the <i>Building Code of Australia</i> as class 1b or class 2–9 is exempt development	1977.
(4) Development that relates to an existing building that is classified under	only if—	only if—	(e) (Repealed)(4) Development that relates to an
the Building Code of Australia as class	(a) the building has a current fire safety certificate or fire safety statement, or	(a) the building has a current fire safety certificate or fire safety statement, or	existing building that is classified under the Building Code of Australia as class



certificate or fire safety statement, or (b) no fire safety measures are currently implemented, required or proposed for the building. (5) To be exempt development must— (a) be installed in accordance with the development must— (b) no fire safety measures are currently implemented, required or proposed for the building. (5) To be exempt development, the development must— (a) be installed in accordance with the development must— (b) not involve the removal, pruning or other clearing of vegetation that requires a permit, development consent or other approval unless it is undertaken in accordance with a permit, development consent or other (5) To be exempt development, the development must— (a) be installed in accordance with the manufacturer's specifications, if applicable, and (b) not involve the removal, pruning or other clearing of vegetation that requires a permit, development consent or other approval unless it is undertaken in accordance with a permit, development consent or other (a) be installed in accordance with the manufacturer's specifications, if applicable, and (b) not involve the removal, pruning or other clearing of vegetation that requires a permit, development consent or other approval unless it is undertaken in accordance with a permit, development consent or other applicable, and (c) To be exempt development, the development must— (a) be installed in accordance with the manufacturer's specifications, if applicable, and (b) not involve the removal, pruning or other clearing of vegetation that requires a permit, development consent or other approval unless it is undertaken in accordance with a permit, development consent or other applicable, and (c) To be exempt development, the development must— (a) be installed in accordance with the manufacturer's specifications, if applicable, and (b) not involve the removal, pruning or other clearing of vegetation that requires a permit, development consent or other approval unless it is undertaken in accordance with a permit, development consent or other	as a current fire e safety
currently implemented, required or proposed for the building. (a) the building has a current fire safety certificate or fire safety statement, or (b) no fire safety measures are currently implemented, required or proposed for the building. (5) To be exempt development, the development must— (a) be installed in accordance with the manufacturer's specifications, if applicable, and (b) not involve the removal, pruning or (b) not involve the removal, pruning or (b) not involve the removal, pruning or (currently implemented, required or proposed for the building. (5) To be exempt development, the development must— (a) be installed in accordance with the manufacturer's specifications, if applicable, and (b) not involve the removal, pruning or other clearing of vegetation that requires a permit, development consent or other approval unless it is undertaken in accordance with a permit, development consent or other other other other other other other other applicable, and (c) To be exempt development, the development must— (a) be installed in accordance with the manufacturer's specifications, if applicable, and (b) not involve the removal, pruning or other approval unless it is undertaken in accordance with a permit, development consent or other other other other other other other other approval unless it is undertaken in accordance with a permit, development consent or other applicable, and	as a current fire e safety
other clearing of vegetation that requires a permit, development consent or other approval unless it is undertaken in accordance with a permit, development consent or other approval. Note. See <u>State Environmental Planning</u> Policy (Vegetation in Non-Rural Areas) 2017 and Part 5A of the Local Land Services Act 2013. (b) not involve the pruning or other clearing that requires a permit, that requires a permit, consent or other approval. See <u>State Environmental Planning</u> Policy (Vegetation in Non-Rural Areas) 2017 and Part 5A of the Local Land Services Act 2013. (6) A heading to an item in Schedule 2 is part of that Schedule. (6) A heading to an item in Schedule 2 is part of that Schedule. Note. Note. (6) A heading to an item in Schedule 2 is part of that Schedule. Note. See State Environmental Planning policy (Vegetation in Non-Rural Areas) 2017 and Part 5A of the Services Act 2013.	I, required or ing. development, accordance with ecifications, if e removal, ng of vegetation development oval unless it is nce with a



PART 3: EXEMPT AND COMPLYING DEVE	LOPMENT		
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
(6) A heading to an item in Schedule 2 is part of that Schedule.			(6) A heading to an item in Schedule 2 is part of that Schedule.
3.2 Complying development [compulsory] (1) The objective of this clause is to identify development as complying development. (2) Development specified in Part 1 of Schedule 3 that is carried out in compliance with— (a) the development standards specified in relation to that development, and (b) the requirements of this Part, is complying development. Note. See also clause 5.8(3) which provides	3.2 Complying development (1) The objective of this clause is to identify development as complying development. (2) Development specified in Part 1 of Schedule 3 that is carried out in compliance with— (a) the development standards specified in relation to that development, and (b) the requirements of this Part, is complying development. Note. See also clause 5.8(3) which provides that the conversion of fire alarms is	3.2 Complying development (1) The objective of this clause is to identify development as complying development. (2) Development specified in Part 1 of Schedule 3 that is carried out in compliance with— (a) the development standards specified in relation to that development, and (b) the requirements of this Part, is complying development. Note. See also clause 5.8(3) which provides that the conversion of fire alarms is	3.2 Complying development (1) The objective of this clause is to identify development as complying development. (2) Development specified in Part 1 of Schedule 3 that is carried out in compliance with: (a) the development standards specified in relation to that development, and (b) the requirements of this Part, is complying development. Note. See also clause 5.8 (3) which provides that the conversion of fire alarms is complying development in certain circumstances.
that the conversion of fire alarms is complying development in certain circumstances. (3) To be complying development, the development must—	complying development in certain circumstances. (3) To be complying development, the development must—	complying development in certain circumstances. (3) To be complying development, the development must—	(3) To be complying development, the development must:(a) be permissible, with development consent, in the zone in which it is carried out, and



PART 3: EXEMPT AND COMPLYING DEVELOPMENT			
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
(a) be permissible, with development consent, in the zone in which it is carried out, and	(a) be permissible, with development consent, in the zone in which it is carried out, and	(a) be permissible, with development consent, in the zone in which it is carried out, and	(b) meet the relevant deemed-to- satisfy provisions of the Building Code of Australia, and
 (b) meet the relevant deemed-to-satisfy provisions of the Building Code of Australia, and (c) have an approval, if required by the Local Government Act 1993, from the Council for an on-site effluent disposal system if the development is undertaken on unsewered land. (4) A complying development certificate for development specified in Part 1 of Schedule 3 is subject to the conditions (if any) set out or referred to 	(b) meet the relevant deemed-to-satisfy provisions of the <i>Building Code of Australia</i> , and (c) have an approval, if required by the <i>Local Government Act 1993</i> , from the Council for an on-site effluent disposal system if the development is undertaken on unsewered land. (4) A complying development certificate for development specified in Part 1 of Schedule 3 is subject to the conditions (if any) set out or referred to	 (b) meet the relevant deemed-to-satisfy provisions of the Building Code of Australia, and (c) have an approval, if required by the Local Government Act 1993, from the Council for an on-site effluent disposal system if the development is undertaken on unsewered land. (4) A complying development certificate for development specified in Part 1 of Schedule 3 is subject to the conditions (if any) set out or referred to 	(c) have an approval, if required by the Local Government Act 1993, from the Council for an on-site effluent disposal system if the development is undertaken on unsewered land. (4) A complying development certificate for development specified in Part 1 of Schedule 3 is subject to the conditions (if any) set out or referred to in Part 2 of that Schedule. (5) A heading to an item in Schedule 3 is part of that Schedule.
in Part 2 of that Schedule. (5) A heading to an item in Schedule 3 is part of that Schedule. 3.3 Environmentally sensitive areas	in Part 2 of that Schedule. (5) A heading to an item in Schedule 3 is part of that Schedule. 3.3 Environmentally sensitive areas	in Part 2 of that Schedule. (5) A heading to an item in Schedule 3 is part of that Schedule. 3.3 Environmentally sensitive areas	3.3 Environmentally sensitive
excluded [compulsory]	excluded	excluded	areas excluded
 (1) Exempt or complying development must not be carried out on any environmentally sensitive area for exempt or complying development. (2) For the purposes of this clause— 	 (1) Exempt or complying development must not be carried out on any environmentally sensitive area for exempt or complying development. (2) For the purposes of this clause— 	 (1) Exempt or complying development must not be carried out on any environmentally sensitive area for exempt or complying development. (2) For the purposes of this clause— 	 (1) Exempt or complying development must not be carried out on any environmentally sensitive area for exempt or complying development. (2) For the purposes of this clause:



PART 3: EXEMPT AND COMPLYING DEVELOPMENT				
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition	
environmentally sensitive area for				
exempt or complying	exempt or complying	exempt or complying	exempt or complying development	
development means any of the	development means any of the	development means any of the	means any of the following:	
following—	following—	following—	(a) the acceptal weetons of the State	
(a) the coastal waters of the State	(a) the spectal waters of the State	(a) the spectal waters of the State	(a) the coastal waters of the State,	
(a) the coastal waters of the State,	(a) the coastal waters of the State,	(a) the coastal waters of the State,	(b) a coastal lake,	
(b) a coastal lake,	(b) a coastal lake,	(b) a coastal lake,		
			(c) land within the coastal	
(c) land within the coastal wetlands	(c) land within the coastal wetlands	(c) land within the coastal wetlands	wetlands and littoral rainforests area	
and littoral rainforests area (within the	and littoral rainforests area (within the	and littoral rainforests area (within the	(within the meaning of the Coastal	
meaning of the <u>Coastal Management</u>	meaning of the <u>Coastal Management</u>	meaning of the <u>Coastal Management</u>	Management Act 2016),	
<u>Act 2016</u>),	<u>Act 2016</u>),	<u>Act 2016</u>),	(d) land reserved as an aquatic	
(d) land reserved as an aquatic reserve	(d) land reserved as an aquatic reserve	(d) land reserved as an aquatic reserve	reserve under the <u>Fisheries</u>	
under the Fisheries Management Act	under the <i>Fisheries Management Act</i>	under the Fisheries Management Act	Management Act 1994 or as a marine	
1994 or as a marine park under	1994 or as a marine park under	1994 or as a marine park under	park under the Marine Parks Act 1997,	
the Marine Parks Act 1997,	the Marine Parks Act 1997,	the Marine Parks Act 1997,	park and or the <u>Marine Farks rice 1337</u>)	
the <u>warmer and rice 1997</u>	the <u>Marmer and rice 1997</u> ,	the <u>warmer and recusor</u> ,	(e) land within a wetland of	
(e) land within a wetland of	(e) land within a wetland of	(e) land within a wetland of	international significance declared	
international significance declared	international significance declared	international significance declared	under the Ramsar Convention on	
under the Ramsar Convention on	under the Ramsar Convention on	under the Ramsar Convention on	Wetlands or within a World heritage	
Wetlands or within a World heritage	Wetlands or within a World heritage	Wetlands or within a World heritage	area declared under the World Heritage	
area declared under the World Heritage	area declared under the World Heritage	area declared under the World Heritage	Convention,	
Convention,	Convention,	Convention,	(f) land within 100 metres of land	
(f) land within 100 matres of land to	(f) land within 100 matres of land to	(f) land within 100 matres of land to		
(f) land within 100 metres of land to	(f) land within 100 metres of land to	(f) land within 100 metres of land to	to which paragraph (c), (d) or (e)	
which paragraph (c), (d) or (e) applies,	which paragraph (c), (d) or (e) applies,	which paragraph (c), (d) or (e) applies,	applies,	
(g) land identified in this or any other	(g) land identified in this or any other	(g) land identified in this or any other	(g) land identified in this or any	
environmental planning instrument as	environmental planning instrument as	environmental planning instrument as	other environmental planning	
being of high Aboriginal cultural	being of high Aboriginal cultural	being of high Aboriginal cultural	instrument as being of high Aboriginal	



PART 3: EXEMPT AND COMPLYING DEVELOPMENT			
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significance or high biodiversity significance,	significance or high biodiversity significance,	significance or high biodiversity significance,	cultural significance or high biodiversity significance,
(h) land reserved under the <u>National</u> <u>Parks and Wildlife Act 1974</u> or land acquired under Part 11 of that Act,	(h) land reserved under the <u>National</u> <u>Parks and Wildlife Act 1974</u> or land acquired under Part 11 of that Act,	(h) land reserved under the <u>National</u> <u>Parks and Wildlife Act 1974</u> or land acquired under Part 11 of that Act,	(h) land reserved under the National Parks and Wildlife Act 1974 or land acquired under Part 11 of that Act,
(i) land reserved or dedicated under the <u>Crown Lands Act 1989</u> for the preservation of flora, fauna, geological formations or for other environmental protection purposes,	(i) land reserved or dedicated under the <u>Crown Lands Act 1989</u> for the preservation of flora, fauna, geological formations or for other environmental protection purposes,	(i) land reserved or dedicated under the <u>Crown Lands Act 1989</u> for the preservation of flora, fauna, geological formations or for other environmental protection purposes,	(i) land reserved or dedicated under the <u>Crown Lands Act 1989</u> for the preservation of flora, fauna, geological formations or for other environmental protection purposes,
(j) land that is a declared area of outstanding biodiversity value under the <i>Biodiversity Conservation Act</i> 2016 or declared critical habitat under Part 7A of the <i>Fisheries Management Act 1994</i> .	(j) land that is a declared area of outstanding biodiversity value under the <i>Biodiversity Conservation Act</i> <u>2016</u> or declared critical habitat under Part 7A of the <i>Fisheries Management</i> <u>Act 1994</u> .	(j) land that is a declared area of outstanding biodiversity value under the <i>Biodiversity Conservation Act</i> 2016 or declared critical habitat under Part 7A of the <i>Fisheries Management Act 1994</i> .	(j) land that is a declared area of outstanding biodiversity value under the <u>Biodiversity Conservation Act 2016</u> or declared critical habitat under Part 7A of the <u>Fisheries Management Act 1994.</u>



PART 4: PRINCIPAL DEVELOPMENT STANDARDS

PART 4: PRINCIPAL DEVELOPMENT STANDARDS			
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
4.1 Minimum subdivision lot size	4.1 Minimum subdivision lot size	4.1 Minimum subdivision lot size	4.1 Minimum subdivision lot size
 4.1 Minimum subdivision lot size [optional] (1) The objectives of this clause are as follows— (a) [set out objectives of the clause] (2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan. (3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land. (4) This clause does not apply in relation to the subdivision of any land— (a) by the registration of a strata plan or strata plan of subdivision under 	(1) The objectives of this clause are as follows— (a) to ensure that minimum lot sizes reflect the outcomes of any adopted settlement strategy for Wyong, (b) to ensure that the creation of parcels of land for development occurs in a manner that protects the physical characteristics of the land, does not create potential physical hazard or amenity issues for neighbours, can be satisfactorily serviced and will not, through its potential cumulative effects, create capacity problems for existing infrastructure, (c) to ensure that lot sizes are able to accommodate development that is suitable for its purpose and consistent with relevant development controls.	 (1) The objectives of this clause are as follows— (a) to reflect State, regional and local planning strategies relating to the provision of various sizes of land, (b) to ensure that the subdivision of land is compatible with the desired future character of the area, (c) to promote the ecologically, socially and economically sustainable subdivision of land, (d) to ensure that the creation of parcels of land for development occurs in a manner that protects the physical characteristics of the land, does not create potential physical hazard or amenity issues for neighbours, can be satisfactorily serviced and will, through its potential cumulative effects, not 	 (1) The objectives of this clause are as follows: (a) to reflect State, regional and local planning strategies relating to the provision of various lot sizes, (b) to ensure that lot sizes are able to accommodate development that is suitable for its purpose and consistent with relevant development controls, (c) to ensure that the creation of lots occurs in a manner that is compatible with the desired future character of the area, protects the physical characteristics of the land, does not create potential physical hazard or amenity issues for neighbours, can be satisfactorily serviced and will not, through its potential cumulative effects, create capacity problems for existing infrastructure.
the <u>Strata Schemes Development Act</u> <u>2015</u> , or	(2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.	create capacity problems for existing infrastructure. (2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development	(d) to promote the ecologically, socially and economically sustainable subdivision of land.



PART 4: PRINCIPAL DEVELOPMENT STA	NDARDS		
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
(b) by any kind of subdivision under the <u>Community Land Development Act 1989</u> .	 (3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land. (4) This clause does not apply in relation to the subdivision of any land— (a) by the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015, or (b) by any kind of subdivision under the Community Land Development Act 1989. 	consent and that is carried out after the commencement of this Plan. (3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land. (4) This clause does not apply in relation to the subdivision of any land— (a) by the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015, or (b) by any kind of subdivision under the Community Land Development Act 1989.	 (2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan. (3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land. (4) This clause does not apply in relation to the subdivision of any land: (a) by the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015, or (b) by any kind of subdivision under the Community Land Development Act 1989.
4.1AA Minimum subdivision lot size for community title schemes [optional if clause 4.1 is adopted]	4.1AA Minimum subdivision lot size for community title schemes(1) The objectives of this clause are as	4.1AA Minimum subdivision lot size for community title schemes(1) The objectives of this clause are as	4.1AA Minimum subdivision lot size for community title schemes(1) The objectives of this clause are
(1) The objectives of this clause are as follows—	follows— (a) to ensure that the creation of lots	follows— (a) to ensure that land to which this	as follows: (a) to ensure that the creation of lots
(a) [set out objectives of the clause]	within a community title scheme occurs in a manner that protects the physical	clause applies is not fragmented by	within a community title scheme occurs in a manner that is compatible



PART 4: PRINCIPAL DEVELOPMENT STA	NDARDS		
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
(2) This clause applies to a subdivision	characteristics of the land, does not	subdivisions that would create	with the desired future character of
(being a subdivision that requires	create potential physical hazard or	additional dwelling entitlements.	the area, protects the physical
development consent) under the <u>Community Land Development Act</u> <u>1989</u> of land in any of the following zones— (a) [list relevant zones], but does not apply to a subdivision by the registration of a strata plan. (3) The size of any lot resulting from a subdivision of land to which this clause	amenity issues for neighbours, can be satisfactorily serviced and will not, through its potential cumulative effects, create capacity problems for existing infrastructure. (2) This clause applies to a subdivision (being a subdivision that requires development consent) under the <i>Community Land Development Act</i> 1989 of land in any of the following	(2) This clause applies to a subdivision (being a subdivision that requires development consent) under the <i>Community Land Development Act</i> 1989 of land in any of the following zones— (a) Zone RU1 Primary Production, (b) Zone RU2 Rural Landscape,	characteristics of the land, does not create potential physical hazard or amenity issues for neighbours, can be satisfactorily serviced and will not, through its potential cumulative effects, create capacity problems for existing infrastructure. (b) to ensure that land to which this clause applies is not fragmented by subdivisions that would create
applies (other than any lot comprising	zones—	(c) Zone RU5 Rural Village,	additional dwelling entitlements.
association property within the meaning of the <u>Community Land</u> <u>Development Act 1989</u>) is not to be	(a) Zone RU1 Primary Production,(b) Zone RU2 Rural Landscape.	(d) Zone R2 Low Density Residential,(e) Zone RE1 Public Recreation,	(2) This clause applies to a subdivision (being a subdivision that requires development consent) under the
less than the minimum size shown on the Lot Size Map in relation to that land.	(c) Zone RU5 Village, (d) Zone RU6 Transition,	(f) Zone E2 Environmental Conservation,	<u>Community Land Development Act</u> <u>1989</u> of land in any of the following
(4) This clause applies despite clause 4.1.	(e) Zone R2 Low Density Residential,	(g) Zone E3 Environmental Management,	zones: (a) Zone RU1 Primary Production,
Direction.	(f) Zone R5 Large Lot Residential,	(h) Zone E4 Environmental Living,	(b) Zone RU2 Rural Landscape.
An exception to the minimum size shown on the Lot Size Map may be provided in certain circumstances, for example, in the case of land that is to	(g) Zone E3 Environmental Management, (h) Zone E4 Environmental Living,	but does not apply to a subdivision by the registration of a strata plan. (3) The size of any lot resulting from a subdivision of land to which this clause	(c) Zone RU5 Village,(d) Zone RU6 Transition,(e) Zone R2 Low Density Residential,
be used for attached dwellings.	but does not apply to a subdivision by the registration of a strata plan.	applies (other than any lot comprising association property within the	(f) Zone R5 Large Lot Residential,



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	(3) The size of any lot resulting from a subdivision of land to which this clause applies (other than any lot comprising association property within the meaning of the <i>Community Land Development Act 1989</i>) is not to be less than the minimum size shown on the Lot Size Map in relation to that land. (4) This clause applies despite clause 4.1.	meaning of the <u>Community Land</u> <u>Development Act 1989</u>) is not to be less than the minimum size shown on the <u>Lot Size Map</u> in relation to that land. (4) This clause applies despite clause 4.1.	 (g) Zone E2 Environmental Conservation, (h) Zone E3 Environmental Management, (i) Zone E4 Environmental Living. but does not apply to a subdivision by the registration of a strata plan. (3) The size of any lot resulting from a subdivision of land to which this clause applies (other than any lot comprising association property within the meaning of the <i>Community Land Development Act 1989</i>) is not to be less than the minimum size shown on the Lot Size Map in relation to that land. (4) This clause applies despite clause 4.1.
	 4.1A Exceptions to minimum lot size for certain split zones (1) The objectives of this clause are as follows— (a) to provide for the subdivision of lots that are within more than one zone but cannot be subdivided under clause 4.1, 		 4.1C Exceptions to minimum subdivision lot size for certain split zones (1) The objectives of this clause are as follows: (a) to provide for the subdivision of lots that are within more than one zone but cannot be subdivided under clause 4.1,



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	(b) to ensure that the subdivision		(b) to ensure that the subdivision
	occurs in a manner that promotes		occurs in a manner that promotes
	suitable land uses and development.		suitable land uses and development.
	(2) This clause applies to each lot		(2) This clause applies to each lot (an
	(an <i>original lot</i>) that contains—		original lot) that contains:
	(a) land in Zone R5 Large Lot		(a) land in Zone R5 Large Lot Residentia
	Residential or Zone E4 Environmental		or Zone E4 Environmental Living, and
	Living, and		_
			(b) land in Zone E2 Environmental
	(b) land in Zone E2 Environmental		Conservation or Zone E3 Environmental
	Conservation or Zone E3 Environmental		Management.
	Management.		(3) Despite clause 4.1, development
	(3) Despite clause 4.1, development		consent may be granted to subdivide an
	consent may be granted to subdivide an		original lot to create other lots (the
	original lot to create other lots		resulting lots) if:
	(the resulting lots) if—		
	(and resulting letter, in		(a) any part of a resulting lot that
	(a) any part of a resulting lot that		contains land in Zone R5 Large Lot
	contains land in Zone R5 Large Lot		Residential has an area of at least 1
	Residential has an area of at least 1		hectare, and
	hectare, and		(h) any part of a reculting let that
	(b) any part of a reculting let that		(b) any part of a resulting lot that contains land in Zone E4 Environmental
	(b) any part of a resulting lot that		
	contains land in Zone E4 Environmental		Living has an area of at least 0.5 hectares,
	Living has an area of at least 0.5		and
	hectares, and		(c) one of the resulting lots:
	(c) one of the resulting lots—		
	.,		(i) contains all of the land in Zone E2
	(i) contains all of the land in Zone E2		Environmental Conservation or Zone E3
	Environmental Conservation or Zone E3		



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	Environmental Management that was in		Environmental Management that was in
	the original lot, and		the original lot, and
	(ii) has an area measured in hectares of		(ii) has an area measured in hectares of
	at least the number calculated in		at least the number calculated in
	accordance with the following		accordance with the following formula:
	formula—		/ B \
	(P)		$\left(A-\frac{B}{2}\right)x$ 5
	$\left(A - \frac{B}{2}\right) \times 5$		(2)
			where:
	where—		A is the number of resulting lots
	A is the number of resulting lots		containing land in Zone R5 Large Lot
	containing land in Zone R5 Large Lot		Residential or Zone E4 Environmental
	Residential or Zone E4 Environmental		Living, but does not include any lot
	Living, but does not include any lot		containing at least 2 hectares of such
	containing at least 2 hectares of such		land.
	land.		ialia.
			B is the area of any part of the resulting
	B is the area of any part of the resulting		lots containing land in Zone R5 Large Lot
	lots containing land in Zone R5 Large Lot		Residential or Zone E4 Environmental
	Residential or Zone E4 Environmental		Living measured in hectares, but does not
	Living measured in hectares, but does		include any part of a lot containing at
	not include any part of a lot containing		least 2 hectares of such land.
	at least 2 hectares of such land.		(4) Development consent must not be
	(4) Development consent must not be		(4) Development consent must not be granted under subclause (3) unless the
	granted under subclause (3) unless the		consent authority is satisfied that:
	consent authority is satisfied that—		consent authority is satisfied that.
	The state of the s		(a) the land referred to in subclause
	(a) the land referred to in subclause		(3)(c) will not be used for the purpose of
	(3)(a) will not be used for the purpose		eco-tourist facilities, residential
	of eco-tourist facilities, residential		



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	accommodation or tourist and visitor accommodation, and		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.		(b) suitable arrangements have been, o will be, made for the long-term conservation and management of that land.
		4.1B Minimum lot sizes for attached dwellings, dual occupancies, multi dwelling housing and residential flat buildings	(now covered by 4.1F and CCDCP)
		(1) The objective of this clause is to achieve planned residential density in certain zones.	
		(2) Development consent may be granted to development on a lot in Zone R1 General Residential for a purpose shown in Column 1 of the Table to this clause if the area of the lot is equal to or greater than the area shown opposite that purpose in Column 2 of the Table.	
		Column 1 Column 2 Dual occupancy 550 square metres	



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		Dual occupancy (detached)	800 square metres	
		Multi dwelling housing	750 square metres	
		Residential flat building	750 square metres	
		Attached dwelling	750 square metres	
		(3) (Repealed)		
	4.1B Exceptions to minimum lot sizes			4.1D Exceptions to minimum
	for certain residential development			subdivision lot sizes for dual occupancy
	(1) The objectives of this clause are as follows—(a) to provide opportunities for			development (1) The objectives of this clause are as follows:
	affordable housing in appropriate locations,			(a) to provide opportunities for affordable housing in appropriate locations,
	(b) to encourage housing diversity without adversely impacting on residential amenity.			(b) to encourage housing diversity without adversely impacting on
	(2) This clause applies to land in Zone R2 Low Density Residential.			residential amenity. (2) This clause applies to land in any of the following zones:
	(3) Development consent may be granted to a single development			(a) Zone R1 General Residential,



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	application for development on land to		(b) Zone R2 Low Density Residential.
	which this clause applies that is both of		(2) David and an extra control of
	the following—		(3) Development consent may be
	(a) the subdivision of land into F or		granted to a single development
	(a) the subdivision of land into 5 or more lots of a size that is less than the		application for development that is both
			of the following:
	minimum size shown on the Lot Size		(a) the erection of a dual occupancy on
	Map in relation to that land,		land to which this clause applies,
	(b) the erection of a dwelling house on		
	each lot resulting from the subdivision.		(b) the subdivision of that land into 2
	(4) 5		lots of a size that is less than the
	(4) Development consent may be		minimum size shown on the Lot Size Map
	granted to a single development		in relation to that land.
	application for development that is both		4.1E Exceptions to minimum subdivision
	of the following—		lot sizes for certain residential
	(a) the erection of a dual occupancy on		development
	land to which this clause applies,		
			(1) The objectives of this clause are as
	(b) the subdivision of that land into 2		follows:
	lots of a size that is less than the		(a) to provide opportunities for
	minimum size shown on the <u>Lot Size</u>		affordable housing in appropriate
	Map in relation to that land.		locations,
	(5) In determining whether to grant		
	development consent for development		(b) to encourage housing diversity
	under subclause (3) or (4), the consent		without adversely impacting on
	authority must consider the following—		residential amenity.
			(2) This clause applies to land in Zone R
	(a) the likely impact of the height of the		General Residential.
	development on development located		



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	on adjoining land in relation to visual impacts and overshadowing, (b) whether the development provides adequate pedestrian, vehicular and service access and car parking, (c) whether the development incorporates the principles of ecologically sustainable development, (d) the relationship between each of the dwellings comprising the development in relation to location and siting.		(3) Development consent may be granted to a single development application for development on land to which this clause applies that is both of the following: (a) the subdivision of land into 5 or more lots of a size that is less than the minimum size shown on the Lot Size Map in relation to that land, (b) the erection of a dwelling house on each lot resulting from the subdivision. (4) In determining whether to grant development consent for development under subclause (3), the consent authority must consider the following: (a) the likely impact of the height of the development on development located on adjoining land in relation to visual impact and (b) whether the development provides adequate pedestrian, vehicular and service access and car parking, (c) whether the development incorporates the principles of ecologically sustainable development,



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			(d) the relationship between each of the dwellings comprising the development in relation to location and siting.
	4.1C Exceptions to minimum subdivision lot size under community title schemes for certain large lot residential development		4.1A Exceptions to minimum subdivision lot size under community title schemes for certain large lot residential development
	 (1) The objective of this clause is to enable appropriate subdivision of certain land, so as to provide for a range of lot sizes whilst retaining a predominantly rural and large lot residential character. (2) This clause applies to land that is— (a) shown edged by a heavy red line on the <u>Dwelling Density Map</u>, and (b) wholly within Zone R5 Large Lot Residential. (3) Despite clauses 4.1 and 4.1AA, development consent may be granted for the subdivision of land to which this clause applies if— (a) none of the lots being subdivided were created by a previous subdivision under this clause, and 		 (1) The objective of this clause is to enable appropriate subdivision of certain land, so as to provide for a range of lot sizes whilst retaining a predominantly rural and large lot residential character. (2) This clause applies to land that is: (a) shown edged by a heavy red line on the Dwelling Density Map, and (b) wholly within Zone R5 Large Lot Residential. (3) Despite clauses 4.1 and 4.1AA, development consent may be granted for the subdivision of land to which this clause applies if: (a) none of the lots being subdivided were created by a previous subdivision under this clause, and



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	(b) any lot created by the subdivision is within a community title scheme under the Community Land Development Act 1989, and (c) any lot created by the subdivision that has an area that is less than the minimum lot size shown on the Lot Size Map in relation to the land has a minimum area of 900 square metres, and (d) no more than 30% of the area of the lots created by the subdivision consists of lots that have an area that is less than the minimum lot size shown on the Lot Size Map in relation to the land, and (e) the development will not result in there being a total number of more than 300 lots comprising land shown on the Dwelling Density Map, and (f) the consent authority is satisfied that the subdivision of land will not affect the retention of the predominantly rural and large lot residential character of the locality.		(b) any lot created by the subdivision is within a community title scheme under the Community Land Development Act 1989, and (c) any lot created by the subdivision the has an area that is less than the minimulated lot size shown on the Lot Size Map in relation to the land has a minimum area of 900 square metres, and (d) no more than 30% of the area of the lots created by the subdivision consists lots that have an area that is less than the minimum lot size shown on the Lot Size Map in relation to the land, and (e) the development will not result in there being a total number of more than 300 lots comprising land shown on the Dwelling Density Map, and (f) the consent authority is satisfied than the subdivision of land will not affect the retention of the predominantly rural and large lot residential character of the locality.



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		4.1C Exception to minimum lot size for subdivision of land that includes deferred matter	
		(1) Development consent may be granted to a subdivision of land to create a lot (the <i>residual lot</i>) of a size that is less than the minimum size shown on the <u>Lot Size Map</u> in relation to that land if—	
		(a) the subdivision is of land that is being subdivided together with land identified as "Deferred Matter" under clause 1.3(1A), and	
		(b) the residual lot is comprised entirely of land to which this Plan applies.	
		(2) Development consent must not be granted for the erection of a dwelling on the residual lot.	



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	4.1D Minimum lot sizes for dual occupancies		4.1F Minimum lot size for Dual Occupancy
	Development consent may be granted to development for the purpose of dual occupancies if the size of each lot is equal to or greater than— (a) in the case of an attached dual occupancy—550 square metres, or (b) in the case of a detached dual occupancy—700 square metres.		 (1) The objective of this clause is to achieve planned residential density in certain zones (2) This clause applies to land in any of the following zones: (a) Zone R1 General Residential, (b) Zone R2 Low Density Residential (c) Zone R3 Medium Density Residential (3) Development consent may be granted to development for the purpose of dual occupancies if the size of each losis equal to or greater than— (a) in the case of an attached dual occupancy—550 square metres, or (b) in the case of a detached dual occupancy—700 square metres
I.2 Rural subdivision [compulsory if clause 4.1 adopted and land to which Plan applies includes land zoned RU1, RU2, RU3, RU4 or RU6]	provide flexibility in the application of	4.2 Rural subdivision(1) The objective of this clause is to provide flexibility in the application of	4.2 Rural subdivision(1) The objective of this clause is to provide flexibility in the application of
1) The objective of this clause is to provide flexibility in the application of	standards for subdivision in rural zones to allow land owners a greater chance	standards for subdivision in rural zones to allow land owners a greater chance	standards for subdivision in rural zones to allow land owners a greater chance to



PART 4: PRINCIPAL DEVELOPMENT STA	PART 4: PRINCIPAL DEVELOPMENT STANDARDS			
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition	
standards for subdivision in rural zones to allow land owners a greater chance to achieve the objectives for development in the relevant zone. (2) This clause applies to the following rural zones— (a) Zone RU1 Primary Production, (b) Zone RU2 Rural Landscape, (baa) Zone RU3 Forestry, (c) Zone RU4 Primary Production Small Lots,	to achieve the objectives for development in the relevant zone. (2) This clause applies to the following rural zones— (a) Zone RU1 Primary Production, (b) Zone RU2 Rural Landscape, (baa) Zone RU3 Forestry, (c) Zone RU4 Primary Production Small Lots, (d) Zone RU6 Transition.	to achieve the objectives for development in the relevant zone. (2) This clause applies to the following rural zones— (a) Zone RU1 Primary Production, (b) Zone RU2 Rural Landscape, (baa) Zone RU3 Forestry, (c) Zone RU4 Primary Production Small Lots, (d) Zone RU6 Transition.	achieve the objectives for development in the relevant zone. (2) This clause applies to the following rural zones: (a) Zone RU1 Primary Production, (b) Zone RU2 Rural Landscape, (baa) Zone RU3 Forestry, (c) Zone RU4 Primary Production Small Lots, (d) Zone RU6 Transition.	
 (d) Zone RU6 Transition. (3) Land in a zone to which this clause applies may, with development consent, be subdivided for the purpose of primary production to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land. (4) However, such a lot cannot be created if an existing dwelling would, as the result of the subdivision, be situated on the lot. 	Note. When this Plan was made it did not include all of these zones. (3) Land in a zone to which this clause applies may, with development consent, be subdivided for the purpose of primary production to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land. (4) However, such a lot cannot be created if an existing dwelling would, as the result of the subdivision, be situated on the lot.	Note. When this Plan was made it did not include all of these zones. (3) Land in a zone to which this clause applies may, with development consent, be subdivided for the purpose of primary production to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land. (4) However, such a lot cannot be created if an existing dwelling would, as the result of the subdivision, be situated on the lot.	Note. When this Plan was made it did not include all of these zones. (3) Land in a zone to which this clause applies may, with development consent, be subdivided for the purpose of primary production to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land. (4) However, such a lot cannot be created if an existing dwelling would, as the result of the subdivision, be situated on the lot. (5) A dwelling cannot be erected on such a lot.	



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(5) A dwelling cannot be erected on such a lot.	(5) A dwelling cannot be erected on such a lot.	(5) A dwelling cannot be erected on such a lot.	Note. A dwelling includes a rural worker's dwelling (see definition of that term in the Dictionary).
Note. A dwelling includes a rural	Note. A dwelling includes a rural	Note. A dwelling includes a rural	
worker's dwelling (see definition of	worker's dwelling (see definition of that	worker's dwelling (see definition of	
that term in the Dictionary).	term in the Dictionary).	that term in the Dictionary).	
	4.2A Minimum subdivision lot size for	4.1A Minimum subdivision lot size	4.1B Minimum subdivision lot size for
	strata plan schemes in certain rural and	for strata plan schemes in certain	strata plan schemes in certain zones
	environment protection zones	rural, residential, recreation and environment protection zones	(1) The objectives of this clause are as
	(1) The objective of this clause is to		follows:
	ensure that land to which this clause	(1) The objective of this clause is to	(a) to ensure that the creation of lots
	applies is not fragmented by	ensure that land to which this clause	within a strata plan scheme occurs in a
	subdivisions that would create	applies is not fragmented by	manner that is compatible with the
	additional dwelling entitlements.	subdivisions that would create	desired future character of the area,
	(2) This clause applies to land in the	additional dwelling entitlements.	protects the physical characteristics of
	following zones that is used, or is	(2) This clause applies to land in the	the land, does not create potential
	proposed to be used, for residential	following zones that is used, or	physical hazard or amenity issues for
	accommodation or tourist and visitor	proposed to be used, for residential	neighbours, can be satisfactorily serviced
	accommodation—	accommodation or tourist and visitor	and will not, through its potential
	(a) Zone RU1 Primary Production,	accommodation—	cumulative effects, create capacity
		(a) Zone RU1 Primary Production,	problems for existing infrastructure.
	(b) Zone RU2 Rural Landscape.	(1) 7 2122	(b) to ensure that land to which this
	(c) Zone RU5 Village,	(b) Zone RU2 Rural Landscape,	clause applies is not fragmented by
		(c) Zone RU5 Rural Village,	subdivisions that would create additional
	(d) Zone RU6 Transition,		dwelling entitlements.
	(e) Zone R5 Large Lot Residential,	(d) Zone R2 Low Density Residential,	(2) This eleves applies to lead in the
	(c) Lone No Large Lot Nesidential,	(e) Zone RE1 Public Recreation,	(2) This clause applies to land in the
		(c) Zone NET i done necreation,	following zones that is used, or proposed
			to be used, for residential



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	(f) Zone E2 Environmental Conservation,	(f) Zone E2 Environmental Conservation,	accommodation or tourist and visitor accommodation:
	(g) Zone E3 Environmental Management, (h) Zone E4 Environmental Living. (3) The size of any lot resulting from a subdivision of land to which this clause applies for a strata plan scheme (other than any lot comprising common property within the meaning of the Strata Schemes (Freehold Development) Act 1973 or Strata Schemes (Leasehold Development) Act 1986) is not to be less than the minimum lot size shown on the Lot Size Map in relation to that land. Note. Part 6 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 provides that strata subdivision of a building in certain circumstances is specified complying development.	(g) Zone E3 Environmental Management. (h) (Repealed) (3) The size of any lot resulting from a subdivision of land to which this clause applies for a strata plan scheme (other than any lot comprising common property within the meaning of the Strata Schemes (Freehold Development) Act 1973 or Strata Schemes (Leasehold Development) Act 1986) is not to be less than the minimum size shown on the Lot Size Map in relation to that land. Note. Part 6 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 provides that strata subdivision of a building in certain circumstances is specified complying development.	 (a) Zone RU1 Primary Production, (b) Zone RU2 Rural Landscape, (c) Zone RU5 Rural Village, (d) Zone RU6 Transition (e) Zone R5 Large Lot Residential, (f) Zone E2 Environmental Conservation, (g) Zone E3 Environmental Management. (h) Zone E4 Environmental Living. (3) The size of any lot resulting from a subdivision of land to which this clause applies for a strata plan scheme (other than any lot comprising common property within the meaning of the <u>Strate Schemes (Freehold Development) Act 1973</u> or <u>Strata Schemes (Leasehold Development) Act 1986</u>) is not to be less than the minimum size shown on the Lot Size Map in relation to that land. Note. Part 6 of State Environmental



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			<u>Development Codes) 2008</u> provides that
			strata subdivision of a building in certai
			circumstances is specified complying
			development.
		4.2A Residential development and	4.2B Dwelling entitlement on
		subdivision prohibited on certain land	undersized lots resulting from road
		(1) The objectives of this clause are as	closures
		follows—	(1) The objectives of this clause are as
			follows:
		(a) to minimise unplanned rural	
		residential development,	(a) to minimise unplanned rural
		(b) to prohibit residential	residential development,
		development on undersized lots	(b) to prohibit residential developmen
		resulting from the closure of a road.	on undersized lots resulting from the
			closure of part or all of a road.
		(2) This clause applies to land in the	
		following zones—	(2) This clause applies to land in any o
		(a) Zone RU1 Primary Production,	the following zones:
			(a) Zone RU1 Primary Production,
		(b) Zone RU2 Rural Landscape,	
		(c) Zone E2 Environmental	(b) Zone RU2 Rural Landscape,
		Conservation,	(c) Zone RU6 Transition,
		·	
		(d) Zone E3 Environmental	(d) Zone E3 Environmental
		Management,	Management,
		(e) Zone E4 Environmental Living.	(e) Zone E4 Environmental Living.
		(3) Development consent must not be	(3) Development consent may only be
		granted for the erection of a dwelling	granted for the erection of a dual



	house on a lot resulting from the	occupancy or dwelling house on land to
	closure of part or all of a road, irrespective of when that closure occurred, unless the lot is at least the minimum lot size specified for that land by the Lot Size Map. (4) Subclause (3) extends to a lot resulting from the closure of part or all of a road, the boundaries of which have been realigned as a result of a subdivision of an adjoining lot that did not result from the closure of part or all of a road. (5) Subclause (3) does not apply to a lot created by the consolidation of a lot resulting from the closure of part or all of a road with an adjoining lot that did not result from the closure of part or all of a road.	which this clause applies if the land: (a) is a lot resulting from the closure of part or all of a road that is at least the minimum lot size shown on the Lot Size Map in relation to that land, or (b) is a lot resulting from the consolidation of a lot created from the closure of part or all of a road with an adjoining lot that did not result from the closure of part or all of a road. (4) Development consent must not be granted for a dual occupancy or dwellin house under subclause (3) if the land is lot resulting from the closure of part or all of a road, the boundaries of which have been realigned as a result of a subdivision of an adjoining lot that did not result from the closure of part or all of a road.
4.2B Erection of dual occupancies and dwelling houses on land in certain rural and environment protection zones (1) The objectives of this clause are as		4.2A Dwelling entitlement on land in certain rural and environment protection zones (1) The objectives of this clause are to



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	 (a) to minimise unplanned rural residential development, (b) to enable the replacement of lawfully erected dual occupancies and dwelling houses in certain rural and environment protection zones. (2) This clause applies to land in the following zones— (a) Zone RU1 Primary Production, (b) Zone RU2 Rural Landscape, (c) Zone RU6 Transition, (d) Zone E3 Environmental Management. (3) Development consent must not be granted for the erection of a dwelling house on land to which this clause applies unless the land— (a) is a lot that is at least the minimum lot size shown on the Lot Size Map in relation to that land, or (b) is a lot created before this Plan commenced and on which the erection of a dwelling house was permissible 		 (a) enable development for the purposes of a dwelling house or dual occupancy on land which had a dwelling entitlement prior to the commencement of this plan; (b) enable a dwelling entitlement for lots created under this plan which meet the minimum lot size requirements as identified on the Lot Size Map (2) This clause applies to land in any of the following zones: (a) Zone RU1 Primary Production, (b) Zone RU2 Rural Landscape, (c) Zone RU6 Transition, (d) Zone E3 Environmental Management. (3) Development consent may be granted for a dwelling house on land to which this clause applies if the land: (a) is a lot created before this Plan commenced and on which a dual occupancy or dwelling house was permissible immediately before that commencement, or



tandard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
tanuaru instrument Frincipai Ler	immediately before that commencement, or (c) is a lot resulting from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house would have been permissible if the plan of subdivision had been registered before that commencement, or (d) is a lot identified on the Lot Amalgamation Map— (i) that has been amalgamated, and (ii) on which development for the purpose of a dual occupancy or a dwelling house was permissible immediately before this Plan commenced, or (e) would have been a lot referred to in paragraph (a), (b), (c) or (d) had it not been affected by— (i) a minor realignment of its boundaries that did not create an	GOSIOIU LEP ZOTA PIOVISION	(b) is a lot created in accordance with the provisions of this Plan, or (c) is a lot which is of or greater than the minimum lot size applicable to the land as identified on the Lot Size Map, or (d) is a lot identified on the Lot Amalgamation Map— (i) that has been amalgamated, and (ii) on which development for the purpose of a dual occupancy or a dwelling house was permissible immediately before this Plan commenced, or (e) would have been a lot of the minimum lot size as shown on the Lot Size Map in relation to that land had it not been affected by: (i) a minor realignment of its boundaries that did not create an additional lot, or (ii) a subdivision which created or widened a public road or public reserve or for another public purpose.



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	(ii) a subdivision creating or widening a		Environmental Planning Policy (Rural
	public road or public reserve or for		<i>Lands) 2008</i> or clause 4.2.
	another public purpose, or		
	(iii) a consolidation with an adjoining		
	public road or public reserve or for		
	another public purpose.		
	Note. A dwelling cannot be erected on		
	a lot created under clause 9 of State		
	Environmental Planning Policy (Rural		
	<u>Lands) 2008</u> or clause 4.2.		
	(4) Development consent must not be		
	granted under subclause (3) unless—		
	(a) no dwelling house has been erected		
	on the land, and		
	(b) if a development application has		
	been made for development for the		
	purpose of a dwelling house on the		
	land—the application has been refused		
	or it was withdrawn before it was		
	determined, and		
	(c) if development consent has been		
	granted in relation to such an		
	application—the consent has been		
	surrendered or it has lapsed.		
	(5) Development consent may be		
	granted for the erection of a dwelling		



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	house on land to which this clause applies if there is a lawfully erected dwelling house on the land and the dwelling house to be erected is intended only to replace the existing dwelling house. (6) (Repealed) (7) This clause (other than subclause (8)) applies to a dual occupancy in the same way as it applies to a dwelling house. (8) Despite subclauses (3) and (5), development consent may be granted for the erection of a dwelling house to create a dual occupancy on land to which this clause applies if there is a lawfully erected dwelling house on the land.		
	4.2C Boundary adjustments in certain rural and environmental protection zones	4.2B Boundary adjustments in certain rural and environmental protection zones	4.2C Boundary adjustments in certain rural and environmental protection zones
	(1) The object of this clause is to facilitate boundary adjustments between lots where one or more	(1) The object of this clause is to facilitate boundary adjustments between lots where one or more	(1) The object of this clause is to facilitate boundary adjustments between lots where one or more resultant lots do



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	lot size but the objectives of the relevant zone can be achieved.	minimum lot size but the objectives of the relevant zone can be achieved.	objectives of the relevant zone can be achieved.
	(2) This clause applies to land in the following zones—	(2) This clause applies to land in the following zones—	(2) This clause applies to land in the following zones—
	(a) Zone RU1 Primary Production,	(a) Zone RU1 Primary Production,	(a) Zone RU1 Primary Production,
	(b) Zone RU2 Rural Landscape,	(b) Zone RU2 Rural Landscape,	(b) Zone RU2 Rural Landscape,
	(c) Zone E2 Environmental	(c) Zone E2 Environmental	(c) Zone E2 Environmental Conservation,
	Conservation,	Conservation,	(d) Zone E3 Environmental
	(d) Zone E3 Environmental Management,	(d) Zone E3 Environmental Management,	Management, (e) Zone E4 Environmental Living.
	(e) Zone E4 Environmental Living.	(e) Zone E4 Environmental Living.	(3) Despite clause 4.1(3), development
	(3) Despite clause 4.1(3), development consent may be granted to subdivide land by way of a boundary adjustment between adjoining lots where one or more resultant lots do not meet the minimum lot size shown on the Lot Size Map in relation to that land if the consent authority is satisfied that— (a) the subdivision will not create additional lots or the opportunity for additional dwellings, and	(3) Despite clause 4.1(3), development consent may be granted to subdivide land by way of a boundary adjustment between adjoining lots where one or more resultant lots do not meet the minimum lot size shown on the Lot Size Map in relation to that land if the consent authority is satisfied that— (a) the subdivision will not create additional lots or the opportunity for additional dwellings, and	consent may be granted to subdivide land by way of a boundary adjustment between adjoining lots where one or more resultant lots do not meet the minimum lot size shown on the Lot Size Map in relation to that land if the consent authority is satisfied that— (a) the subdivision will not create additional lots or the opportunity for additional dwellings, and (b) the number of dwellings on each lot
		(b) the number of dwellings on each lot after the subdivision will remain	after the subdivision will remain the same as before the subdivision, and



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	(b) the number of dwellings on each lot	the same as before the subdivision,	(c) the potential for land use conflict will
	after the subdivision will remain the	and	not be increased as a result of the
	same as before the subdivision, and	(c) the potential for land use conflict	subdivision, and
	(c) the potential for land use conflict	will not be increased as a result of the	(d) if the land is in Zone RU1 Primary
	will not be increased as a result of the	subdivision, and	Production or Zone RU2 Rural
	subdivision, and	(d) if the land is in Zone RU1 Primary	Landscape—the subdivision will not have
	(d) if the land is in Zone RU1 Primary	Production or Zone RU2 Rural	a significant adverse effect on the
	Production or Zone RU2 Rural	Landscape—the subdivision will not	agricultural viability of the land, and
	Landscape—the subdivision will not	have a significant adverse effect on the	(e) if the land is in Zone E2
	have a significant adverse effect on the	agricultural viability of the land, and	Environmental Conservation, Zone E3
	agricultural viability of the land, and	(e) if the land is in Zone E2	Environmental Management or Zone E4
	(e) if the land is in Zone E2	Environmental Conservation, Zone E3	Environmental Living—the subdivision w
	Environmental Conservation, Zone E3	Environmental Management or Zone	result in the continued protection and long term maintenance of the land.
	Environmental Management or Zone E4	E4 Environmental Living—the	long term maintenance of the land.
	Environmental Living—the subdivision	subdivision will result in the continued	(4) Before determining a development
	will result in the continued protection	protection and long term maintenance	application for the subdivision of land
	and long term maintenance of the land.	of the land.	under this clause, the consent authority
	(4) Before determining a development	(4) Before determining a development	must consider whether or not the
	application for the subdivision of land	application for the subdivision of land	subdivision is likely to be incompatible
	under this clause, the consent authority	under this clause, the consent	with, or have a significant adverse impac
	must consider whether or not the	authority must consider whether or	on, the predominant land uses in the
	subdivision is likely to be incompatible	not the subdivision is likely to be	vicinity of the subdivision.
	with, or have a significant adverse	incompatible with, or have a	(5) This clause does not apply—
	impact on, the predominant land uses in	significant adverse impact on, the	
	the vicinity of the subdivision.	predominant land uses in the vicinity	(a) in relation to the subdivision of
	(5) This clause does not apply—	of the subdivision.	individual lots within a strata plan or community title scheme, or
		(5) This clause does not apply—	,



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	(a) in relation to the subdivision of individual lots within a strata plan or community title scheme, or(b) if the subdivision would create a lot that could itself be subdivided in accordance with clause 4.1.	(a) in relation to the subdivision of individual lots within a strata plan or community title scheme, or(b) if the subdivision would create a lot that could itself be subdivided in accordance with clause 4.1.	(b) if the subdivision would create a lot that could itself be subdivided in accordance with clause 4.1.
4.3 Height of buildings [optional]	4.3 Height of buildings	4.3 Height of buildings	4.3 Height of buildings
 (1) The objectives of this clause are as follows— (a) [set out objectives of the clause] (2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map. 	 (1) The objectives of this clause are as follows— (a) to establish the maximum height limit for buildings to enable the achievement of appropriate development density, (b) to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality, (c) to ensure that the height of buildings protects the amenity of neighbouring properties in terms of visual bulk, access to sunlight, privacy and views. (ca) in relation to land at Kanwal that is within Zone B6 Enterprise Corridor and 	 (1) The objectives of this clause are as follows— (a) to establish maximum height limits for buildings, (b) to permit building heights that encourage high quality urban form, (c) to ensure that buildings and public areas continue to receive satisfactory exposure to sky and sunlight, (d) to nominate heights that will provide an appropriate transition in built form and land use intensity, (e) to ensure that taller buildings are located appropriately in relation to view corridors and view impacts and in 	 (1) The objective of this clause is to establish the maximum height limit for buildings. (2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.



tandard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
	is identified as "Area 4" on the Height of	a manner that is complementary to	
	Buildings Map—	the natural topography of the area,	
	(i) to provide incentives for the	(f) to protect public open space from	
	development of health-related facilities	excessive overshadowing and to allow	
	in this locality, and	views to identify natural topographical	
	(ii) to encourage lot consolidation of	features.	
	smaller lots to reduce the possibility of	(2) The height of a building on any	
	fragmented development, encourage	land is not to exceed the maximum	
	shared facilities and manage traffic	height shown for the land on	
	movements.	the <u>Height of Buildings Map</u> .	
	(2) The height of a building on any land	Note.	
	is not to exceed the maximum height	Clauses 4.3A, 4.6, 5.6, 7.7 and 8.9	
	shown for the land on the <u>Height of</u> <u>Buildings Map</u> .	provide exceptions to the maximum	
	bullulings iviap.	height shown for the relevant land on	
	(2A) Despite subclause (2), if the site	the <u>Height of Buildings Map</u> in certain	
	area of a building on land identified as	circumstances.	
	"Area 1" or "Area 2" on the <u>Height of</u> <u>Buildings Map</u> is at least 1,800 square	(2A) Despite subclause (2), the	
	metres, the maximum height of that	maximum height of a building on land	
	building is—	identified as "Woy Woy Town Centre",	
	(a) in relation to land identified as	"Umina Village Centre" or "Ettalong Village Centre" on the <u>Development</u>	
	"Area 1" on the Height of Buildings	Incentives Application Map is 11.5	
	Map—20 metres, and	metres if—	
	(b) in relation to land identified as	(a) the building is located on a site	
	"Area 2" on the <u>Height of Buildings</u>	area of less than 1,000 square metres,	
	Map—26 metres.	or	



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	(2B) Despite subclause (2), the maximum height of a building on land identified as "Area 3" on the Height of Buildings Map is 10 metres if the building is to be located within 5 metres of any lot boundary with a frontage to Alison Road or the Pacific Highway. (2C) Despite subclause (2), the maximum height of a building on land identified as "Area 4" on the Height of Buildings Map is 20 metres if— (a) the site area is 2,000 square metres or more, and (b) the building is used for the purposes of health services facilities or for a purpose that, in the opinion of the consent authority, complements and contributes to the special centre role of the hospital precinct adjacent to the land.	(b) the building has a street frontage of less than 20 metres. (2B) Despite subclause (2), the maximum height of a building on land identified as "Erina Town Centre" on the Development Incentives Application Map is 11.5 metres if— (a) the building is located on a site area of less than 3,000 square metres, or (b) the building has a street frontage of less than 40 metres.	
		4.3A Exceptions to maximum building height in Terrigal Village Centre (1) The objectives of this clause are as follows—	4.3A Exceptions to maximum building height(1) The objectives of this clause are as follows:



PART 4: PRINCIPAL DEVELOPMENT ST	ANDARDS		
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		(a) to establish a range of public and urban design benefits,	(a) to ensure that the height of buildings encourage high quality urban form,
		(b) to disguise the impact of any additional height on the overall scale and bulk of building forms,(c) to minimise the impact of any additional height on panoramic coastal and ocean views that are available from the surrounding residential hillsides,	(b) to ensure that the height of buildings protects the amenity of neighbouring properties in terms of visual bulk, access to sunlight, privacy and views,(c) to ensure that the height of buildings is compatible with the height, bulk and scale of the existing and desired future character of the locality.
		 (d) to establish the maximum height limit for certain buildings in the Terrigal Village Centre. (2) This clause applies to the land identified as "Terrigal Village Centre" on the Development Incentives Application Map. (3) Despite clause 4.3(2), the maximum height of a building on land to which this clause applies is 2.75 metres less than the height shown for that land on the Height of Buildings Map if— 	 (d) to encourage lot consolidation of smaller lots to reduce the possibility of fragmented development, encourage shared facilities and manage traffic movements, (e) in relation to land that is identified as "Kanwal Enterprise Zone" on the Height of Buildings Map, to provide incentives for the development of health-related facilities in this locality. (2) This clause applies to the land identified by name on the Height of Buildings Map.
		(a) the building is on a site area of less than 2,000 square metres, and	(3) Despite clause 4.3, if the site area of a building on land identified as "The Entrance Local Centre - South of Dening Street" or "The Entrance Local Centre -



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		 (b) the building has a street frontage of less than 20 metres. (4) Despite clause 4.3(2), the maximum height of a building on land to which this clause applies is 2.75 metres more than the height shown for that land on the Height of Buildings Map if— (a) the building is on a site area of at least 2,000 square metres, and 	North of Dening Street" on the Height of Buildings Map is at least 1,800 square metres, the maximum height of that building is: (a) in relation to land identified as "The Entrance Local Centre - South of Dening Street" on the Height of Buildings Map—20 metres, and (b) in relation to land identified as "The Entrance Local Centre – North of Dening
		(b) the building has a street frontage of at least 20 metres, and	Street" on the Height of Buildings Map— 26 metres.
		(c) the consent authority is satisfied that the development incorporates at least one publicly accessible outdoor space facing a street or lane that reinforces the level of retail activity and contributes to the accessibility of existing pedestrian spaces and	(4) Despite clause 4.3, the maximum height of a building on land identified as "Wyong Local Centre" on the Height of Buildings Map is 10 metres if the building is to be located within 5 metres of any loboundary with a frontage to Alison Road or the Pacific Highway.
		includes— (i) open alleyways that link existing laneways or streets, or	(5) Despite clause 4.3, the maximum height of a building on land identified as "Kanwal Enterprise Zone" on the Height of Buildings Map is 20 metres if:
		(ii) open courtyards that receive satisfactory levels of mid-winter sunlight.	(a) the area of the building is 2,000 square metres or more, and
		-	(b) the building is used for the purpose of health services facilities or for a



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		(5) Despite clause 4.4(2), if subclause (4) applies to a building, the gross floor area of any part of the building that exceeds the maximum height of the building shown for the land on the Height of Buildings Map may increase the gross floor area of the building by a maximum of 25% of the site area.	purpose that, in the opinion of the consent authority, complements and contributes to the special centre role of the hospital precinct adjacent to the land (6) Despite clause 4.3, the maximum height of a building on land identified as "Terrigal Village Centre" on the Height of Buildings Map is 2.75 metres less than the height shown for that land on the Height of Buildings Map if: (a) the building is on a site area of less than 2,000 square metres, and (b) the building has a street frontage as identified on the Height of Building Map of less than 20 metres. (7) Despite clause 4.3, the maximum height of a building on land identified as "Terrigal Village Centre" on the Height of Buildings Map is 2.75 metres more than the height shown for that land on the Height of Buildings Map if: (a) the building is on a site area of at least 2,000 square metres, and (b) the building has a street frontage as identified on the Height of Building Map of at least 20 metres, and



Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
			(c) the consent authority is satisfied that the development incorporates at least one publicly accessible outdoor space facing a street or lane that reinforces the level of retail activity and contributes to the accessibility of existing pedestrian spaces and includes: (i) open alleyways that link existing laneways or streets, or (ii) open courtyards that receive satisfactory levels of mid-winter sunlight. (8) Despite clause 4.4, if subclause (7) and clause 4.4A(8) applies to a building, the gross floor area of any part of the building that exceeds the maximum height of the building shown for the land on the Height of Buildings Map may increase the gross floor area of the building by a maximum of 25% of the site area. (9) Despite clause 4.3, the maximum height of a building on land identified as "Woy Woy Town Centre" on the Height of Buildings Map is 19.75 metres if: (a) the building is located on a site area of at least 1,000 square metres, and



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			(b) the building has a street frontage as identified on the Height of Buildings Map of at least 20 metres.
			 (10) Despite clause 4.3, the maximum height of a building on land identified as "Umina Village Centre" on the Height of Buildings Map is 14.25 metres if: (a) the building is located on a site area of at least 1,000 square metres, and (b) the building has a street frontage as identified on the Height of Buildings Map of at least 20 metres.
			(11) Despite clause 4.3, the maximum height of a building on land identified as "Ettalong Village Centre" on the Height of Buildings Map is 17 metres if: (a) the building is located on a site area of at least 1,000 square metres, and
			(b) the building has a street frontage as identified on the Height of Buildings Mag of at least 20 metres.
			(12) Despite clause 4.3, the maximum height of a building on land identified as "Erina Town Centre" on the Height of Buildings Map is 14.25 metres if:



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			 (a) the building is located on a site area of at least 3,000 square metres, and (b) the building has a street frontage as identified on the Height of Buildings Map of at least 40 metres. (13) A reference in this clause to street frontage refers to that street frontage indicated on the Height of Buildings Map.
4.4 Floor space ratio [optional]	4.4 Floor space ratio	4.4 Floor space ratio	4.4 Floor space ratio
(1) The objectives of this clause are as follows—	(1) The objectives of this clause are as follows—	(1) The objectives of this clause are as follows—	(1) The objectives of this clause are as follows:
(a) [set out objectives of the clause] (2) The maximum floor space ratio for a building on any land is not to exceed	(a) to ensure that the density, bulk and scale of development is appropriate for a site,	(a) to establish standards for the maximum development density and intensity of land use,	(a) to establish standards for the maximum development density and intensity of land use,
the floor space ratio shown for the land on the Floor Space Ratio Map.	(b) 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,	(b) to control building density and bulk in relation to site area in order to achieve the desired future character for different locations,(c) to minimise adverse environmental	 (b) 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, (c) to minimise adverse environmental
	(c) to facilitate development in certain areas that contributes to economic growth.	effects on the use or enjoyment of adjoining properties and the public domain,	effects on the use or enjoyment of adjoining properties and the public domain,
	(ca) in relation to land at Kanwal that is within Zone B6 Enterprise Corridor and	(d) to maintain an appropriate visual relationship between new development and the existing	(d) to facilitate design excellence by ensuring the extent of floor space in building envelopes leaves generous space



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	is identified as "Area 3" on the Floor	character of areas or locations that are	for the articulation and modulation of
	Space Ratio Map—	not undergoing, and are not likely to	design,
	(i) to provide incentives for the	undergo, a substantial transformation,	(e) to encourage lot amalgamation and
	development of health-related facilities	(e) to provide an appropriate	new development forms in Zone R1
	in this locality, and	correlation between the size of a site	General Residential with car parking
	(ii) to encourage consolidation of smaller lots to reduce the possibility of	and the extent of any development on that site,	below ground level. (2) The maximum floor space ratio for a
	fragmented development, encourage	(f) to facilitate design excellence by	building on any land is not to exceed the
	shared facilities and manage traffic	ensuring the extent of floor space in	floor space ratio shown for the land on
	movements,	building envelopes leaves generous	the Floor Space Ratio Map.
	(d) to promote the provision of affordable housing.	space for the articulation and modulation of design,	(3) If a building, or any part of a building, is a heritage item, the area comprising the
	(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.	(g) to ensure that the floor space ratio of buildings on land in Zone R1 General Residential reflects Council's desired building envelope,	heritage item is not to be included in the gross floor area of the building in calculating the floor space ratio for the building
	(2A) If a building, or any part of a building, is a heritage item, the area comprising the heritage item is not to be included in the gross floor area of	(h) to encourage lot amalgamation and new development forms in Zone R1 General Residential with car parking below ground level.	
	the building in calculating the floor space ratio for the building.	(2) The maximum floor space ratio for a building on any land is not to exceed	
	(2B) Despite subclause (2), a building on land identified as "Area 1" or "Area	the floor space ratio shown for the land on the <u>Floor Space Ratio Map</u> .	
	2" on the <u>Floor Space Ratio Map</u> for which the site area is as specified in	(2A) Despite subclause (2), the maximum floor space ratio for a	
	Column 1 of the table to this subclause	building on land in Zone R1 General	



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	may exceed the maximum floor space	Residential for which the maximum	
	ratio shown on the Floor Space Ratio	floor space ratio on the Floor Space	
	Map in relation to that land by the	Ratio Map is 0.7:1 or 0.85:1 is to be—	
	percentage of that ratio shown opposite the relevant site area in Column 2 of that table.	(a) if the building is used for the purpose of an attached dwelling, semi-detached dwelling or dual	
	Column 1 Column 2	occupancy—0.5:1 or 0.6:1,	
		respectively, or	
	Site area % of max FSR 1,500m² or more, 7.5% but less than 2,000m² 2,000m² or more, 10% but less than 2,500m² 2,500m² or more, 12.5%	(b) if the building is on a site area of less than 1,000 square metres and is used for the purpose of a residential flat building or multi dwelling housing with all on-site car parking located in the basement—0.6:1 or 0.7:1, respectively, or (c) if the building is used for the purpose of a residential flat building or multi dwelling housing and includes	
	but less than 3,000m ² 3,000m ² or more, 15%	multi dwelling housing and includes on-site car parking that is not located in the basement—0.5:1 or 0.6:1, respectively, or	
	but less than 4,000m ²	(e) if the building is used for any other purpose (excluding a dwelling house)—0.6:1 or 0.75:1, respectively.	
	4,000m ² or more 20%		
	(2C) Despite subclause (2), a maximum floor space ratio of 2:1 applies to buildings on land at Kanwal that is	(2B) Despite subclause (2), the maximum floor space ratio for a building is as follows—	



andard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
	within Zone B6 Enterprise Corridor and is identified as "Area 3" on the Floor Space Ratio Map if— (a) the site area is 2,000 square metres or more, and (b) the building is used for the purposes of health services facilities or for a purpose that, in the opinion of the consent authority, complements and contributes to the special centre role of the hospital precinct adjacent to the land. (2D) Despite subclause (2), the floor	(a) if the building is used for the purpose of a dwelling house—0.5:1, or (b) if the building is used for any other purpose and is located on land in Zone RU5 Village, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living—0.15:1.	
	space ratio for a building on any land may exceed the ratio shown for the land on the Floor Space Ratio Map by 0.1:1 if the building will comprise at least 75% of dwellings to be used for the purpose of affordable housing with a gross floor area of—		
	 (a) in relation to a bedsitter or studio—at least 35 square metres but no more than 36.75 square metres, and (b) in relation to a dwelling having 1 bedroom—at least 50 square metres but no more than 52.5 square metres, 		



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	(c) in relation to a dwelling having 2 bedrooms—at least 70 square metres but no more than 73.5 square metres, and (d) in relation to a dwelling having 3 or more bedrooms—at least 95 square metres but no more than 99.75 square metres. Note. Clause 14(2)(b) of the State Environmental Planning Policy (Affordable Rental Housing) 2009 contains provisions relating to the gross floor area of dwellings in relation		
	to affordable housing.	4.4A Town centres and village centres—floor space ratios (1) Despite clause 4.4(2), the maximum floor space ratio for a building that is on land identified as "Woy Woy Town Centre", "Umina Village Centre" or "Ettalong Village Centre" on the Development Incentives Application Map is 1:1 if— (a) the building is located on a site area of less than 1,000 square metres, or	4.4A Exceptions to maximum floor space ratios (1) The objectives of this clause are a follows: (a) to encourage lot consolidation of smaller lots to reduce the possibility of fragmented development, encourage shared facilities and manage traffic movements, (b) in relation to land identified as "Kanwal Enterprise Zone" on the Floor Space Ratio Map:



tandard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
standard Instrument Principal LEP	Wyong LEP 2013 Provision	(b) the building has a street frontage of less than 20 metres. (2) Despite clause 4.4(2), the maximum floor space ratio for a building that is on land identified as "Woy Woy Town Centre" on the Development Incentives Application Map is 2.1:1 if— (a) the building is located on a site area of at least 1,000 square metres, but less than 1,500 square metres, and (b) the building has a street frontage of at least 20 metres. (3) Despite clause 4.4(2), the maximum floor space ratio for a building that is on land identified as "Erina Town Centre" on the Development Incentives Application Map is 1:1 if— (a) the building is located on a site area of less than 3,000 square metres, or	(i) to provide incentives for the development of health-related facilities in this locality, and (ii) to encourage consolidation of smaller lots to reduce the possibility of fragmented development, encourage shared facilities and manage traffic movements. (2) Despite clause 4.4, a building on land identified as "Wyong Local Centre", "Toukley Local Centre", or "Canton Beach Local Centre" on the Floor Space Ratio Map for which the site area is as specified in Column 1 of the table to this subclause may exceed the maximum floor space ratio shown on the Floor Space Ratio Map in relation to that land by the percentage of that ratio shown opposite the relevant site area in Column 2 of that table. Column 1 Column 2 Site area % of max FSR 1,500m2 or more, but 7.5% less than 2,000m2 2,000m2 or more, but 10%



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		building that is on land identified as "Terrigal Village Centre" on the Development Incentives Application Map is 1:1 if— (a) the building is located on a site area of less than 2,000 square metres, and (b) the building has a street frontage of less than 20 metres. (5) Despite clause 4.4(2), the maximum floor space ratio for a building that is on land identified as "Terrigal Village Centre" on the Development Incentives Application Map is 1.8:1 if— (a) the building is located on a site area of less than 2,000 square metres, and (b) the building has a street frontage of at least 20 metres.	2,500m2 or more, but 12.5% less than 3,000m2 3,000m2 or more, but 15% less than 4,000m2 4,000m2 or more 20% (3) Despite clause 4.4, a maximum floor space ratio of 2:1 applies to buildings on land at Kanwal that is within Zone B6 Enterprise Corridor and is identified as "Kanwal Enterprise Zone" on the Floor Space Ratio Map if: (a) the site area is 2,000 square metres or more, and (b) the building is used for the purposes of health services facilities or for a purpose that, in the opinion of the consent authority, complements and contributes to the special centre role of the hospital precinct adjacent to the land. (4) Despite clause 4.4 the floor space ratio for a building on any land may exceed the ratio shown for the land on the Floor Space Ratio Map by 0.1:1 if the building will comprise at least 75% of



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			affordable housing with a gross floor area of:
			(a) in relation to a bedsitter or studio— at least 35 square metres but no more than 36.75 square metres, and
			(b) in relation to a dwelling having 1 bedroom—at least 50 square metres but no more than 52.5 square metres, and
			(c) in relation to a dwelling having 2 bedrooms—at least 70 square metres bu no more than 73.5 square metres, and
			(d) in relation to a dwelling having 3 or more bedrooms—at least 95 square metres but no more than 99.75 square metres.
			Note. Clause 14 (2) (b) of the <u>State</u> <u>Environmental Planning Policy (Affordab</u> <u>Rental Housing) 2009</u> contains provision relating to the gross floor area of dwellings in relation to affordable housing.
			(5) Despite subclause 4.4, the maximum floor space ratio on land identified as "Area 1" is:
			(a) 0.7:1 if the building is used for the purpose of residential flat building or



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			multi dwelling housing and all on-site car parking is located in the basement and the site area is 1,000 square metres or more.
			(b) 0.6:1 if the if the building is used for the purpose of residential flat building o multi dwelling housing and all on-site caparking is located in the basement and the site area is less than 1,000 square metres.
			(6) Despite subclause 4.4, the maximum floor space ratio on land identified as "Area 2" is:
			(a) 0.6:1 if the building is used for any purpose other than a dwelling house.
			(b) 0.85:1 if the building is used for the purpose of residential flat building or multi dwelling housing and all on-site caparking is located in the basement and the site area is 1,000 square metres or more.
			(c) 0.7:1 if the if the building is used for the purpose of residential flat building of multi dwelling housing and all on-site caparking is located in the basement and the site area is less than 1,000 square metres.



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			(7) Despite clause 4.4, a maximum floor space ratio of 2:1 applies to buildings on land identified as "Kanwal Enterprise Zone" on the Floor Space Ratio Map if:
			(a) the site area is 2,000 square metres or more, and
			(b) the building is used for the purposes of health services facilities or for a purpose that, in the opinion of the consent authority, complements and contributes to the special centre role of the hospital precinct adjacent to the land.
			(8) Despite clause 4.4, the maximum floor space ratio for a building that is on land identified as "Terrigal Village Centre" on the Floor Space Ratio Map is 1.8:1 if:
			(a) the building has a street frontage as identified on the Floor Space Ratio Map of at least 20 metres.
			(9) Despite clause 4.4, the maximum floor space ratio for a building that is on land identified as "Woy Woy Town Centre" on the Floor Space Ratio Map is 2.1:1 if:



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			(a) the building is located on a site area of at least 1,000 square metres, but less than 1,500 square metres, and
			(b) the building has a street frontage as identified on the Floor Space Ratio Map of at least 20 metres.
			(10) Despite clause 4.4, the maximum floor space ratio for a building that is on land identified as "Woy Woy Town Centre" on the Floor Space Ratio Map is 2.3:1 if:
			(a) the building is located on a site area of at least 1,500 square metres, and
			(b) the building has a street frontage as identified on the Floor Space Ratio Map of at least 20 metres.
			(11) Despite clause 4.4, the maximum floor space ratio for a building that is on land identified as "Umina Village Centre" on the Floor Space Ratio Map is 1.8:1 if:
			(a) the building is located on a site area of at least 1,000 square metres, and
			(b) the building has a street frontage as identified on the Floor Space Ratio Map of at least 20 metres.



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			(12) Despite clause 4.4, the maximum floor space ratio for a building that is on land identified as "Ettalong Village Centre" on the Floor Space Ratio Map is 2:1 if:
			(a) the building is located on a site area of at least 1,000 square metres, and
			(b) the building has a street frontage as identified on the Floor Space Ratio Map of at least 20 metres.
			(13) Despite clause 4.4, the maximum floor space ratio for a building that is on land identified as "Erina Town Centre" on the Floor Space Ratio Map is 1.3:1 if:
			(a) the building is located on a site area of at least 3,000 square metres, and
			(b) the building has a street frontage as identified on the Floor Space Ratio Map or at least 40 metres.
			(14) A reference in this clause to street frontage refers to that street frontage indicated on the Height of Buildings Map.
4.5 Calculation of floor space ratio and site area [optional]	4.5 Calculation of floor space ratio	4.5 Calculation of floor space rational and site area	4.5 Calculation of floor space ratio and site area



PART 4: PRINCIPAL DEVELOPMENT STANDARDS			
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(1) Objectives The objectives of this	(1) Objectives The objectives of this	(1) Objectives The objectives of this	(1) Objectives The objectives of this
clause are as follows—	clause are as follows—	clause are as follows—	clause are as follows:
(a) to define <i>floor space ratio</i> ,	(a) to define floor space ratio ,	(a) to define <i>floor space ratio</i> ,	(a) to define <i>floor space ratio</i> ,
(b) to set out rules for the calculation	(b) to set out rules for the calculation of	(b) to set out rules for the calculation	(b) to set out rules for the calculation of
of the site area of development for the	the site area of development for the	of the site area of development for the	the site area of development for the
purpose of applying permitted floor	purpose of applying permitted floor	purpose of applying permitted floor	purpose of applying permitted floor
space ratios, including rules to—	space ratios, including rules to—	space ratios, including rules to—	space ratios, including rules to:
(i) prevent the inclusion in the site	(i) prevent the inclusion in the site area	(i) prevent the inclusion in the site	(i) prevent the inclusion in the site area
area of an area that has no significant	of an area that has no significant	area of an area that has no significant	of an area that has no significant
development being carried out on it,	development being carried out on it,	development being carried out on it,	development being carried out on it, and
and	and	and	(ii) prevent the inclusion in the site area
(ii) prevent the inclusion in the site	(ii) prevent the inclusion in the site area	(ii) prevent the inclusion in the site	of an area that has already been
area of an area that has already been	of an area that has already been	area of an area that has already been	included as part of a site area to
included as part of a site area to	included as part of a site area to	included as part of a site area to	maximise floor space area in another
maximise floor space area in another	maximise floor space area in another	maximise floor space area in another	building, and
building, and	building, and	building, and	(iii) require community land and public
(iii) require community land and	(iii) require community land and public	(iii) require community land and	places to be dealt with separately.
public places to be dealt with	places to be dealt with separately.	public places to be dealt with	places to be dealt with separately.
separately.	. ,	separately.	(2) Definition of "floor space ratio"
•	(2) Definition of "floor space	. ,	The <i>floor space ratio</i> of buildings on a
(2) Definition of "floor space	ratio" The <i>floor space ratio</i> of buildings	(2) Definition of "floor space	site is the ratio of the gross floor area of
ratio" The <i>floor space ratio</i> of	on a site is the ratio of the gross floor	ratio" The floor space ratio of	all buildings within the site to the site
buildings on a site is the ratio of the	area of all buildings within the site to	buildings on a site is the ratio of the	area.
gross floor area of all buildings within the site to the site area.	the site area.	gross floor area of all buildings within the site to the site area.	(3) Site area In determining the site area
the Site to the Site area.	(3) Site area In determining the site	the site to the site area.	of proposed development for the
(3) Site area In determining the site	area of proposed development for the	(3) Site area In determining the site	purpose of applying a floor space ratio,
area of proposed development for the		area of proposed development for the	the <i>site area</i> is taken to be:



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purpose of applying a floor space ratio,	purpose of applying a floor space ratio,	purpose of applying a floor space ratio,	(a) if the proposed development is to be		
the <i>site area</i> is taken to be—	the <i>site area</i> is taken to be—	the <i>site area</i> is taken to be—	carried out on only one lot, the area of		
(a) if the proposed development is to	(a) if the proposed development is to	(a) if the proposed development is to	that lot, or		
be carried out on only one lot, the	be carried out on only one lot, the area	be carried out on only one lot, the	(b) if the proposed development is to be		
area of that lot, or	of that lot, or	area of that lot, or	carried out on 2 or more lots, the area of		
(h) if the proposed development is to	(b) if the proposed development is to	(b) if the proposed development is to	any lot on which the development is		
(b) if the proposed development is to be carried out on 2 or more lots, the	(b) if the proposed development is to be carried out on 2 or more lots, the	(b) if the proposed development is to be carried out on 2 or more lots, the	proposed to be carried out that has at		
area of any lot on which the	area of any lot on which the	area of any lot on which the	least one common boundary with		
development is proposed to be carried	development is proposed to be carried	development is proposed to be carried	another lot on which the development is		
out that has at least one common	out that has at least one common	out that has at least one common	being carried out.		
boundary with another lot on which	boundary with another lot on which the	boundary with another lot on which	In addition, subclauses (4)–(7) apply to		
the development is being carried out.	development is being carried out.	the development is being carried out.	the calculation of site area for the		
In addition, subclauses (4)–(7) apply to	In addition, subclauses (4)–(7) apply to	In addition, subclauses (4)–(7) apply to	purposes of applying a floor space ratio		
the calculation of site area for the	the calculation of site area for the	the calculation of site area for the	to proposed development.		
purposes of applying a floor space	purposes of applying a floor space ratio	purposes of applying a floor space	(4) Exclusions from site area		
ratio to proposed development.	to proposed development.	ratio to proposed development.	The following land must be excluded		
(4) = 1	(1) - 1 - 1	(4) = 1	from the site area:		
(4) Exclusions from site area The	(4) Exclusions from site area The	(4) Exclusions from site area The	(a) land an which the managed		
following land must be excluded from the site area—	following land must be excluded from the site area—	following land must be excluded from the site area—	(a) land on which the proposed development is prohibited, whether		
the site area—	the site area—	the site area—	under this Plan or any other law,		
(a) land on which the proposed	(a) land on which the proposed	(a) land on which the proposed	under this rian of any other law,		
development is prohibited, whether	development is prohibited, whether	development is prohibited, whether	(b) community land or a public place		
under this Plan or any other law,	under this Plan or any other law,	under this Plan or any other law,	(except as provided by subclause (7)).		
(b) community land or a public place	(b) community land or a public place	(b) community land or a public place	(5) Strata subdivisions		
(except as provided by subclause (7)).	(except as provided by subclause (7)).	(except as provided by subclause (7)).	The area of a lot that is wholly or partly		
(5) Strata subdivisions The area of a	(5) Strata subdivisions The area of a lot	(5) Strata subdivisions The area of a	on top of another or others in a strata		
lot that is wholly or partly on top of	that is wholly or partly on top of	lot that is wholly or partly on top of	subdivision is to be included in the		
lot that is wholly or partly on top of		lot that is whony or partry on top of	calculation of the site area only to the		



			Council
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another or others in a strata	another or others in a strata subdivision	another or others in a strata	extent that it does not overlap with
subdivision is to be included in the	is to be included in the calculation of	subdivision is to be included in the	another lot already included in the site
calculation of the site area only to the	the site area only to the extent that it	calculation of the site area only to the	area calculation.
extent that it does not overlap with	does not overlap with another lot	extent that it does not overlap with	(C) Only similificant development to be
another lot already included in the site	already included in the site area	another lot already included in the site	(6) Only significant development to be
area calculation.	calculation.	area calculation.	included
(6) 6 1 1 15 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	(6) 6 1 1 17 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	(6) 6 1 1 16 1 1 1 1 1 1 1 1 1 1 1 1 1 1	The site area for proposed development
(6) Only significant development to	(6) Only significant development to be	(6) Only significant development to be	must not include a lot additional to a lot
be included The site area for proposed	included The site area for proposed	included The site area for proposed	or lots on which the development is
development must not include a lot	development must not include a lot	development must not include a lot	being carried out unless the proposed
additional to a lot or lots on which the	additional to a lot or lots on which the	additional to a lot or lots on which the	development includes significant
development is being carried out	development is being carried out unless	development is being carried out	development on that additional lot.
unless the proposed development	the proposed development includes	unless the proposed development	(7) Certain public land to be separately
includes significant development on	significant development on that	includes significant development on	considered
that additional lot.	additional lot.	that additional lot.	For the purpose of applying a floor space
(7) Certain public land to be	(7) Certain public land to be separately	(7) Certain public land to be	ratio to any proposed development on,
separately considered For the purpose	considered For the purpose of applying	separately considered For the purpose	above or below community land or a
of applying a floor space ratio to any	a floor space ratio to any proposed	of applying a floor space ratio to any	public place, the site area must only
proposed development on, above or	development on, above or below	proposed development on, above or	include an area that is on, above or
below community land or a public	community land or a public place, the	below community land or a public	below that community land or public
place, the site area must only include	site area must only include an area that	place, the site area must only include	place, and is occupied or physically
an area that is on, above or below that	is on, above or below that community	an area that is on, above or below that	affected by the proposed development,
community land or public place, and is	land or public place, and is occupied or	community land or public place, and is	and may not include any other area on
		1	1
occupied or physically affected by the	physically affected by the proposed	occupied or physically affected by the	which the proposed development is to
proposed development, and may not	development, and may not include any	proposed development, and may not	be carried out.
include any other area on which the	other area on which the proposed	include any other area on which the	(8) Existing buildings
proposed development is to be carried	development is to be carried out.	proposed development is to be carried	The gross floor area of any existing or
out.	(8) Existing buildings The gross floor	out.	proposed buildings within the vertical
(8) Existing buildings The gross floor	area of any existing or proposed	(8) Existing buildings The gross floor	projection (above or below ground) of
(5) 2	a. ca c. any existing or proposed	(5)	p. sjeet. Sir (above or below ground) of

area of any existing or proposed

buildings within the vertical projection

area of any existing or proposed

the boundaries of a site is to be included



C.				
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buildings within the vertical projection	(above or below ground) of the	buildings within the vertical projection	in the calculation of the total floor space	
(above or below ground) of the	boundaries of a site is to be included in	(above or below ground) of the	for the purposes of applying a floor	
boundaries of a site is to be included	the calculation of the total floor space	boundaries of a site is to be included in	space ratio, whether or not the	
in the calculation of the total floor	for the purposes of applying a floor	the calculation of the total floor space	proposed development relates to all of	
space for the purposes of applying a	space ratio, whether or not the	for the purposes of applying a floor	the buildings.	
floor space ratio, whether or not the	proposed development relates to all of	space ratio, whether or not the	(0) Comments to many the first	
proposed development relates to all of	the buildings.	proposed development relates to all of	(9) Covenants to prevent "double	
the buildings.	(0) Coverage to recount (double	the buildings.	dipping"	
(0) Coverage to recover (develo	(9) Covenants to prevent "double	(0) Covered to the covered (develo	When development consent is granted	
(9) Covenants to prevent "double	dipping" When development consent is	(9) Covenants to prevent "double	to development on a site comprised of 2	
dipping" When development consent	granted to development on a site	dipping" When development consent	or more lots, a condition of the consent	
is granted to development on a site	comprised of 2 or more lots, a condition	is granted to development on a site	may require a covenant to be registered	
comprised of 2 or more lots, a	of the consent may require a covenant	comprised of 2 or more lots, a	that prevents the creation of floor area	
condition of the consent may require a	to be registered that prevents the	condition of the consent may require a	on a lot (the restricted lot) if the consent	
covenant to be registered that prevents the creation of floor area on	creation of floor area on a lot (the	covenant to be registered that prevents the creation of floor area on	authority is satisfied that an equivalent	
•	restricted lot) if the consent authority is	a lot (the restricted lot) if the consent	quantity of floor area will be created on	
a lot (the restricted lot) if the consent	satisfied that an equivalent quantity of floor area will be created on another lot	,	another lot only because the site included the restricted lot.	
authority is satisfied that an equivalent		authority is satisfied that an equivalent quantity of floor area will be created	included the restricted lot.	
quantity of floor area will be created	only because the site included the restricted lot.	on another lot only because the site	(10) Covenants affect consolidated	
on another lot only because the site included the restricted lot.	restricted lot.	included the restricted lot.	sites	
included the restricted lot.	(10) Covenants affect consolidated	included the restricted lot.	If:	
(10) Covenants affect consolidated	sites If—	(10) Covenants affect consolidated		
sites If—		sites If—	(a) a covenant of the kind referred to in	
	(a) a covenant of the kind referred to in		subclause (9) applies to any land	
(a) a covenant of the kind referred to	subclause (9) applies to any land	(a) a covenant of the kind referred to	(<i>affected land</i>), and	
in subclause (9) applies to any land	(affected land), and	in subclause (9) applies to any land	(b) proposed development relates to the	
(affected land), and	(b) proposed development relates to	(<i>affected land</i>), and	affected land and other land that	
(b) proposed development relates to	the affected land and other land that	(b) proposed development relates to	together comprise the site of the	
the affected land and other land that	and and and other failed filet	the affected land and other land that	proposed development,	



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together comprise the site of the proposed development, the maximum amount of floor area allowed on the other land by the floor space ratio fixed for the site by this Plan is reduced by the quantity of floor space area the covenant prevents being created on the affected land. (11) Definition In this clause, <i>public place</i> has the same meaning as it has in the <i>Local Government Act 1993</i> .	together comprise the site of the proposed development, the maximum amount of floor area allowed on the other land by the floor space ratio fixed for the site by this Plan is reduced by the quantity of floor space area the covenant prevents being created on the affected land. (11) Definition In this clause, public place has the same meaning as it has in the Local Government Act 1993.	together comprise the site of the proposed development, the maximum amount of floor area allowed on the other land by the floor space ratio fixed for the site by this Plan is reduced by the quantity of floor space area the covenant prevents being created on the affected land. (11) Definition In this clause, <i>public place</i> has the same meaning as it has in the <i>Local Government Act 1993</i> .	the maximum amount of floor area allowed on the other land by the floor space ratio fixed for the site by this Plan is reduced by the quantity of floor space area the covenant prevents being created on the affected land. (11) Definition In this clause, <i>public place</i> has the same meaning as it has in the <i>Local Government Act 1993</i> .	
4.6 Exceptions to development standards [compulsory]	4.6 Exceptions to development standards	4.6 Exceptions to development standards	4.6 Exceptions to development standards	
(1) The objectives of this clause are as follows—	(1) The objectives of this clause are as follows—	(1) The objectives of this clause are as follows—	(1) The objectives of this clause are as follows:	
(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,	(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,	(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,	(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,(b) to achieve better outcomes for and	
(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.	(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.	(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.	from development by allowing flexibility in particular circumstances. (2) Development consent may, subject	
(2) Development consent may, subject to this clause, be granted for	(2) Development consent may, subject to this clause, be granted for	(2) Development consent may, subject to this clause, be granted for	to this clause, be granted for development even though the	



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development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a	development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard	development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard	development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of	
development standard that is expressly excluded from the operation of this clause. (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has	that is expressly excluded from the operation of this clause. (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the	that is expressly excluded from the operation of this clause. (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the	this clause. (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the	
considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating— (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of	applicant that seeks to justify the contravention of the development standard by demonstrating— (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and	applicant that seeks to justify the contravention of the development standard by demonstrating— (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and	contravention of the development standard by demonstrating: (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and	
the case, and (b) that there are sufficient environmental planning grounds to justify contravening the development standard. (4) Development consent must not be granted for development that	(b) that there are sufficient environmental planning grounds to justify contravening the development standard.(4) Development consent must not be granted for development that	(b) that there are sufficient environmental planning grounds to justify contravening the development standard.(4) Development consent must not be granted for development that	 (b) that there are sufficient environmental planning grounds to justify contravening the development standard. (4) Development consent must not be granted for development that contravenes a development standard unless: 	



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contravenes a development standard unless—	contravenes a development standard unless—	contravenes a development standard unless—	(a) the consent authority is satisfied that:		
(a) the consent authority is satisfied that—	(a) the consent authority is satisfied that—	(a) the consent authority is satisfied that—	(i) the applicant's written request has adequately addressed the matters		
(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and	(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and	(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and	required to be demonstrated by subclause (3), and (ii) the proposed development will be in the public interest because it is consistent		
(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and	(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and	(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and	with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and (b) the concurrence of the Secretary has been obtained.		
(b) the concurrence of the Secretary has been obtained.	(b) the concurrence of the Secretary has been obtained.	(b) the concurrence of the Secretary has been obtained.	(5) In deciding whether to grant concurrence, the Secretary must consider:		
(5) In deciding whether to grant concurrence, the Secretary must consider—(a) whether contravention of the	(5) In deciding whether to grant concurrence, the Secretary must consider—(a) whether contravention of the	(5) In deciding whether to grant concurrence, the Secretary must consider—(a) whether contravention of the	(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and		
development standard raises any matter of significance for State or regional environmental planning, and	development standard raises any matter of significance for State or regional environmental planning, and	development standard raises any matter of significance for State or regional environmental planning, and	(b) the public benefit of maintaining the development standard, and(c) any other matters required to be		
(b) the public benefit of maintaining the development standard, and	(b) the public benefit of maintaining the development standard, and	(b) the public benefit of maintaining the development standard, and	taken into consideration by the Secretary before granting concurrence.		



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(c) any other matters required to be taken into consideration by the	(c) any other matters required to be taken into consideration by the	(c) any other matters required to be taken into consideration by the	(6) Development consent must not be granted under this clause for a subdivision	
Secretary before granting concurrence. (6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone	Secretary before granting concurrence. (6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6	Secretary before granting concurrence. (6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone	of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4	
RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone	Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if—	RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4	Environmental Living if: (a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or	
E4 Environmental Living if— (a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or	(a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or	Environmental Living if— (a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or	(b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard. (7) After determining a development	
(b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.(7) After determining a development	(b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard. Note. When this Plan was made it did not include all of these zones.	(b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard. Note. When this Plan was made it did	(7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).	
application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the	(7) After determining a development application made pursuant to this clause, the consent authority must keep	not include all of these zones. (7) After determining a development application made pursuant to this	(8) This clause does not allow development consent to be granted for	



As a paplicant's written request referred to in subclause (3). (8) This clause does not allow development consent to be granted for development that would contravene any of the following— (a) a development standard for complying development, (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated, (c) clause 5.4. (d) a development Principal LEP Wyong LEP 2013 Provision Gosford LEP 2014 Provision clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3). (a) a development standard for complying development, (b) a development standard that arises, under the following— (a) a development standard for complying development, (b) a development standard for complying development, (a) a development standard for complying development, (b) a development standard for complying development, (c) a development standard for complying development, (b) a development standard for complying development, (a) a development standard for complying development, (b) a development standard for complying development standard for	PART 4: PRINCIPAL DEVELOPMENT STAI	NDARDS		
In subclause (3). (8) This clause does not allow development consent to be granted for development that would contravene any of the following— (a) a development standard for complying development, (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which <u>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</u> applies or for the land on which such a building is situated, (c) clause 5.4. required to be addressed in the applicant's written request referred to in subclause (3). keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3). (a) a development that would contravene any of the following— (a) a development standard for complying development, (b) a development that would contravene any of the following— (a) a development standard for complying development, (b) a development standard for complying development, (b) a development standard that arises, under the regulations under the Act, in connection with a commitment arises, under the regulations under the Act, in connection with a	Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
(ca) clauses 6.1 and 6.2.	in subclause (3). (8) This clause does not allow development consent to be granted for development that would contravene any of the following— (a) a development standard for complying development, (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which <u>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</u> applies or for the land on which such a building is situated,	required to be addressed in the applicant's written request referred to in subclause (3). (8) This clause does not allow development consent to be granted for development that would contravene any of the following— (a) a development standard for complying development, (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which <u>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</u> applies or for the land on which such a building is situated, (c) clause 5.4, (ca) clause 4.1A, 4.1C, 4.3(2A), 4.4(2A),	keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3). (8) This clause does not allow development consent to be granted for development that would contravene any of the following— (a) a development standard for complying development, (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which <u>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</u> applies or for the land on which such a building is situated, (c) clause 5.4,	of the following: (a) a development standard for complying development, (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated, (c) clause 5.4. (ca) clause 4.1A, 4.1C, 4.3A, 4.4A, 6.1, 6.2, 7.13, or 7.23 (cb) a variation to Clause 4.4 beyond the maximum FSR identified in 4.4A for any



PART 5: MISCELLANEOUS PROVISIONS

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Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition	
5.1 Relevant acquisition authority	5.1 Relevant acquisition authority	5.1 Relevant acquisition authority	5.1 Relevant acquisition authority	
[compulsory] (1) The objective of this clause is to identify, for the purposes of section 27 of the Act, the authority of the State that will be the relevant authority to acquire land reserved for certain public purposes if the land is required to be acquired under Division 3 of Part 2 of the Land Acquisition (Just Terms Compensation) Act 1991 (the owner-	(1) The objective of this clause is to identify, for the purposes of section 27 of the Act, the authority of the State that will be the relevant authority to acquire land reserved for certain public purposes if the land is required to be acquired under Division 3 of Part 2 of the Land Acquisition (Just Terms Compensation) Act 1991 (the owner-initiated acquisition provisions).	(1) The objective of this clause is to identify, for the purposes of section 27 of the Act, the authority of the State that will be the relevant authority to acquire land reserved for certain public purposes if the land is required to be acquired under Division 3 of Part 2 of the Land Acquisition (Just Terms Compensation) Act 1991 (the owner-initiated acquisition provisions).	(1) The objective of this clause is to identify, for the purposes of section 27 of the Act, the authority of the State that will be the relevant authority to acquire land reserved for certain public purposes if the land is required under Division 3 of Part 2 of the Land Acquisition (Just Terms Compensation) 1991(the owner-initiated acquisition provisions).	
initiated acquisition provisions). Note.	Note.	Note.	Note. If the landholder will suffer hardship if there is any delay in the land being acquired by the relevant authority,	
If the landholder will suffer hardship if there is any delay in the land being acquired by the relevant authority,	If the landholder will suffer hardship if there is any delay in the land being acquired by the relevant authority, section 23 of the Land Acquisition (Just	If the landholder will suffer hardship if there is any delay in the land being acquired by the relevant authority, section 23 of the Land Acquisition (Just	section 23 of the Land Acquisition (Just Terms Compensation) Act 1991 requires the authority to acquire the land	
section 23 of the Land Acquisition (Just Terms Compensation) Act 1991 requires the authority to acquire the land.	Terms Compensation) Act 1991 requires the authority to acquire the land. (2) The authority of the State that will be the relevant authority to acquire	Terms Compensation) Act 1991 requires the authority to acquire the land. (2) The authority of the State that will	(2) The authority of the State that will be the relevant authority to acquire land, if the land is required to be acquired under the owner-initiated acquisition provisions, is the authority of	
(2) The authority of the State that will be the relevant authority to acquire land, if the land is required to be acquired under the owner-initiated acquisition provisions, is the authority of the State specified below in relation	land, if the land is required to be acquired under the owner-initiated acquisition provisions, is the authority of the State specified below in relation to the land shown on the Land Reservation Acquisition Map (or, if an	be the relevant authority to acquire land, if the land is required to be acquired under the owner-initiated acquisition provisions, is the authority of the State specified below in relation to the land shown on the Land	the State specified below in relation to the land shown on the Land Reservation Acquisition Map (or, if an authority of the State is not specified in relation to land required to be so acquired, the	



Standard Instrume	nt Principal LEP	Wyong LEP 2013 P	rovision	Gosford LEP 2014	Provision	Draft CCLEP Post Exhi	ibition
o the land shown o	on the Land	authority of the St	ate is not specified in	Reservation Acqui	isition Map (or, if an	authority designated	d or determined
eservation Acquis	ition Map (or, if an	relation to land red	quired to be so	authority of the St	tate is not specified	under those provisio	ons).
uthority of the Sta	te is not specified	acquired, the auth	ority designated or	in relation to land	required to be so	Type of land	Authority of the
n relation to land r	equired to be so	determined under	those provisions).	acquired, the auth	nority designated or	shown on Map	State
cquired, the autho	ority designated or	- () I	A .I C.I	determined under	r those provisions).	•	
letermined under t	those provisions).	Type of land	Authority of the			Zone B4 Mixed	Council
- 61 11		shown on Map	State	Type of land	Authority of the	Use and marked	
ype of land shown	•	Zone B4 Mixed	Council	shown on Map	State	"Carpark"	
on Map	State	Use and marked	Courien	Zone RE1 Public	Council	Zone RE1 Public	Council
one RE1 Public	Council	"Carpark"		Recreation and	Council	Recreation and	
Recreation and	Courtem	Carpark		marked "Local		marked "Local	
narked "Local		Zone RE1 Public	Council	open space"		open space"	
pen space"		Recreation and		open space		Zone RE1 Public	The corporation
ppen space		marked "Local		Zone RE1 Public	The corporation	Recreation and	constituted under
one RE1 Public	The corporation	open space"		Recreation and	constituted under	marked "Regional open space"	section 8 of the Act
Recreation and	constituted under			marked "Regional	section 8 of the Act	open space	ACI
narked "Regional	section 8 of the	Zone RE1 Public	The corporation	open space"		Zone SP2	Roads and
pen space"	Act	Recreation and	constituted under			Infrastructure and	Maritime Services
		_	section 8 of the Act	Zone SP2	Roads and	marked "Classified road"	
Cone SP2	Roads and	open space"			d Maritime Services	Toau	
nfrastructure and	Maritime Services	Zone SP2	Roads and Maritime	marked		Zone SP2	Health
narked "Classified		Infrastructure and		"Classified road"		Infrastructure and marked "Health	Administration
oad"		marked "Classified		Zone SP2	Council	services facilities"	Corporation
one E1 National	Minister	road"	•	Infrastructure and			
Parks and Nature	administering the	. 300		marked "Local	-	Zone SP2	Council
Reserves and	National Parks	Zone SP2	Health	road widening"		Infrastructure and marked "Local	
narked "National	and Wildlife Act	Infrastructure and	Administration			road"	
Park"	1974	marked "Health	Corporation	Zone E1 National	Minister		
		services facilities"		Parks and Nature	administering the		
Direction.				Reserves and			



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Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition	
Land is required to be shown on the Land Reservation Acquisition Map if it is expressly set apart by the Plan exclusively for a public purpose referred to in section 26(1)(c) of the Act. However, any such land that is held by an authority of the State, or by a public company or a subsidiary of a public company (within the meaning of the Corporations Act 2001 of the Commonwealth) is not required to be shown on that Map. An authority of the State is to be listed for all land shown on the Land Reservation Acquisition Map, but the land is not to be so reserved and the authority listed unless the authority consents to its being listed. (3) Development on land acquired by an authority of the State under the owner-initiated acquisition provisions may, before it is used for the purpose for which it is reserved, be carried out, with development consent, for any purpose.	Zone SP2 Council Infrastructure and marked "Local road" Zone SP2 Council Infrastructure and marked "Sewer buffer" Zone SP2 Council Infrastructure and marked "Stormwater management" Zone E1 National Parks and Nature Reserves and Mational Parks and Minister administering the National Park" Zone E2 Council Environmental Conservation and marked "Environmental conservation"	marked "National National Parks and Park" (3) Development on land acquired by an authority of the State under the owner-initiated acquisition provisions may, before it is used for the purpose for which it is reserved, be carried out, with development consent, for any purpose. Note. If land, other than land specified in the Table to subclause (2), is required to be acquired under the owner-initiated acquisition provisions, the Minister for Planning and Infrastructure is required to take action to enable the designation of the acquiring authority under this clause. Pending the designation of the acquiring authority for the land, the acquiring authority is to be the authority determined by order of the Minister for Planning and Infrastructure (see section 21 of the Land Acquisition (Just Terms Compensation) Act 1991).	Zone SP2 Council	



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	Zone E2 The corporation constituted under section 8 of the Act marked "Regional open space" Zone E2 Council Environmental Conservation and marked "Stormwater management" Zone E3 Council Environmental Management and marked "Stormwater management" (3) Development on land acquired by an authority of the State under the owner-initiated acquisition provisions may, before it is used for the purpose for which it is reserved, be carried out, with development consent, for any purpose.		Zone E3 Council Environmental Conservation and marked "Stormwater management" (3) Development on land acquired by an authority of the State under the owner initiated acquisition provisions may, before it is used for the purpose for which it is reserved, be carried out, with development consent, for any purpose. Note. If land, other than land specified in the Table to subclause (2), is required to be acquired under the owner-initiated acquisition provisions, the Minister for Planning and Infrastructure is required to take action to enabthe designation of the acquiring authority under this clause. Pending the designation of the acquiring authority is to be the authority determined by order of the Minister of Planning and Infrastructure (see section 21 of the Land Acquisition (Just Terms Compensation) Act 1991).
	5.1A Development on land intended to be acquired for public purposes		5.1A Development on land intended to be acquired for public purposes



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	 (1) The objective of this clause is to limit development on certain land intended to be acquired for a public purpose. (2) This clause applies to the following land at Manning Road, The Entrance that has not been acquired by the relevant authority of the State specified for the land in clause 5.1— (a) Lots 3, 6, 8 and 11, DP 14527, (b) Lot 12A, DP 408523. (3) Development consent must not be granted to development on land to which this clause applies other than development for the purpose of car parks. 		 (1) The objective of this clause is to limit development on certain land intended to be acquired for a public purpose. (2) This clause applies to the following land at Manning Road, The Entrance that has not been acquired by the relevant authority of the State specified for the land in clause 5.1: (a) Lots 3, 6, 8 and 11, DP 14527, (b) Lot 12A, DP 408523. (3) Development consent must not be granted to development on land to which this clause applies other than development for the purpose of car parks.
5.2 Classification and reclassification of public land [compulsory]	5.2 Classification and reclassification of public land	5.2 Classification and reclassification of public land	5.2 Classification and reclassification of public land
(1) The objective of this clause is to enable the Council to classify or reclassify public land as "operational land" or "community land" in accordance with Part 2 of Chapter 6 of the Local Government Act 1993. Note.	(1) The objective of this clause is to enable the Council to classify or reclassify public land as "operational land" or "community land" in accordance with Part 2 of Chapter 6 of the Local Government Act 1993. Note.	(1) The objective of this clause is to enable the Council to classify or reclassify public land as "operational land" or "community land" in accordance with Part 2 of Chapter 6 of the Local Government Act 1993. Note.	(1) The objective of this clause is to enable the Council to classify or reclassify public land as "operational land" or "community land" in accordance with Part 2 of Chapter 6 of the Local Government Act 1993. Note. Under the Local Government Act 1993, "public land" is generally land



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Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
Under the Local Government Act 1993, "public land" is generally land vested in or under the control of a council (other than roads, Crown reserves and commons). The classification or reclassification of public land may also be made by a resolution of the Council under section 31, 32 or 33 of the Local Government Act 1993. Section 30 of that Act enables this Plan to discharge trusts on which public reserves are held if the land is reclassified under this Plan as operational land. (2) The public land described in Part 1 or Part 2 of Schedule 4 is classified, or reclassified, as operational land for the purposes of the Local Government Act 1993. (3) The public land described in Part 3 of Schedule 4 is classified, or reclassified, as community land for the purposes of the Local Government Act 1993. (4) The public land described in Part 1 of Schedule 4—	Under the Local Government Act 1993, "public land" is generally land vested in or under the control of a council (other than roads, Crown reserves and commons). The classification or reclassification of public land may also be made by a resolution of the Council under section 31, 32 or 33 of the Local Government Act 1993. Section 30 of that Act enables this Plan to discharge trusts on which public reserves are held if the land is reclassified under this Plan as operational land. (2) The public land described in Part 1 or Part 2 of Schedule 4 is classified, or reclassified, as operational land for the purposes of the Local Government Act 1993. (3) The public land described in Part 3 of Schedule 4 is classified, or reclassified, as community land for the purposes of the Local Government Act 1993. (4) The public land described in Part 1 of Schedule 4—	Under the Local Government Act 1993, "public land" is generally land vested in or under the control of a council (other than roads, Crown reserves and commons). The classification or reclassification of public land may also be made by a resolution of the Council under section 31, 32 or 33 of the Local Government Act 1993. Section 30 of that Act enables this Plan to discharge trusts on which public reserves are held if the land is reclassified under this Plan as operational land. (2) The public land described in Part 1 or Part 2 of Schedule 4 is classified, or reclassified, as operational land for the purposes of the Local Government Act 1993. (3) The public land described in Part 3 of Schedule 4 is classified, or reclassified, as community land for the purposes of the Local Government Act 1993. (4) The public land described in Part 1 of Schedule 4—	vested in or under the control of a council (other than roads, Crown reserves and commons). The classification or reclassification of public land may also be made by a resolution of the Council under section 31, 32 or 33 of the Local Government Act 1993. Section 30 of that Act enables this Plan to discharge trusts on which public reserves are held if the land is reclassified under this Plan as operational land. (2) The public land described in Part 1 o Part 2 of Schedule 4 is classified, or reclassified, as operational land for the purposes of the Local Government Act 1993. (3) The public land described in Part 3 of Schedule 4 is classified, or reclassified, as community land for the purposes of the Local Government Act 1993. (4) The public land described in Part 1 of Schedule 4: (a) does not cease to be a public reserve to the extent (if any) that it is a public reserve, and
			(b) continues to be affected by any trusts, estates, interests, dedications,



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(a) does not cease to be a public reserve to the extent (if any) that it is a public reserve, and	(a) does not cease to be a public reserve to the extent (if any) that it is a public reserve, and	(a) does not cease to be a public reserve to the extent (if any) that it is a public reserve, and	conditions, restrictions or covenants that affected the land before its classification, or reclassification, as operational land.
 (b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants that affected the land before its classification, or reclassification, as operational land. (5) The public land described in Part 2 of Schedule 4, to the extent (if any) that it is a public reserve, ceases to be a public reserve when the description of the land is inserted into that Part and is discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land, except— (a) those (if any) specified for the land in Column 3 of Part 2 of Schedule 4, and (b) any reservations that except land out of the Crown grant relating to the land, and 	(b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants that affected the land before its classification, or reclassification, as operational land. (5) The public land described in Part 2 of Schedule 4, to the extent (if any) that it is a public reserve, ceases to be a public reserve when the description of the land is inserted into that Part and is discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land, except— (a) those (if any) specified for the land in Column 3 of Part 2 of Schedule 4, and (b) any reservations that except land out of the Crown grant relating to the land, and (c) reservations of minerals (within the meaning of the Crown Lands Act 1989).	 (b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants that affected the land before its classification, or reclassification, as operational land. (5) The public land described in Part 2 of Schedule 4, to the extent (if any) that it is a public reserve, ceases to be a public reserve when the description of the land is inserted into that Part and is discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land, except— (a) those (if any) specified for the land in Column 3 of Part 2 of Schedule 4, and (b) any reservations that except land out of the Crown grant relating to the land, and 	(5) The public land described in Part 2 of Schedule 4, to the extent (if any) that it is a public reserve, ceases to be a public reserve when the description of the land is inserted into that Part and is discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land, except: (a) those (if any) specified for the land in Column 3 of Part 2 of Schedule 4, and (b) any reservations that except land out of the Crown grant relating to the land, and (c) reservations of minerals (within the meaning of the <i>Crown Lands Act 1989</i>). Note. In accordance with section 30 (2) of the <i>Local Government Act 1993</i> , the approval of the Governor to subclause (5) applying to the public land concerned is required before the description of the land is inserted in Part 2 of Schedule 4.
	Note. In accordance with section 30(2) of the Local Government Act 1993, the		



PART 5: MISCELLANEOUS PROVISIONS				
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(c) reservations of minerals (within the meaning of the Crown Lands Act 1989). Note. In accordance with section 30(2) of the Local Government Act 1993, the approval of the Governor to subclause (5) applying to the public land concerned is required before the description of the land is inserted in Part 2 of Schedule 4.	approval of the Governor to subclause (5) applying to the public land concerned is required before the description of the land is inserted in Part 2 of Schedule 4	(c) reservations of minerals (within the meaning of the Crown Lands Act 1989). Note. In accordance with section 30(2) of the Local Government Act 1993, the approval of the Governor to subclause (5) applying to the public land concerned is required before the description of the land is inserted in Part 2 of Schedule 4		
5.3 Development near zone	5.3 Development near zone	5.3 Development near zone	5.3 Development near zone	
boundaries [optional]	boundaries	boundaries	Boundaries	
(1) The objective of this clause is to provide flexibility where the investigation of a site and its surroundings reveals that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site and be compatible with the planning objectives and land uses for the adjoining zone.	[Not adopted]	(1) The objective of this clause is to provide flexibility where the investigation of a site and its surroundings reveals that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site and be compatible with the planning objectives and land uses for the adjoining zone.	[Not adopted] (note replaced by clause 7.19)	
(2) This clause applies to so much of any land that is within the relevant distance of a boundary between any 2		(2) This clause applies to so much of any land that is within the relevant distance of a boundary between any 2		



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zones. The relevant distance is [insert		zones. The relevant distance is 10	
distance for any 2 zones or different		metres.	
distances for different zones].		(2) This shows do not soonly to	
2) This clause does not apply to		(3) This clause does not apply to—	
3) This clause does not apply to—		(a) land in Zone RE1 Public Recreation,	
(a) land in Zone RE1 Public Recreation,		Zone E1 National Parks and Nature	
Zone E1 National Parks and Nature		Reserves, Zone E2 Environmental	
Reserves, Zone E2 Environmental		Conservation, Zone E3 Environmental	
Conservation, Zone E3 Environmental		Management or Zone W1 Natural	
Management or Zone W1 Natural		Waterways, or	
Vaterways, or		(a1) land in Zone B3 Commercial Core,	
b) land within the coastal zone, or		Zone RE2 Private Recreation, Zone E4	
by faild within the coastarzone, or		Environmental Living or Zone W2	
c) land proposed to be developed for		Recreational Waterways, or	
he purpose of sex services or		neo cational trace ways, or	
estricted premises.		(b) land within the coastal zone, or	
Direction.		(c) land proposed to be developed for	
		the purpose of sex services or	
Additional zones may be included by		restricted premises.	
adding them in a separate paragraph		(4) Describe the governing of this Blanch	
numbered (aa).		(4) Despite the provisions of this Plan relating to the purposes for which	
4) Despite the provisions of this Plan		development may be carried out,	
elating to the purposes for which		development consent may be granted	
evelopment may be carried out,		to development of land to which this	
levelopment consent may be granted		clause applies for any purpose that	
o development of land to which this		may be carried out in the adjoining	
lause applies for any purpose that		zone, but only if the consent authority	
may be carried out in the adjoining		is satisfied that—	



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zone, but only if the consent authority		(a) the development is not	
is satisfied that—		inconsistent with the objectives for	
(a) the development is not		development in both zones, and	
inconsistent with the objectives for		(b) the carrying out of the	
development in both zones, and		development is desirable due to	
acveropment in both zones, and		compatible land use planning,	
(b) the carrying out of the		infrastructure capacity and other	
development is desirable due to		planning principles relating to the	
compatible land use planning,		efficient and timely development of	
infrastructure capacity and other		land.	
planning principles relating to the			
efficient and timely development of		(5) This clause does not prescribe a	
land.		development standard that may be	
(5) This clause does not prescribe a		varied under this Plan	
development standard that may be			
varied under this Plan			
5.4 Controls relating to	5.4 Controls relating to miscellaneous	5.4 Controls relating to	5.4 Controls relating to
miscellaneous permissible uses	permissible uses	miscellaneous permissible uses	miscellaneous permissible uses
[compulsory]	(1) Dod and brookfast assummedation If	(1) Bed and breakfast accommodation	(1) Bed and breakfast accommodation
(1) Bed and breakfast accommodation	(1) Bed and breakfast accommodation If development for the purposes of bed	If development for the purposes of	(1) Bed and breakfast accommodation
If development for the purposes of	and breakfast accommodation is	bed and breakfast accommodation is	If development for the purposes of bed
bed and breakfast accommodation is	permitted under this Plan, the	permitted under this Plan, the	and breakfast accommodation is
permitted under this Plan, the	accommodation that is provided to	accommodation that is provided to	permitted under this Plan, the
accommodation that is provided to	guests must consist of no more than 5	guests must consist of no more than 4	accommodation that is provided to guests
guests must consist of no more than	bedrooms.	bedrooms.	must consist of no more than 5
[insert number not less than 3]			bedrooms.
bedrooms.	Note. Any such development that	Note. Any such development that	Note. Any such development that
	provides for a certain number of guests	provides for a certain number of	provides for a certain number of guests or
	or rooms may involve a change in the	guests or rooms may involve a change	provides for a certain number of guests of



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Note. Any such development that provides for a certain number of guests or rooms may involve a change in the class of building under the Building Code of Australia. (2) Home businesses If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than [insert number not less than 30] square metres of floor area. (3) Home industries If development for the purposes of a home industry is permitted under this Plan, the carrying on of the home industry must not	class of building under the Building Code of Australia. (2) Home businesses If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 50 square metres of floor area. (3) Home industries If development for the purposes of a home industry is permitted under this Plan, the carrying on of the home industry must not involve the use of more than 50 square metres of floor area. (4) Industrial retail outlets If	in the class of building under the Building Code of Australia. (2) Home businesses If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 30 square metres of floor area. (3) Home industries If development for the purposes of a home industry is permitted under this Plan, the carrying on of the home industry must not involve the use of more than 30 square metres of floor area. (4) Industrial retail outlets If	rooms may involve a change in the class of building under the <i>Building Code of Australia</i> . (2) Home businesses If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 50 square metres of floor area. (3) Home industries If development for the purposes of a home industry is permitted under this Plan, the carrying on of the home industry must not involve the use of more than 50
involve the use of more than [insert number not less than 30] square metres of floor area. (4) Industrial retail outlets If development for the purposes of an industrial retail outlet is permitted under this Plan, the retail floor area must not exceed— (a) [insert number not more than 67] % of the gross floor area of the industry	development for the purposes of an industrial retail outlet is permitted under this Plan, the retail floor area must not exceed— (a) 20% of the gross floor area of the industry or rural industry located on the same land as the retail outlet, or (b) 250 square metres, whichever is the lesser. (5) Farm stay accommodation If development for the purposes of farm	development for the purposes of an industrial retail outlet is permitted under this Plan, the retail floor area must not exceed— (a) 10% of the gross floor area of the industry or rural industry located on the same land as the retail outlet, or (b) 400 square metres, whichever is the lesser. (5) Farm stay accommodation If development for the purposes of farm	square metres of floor area. (4) Industrial retail outlets If development for the purposes of an industrial retail outlet is permitted under this Plan, the retail floor area must not exceed: (a) 20 % of the gross floor area of the industry or rural industry located on the same land as the retail outlet, or (b) 400 square metres, whichever is the lesser.



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or rural industry located on the same land as the retail outlet, or	stay accommodation is permitted under this Plan, the accommodation that is	stay accommodation is permitted under this Plan, the accommodation	(5) Farm stay accommodation If development for the purposes of farm
(b) [insert number not more than 400] square metres,	provided to guests must consist of no more than 5 bedrooms.	that is provided to guests must consist of no more than 4 bedrooms.	stay accommodation is permitted under this plan, the accommodation that is
whichever is the lesser.	(6) Kiosks If development for the purposes of a kiosk is permitted under	(6) Kiosks If development for the purposes of a kiosk is permitted under	provided to guests must consist of no more than 5 bedrooms.
(5) Farm stay accommodation If development for the purposes of farm	this Plan, the gross floor area must not exceed 20 square metres.	this Plan, the gross floor area must not exceed 50 square metres.	(6) Kiosks
stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than [insert number not less than 3] bedrooms.	(7) Neighbourhood shops If development for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor area must not exceed 125 square metres.	(7) Neighbourhood shops If development for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor area must not exceed 100 square metres.	If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed 50 square metres. (7) Neighbourhood shops
 (6) Kiosks If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed [insert number not less than 10] square metres. (7) Neighbourhood shops If 	(7AA) Neighbourhood supermarkets If development for the purposes of a neighbourhood supermarket is permitted under this Plan, the gross floor area must not exceed 1,000 square metres.	(7AA) Neighbourhood supermarkets If development for the purposes of a neighbourhood supermarket is permitted under this Plan, the gross floor area must not exceed 1,000 square metres.	If development for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor area must not exceed 125 square metres. (7AA) Neighbourhood supermarkets
development for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor area must not exceed [insert number not less than 80 and not more than 1,000] square metres.	(8) Roadside stalls If development for the purposes of a roadside stall is permitted under this Plan, the gross floor area must not exceed 20 square metres.	(8) Roadside stalls If development for the purposes of a roadside stall is permitted under this Plan, the gross floor area must not exceed 30 square metres.	If development for the purposes of a neighbourhood supermarket is permitted under this Plan, the gross floor area must not exceed 1,000 square metres. (8) Roadside stalls
(7AA) Neighbourhood supermarkets If development for the purposes of a neighbourhood supermarket is	(9) Secondary dwellings If development for the purposes of a secondary dwelling is permitted under this Plan,	(9) Secondary dwellings If development for the purposes of a secondary dwelling is permitted under	If development for the purposes of a roadside stall is permitted under this Plan,





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(a) [insert number not more than 67%]			
of the gross floor area of the industry,			
or			
(b) [insert number not more than 400]			
square metres,			
whichever is the lesser			
5.5 (Repealed)	5.5 (Repealed)	5.5 (Repealed)	5.5 (Repealed)
5.6 Architectural roof features	5.6 Architectural roof features	5.6 Architectural roof features	5.6 Architectural roof features
[optional]	[Nat adapted]	(a) The chieve of this classes are	(4) The chieve of this sleepers
(1) The chiestines of this clause are as	[Not adopted]	(1) The objectives of this clause are as	(1) The objectives of this clause are as
(1) The objectives of this clause are as follows—		follows—	follows:
ioliows—		(a) to permit variations to maximum	(a) to permit variations to maximum
(a) [set out objectives of the clause]		building height standards for roof	building height standards for roof
(0) 0		features of visual interest,	features of visual interest,
(2) Development that includes an		40.	(1)
architectural roof feature that		(b) to ensure that roof features are	(b) to ensure that roof features are
exceeds, or causes a building to		decorative elements and that the	decorative elements and that the
exceed, the height limits set by clause		majority of the roof is contained	majority of the roof is contained within
4.3 may be carried out, but only with		within the maximum building height	the maximum building height standard
development consent.		standard.	(2) Development that includes an
(3) Development consent must not be		(2) Development that includes an	architectural roof feature that exceeds,
granted to any such development		architectural roof feature that	or causes a building to exceed, the
unless the consent authority is		exceeds, or causes a building to	height limits set by clause 4.3 may be
satisfied that—		exceed, the height limits set by clause	carried out, but only with development
()		4.3 may be carried out, but only with	consent.
(a) the architectural roof feature—		development consent.	



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(i) comprises a decorative element on		(3) Development consent must not be	(3) Development consent must not be	
the uppermost portion of a building,		granted to any such development	granted to any such development unless	
and		unless the consent authority is	the consent authority is satisfied that:	
 (ii) is not an advertising structure, and (iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and (iv) will cause minimal overshadowing, and (b) any building identification signage 		satisfied that— (a) the architectural roof feature— (i) comprises a decorative element on the uppermost portion of a building, and (ii) is not an advertising structure, and (iii) does not include floor space area and is not reasonably capable of	 (a) the architectural roof feature: (i) comprises a decorative element on the uppermost portion of a building, and (ii) is not an advertising structure, and (iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and 	
or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.	5.7. Davidanment halau maan hish	modification to include floor space area, and (iv) will cause minimal overshadowing, and (b) any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.	 (iv) will cause minimal overshadowing, and (b) any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature. 	
5.7 Development below mean high water mark [compulsory if land to	5.7 Development below mean high water mark	5.7 Development below mean high water mark	5.7 Development below mean high water mark	



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which Plan applies contains tidal waters] (1) The objective of this clause is to ensure appropriate environmental assessment for development carried out on land covered by tidal waters. (2) Development consent is required to carry out development on any land below the mean high water mark of any body of water subject to tidal influence (including the bed of any such water).	 (1) The objective of this clause is to ensure appropriate environmental assessment for development carried out on land covered by tidal waters. (2) Development consent is required to carry out development on any land below the mean high water mark of any body of water subject to tidal influence (including the bed of any such water). 	 (1) The objective of this clause is to ensure appropriate environmental assessment for development carried out on land covered by tidal waters. (2) Development consent is required to carry out development on any land below the mean high water mark of any body of water subject to tidal influence (including the bed of any such water). 	(1) The objective of this clause is to ensure appropriate environmental assessment for development carried out on land covered by tidal waters. Development consent is required to carry out development on any land below the mean high water mark of any body of water subject to tidal influence (including the bed of any such water).
[compulsory] (1) This clause applies to a fire alarm system that can be monitored by Fire and Rescue NSW or by a private service provider. (2) The following development may be carried out, but only with development consent— (a) converting a fire alarm system from connection with the alarm monitoring system of Fire and Rescue NSW to connection with the alarm	 5.8 Conversion of fire alarms (1) This clause applies to a fire alarm system that can be monitored by Fire and Rescue NSW or by a private service provider. (2) The following development may be carried out, but only with development consent— (a) converting a fire alarm system from connection with the alarm monitoring system of Fire and Rescue NSW to connection with the alarm monitoring system of a private service provider, 	 5.8 Conversion of fire alarms (1) This clause applies to a fire alarm system that can be monitored by Fire and Rescue NSW or by a private service provider. (2) The following development may be carried out, but only with development consent— (a) converting a fire alarm system from connection with the alarm monitoring system of Fire and Rescue NSW to connection with the alarm monitoring system of a private service provider, 	 5.8 Conversion of fire alarms (1) This clause applies to a fire alarm system that can be monitored by Fire and Rescue NSW or by a private service provider. (2) The following development may be carried out, but only with development consent: (a) converting a fire alarm system from connection with the alarm monitoring system of Fire and Rescue NSW to connection with the alarm monitoring system of a private service provider.



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Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
monitoring system of a private service provider, (b) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with the alarm	(b) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with the alarm monitoring system of another private service provider,	(b) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with the alarm monitoring system of another private service provider,	(b) converting a firm alarm system from connection with the alarm monitoring system of a private service provider to connection with the alarm monitoring system of another private service provider,
monitoring system of another private service provider, (c) converting a fire alarm system from connection with the alarm monitoring system of a private service	(c) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with a different alarm monitoring system of the same private service provider.	(c) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with a different alarm monitoring system of the same private service provider.	(c) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with a different alarm monitoring system of the same private service provider.
provider to connection with a different alarm monitoring system of the same private service provider. (3) Development to which subclause	(3) Development to which subclause (2) applies is complying development if it consists only of—	(3) Development to which subclause (2) applies is complying development if it consists only of—	(3) Development to which subclause (2) applies is complying development if it consists only of:
(2) applies is complying development if it consists only of—	(a) internal alterations to a building, or(b) internal alterations to a building	(a) internal alterations to a building, or	(a) internal alterations to a building, or
(a) internal alterations to a building, or(b) internal alterations to a building together with the mounting of an	together with the mounting of an antenna, and any support structure, on an external wall or roof of a building so as to occupy a space of not more than 450mm × 100mm × 100mm.	(b) internal alterations to a building together with the mounting of an antenna, and any support structure, on an external wall or roof of a	(b) internal alterations to a building together with the mounting of an antenna, and any support structure, on an external wall or roof of a building
antenna, and any support structure, on an external wall or roof of a building so as to occupy a space of not	(4) A complying development certificate for any such complying	building so as to occupy a space of not more than 450mm ×100mm × 100mm. (4) A complying development	so as to occupy a space of not more than 450mm x 100mm x 100mm. (4) A complying development
more than 450mm × 100mm × 100mm.	development is subject to a condition that any building work may only be carried out between 7.00 am and 6.00	certificate for any such complying development is subject to a condition that any building work may only be	certificate for any such complying development is subject to a condition that any building work may be only



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 (4) A complying development certificate for any such complying development is subject to a condition that any building work may only be carried out between 7.00 am and 6.00 pm on Monday to Friday and between 7.00 am and 5.00 pm on Saturday, and must not be carried out on a Sunday or a public holiday. (5) In this clause— private service provider means a person or body that has entered into an agreement that is in force with Fire and Rescue NSW to monitor fire alarm systems. 	pm on Monday to Friday and between 7.00 am and 5.00 pm on Saturday, and must not be carried out on a Sunday or a public holiday. (5) In this clause— private service provider means a person or body that has entered into an agreement that is in force with Fire and Rescue NSW to monitor fire alarm systems	carried out between 7.00 am and 6.00 pm on Monday to Friday and between 7.00 am and 5.00 pm on Saturday, and must not be carried out on a Sunday or a public holiday. (5) In this clause— private service provider means a person or body that has entered into an agreement that is in force with Fire and Rescue NSW to monitor fire alarm systems	carried out between 7.00am and 6.00pm on Monday to Friday and between 7.00am and 5.00pm on Saturday, and must not be carried out on a Sunday or a public holiday. (5) In this clause: private service provider means a person or body that has entered into an agreement that is in force with Fire and Rescue NSW to monitor fire alarm systems.
5.9, 5.9AA (Repealed)	5.9, 5.9AA (Repealed)	5.9, 5.9AA (Repealed)	5.9, 5.9AA (Repealed)
5.10 Heritage conservation [compulsory] Note. Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the Heritage Map as well as being described in Schedule 5. (1) Objectives The objectives of this clause are as follows—	5.10 Heritage conservation Note. Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the Heritage Map as well as being described in Schedule 5. (1) Objectives The objectives of this clause are as follows— (a) to conserve the environmental heritage of Wyong,	5.10 Heritage conservation Note. Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the Heritage Map as well as being described in Schedule 5. (1) Objectives The objectives of this clause are as follows— (a) to conserve the environmental heritage of Gosford,	5.10 Heritage conservation Note. Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the Heritage Map as well as being described in Schedule 5. (1) Objectives The objectives of this clause are as follows:



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 (a) to conserve the environmental heritage of [Name of local government area or other relevant name], (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views, (c) to conserve archaeological sites, (d) to conserve Aboriginal objects and Aboriginal places of heritage significance. (2) Requirement for consent Development consent is required for any of the following— (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)— (i) a heritage item, (ii) an Aboriginal object, 	(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views, (c) to conserve archaeological sites, (d) to conserve Aboriginal objects and Aboriginal places of heritage significance. (2) Requirement for consent Development consent is required for any of the following— (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)— (i) a heritage item, (ii) an Aboriginal object, (iiii) a building, work, relic or tree within a heritage conservation area, (b) altering a heritage item that is a building by making structural changes to	 (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views, (c) to conserve archaeological sites, (d) to conserve Aboriginal objects and Aboriginal places of heritage significance. (2) Requirement for consent Development consent is required for any of the following— (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)— (i) a heritage item, (ii) an Aboriginal object, (iii) a building, work, relic or tree within a heritage conservation area, (b) altering a heritage item that is a 	(a) to conserve the environmental heritage of the Central Coast, (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views, (c) to conserve archaeological sites, (d) to conserve Aboriginal objects and Aboriginal places of heritage significance. (2) Requirement for consent Development consent is required for any of the following: (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance): (i) a heritage item, (ii) an Aboriginal object, (iii) a building, work, relic or tree within a heritage conservation area, (b) altering a heritage item that is a	
(iii) a building, work, relic or tree within a heritage conservation area,	its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,	building by making structural changes to its interior or by making changes to anything inside the item that is	building by making structural changes to its interior or by making changes to	



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(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item, (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed, (d) disturbing or excavating an Aboriginal place of heritage significance, (e) erecting a building on land— (i) on which a heritage item is located or that is within a heritage conservation area, or (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance, (f) subdividing land—	(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed, (d) disturbing or excavating an Aboriginal place of heritage significance, (e) erecting a building on land— (i) on which a heritage item is located or that is within a heritage conservation area, or (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance, (f) subdividing land— (i) on which a heritage item is located or that is within a heritage conservation area, or (ii) on which a heritage item is located or that is within a heritage conservation area, or	specified in Schedule 5 in relation to the item, (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed, (d) disturbing or excavating an Aboriginal place of heritage significance, (e) erecting a building on land— (i) on which a heritage item is located or that is within a heritage conservation area, or (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance, (f) subdividing land— (i) on which a heritage item is located or that is within a heritage conservation area, or	anything inside the item that is specified in Schedule 5 in relation to the item, (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed, (d) disturbing or excavating an Aboriginal place of heritage significance, (e) erecting a building on land: (i) on which a heritage item is located or that is within a heritage conservation area, or (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance, (f) subdividing land: (i) on which a heritage item is located or that is within a heritage conservation area, or (iii) on which a heritage item is located or that is within a heritage conservation area, or



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(i) on which a heritage item is located or that is within a heritage conservation area, or(ii) on which an Aboriginal object is	(3) When consent not required However, development consent under this clause is not required if— (a) the applicant has notified the	(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.(3) When consent not required	(3) When consent not required However, development consent under this clause is not required if: (a) the applicant has notified the
located or that is within an Aboriginal place of heritage significance. (3) When consent not required However, development consent under this clause is not required if— (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development—	consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development— (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and	However, development consent under this clause is not required if— (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development— (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of	consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development: (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building work, work, relic tree or place within the heritage conservation area, and
(i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal	(ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or (b) the development is in a cemetery or burial ground and the proposed development— (i) is the creation of a new grave or monument, or excavation or	heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or	 (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place archaeological site or heritage conservation area, or (b) the development is in a cemetery or burial ground and the proposed development: (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or





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of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6). (5) Heritage assessment The consent authority may, before granting consent to any development— (a) on land on which a heritage item is located, or (b) on land that is within a heritage conservation area, or (c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the	conservation management plan is submitted under subclause (6). (5) Heritage assessment The consent authority may, before granting consent to any development— (a) on land on which a heritage item is located, or (b) on land that is within a heritage conservation area, or (c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned. (6) Heritage conservation management plans The consent authority may require, after considering the heritage	area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6). (5) Heritage assessment The consent authority may, before granting consent to any development— (a) on land on which a heritage item is located, or (b) on land that is within a heritage conservation area, or (c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area	(5) Heritage assessment The consent authority may, before granting consent to any development: (a) on land on which a heritage item is located, or (b) on land that is within a heritage conservation area, or (c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned. (6) Heritage conservation management plans The consent authority may require, after considering the heritage significance of a heritage item and the extent of change
heritage significance of the heritage item or heritage conservation area concerned.	significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting	concerned. (6) Heritage conservation management plans The consent	proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.
(6) Heritage conservation management plans The consent	consent under this clause.	authority may require, after considering the heritage significance of	(7) Archaeological sites



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authority may require, after	(7) Archaeological sites The consent	a heritage item and the extent of	The consent authority must, before
considering the heritage significance	authority must, before granting consent	change proposed to it, the submission	granting consent under this clause to the
of a heritage item and the extent of	under this clause to the carrying out of	of a heritage conservation	carrying out of development on an
change proposed to it, the submission	development on an archaeological site	management plan before granting	archaeological site (other than land listed
of a heritage conservation	(other than land listed on the State	consent under this clause.	on the State Heritage Register or to which
management plan before granting consent under this clause.	Heritage Register or to which an interim heritage order under the Heritage Act 1977 applies)—	(7) Archaeological sites The consent authority must, before granting	an interim heritage order under the <i>Heritage Act 1977</i> applies):
(7) Archaeological sites The consent		consent under this clause to the	(a) notify the Heritage Council of its
authority must, before granting	(a) notify the Heritage Council of its	carrying out of development on an	intention to grant consent, and
consent under this clause to the	intention to grant consent, and	archaeological site (other than land	(b) take into consideration any response
carrying out of development on an	(b) take into consideration any	listed on the State Heritage Register or	received from the Heritage Council within
archaeological site (other than land	response received from the Heritage	to which an interim heritage order	28 days after the notice is sent.
listed on the State Heritage Register or	Council within 28 days after the notice	under the <u>Heritage Act 1977</u> applies)—	
to which an interim heritage order	is sent.	(a) notify the Heritage Council of its	(8) Aboriginal places of heritage
under the <u>Heritage Act 1977</u> applies)—		intention to grant consent, and	significance
(a) notify the Heritage Council of its	(8) Aboriginal places of heritage	_	The consent authority must, before
intention to grant consent, and	significance The consent authority must,	(b) take into consideration any	granting consent under this clause to the
	before granting consent under this	response received from the Heritage	carrying out of development in an
(b) take into consideration any	clause to the carrying out of	Council within 28 days after the notice	Aboriginal place of heritage significance:
response received from the Heritage	development in an Aboriginal place of	is sent.	The regime place of the reage organical
Council within 28 days after the notice	heritage significance—	(8) Aboriginal places of heritage	(a) consider the effect of the proposed
is sent.	(a) consider the effect of the proposed	significance The consent authority	development on the heritage significance
(8) Aboriginal places of heritage	development on the heritage	must, before granting consent under	of the place and any Aboriginal object
significance The consent authority	significance of the place and any	this clause to the carrying out of	known or reasonably likely to be located
must, before granting consent under	Aboriginal object known or reasonably	development in an Aboriginal place of	at the place by means of an adequate
this clause to the carrying out of	likely to be located at the place by	heritage significance—	investigation and assessment (which may
development in an Aboriginal place of	means of an adequate investigation and		involve consideration of a heritage impact
heritage significance—	assessment (which may involve	(a) consider the effect of the	statement), and
-	,	proposed development on the	



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Standard Instrument Finicipal EEF	Wyong LLF 2013 FIOVISION	GOSTOTO ELF 2014 FTOVISION	Diant CCLEF FOSt Exhibition
(a) consider the effect of the	consideration of a heritage impact	heritage significance of the place and	(b) notify the local Aboriginal
proposed development on the	statement), and	any Aboriginal object known or	communities, in writing or in such manner
heritage significance of the place and	(b) notify the local Aboriginal	reasonably likely to be located at the	as may be appropriate, about the
any Aboriginal object known or	communities, in writing or in such other	place by means of an adequate	application and take into consideration
reasonably likely to be located at the	manner as may be appropriate, about	investigation and assessment (which	any response received within 28 days
place by means of an adequate	the application and take into	may involve consideration of a	after the notice is sent.
investigation and assessment (which	consideration any response received	heritage impact statement), and	(9) Demolition of nominated State
may involve consideration of a	within 28 days after the notice is sent.	(b) notify the local Aboriginal	heritage items
heritage impact statement), and	within 20 days after the notice is sent.	communities, in writing or in such	Heritage items
(b) notify the local Aboriginal	(9) Demolition of nominated State	other manner as may be appropriate,	The consent authority must, before
communities, in writing or in such	heritage items The consent authority	about the application and take into	granting consent under this clause for the
other manner as may be appropriate,	must, before granting consent under	consideration any response received	demolition of a nominated State heritage
about the application and take into	this clause for the demolition of a	within 28 days after the notice is sent.	item:
consideration any response received	nominated State heritage item—	,	(a) notify the Heritage Council about the
within 28 days after the notice is sent.	(a) notify the Heritage Council about	(9) Demolition of nominated State	application, and
·	the application, and	heritage items The consent authority	application, and
(9) Demolition of nominated State	the application, and	must, before granting consent under	(b) take into consideration any response
heritage items The consent authority	(b) take into consideration any	this clause for the demolition of a	received from the Heritage Council within
must, before granting consent under	response received from the Heritage	nominated State heritage item—	28 days after the notice is sent.
this clause for the demolition of a	Council within 28 days after the notice	(a) notify the Heritage Council about	(10) Companyation in continue
nominated State heritage item—	is sent.	the application, and	(10) Conservation incentives
(a) notify the Heritage Council about	(10) Conservation incentives The		The consent authority may grant consent
the application, and	consent authority may grant consent to	(b) take into consideration any	to development for any purpose of a
	development for any purpose of a	response received from the Heritage	building that is a heritage item or of the
(b) take into consideration any	building that is a heritage item or of the	Council within 28 days after the notice	land on which such a building is erected,
response received from the Heritage	land on which such a building is erected,	is sent.	or for any purpose on an Aboriginal place
Council within 28 days after the notice	or for any purpose on an Aboriginal	(10) Conservation incentives The	of heritage significance, even though
is sent.	place of heritage significance, even	consent authority may grant consent	development for that purpose would
	though development for that purpose	to development for any purpose of a	



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(10) Conservation incentives The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that— (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and (d) the proposed development would	would otherwise not be allowed by this Plan, if the consent authority is satisfied that— (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.	building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that— (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage	otherwise not be allowed by this Plan, if the consent authority is satisfied that: (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.
not adversely affect the heritage			



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significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.		significance of the Aboriginal place of heritage significance, and (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.	
5.11 Bush fire hazard reduction [compulsory] Bush fire hazard reduction work authorised by the Rural Fires Act 1997 may be carried out on any land without development consent. Note. The Rural Fires Act 1997 also makes provision relating to the carrying out of development on bush fire prone land.	5.11 Bush fire hazard reduction Bush fire hazard reduction work authorised by the Rural Fires Act 1997 may be carried out on any land without development consent. Note. The Rural Fires Act 1997 also makes provision relating to the carrying out of development on bush fire prone land.	5.11 Bush fire hazard reduction Bush fire hazard reduction work authorised by the Rural Fires Act 1997 may be carried out on any land without development consent. Note. The Rural Fires Act 1997 also makes provision relating to the carrying out of development on bush fire prone land.	5.11 Bush fire hazard reduction Bush fire hazard reduction work authorised by the <i>Rural Fires Act 1977</i> may be carried out on any and without development consent. Note. The <i>Rural Fires Act 1977</i> also makes provision relating to the carrying out of development on bush fire prone land.
5.12 Infrastructure development and use of existing buildings of the Crown [compulsory] (1) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a	5.12 Infrastructure development and use of existing buildings of the Crown (1) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a public authority, that is permitted to be	5.12 Infrastructure development and use of existing buildings of the Crown (1) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a public authority, that is permitted to	5.12 Infrastructure development and use of existing building of the Crown (1) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a public authority, that is permitted to be carried



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public authority, that is permitted to	carried out with or without	be carried out with or without	out with or without development
be carried out with or without	development consent, or that is exempt	development consent, or that is	consent, or that is exempt development,
development consent, or that is	development, under <u>State</u>	exempt development, under <u>State</u>	under <i>State Environmental Planning</i>
exempt development, under <u>State</u>	Environmental Planning Policy	Environmental Planning Policy	Policy (Infrastructure) 2007.
Environmental Planning Policy	(Infrastructure) 2007.	(Infrastructure) 2007.	(2) This Diam do so not nectwist on
(Infrastructure) 2007.	(2) This Dies does not rectaint an	(2) This Plan does not rectain an	(2) This Plan does not restrict or
(2) This Disc does not rectaint on	(2) This Plan does not restrict or	(2) This Plan does not restrict or	prohibit, or enable the restriction or
(2) This Plan does not restrict or	prohibit, or enable the restriction or	prohibit, or enable the restriction or	prohibition of, the use of existing
prohibit, or enable the restriction or	prohibition of, the use of existing	prohibition of, the use of existing	buildings of the Crown by the Crown.
prohibition of, the use of existing	buildings of the Crown by the Crown.	buildings of the Crown by the Crown	
buildings of the Crown by the Crown.			
5.13 Eco-tourist facilities	5.13 Eco-tourist facilities	5.13 Eco-tourist facilities	5.13 Eco-tourist facilities
[compulsory if eco-tourist facilities	(1) The objectives of this clause are as	(1) The objectives of this clause are as	(1) The objectives of this clause are as
permitted with consent]	follows—	follows—	follows:
(1) The objectives of this clause are as	Tollows—	Tollows—	Tollows.
follows—	(a) to maintain the environmental and	(a) to maintain the environmental and	(a) to maintain the environmental and
Tollows	cultural values of land on which	cultural values of land on which	cultural values of land on which
(a) to maintain the environmental and	development for the purposes of eco-	development for the purposes of eco-	development for the purposes of
cultural values of land on which	tourist facilities is carried out,	tourist facilities is carried out,	ecotourist facilities is carried out,
development for the purposes of eco-	(h) to annotate the second to the second	(b) to movide for consistingly decisioned	(b) As any ide for a society of a single
tourist facilities is carried out,	(b) to provide for sensitively designed	(b) to provide for sensitively designed	(b) to provide for sensitively designed
(h) +id- fiti	and managed eco-tourist facilities that	and managed eco-tourist facilities that	and managed eco-tourist facilities that
(b) to provide for sensitively designed	have minimal impact on the	have minimal impact on the	have minimal impact on the environment
and managed eco-tourist facilities that	environment both on and off-site.	environment both on and off-site.	both on and off-site.
have minimal impact on the environment both on and off-site.	(2) This clause applies if development	(2) This clause applies if development	(2) This clause applies if development for
environment both on and on-site.	for the purposes of an eco-tourist	for the purposes of an eco-tourist	the purposes of an eco-tourist facility is
(2) This clause applies if development	facility is permitted with development	facility is permitted with development	permitted with development consent
for the purposes of an eco-tourist	consent under this Plan.	consent under this Plan.	under this Plan.



Chandend Instrument Dringing LED When a LED 2012 Provision Conford LED 2014 Provision Druft CCLED Post Fullibition			
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facility is permitted with development	(3) The consent authority must not	(3) The consent authority must not	(3) The consent authority must not grant
consent under this Plan.	grant consent under this Plan to carry	grant consent under this Plan to carry	consent under this Plan to carry out
(3) The consent authority must not	out development for the purposes of an	out development for the purposes of	development for the purposes of an
grant consent under this Plan to carry	eco-tourist facility unless the consent	an eco-tourist facility unless the	ecotourist facility unless the consent
out development for the purposes of	authority is satisfied that—	consent authority is satisfied that—	authority is satisfied that:
an eco-tourist facility unless the	(a) there is a demonstrated connection	(a) there is a demonstrated	(a) there is a demonstrated connection
consent authority is satisfied that—	between the development and the	connection between the development	between the development and the
(a) there is a demonstrated	ecological, environmental and cultural	and the ecological, environmental and	ecological, environmental and cultural
(a) there is a demonstrated connection between the development	values of the site or area, and	cultural values of the site or area, and	values of the site or area, and
and the ecological, environmental and	(b) the development will be located,	(b) the development will be located,	(b) the development will be located,
cultural values of the site or area, and	constructed, managed and maintained	constructed, managed and maintained	constructed, managed and maintained so
	so as to minimise any impact on, and to	so as to minimise any impact on, and	as to minimise any impact on, and to
(b) the development will be located,	conserve, the natural environment, and	to conserve, the natural environment,	conserve, the natural environment, and
constructed, managed and maintained		and	()
so as to minimise any impact on, and	(c) the development will enhance an		(c) the development will enhance an
to conserve, the natural environment,	appreciation of the environmental and	(c) the development will enhance an	appreciation of the environmental and
and	cultural values of the site or area, and	appreciation of the environmental and	cultural values of the site or area, and
(c) the development will enhance an	(d) the development will promote	cultural values of the site or area, and	(d) the development will promote
appreciation of the environmental and	positive environmental outcomes and	(d) the development will promote	positive environmental outcomes and any
cultural values of the site or area, and	any impact on watercourses, soil	positive environmental outcomes and	impact on watercourses, soil quality,
(d) the development will receive	quality, heritage and native flora and	any impact on watercourses, soil	heritage and native flora and fauna will be
(d) the development will promote	fauna will be minimal, and	quality, heritage and native flora and	minimal, and
positive environmental outcomes and	(e) the site will be maintained (or	fauna will be minimal, and	(a) the site will be maintained (or
any impact on watercourses, soil quality, heritage and native flora and	regenerated where necessary) to	(e) the site will be maintained (or	(e) the site will be maintained (or regenerated where necessary) to ensure
fauna will be minimal, and	ensure the continued protection of	regenerated where necessary) to	the continued protection of natural
rauna win be milima, and	natural resources and enhancement of	ensure the continued protection of	resources and enhancement of the
(e) the site will be maintained (or	the natural environment, and	natural resources and enhancement of	natural environment, and
regenerated where necessary) to	the natural environment, and	the natural environment, and	natural crivitorinicity and
ensure the continued protection of			



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natural resources and enhancement of	(f) waste generation during	(f) waste generation during	(f) waste generation during construction
the natural environment, and	construction and operation will be	construction and operation will be	and operation will be avoided and that
(f) wasts somewation during	avoided and that any waste will be	avoided and that any waste will be	any waste will be appropriately removed,
(f) waste generation during construction and operation will be	appropriately removed, and	appropriately removed, and	and
avoided and that any waste will be	(g) the development will be located to	(g) the development will be located to	(g) the development will be located to
appropriately removed, and	avoid visibility above ridgelines and	avoid visibility above ridgelines and	avoid visibility above ridgelines and
/-> Ab d	against escarpments and from	against escarpments and from	against escarpments and from
(g) the development will be located to	watercourses and that any visual	watercourses and that any visual	watercourses and that any visual intrusion
avoid visibility above ridgelines and	intrusion will be minimised through the	intrusion will be minimised through	will be minimised through the choice of
against escarpments and from	choice of design, colours, materials and	the choice of design, colours, materials	design, colours, materials and landscaping
watercourses and that any visual	landscaping with local native flora, and	and landscaping with local native flora,	with local native flora, and
intrusion will be minimised through	(h) any infrastructure considers to the	and	(h) any infrastructure considers to the site
the choice of design, colours, materials	(h) any infrastructure services to the site will be provided without significant	(h) any infrastructure convices to the	(h) any infrastructure services to the site
and landscaping with local native flora, and	modification to the environment, and	(h) any infrastructure services to the site will be provided without	will be provided without significant modification to the environment, and
anu	iniodification to the environment, and	significant modification to the	iniodification to the environment, and
(h) any infrastructure services to the	(i) any power and water to the site will,	environment, and	(i) any power and water to the site will,
site will be provided without	where possible, be provided through	environment, and	where possible, be provided through the
significant modification to the	the use of passive heating and cooling,	(i) any power and water to the site	use of passive heating and cooling,
environment, and	renewable energy sources and water	will, where possible, be provided	renewable energy sources and water
(1)	efficient design, and	through the use of passive heating and	efficient design, and
(i) any power and water to the site		cooling, renewable energy sources and	
will, where possible, be provided	(j) the development will not adversely	water efficient design, and	(j) the development will not adversely
through the use of passive heating and	affect the agricultural productivity of		affect the agricultural productivity of
cooling, renewable energy sources and	adjoining land, and	(j) the development will not adversely	adjoining land, and
water efficient design, and	(k) the following matters are addressed	affect the agricultural productivity of	(k) the following matters are addressed
(j) the development will not adversely	or provided for in a management	adjoining land, and	or provided for in a management strategy
affect the agricultural productivity of	strategy for minimising any impact on	(k) the following matters are	for minimising any impact on the natural
adjoining land, and	the natural environment—	addressed or provided for in a	environment:
		management strategy for minimising	



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(k) the following matters are addressed or provided for in a management strategy for minimising any impact on the natural environment— (i) measures to remove any threat of serious or irreversible environmental damage, (ii) the maintenance (or regeneration where necessary) of habitats, (iii) efficient and minimal energy and water use and waste output, (iv) mechanisms for monitoring and reviewing the effect of the development on the natural environment, (v) maintaining improvements on an on-going basis in accordance with relevant ISO 14000 standards relating to management and quality control	(i) measures to remove any threat of serious or irreversible environmental damage, (ii) the maintenance (or regeneration where necessary) of habitats, (iii) efficient and minimal energy and water use and waste output, (iv) mechanisms for monitoring and reviewing the effect of the development on the natural environment, (v) maintaining improvements on an on-going basis in accordance with relevant ISO 14000 standards relating to management and quality control.	any impact on the natural environment— (i) measures to remove any threat of serious or irreversible environmental damage, (ii) the maintenance (or regeneration where necessary) of habitats, (iii) efficient and minimal energy and water use and waste output, (iv) mechanisms for monitoring and reviewing the effect of the development on the natural environment, (v) maintaining improvements on an on-going basis in accordance with relevant ISO 14000 standards relating to management and quality control	(i) measures to remove any threat of serious or irreversible environmental damage, (ii) the maintenance (or regeneration where necessary) of habitats, (iii) efficient and minimal energy and water use and waste output, (iv) mechanisms for monitoring and reviewing the effect of the development on the natural environment, (v) maintaining improvements on an ongoing basis in accordance with relevant ISO 14000 standards relating to management and quality control.
5.14 Siding Spring Observatory— maintaining dark sky [optional]	5.14 Siding Spring Observatory— maintaining dark sky [Not adopted]	5.14 Siding Spring Observatory— maintaining dark sky	5.14 Siding Spring Observatory— maintaining dark sky
5.15 Defence communications facility [optional]	5.15 Defence communications facility	5.15 Defence communications facility	5.15 Defence communications facility



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	[Not adopted]	[Not adopted]	[Not adopted]
5.16 Subdivision of, or dwellings on, land in certain rural, residential or environment protection zones [compulsory if land to which Plan applies includes land to which clause applies and Plan is referred to in Direction 1 to clause]	5.16 Subdivision of, or dwellings on, land in certain rural, residential or environment protection zones [Not applicable]	5.16 Subdivision of, or dwellings on, land in certain rural, residential or environment protection zones [Not applicable]	5.16 Subdivision of, or dwellings on, land in certain rural, residential or environment protection zones [Not applicable]
5.17 Artificial waterbodies in environmentally sensitive areas in areas of operation of irrigation corporations [compulsory if land to which Plan applies includes land to which clause applies]	5.17 Artificial waterbodies in environmentally sensitive areas in areas of operation of irrigation corporations [Not applicable]	5.17 Artificial waterbodies in environmentally sensitive areas in areas of operation of irrigation corporations [Not applicable]	5.17 Artificial waterbodies in environmentally sensitive areas in areas of operation of irrigation corporations [Not applicable]
5.18 Intensive livestock agriculture	5.18 Intensive livestock agriculture	5.18 Intensive livestock agriculture	5.18 Intensive livestock agriculture
[compulsory if intensive livestock agriculture permitted with consent]	(1) The objectives of this clause are—	(1) The objectives of this clause are—	(1) The objectives of this clause are:
(1) The objectives of this clause are—	(a) to ensure appropriate environmental assessment of	(a) to ensure appropriate environmental assessment of	(a) to ensure appropriate environmental assessment of development for the
(a) to ensure appropriate environmental assessment of development for the purpose of intensive livestock agriculture that is	development for the purpose of intensive livestock agriculture that is permitted with consent under this Plan, and	development for the purpose of intensive livestock agriculture that is permitted with consent under this Plan, and	purpose of intensive livestock agriculture that is permitted with consent under this Plan, and (b) to provide for certain capacity
permitted with consent under this Plan, and	(b) to provide for certain capacity thresholds below which development	(b) to provide for certain capacity thresholds below which development	thresholds below which development consent is not required for that
(b) to provide for certain capacity thresholds below which development consent is not required for that	consent is not required for that	consent is not required for that	development subject to certain restrictions as to location.



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development subject to certain	development subject to certain	development subject to certain	(2) This clause applies if development for
restrictions as to location.	restrictions as to location.	restrictions as to location.	the purpose of intensive livestock
(2) This clause applies if development for the purpose of intensive livestock agriculture is permitted with consent	(2) This clause applies if development for the purpose of intensive livestock agriculture is permitted with consent	(2) This clause applies if development for the purpose of intensive livestock agriculture is permitted with consent	agriculture is permitted with consent under this Plan. (3) In determining whether or not to
under this Plan.	under this Plan.	under this Plan.	grant development consent under this
(3) In determining whether or not to grant development consent under this Plan to development for the purpose of intensive livestock agriculture, the consent authority must take the following into consideration— (a) the adequacy of the information provided in the statement of environmental effects or (if the development is designated development) the environmental	(3) In determining whether or not to grant development consent under this Plan to development for the purpose of intensive livestock agriculture, the consent authority must take the following into consideration— (a) the adequacy of the information provided in the statement of environmental effects or (if the development is designated development) the environmental	(3) In determining whether or not to grant development consent under this Plan to development for the purpose of intensive livestock agriculture, the consent authority must take the following into consideration— (a) the adequacy of the information provided in the statement of environmental effects or (if the development is designated development) the environmental	Plan to development for the purpose of intensive livestock agriculture, the consent authority must take the following into consideration: (a) the adequacy of the information provided in the statement of environmental effects or (if the development is designated development) the environmental impact statement accompanying the development application,
impact statement accompanying the development application,	impact statement accompanying the development application,	impact statement accompanying the development application,	(b) the potential for odours to adversely impact on the amenity of residences or other land uses within the vicinity of the
(b) the potential for odours to adversely impact on the amenity of	(b) the potential for odours to adversely impact on the amenity of	(b) the potential for odours to adversely impact on the amenity of	site,
residences or other land uses within the vicinity of the site,	residences or other land uses within the vicinity of the site,	residences or other land uses within the vicinity of the site,	(c) the potential for the pollution of surface water and ground water,
(c) the potential for the pollution of surface water and ground water,	(c) the potential for the pollution of surface water and ground water,	(c) the potential for the pollution of surface water and ground water,	(d) the potential for the degradation of soils,



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(d) the potential for the degradation of soils,	(d) the potential for the degradation of soils,	(d) the potential for the degradation of soils,	(e) the measures proposed to mitigate any potential adverse impacts,
(e) the measures proposed to mitigate any potential adverse impacts,	(e) the measures proposed to mitigate any potential adverse impacts,	(e) the measures proposed to mitigate any potential adverse impacts,	(f) the suitability of the site in the circumstances,
(f) the suitability of the site in the circumstances,	(f) the suitability of the site in the circumstances,	(f) the suitability of the site in the circumstances,	(g) whether the applicant has indicated an intention to comply with relevant
(g) whether the applicant has indicated an intention to comply with	(g) whether the applicant has indicated an intention to comply with relevant	(g) whether the applicant has indicated an intention to comply with	industry codes of practice for the health and welfare of animals,
relevant industry codes of practice for the health and welfare of animals,	industry codes of practice for the health and welfare of animals,	relevant industry codes of practice for the health and welfare of animals,	(h) the consistency of the proposal with, and any reasons for departing from, the
 (h) the consistency of the proposal with, and any reasons for departing from, the environmental planning and assessment aspects of any guidelines for the establishment and operation of relevant types of intensive livestock agriculture published, and made available to the consent authority, by the Department of Primary Industries (within the Department of Industry) and approved by the Planning Secretary. (4) Despite any other provision of this Plan, development for the purpose of 	(h) the consistency of the proposal with, and any reasons for departing from, the environmental planning and assessment aspects of any guidelines for the establishment and operation of relevant types of intensive livestock agriculture published, and made available to the consent authority, by the Department of Primary Industries (within the Department of Industry) and approved by the Planning Secretary. (4) Despite any other provision of this Plan, development for the purpose of intensive livestock agriculture may be	 (h) the consistency of the proposal with, and any reasons for departing from, the environmental planning and assessment aspects of any guidelines for the establishment and operation of relevant types of intensive livestock agriculture published, and made available to the consent authority, by the Department of Primary Industries (within the Department of Industry) and approved by the Planning Secretary. (4) Despite any other provision of this Plan, development for the purpose of 	environmental planning and assessment aspects of any guidelines for the establishment and operation of relevant types of intensive livestock agriculture published, and made available to the consent authority, by the Department of Primary Industries (within the Department of Industry) and approved by the Planning Secretary. (4) Despite any other provision of this Plan, development for the purpose of intensive livestock agriculture may be carried out without development consent if:
intensive livestock agriculture may be carried out without development consent if—	carried out without development consent if—	intensive livestock agriculture may be carried out without development consent if—	(a) the development is of a type specified in subclause (5), and



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(a) the development is of a type specified in subclause (5), and	(a) the development is of a type specified in subclause (5), and	(a) the development is of a type specified in subclause (5), and	(b) the consent authority is satisfied that the development will not be located:
 (b) the consent authority is satisfied that the development will not be located— (i) in an environmentally sensitive area, or (ii) within 100 metres of a natural 	 (b) the consent authority is satisfied that the development will not be located— (i) in an environmentally sensitive area, or (ii) within 100 metres of a natural 	 (b) the consent authority is satisfied that the development will not be located— (i) in an environmentally sensitive area, or (ii) within 100 metres of a natural 	 (i) in an environmentally sensitive area, or (ii) within 100 metres of a natural watercourse, or (iii) in a drinking water catchment, or (iv) within 500 metres of any dwelling
watercourse, or (iii) in a drinking water catchment, or (iv) within 500 metres of any dwelling that is not associated with the development, or a residential zone, or	watercourse, or (iii) in a drinking water catchment, or (iv) within 500 metres of any dwelling that is not associated with the development, or a residential zone, or	watercourse, or (iii) in a drinking water catchment, or (iv) within 500 metres of any dwelling that is not associated with the development, or a residential zone, or	that is not associated with the development, or a residential zone, or (v) if the development is a poultry farm—within 500 metres of another poultry farm.
(v) if the development is a poultry farm—within 500 metres of another poultry farm.	(v) if the development is a poultry farm—within 500 metres of another poultry farm.	(v) if the development is a poultry farm—within 500 metres of another poultry farm.	(5) The following types of development are specified for the purposes of subclause (4):
(5) The following types of development are specified for the purposes of subclause (4)—	(5) The following types of development are specified for the purposes of subclause (4)—	(5) The following types of development are specified for the purposes of subclause (4)—	(a) a cattle feedlot having a capacity to accommodate fewer than 50 head of cattle,
(a) a cattle feedlot having a capacity to accommodate fewer than 50 head of cattle,(b) a goat feedlot having a capacity to accommodate fewer than 200 goats,	(a) a cattle feedlot having a capacity to accommodate fewer than 50 head of cattle,(b) a goat feedlot having a capacity to accommodate fewer than 200 goats,	(a) a cattle feedlot having a capacity to accommodate fewer than 50 head of cattle,(b) a goat feedlot having a capacity to accommodate fewer than 200 goats,	(b) a goat feedlot having a capacity to accommodate fewer than 200 goats,(c) a sheep feedlot having a capacity to accommodate fewer than 200 sheep,



Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
(c) a sheep feedlot having a capacity	(c) a sheep feedlot having a capacity to	(c) a sheep feedlot having a capacity	(d) a pig farm having a capacity to
to accommodate fewer than 200	accommodate fewer than 200 sheep,	to accommodate fewer than 200	accommodate fewer than 20 breeding
sheep,	(d) a pig farm having a capacity to	sheep,	sows, or fewer than 200 pigs (of which
(d) a pig farm having a capacity to	accommodate fewer than 20 breeding	(d) a pig farm having a capacity to	fewer than 20 may be breeding sows),
accommodate fewer than 20 breeding	sows, or fewer than 200 pigs (of which	accommodate fewer than 20 breeding	(e) a dairy (restricted) having a capacity
sows, or fewer than 200 pigs (of which	fewer than 20 may be breeding sows),	sows, or fewer than 200 pigs (of which	to accommodate fewer than 50 dairy
fewer than 20 may be breeding sows),	lewer than 20 may be breeding sows),	fewer than 20 may be breeding sows),	cows,
rewer than 20 may be breeding sows),	(e) a dairy (restricted) having a capacity	lewer than 20 may be breeding sows),	cows,
(e) a dairy (restricted) having a	to accommodate fewer than 50 dairy	(e) a dairy (restricted) having a	(f) a poultry farm having a capacity to
capacity to accommodate fewer than	cows,	capacity to accommodate fewer than	accommodate fewer than 1,000 birds for
50 dairy cows,	(f)	50 dairy cows,	meat or egg production (or both).
(f) a resultant forms besting a conscitute	(f) a poultry farm having a capacity to	(f) a manular forms having a conscitute	(C) For the avaidance of doubt substance
(f) a poultry farm having a capacity to	accommodate fewer than 1,000 birds	(f) a poultry farm having a capacity to	(6) For the avoidance of doubt, subclause
accommodate fewer than 1,000 birds	for meat or egg production (or both).	accommodate fewer than 1,000 birds	(4) does not apply to development that is
for meat or egg production (or both).	(6) For the avoidance of doubt,	for meat or egg production (or both).	prohibited or that may be carried out without development consent under this
(6) For the avoidance of doubt,	subclause (4) does not apply to	(6) For the avoidance of doubt,	or any other environmental planning
subclause (4) does not apply to	development that is prohibited or that	subclause (4) does not apply to	instrument.
development that is prohibited or that	may be carried out without	development that is prohibited or that	mstrument.
may be carried out without	development consent under this or any	may be carried out without	(7) In this clause:
development consent under this or	other environmental planning	development consent under this or	
any other environmental planning	instrument.	any other environmental planning	environmentally sensitive area has the
instrument.	(7)	instrument.	same meaning as in clause 1.5 of State
(7)	(7) In this clause—	(-)	Environmental Planning Policy (Exempt
(7) In this clause—	environmentally sensitive area has the	(7) In this clause—	and Complying Development Codes)
environmentally sensitive area has the	same meaning as in clause 1.5 of <u>State</u>	environmentally sensitive area has the	<u>2008</u> .
same meaning as in clause 1.5 of <u>State</u>	Environmental Planning Policy (Exempt	same meaning as in clause 1.5 of <u>State</u>	residential zone means Zone RU4 Primary
Environmental Planning Policy	and Complying Development Codes)	Environmental Planning Policy	Production Small Lots, Zone RU5 Village,
(Exempt and Complying Development	2008.	(Exempt and Complying Development	Zone RU6 Transition, Zone R1 General
Codes) 2008.		Codes) 2008.	Residential, Zone R2 Low Density
			Residential, Zone R3 Medium Density



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residential zone means Zone RU4 Primary Production Small Lots, Zone RU5 Village, Zone RU6 Transition, Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential, Zone R5 Large Lot Residential, Zone B4 Mixed Use, Zone B6 Enterprise Corridor, Zone E3 Environmental Management or Zone E4 Environmental Living.	residential zone means Zone RU4 Primary Production Small Lots, Zone RU5 Village, Zone RU6 Transition, Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential, Zone R5 Large Lot Residential, Zone B4 Mixed Use, Zone B6 Enterprise Corridor, Zone E3 Environmental Management or Zone E4 Environmental Living	residential zone means Zone RU4 Primary Production Small Lots, Zone RU5 Village, Zone RU6 Transition, Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential, Zone R5 Large Lot Residential, Zone B4 Mixed Use, Zone B6 Enterprise Corridor, Zone E3 Environmental Management or Zone E4 Environmental Living.	Residential, Zone R4 High Density Residential, Zone R5 Large Lot Residential, Zone B4 Mixed Use, Zone B6 Enterprise Corridor, Zone E3 Environmental Management or Zone E4 Environmental Living.	
5.19 Pond-based, tank-based and oyster aquaculture [compulsory]	5.19 Pond-based, tank-based and oyster aquaculture	5.19 Pond-based, tank-based and oyster aquaculture	5.19 Pond-based, tank-based and oyster aquaculture	
(1) Objectives The objectives of this clause are as follows—	(1) Objectives The objectives of this clause are as follows—	(1) Objectives The objectives of this clause are as follows—	(1) Objectives The objectives of this clause are as	
(a) to encourage sustainable oyster, pond-based and tank-based aquaculture in the State, namely, aquaculture development that uses, conserves and enhances the community's resources so that the total quality of life now and in the future can be preserved and enhanced, (b) to set out the minimum site location and operational requirements	(a) to encourage sustainable oyster, pond-based and tank-based aquaculture in the State, namely, aquaculture development that uses, conserves and enhances the community's resources so that the total quality of life now and in the future can be preserved and enhanced, (b) to set out the minimum site location and operational requirements for	 (a) to encourage sustainable oyster, pond-based and tank-based aquaculture in the State, namely, aquaculture development that uses, conserves and enhances the community's resources so that the total quality of life now and in the future can be preserved and enhanced, (b) to set out the minimum site location and operational requirements 	follows: (a) to encourage sustainable oyster, pond-based and tank-based aquaculture in the State, namely, aquaculture development that uses, conserves and enhances the community's resources so that the total quality of life now and in the future can be preserved and enhanced, (b) to set out the minimum site location	



PART 5: MISCELLANEOUS PROVISIONS			
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
for permissible pond-based and tank- based aquaculture development.	permissible pond-based and tank-based aquaculture development.	for permissible pond-based and tank- based aquaculture development.	permissible pond-based and tank-based aquaculture development.
(2) Pond-based or tank-based aquaculture—matters of which consent authority must be satisfied before granting consent The consent authority must not grant development consent to carry out development for the purpose of pond-based aquaculture or tank-based aquaculture unless the consent authority is satisfied of the following— (a) that the development complies	(2) Pond-based or tank-based aquaculture—matters of which consent authority must be satisfied before granting consent The consent authority must not grant development consent to carry out development for the purpose of pond-based aquaculture or tank-based aquaculture unless the consent authority is satisfied of the following— (a) that the development complies with the site location and operational	(2) Pond-based or tank-based aquaculture—matters of which consent authority must be satisfied before granting consent The consent authority must not grant development consent to carry out development for the purpose of pond-based aquaculture or tank-based aquaculture unless the consent authority is satisfied of the following— (a) that the development complies	(2) Pond-based or tank-based aquaculture—matters of which consent authority must be satisfied before granting consent The consent authority must not grant development consent to carry out development for the purpose of pond-based aquaculture or tank-based aquaculture unless the consent authority is satisfied of the following: (a) that the development complies with
with the site location and operational requirements set out in Part 1 of Schedule 6 for the development, (b) in the case of—	requirements set out in Part 1 of Schedule 6 for the development, (b) in the case of—	with the site location and operational requirements set out in Part 1 of Schedule 6 for the development, (b) in the case of—	the site location and operational requirements set out in Part 1 of Schedule 6 for the development,
(i) pond-based aquaculture or tank-based aquaculture in Zone R1 General Residential, Zone R2 Low Density Residential or Zone R5 Large Lot Residential—that the development is for the purpose of small scale aquarium fish production, and	(i) pond-based aquaculture or tank-based aquaculture in Zone R1 General Residential, Zone R2 Low Density Residential or Zone R5 Large Lot Residential—that the development is for the purpose of small scale aquarium fish production, and (ii) pond-based aquaculture in Zone E3	(i) pond-based aquaculture or tank-based aquaculture in Zone R1 General Residential, Zone R2 Low Density Residential or Zone R5 Large Lot Residential—that the development is for the purpose of small scale aquarium fish production, and	(b) in the case of: (i) pond-based aquaculture or tank-based aquaculture in Zone R1 General Residential, Zone R2 Low Density Residential or Zone R5 Large Lot Residential—that the development is for the purpose of small scale aquarium fish production, and
(ii) pond-based aquaculture in Zone E3 Environmental Management or Zone E4 Environmental Living—that	Environmental Management or Zone E4 Environmental Living—that the	(ii) pond-based aquaculture in Zone E3 Environmental Management or Zone E4 Environmental Living—that	(ii) pond-based aquaculture in Zone E3 Environmental Management or Zone E4 Environmental Living—that the



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the development is for the purpose of	development is for the purpose of	the development is for the purpose of	development is for the purpose of
extensive aquaculture, and	extensive aquaculture, and	extensive aquaculture, and	extensive aquaculture, and
(iii) tank-based aquaculture in Zone	(iii) tank-based aquaculture in Zone R3	(iii) tank-based aquaculture in Zone R3	(iii) tank-based aquaculture in Zone R3
R3 Medium Density Residential, Zone	Medium Density Residential, Zone E3	Medium Density Residential, Zone E3	Medium Density Residential, Zone E3
E3 Environmental Management or	Environmental Management or Zone E4	Environmental Management or Zone	Environmental Management or Zone E4
Zone E4 Environmental Living—that	Environmental Living—that the	E4 Environmental Living—that the	Environmental Living—that the
the development is for the purpose of	development is for the purpose of small	development is for the purpose of	development is for the purpose of small
small scale aquarium fish production,	scale aquarium fish production, and	small scale aquarium fish production,	scale aquarium fish production, and
and	(iv) pond-based aquaculture or tank-	and	(iv) pond-based aquaculture or tank-
(iv) pond-based aquaculture or tank-	based aquaculture in Zone W1 Natural	(iv) pond-based aquaculture or tank-	based aquaculture in Zone W1 Natural
based aquaculture in Zone W1 Natural	Waterways, Zone W2 Recreational	based aquaculture in Zone W1 Natural	Waterways, Zone W2 Recreational
Waterways, Zone W2 Recreational	Waterways or Zone W3 Working	Waterways, Zone W2 Recreational	Waterways or Zone W3 Working
Waterways or Zone W3 Working	Waterways—that the development will	Waterways or Zone W3 Working	Waterways—that the development will
Waterways—that the development	use waterways to source water.	Waterways—that the development	use waterways to source water.
will use waterways to source water.	,	will use waterways to source water.	·
·	(3) The requirements set out in Part 1	·	(3) The requirements set out in Part 1 of
(3) The requirements set out in Part 1	of Schedule 6 are minimum	(3) The requirements set out in Part 1	Schedule 6 are minimum requirements
of Schedule 6 are minimum	requirements and do not limit the	of Schedule 6 are minimum	and do not limit the matters a consent
requirements and do not limit the	matters a consent authority is required	requirements and do not limit the	authority is required to take into
matters a consent authority is	to take into consideration under the Act	matters a consent authority is required	consideration under the Act or the
required to take into consideration	or the conditions that it may impose on	to take into consideration under the	conditions that it may impose on any
under the Act or the conditions that it	any development consent.	Act or the conditions that it may	development consent.
may impose on any development	(4) Extensive pond-based aquaculture	impose on any development consent.	(4) Extensive pond-based aquaculture
consent.	permitted without consent in certain	(4) Extensive pond-based aquaculture	permitted without consent in certain
(4) Extensive pond-based aquaculture	zones Development for the purpose of	permitted without consent in certain	zones
permitted without consent in certain	pond-based aquaculture, that is also	zones Development for the purpose of	
zones Development for the purpose of	extensive aquaculture, may be carried	pond-based aquaculture, that is also	Development for the purpose of pond-
pond-based aquaculture, that is also	out without development consent if—		based aquaculture, that is also extensive



PART 5: MISCELLANEOUS PROVISIONS			
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extensive aquaculture, may be carried	(a) the development is carried out in	extensive aquaculture, may be carried	aquaculture, may be carried out without
out without development consent if—	Zone RU1 Primary Production, Zone	out without development consent if—	development consent if:
(a) the development is carried out in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots or Zone RU6 Transition, and (b) the development complies with	RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots or Zone RU6 Transition, and (b) the development complies with the site location requirements and operational requirements set out in Part 2 of Schedule 6.	(a) the development is carried out in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots or Zone RU6 Transition, and (b) the development complies with the site location requirements and	(a) the development is carried out in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots or Zone RU6 Transition, and (b) the development complies with the site location requirements and
the site location requirements and	(5) Oyster aquaculture—additional	operational requirements set out in	operational requirements set out in Part 2
operational requirements set out in Part 2 of Schedule 6. (5) Oyster aquaculture—additional matters that consent authority must consider in determining a development application In determining a development for the purpose of oyster aquaculture, the consent authority must consider— (a) any provisions of any aquaculture industry development plan that are relevant to the subject of the development application, and (b) the NSW Oyster Industry	matters that consent authority must consider in determining a development application In determining a development application for development for the purpose of oyster aquaculture, the consent authority must consider— (a) any provisions of any aquaculture industry development plan that are relevant to the subject of the development application, and (b) the NSW Oyster Industry Sustainable Aquaculture Strategy. (6) Oyster aquaculture permitted without consent in priority oyster	Part 2 of Schedule 6. (5) Oyster aquaculture—additional matters that consent authority must consider in determining a development application In determining a development for the purpose of oyster aquaculture, the consent authority must consider— (a) any provisions of any aquaculture industry development plan that are relevant to the subject of the development application, and (b) the NSW Oyster Industry Sustainable Aquaculture Strategy.	of Schedule 6. (5) Oyster aquaculture—additional matters that consent authority must consider in determining a development application In determining a development application for development for the purpose of oyster aquaculture, the consent authority must consider: (a) any provisions of any aquaculture industry development plan that are relevant to the subject of the development application, and (b) the NSW Oyster Industry Sustainable
(b) the NSW Oyster Industry Sustainable Aquaculture Strategy.		1	(b) the NSW Oyster Industry Sustainable Aquaculture Strategy.



PART 5: MISCELLANEOUS PROVISIONS			
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
(6) Oyster aquaculture permitted without consent in priority oyster aquaculture areas Development for the purpose of oyster aquaculture may be carried out without development consent— (a) on land that is wholly within a priority oyster aquaculture area, or (b) on land that is partly within and partly outside a priority oyster aquaculture area, but only if the land outside the area is no more than 0.1	carried out without development consent— (a) on land that is wholly within a priority oyster aquaculture area, or (b) on land that is partly within and partly outside a priority oyster aquaculture area, but only if the land outside the area is no more than 0.1 hectare in area. (7) Definitions In this clause— aquaculture industry development plan	aquaculture areas Development for the purpose of oyster aquaculture may be carried out without development consent— (a) on land that is wholly within a priority oyster aquaculture area, or (b) on land that is partly within and partly outside a priority oyster aquaculture area, but only if the land outside the area is no more than 0.1 hectare in area.	(6) Oyster aquaculture permitted without consent in priority oyster aquaculture areas Development for the purpose of oyster aquaculture may be carried out without development consent: (a) on land that is wholly within a priority oyster aquaculture area, or (b) on land that is partly within and partly outside a priority oyster aquaculture area, but only if the land outside the area is no more than 0.1 hectare in area.
hectare in area. (7) Definitions In this clause— aquaculture industry development plan means an aquaculture industry development plan published under Part 6 of the Fisheries Management Act 1994.	means an aquaculture industry development plan means an aquaculture industry development plan published under Part 6 of the Fisheries Management Act 1994. extensive aquaculture has the same meaning as in the Fisheries Management (Aquaculture) Regulation 2017.	(7) Definitions In this clause— aquaculture industry development plan means an aquaculture industry development plan published under Part 6 of the Fisheries Management Act 1994. extensive aquaculture has the same meaning as in the Fisheries	(7) Definitions In this clause: aquaculture industry development plan means an aquaculture industry development plan published under Part 6 of the Fisheries Management Act 1994. extensive aquaculture has the same meaning as in the Fisheries Management
extensive aquaculture has the same meaning as in the Fisheries Management (Aquaculture) Regulation 2017. NSW Oyster Industry Sustainable Aquaculture Strategy means the third edition of the publication of that title, as published in 2016 by the	NSW Oyster Industry Sustainable Aquaculture Strategy means the third edition of the publication of that title, as published in 2016 by the Department of Primary Industries (within the Department of Industry).	Management (Aquaculture) Regulation 2017. NSW Oyster Industry Sustainable Aquaculture Strategy means the third edition of the publication of that title, as published in 2016 by the	(Aquaculture) Regulation 2017. NSW Oyster Industry Sustainable Aquaculture Strategy means the third edition of the publication of that title, as published in 2016 by the Department of Primary Industries (within the Department of Industry).



PART 5: MISCELLANEOUS PROVISIONS				
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition	
Department of Primary Industries (within the Department of Industry). priority oyster aquaculture area means an area identified as a priority oyster aquaculture area on a map referred to in Chapter 5.3 of the NSW Oyster Industry Sustainable Aquaculture Strategy, being a map a copy of which is held in the head office of the Department of Primary Industries (within the Department of Industry) and published on that Department's website	priority oyster aquaculture area means an area identified as a priority oyster aquaculture area on a map referred to in Chapter 5.3 of the NSW Oyster Industry Sustainable Aquaculture Strategy, being a map a copy of which is held in the head office of the Department of Primary Industries (within the Department of Industry) and published on that Department's website.	Department of Primary Industries (within the Department of Industry). priority oyster aquaculture area means an area identified as a priority oyster aquaculture area on a map referred to in Chapter 5.3 of the NSW Oyster Industry Sustainable Aquaculture Strategy, being a map a copy of which is held in the head office of the Department of Primary Industries (within the Department of Industry) and published on that Department's website.	priority oyster aquaculture area means an area identified as a priority oyster aquaculture area on a map referred to in Chapter 5.3 of the NSW Oyster Industry Sustainable Aquaculture Strategy, being a map a copy of which is held in the head office of the Department of Primary Industries (within the Department of Industry) and published on that Department's website.	



PART 6: URBAN RELEASE AREAS

PART 6: URBAN RELEASE AREAS			
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
	6.1 Arrangements for designated State public infrastructure (1) The objective of this clause is to require satisfactory arrangements to be made for the provision of designated State public infrastructure before the subdivision of land in an urban release area to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes.	6.1 Arrangements for designated State public infrastructure (1) The objective of this clause is to require satisfactory arrangements to be made for the provision of designated State public infrastructure before the subdivision of land in an urban release area to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes.	6.1 Arrangements for designated State public infrastructure (1) The objective of this clause is to require satisfactory arrangements to be made for the provision of designated State public infrastructure before the subdivision of land in an urban release area to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes.
	(2) Development consent must not be granted for the subdivision of land in an urban release area if the subdivision would create a lot smaller than the minimum lot size permitted on the land immediately before— (a) in relation to land identified as "Gwandalan (North)" on the <u>Urban Release Area Map</u> —1 September 2008, or (b) in relation to land identified as "Louisiana Road, Hamlyn Terrace (West)" on the <u>Urban Release Area Map</u> —18 July 2008, or	(2) Development consent must not be granted for the subdivision of land in an urban release area if the subdivision would create a lot smaller than the minimum lot size permitted on the land immediately before the land became, or became part of, an urban release area, unless the Director-General has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to that lot. (3) Subclause (2) does not apply to—	(2) Development consent must not be granted for the subdivision of land in an urban release area if the subdivision would create a lot smaller than the minimum lot size permitted on the land immediately before: (a) in relation to land identified as "Gwandalan (North)" on the Urban Release Area Map—1 September 2008, or (b) in relation to land identified as "Louisiana Road, Hamlyn Terrace (West)" on the Urban Release Area Map—18 July 2008, or



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	(c) in relation to land identified as "Warnervale South (Part A)" on the Urban Release Area Map—the commencement of this Plan, or (d) in any other case—immediately before the land became, or became part of, an urban release area, unless the Director-General has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to that lot. (3) Development consent must not be granted for the subdivision of the following land unless the Director-General has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to the land to be subdivided— (a) land identified as "Gwandalan (South)" on the Urban Release Area Map,	 (a) any lot identified in the certificate as a residue lot, or (b) any lot to be created by a subdivision of land that was the subject of a previous development consent granted in accordance with this clause, or (c) any lot that is proposed in the development application to be reserved or dedicated for public open space, public roads, public utility undertakings, educational facilities or any other public purpose, or (d) a subdivision for the purpose only of rectifying an encroachment on any existing lot. (4) This clause does not apply to land in an urban release area if all or any part of the land is in a special contributions area (as defined by section 93C of the Act). 	(c) in relation to land identified as "Warnervale South (Part A)" on the Urban Release Area Map—the commencement of this Plan, or (d) in any other case—immediately before the land became, or became part of, an urban release area, unless the Director-General has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to that lot. (3) Development consent must not be granted for the subdivision of the following land unless the Director-General has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designate State public infrastructure in relation to the land to be subdivided: (a) land identified as "Gwandalan (South)" on the Urban Release Area Map,



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	(b) land identified as "Louisiana Road,		(b) land identified as "Louisiana Road,
	Hamlyn Terrace (East)" on the <u>Urban</u>		Hamlyn Terrace (East)" on the <u>Urban</u>
	Release Area Map,		Release Area Map,
	(c) land identified as "Warnervale		(c) land identified as "Warnervale South
	South (Part B)" on the <u>Urban Release</u>		(Part B)" on the Urban Release Area
	Area Map.		Map.
	(4) Subclauses (2) and (3) do not apply		(4) Subclauses (2) and (3) do not apply
	to—		to:
	(a) any lot identified in the certificate as		(a) any lot identified in the certificate a
	a residue lot, or		a residue lot, or
	(b) any lot to be created by a		(b) any lot to be created by a subdivision
	subdivision of land that was the subject		of land that was the subject of a
	of a previous development consent		previous development consent granted
	granted in accordance with this clause,		in accordance with this clause, or
	or		(c) any lot that is proposed in the
	(c) any lot that is proposed in the		development application to be reserved
	development application to be reserved		or dedicated for public open space,
	or dedicated for public open space,		public roads, public utility undertakings
	public roads, public utility undertakings,		educational facilities or any other publi
	educational facilities or any other public		purpose, or
	purpose, or		/ N
			(d) a subdivision for the purpose only o
	(d) a subdivision for the purpose only of		rectifying an encroachment on any
	rectifying an encroachment on any		existing lot.
	existing lot.		(5) This clause does not apply to land in
	(5) This clause does not apply to land in		an urban release area if all or any part
	an urban release area if all or any part		



PART 6: URBAN RELEASE AREAS			
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
	of the land is in a special contributions area (as defined by section 93C of the Act).		the land is in a special contributions area (as defined by section 93C of the Act).
	6.2 Public utility infrastructure	6.2 Public utility infrastructure	6.2 Public utility infrastructure
	 (1) Development consent must not be granted for development on land in an urban release area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required. (2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure 	 (1) Development consent must not be granted for development on land in an urban release area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required. (2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure 	 (1) Development consent must not be granted for development on land in an urban release area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required. (2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure.
	6.3 (Repealed)	6.3 (Repealed)	
	6.4 Relationship between Part and remainder of Plan	6.4 Relationship between Part and remainder of Plan	6.3 Relationship between Part and remainder of Plan
	A provision of this Part prevails over any other provision of this Plan to the extent of any inconsistency	A provision of this Part prevails over any other provision of this Plan to the extent of any inconsistency	A provision of this Part prevails over any other provision of this Plan to the extent of any inconsistency.



PART 7: ADDITIONAL LOCAL PROVISIONS

ground surface. Works by which the Works by which the Works by which the Works by which the	PART 7: ADDITIONAL LOCAL PROVISIO	NS					
(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage. (2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works. Class of land Works 1 Any works. 2 Works below the natural ground surface. Works by which the watertable is likely to be lowered. 3 Works more than 1 metre below the natural and the soils with a clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage. (1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage. (2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works. Class of land Works 1 Any works. 2 Works below the natural ground surface. Works by which the watertable is likely to be lowered. 3 Works more than 1 metre below the natural of the province of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage. (2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works. Class of land Works 1 Any works. 2 Works below the natural ground surface. Works by which the watertable is likely to be lowered. 3 Works more than 1 metre below the natural metre belo	Standard Instrument Principal LEP	Wyong LEP 2	013 Provision	Gosford LEP	2014 Provision	Draft CCLEP	Post Exhibition
ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage. (2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works. Class of land Works 1 Any works. 2 Works below the natural ground surface. Works by which the watertable is likely to be lowered. 3 Works more than 1 metre below the natural arter below the natural metre below the natural arter that development does not disturb, expose or drain acid sulfate soils and cause environmental damage. (2) Development consent is required for the below the for the carrying out of works described for the below the for the carrying out of works described for the carsy spoil and c		7.1 Acid sul	fate soils	7.1 Acid sul	fate soils	7.1 Acid	d sulfate soils
metre below the natural 3 Works more than 1		ensure that of disturb, exposoils and cause (2) Developing for the carrying in the Table to shown on the being of the works. Class of land 1	development does not use or drain acid sulfate se environmental damage. Inent consent is required ing out of works described to this subclause on land at Acid Sulfate Soils Map as class specified for those Works Any works. Works below the natural ground surface. Works by which the watertable is likely to be lowered.	ensure that of disturb, exposoils and caudamage. (2) Developer for the carrying the Table to shown on the being of the oworks. Class of land	levelopment does not se or drain acid sulfate se environmental enent consent is required ng out of works described to this subclause on land energy Acid Sulfate Soils Map as class specified for those works Works Any works. Works below the natural ground surface. Works by which the watertable is likely to	(1) The object ensure that of disturb, exposed and cause errors (2) Develop the carrying. Table to this the Acid Sulficlass specified Class of land	development does not ose or drain acid sulfate soils ovironmental damage. Imment consent is required for out of works described in the subclause on land shown on late Soils Map as being of the ed for those works. Works Any works. Works below the natural ground surface. Works by which the watertable is likely to be
Works by which the natural ground surface. watertable is likely to be lowered more than 1 watertable is likely to			metre below the natural ground surface. Works by which the watertable is likely to be	3	metre below the natural ground surface. Works by which the		



Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
Standard Instrument Principal LEP	metre below the natural ground surface. 4 Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface. 5 Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land. (3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils	metre below the natural ground surface. 4 Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface. 5 Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land. (3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate	3 Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface. 4 Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface. 5 Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.



PART 7: ADDITIONAL LOCAL PROVISIONS					
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition		
	Manual and has been provided to the consent authority. (4) Despite subclause (2), development consent is not required under this clause for the carrying out of works if— (a) a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for the works, and (b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works. (5) Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power)— (a) emergency work, being the repair or replacement of the works of the public authority, required to be carried out	Soils Manual and has been provided to the consent authority. (4) Despite subclause (2), development consent is not required under this clause for the carrying out of works if— (a) a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for the works, and (b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works. (5) Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power)—	(3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority. (4) Despite subclause (2), development consent is not required under this clause for the carrying out of works if: (a) a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for the works, and (b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works. (5) Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as		



PART 7: ADDITIONAL LOCAL PROVISIONS					
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition		
	urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety, (b) routine maintenance work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil), (c) minor work, being work that costs less than \$20,000 (other than drainage work). (6) Despite subclause (2), development consent is not required under this clause to carry out any works if— (a) the works involve the disturbance of less than 1 tonne of soil, and (b) the works are not likely to lower the watertable.	 (a) emergency work, being the repair or replacement of the works of the public authority, required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety, (b) routine maintenance work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil), (c) minor work, being work that costs less than \$20,000 (other than drainage work). (6) Despite subclause (2), development consent is not required under this clause to carry out any works if— (a) the works involve the disturbance of less than 1 tonne of soil, and (b) the works are not likely to lower the watertable. 	excavation, construction of access ways or the supply of power): (a) emergency work, being the repair or replacement of the works of the public authority, required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety, (b) routine maintenance work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil), (c) minor work, being work that costs less than \$20,000 (other than drainage work). (6) Despite subclause (2), development consent is not required under this clause to carry out any works if: (a) the works involve the disturbance of less than 1 tonne of soil, and (b) the works are not likely to lower the watertable.		



Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
	7.2 Flood planning	7.2 Flood planning	7.2 Flood planning
	(1) The objectives of this clause are as follows—	(1) The objectives of this clause are as follows—	(1) The objectives of this clause are as follows:
	(a) to minimise the flood risk to life and property associated with the use of land,	(a) to minimise the flood risk to life and property associated with the use of land,	(a) to minimise the flood risk to life and property associated with the use of land,(b) to allow development on land that is
	(b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,	(b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,	compatible with the land's flood hazard, taking into account projected changes as a result of climate change,
	(c) to avoid significant adverse impacts on flood behaviour and the environment.	(c) to avoid significant adverse impacts on flood behaviour and the environment.	(c) to avoid significant adverse impacts on flood behaviour and the environment.(2) This clause applies to land at or below the flood planning level.
	(2) This clause applies to land at or below the flood planning level.	(2) This clause applies to land at or below the flood planning level.	(3) Development consent must not be granted to development on land to which
	(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—	(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—	this clause applies unless the consent authority is satisfied that the development: (a) is compatible with the flood hazard of the land, and
	(a) is compatible with the flood hazard of the land, and	(a) is compatible with the flood hazard of the land, and	(b) is not likely to significantly adversely affect flood behaviour resulting in
	(b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential	(b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in	detrimental increases in the potential flood affectation of other development or properties, and



Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
	flood affectation of other development or properties, and	the potential flood affectation of other development or properties, and	(c) incorporates appropriate measures to manage risk to life from flood, and
	(c) incorporates appropriate measures to manage risk to life from flood, and (d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction	(c) incorporates appropriate measures to manage risk to life from flood, and (d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation,	(d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability or river banks or watercourses, and
	of riparian vegetation or a reduction in the stability of river banks or watercourses, and	destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and	(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.
	(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.	(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.	(4) A word or expression used in this clause has the same meaning as it has in the Floodplain Development Manual (ISBN 0 7347 5476 0) published by the NSW
	(4) A word or expression used in this clause has the same meaning as it has in the Floodplain Development Manual (ISBN 0 7347 5476 0) published by the NSW Government in April 2005, unless it is otherwise defined in this Plan.	(4) A word or expression used in this clause has the same meaning as it has in the Floodplain Development Manual (ISBN 0 7347 5476 0) published by the NSW Government in April 2005, unless it is otherwise defined in this clause.	Government in April 2005, unless it is otherwise defined in this clause.
	7.3 Floodplain risk management	7.3 Floodplain risk management	7.3 Floodplain risk management
	(1) The objectives of this clause are as follows—	(1) The objectives of this clause are as follows—	(1) The objectives of this clause are as follows:



Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
Standard Instrument Principal LEP	 (a) in relation to development with particular evacuation or emergency response issues, to enable evacuation of land subject to flooding in events exceeding the flood planning level, (b) to protect the operational capacity of emergency response facilities and critical infrastructure during extreme flood events. (2) This clause applies to land between the flood planning level and the level of a probable maximum flood. (3) Development consent must not be granted to development for the following purposes on land to which this clause applies unless the consent authority is satisfied that the 	 (a) in relation to development with particular evacuation or emergency response issues, to enable evacuation of land subject to flooding in events exceeding the flood planning level, (b) to protect the operational capacity of emergency response facilities and critical infrastructure during extreme flood events. (2) This clause applies to land between the flood planning level and the level of a probable maximum flood, but does not apply to land subject to the discharge of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard. (3) Development consent must not be 	 (a) in relation to development with particular evacuation or emergency response issues, to enable evacuation of land subject to flooding in events exceeding the flood planning level, (b) to protect the operational capacity of emergency response facilities and critical infrastructure during extreme flood events (2) This clause applies to land between the flood planning level and the level of a probable maximum flood. (3) Development consent must not be granted to development for the following purposes on land to which this clause applies unless the consent authority is satisfied that the
	development will not, in flood events exceeding the flood planning level, affect the safe occupation of, and evacuation from, the land—	granted to development for the following purposes on land to which this clause applies unless the consent authority is satisfied that the	development will not, in flood events exceeding the flood planning level, affect the safe occupation of, and evacuation from, the land:
	(a) air strips,	development will not, in flood events exceeding the flood planning level,	(a) air strips,
	(b) air transport facilities,	affect the safe occupation of, and evacuation from, the land—	(b) air transport facilities,
	(c) centre-based child care facilities,	(a) caravan parks,	(c) caravan parks,
	(d) correctional centres,	(b) correctional facilities,	(d) Centre-based child care facilities,



Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
	(e) educational establishments,	(c) emergency services facilities,	(e) correctional centres,
	(f) electricity generating works,	(d) group homes,	(f) educational establishments,
	(g) emergency services facilities,	(e) hospitals,	(g) electricity generating works,
	(h) group homes,	(f) residential care facilities,	(h) emergency services facilities,
	(i) helipads,	(g) tourist and visitor accommodation.	(i) group homes,
	(j) home-based child care,	(4) A word or expression used in this	(j) helipads,
	(k) hospitals,	clause has the same meaning as it has in the Floodplain Development Manual	(k) home-based child care,
	(I) hostels,	(ISBN 0 7347 5476 0) published by the	(I) hospitals,
	(m) public utility undertakings,	NSW Government in April 2005, unless it is otherwise defined in this clause.	(m)hostels,
	(n) respite day care centres,		(n) public utility undertakings,
	(o) (Repealed)		(o) respite day care centres,
	(p) seniors housing,		(p) seniors housing,
	(q) sewerage systems,		(q) sewerage systems,
	(r) water supply systems.		(r) tourist and visitor accommodation,
	(4) A word or expression used in this		(s) water supply systems
	clause has the same meaning as it has in the Floodplain Development Manual (ISBN 0 7347 5476 0), published by the NSW Government in April 2005, unless it is otherwise defined in this Plan.		(4) A word or expression used in this clause has the same meaning as it has the Floodplain Development Manual (ISBN 0 7347 5476 0) published by the NSW Government in April 2005, unless is otherwise defined in this clause.



tandard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
	7.4 Drinking water catchments		7.7 Drinking water catchments
	(1) The objective of this clause is to		(1) The objective of this clause is to
	protect drinking water catchments by		protect drinking water catchments on
	minimising the adverse impacts of		the Central Coast by minimising the
	development on the quality and		adverse impacts of development on th
	quantity of water entering drinking		quality and quantity of water entering
	water storages.		drinking water storages.
	(2) This clause applies to land identified		(2) This clause applies to land identified
	as "Drinking Water Catchment" on the		as "Drinking Water Catchment" on the
	Drinking Water Catchment Map.		Drinking Water Catchment Map.
	(3) Before determining a development		(3) Before determining a development
	application for development on land to		application for development on land to
	which this clause applies, the consent		which this clause applies, the consent
	authority must consider the following—		authority must consider the following:
	(a) whether or not the development is		(a) whether or not the development is
	likely to have any adverse impact on the		likely to have any adverse impact on th
	quality and quantity of water entering		quality and quantity of water entering
	the drinking water storage, having		the drinking water storage, having
	regard to the following—		regard to the following:
	(i) the distance between the		(i) the distance between the
	development and any waterway that		development and any waterway that
	feeds into the drinking water storage,		feeds into the drinking water storage,
	(ii) the on-site use, storage and disposal		(ii) the on-site use, storage and disposi
	of any chemicals on the land,		of any chemicals on the land,



Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
	(iii) the treatment, storage and disposal		(iii) the treatment, storage and disposal
	of waste water and solid waste		of waste water and solid waste
	generated or used by the development,		generated or used by the development,
	(b) any appropriate measures proposed		(b) any appropriate measures proposed
	to avoid, minimise or mitigate the		to avoid, minimise or mitigate the
	impacts of the development.		impacts of the development.
	(4) Development consent must not be		(4) Development consent must not be
	granted to development on land to		granted to development on land to
	which this clause applies unless the		which this clause applies unless the
	consent authority is satisfied that—		consent authority is satisfied that:
	(a) the development is designed, sited		(a) the development is designed, sited
	and will be managed to avoid any		and will be managed to avoid any
	significant adverse impact on water		significant adverse impact on water
	quality and flows, or		quality and flows, or
	(b) if that impact cannot be reasonably		(b) if that impact cannot be reasonably
	avoided—the development is designed,		avoided—the development is designed,
	sited and will be managed to minimise		sited and will be managed to minimise
	that impact.		that impact.
		7.4 Development in Somersby	7.16 Development in Somersby
		Business Park	Business Park
		(1) The objectives of this clause are as	(1)The objectives of this clause are as
		follows—	follows:
		(a) to maximise the opportunity for	(a) to maximise the opportunity for
		industrial development in Somersby	industrial development in Somersby
			Business Park to provide employment



PART 7: ADDITIONAL LOCAL PROVISION	PART 7: ADDITIONAL LOCAL PROVISIONS			
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition	
		Business Park to provide employment	opportunities in the Central Coast Local	
		opportunities in Gosford,	Government Area,	
		(b) to protect ecologically significant	(b)to protect ecologically significant land	
		land and land with Aboriginal heritage	and land with Aboriginal heritage	
		characteristics in Somersby Business	characteristics in Somersby Business Park	
		Park,	(c) to ensure that the function and	
		(c) to ensure that the function and	appearance of future subdivision of, or	
		appearance of future subdivision of, or	other development in, Somersby Business	
		other development in, Somersby	Park protects ecologically significant land	
		Business Park protects ecologically	and land with Aboriginal heritage	
		significant land and land with	characteristics within Somersby Business	
		Aboriginal heritage characteristics	Park,	
		within Somersby Business Park,	(d)to provide that subdivision occurs in a	
		(d) to provide that subdivision occurs	flexible manner to take account of	
		in a flexible manner to take account of	ecologically significant land and land with	
		ecologically significant land and land	Aboriginal heritage characteristics within	
		with Aboriginal heritage characteristics	Somersby Business Park.	
		within Somersby Business Park.	(2)This clause applies to land identified as	
		(2) This clause applies to land	"Somersby Business Park" on the Key	
		identified as "Somersby Business Park"	Sites Map.	
		on the Key Sites Map.		
			(3) Development consent must not be	
		(3) Development consent must not be	granted to development on land to which	
		granted to development on land to	this clause applies unless the consent	
		which this clause applies unless the consent authority considers that the	authority considers that the development is consistent with:	
		development is consistent with—	is consistent with.	
		development is consistent with		



PART 7: ADDITIONAL LOCAL PROVISION	ART 7: ADDITIONAL LOCAL PROVISIONS			
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition	
		(a) any applicable plan of	(a) any applicable plan of management	
		management adopted by the consent	adopted by the consent authority, and	
		authority, and	(b)the objectives of this clause.	
		(b) the objectives of this clause.		
		(4)	(4)In deciding whether to grant	
		(4) In deciding whether to grant	development consent to the subdivision	
		development consent to the subdivision of land to which this clause	of land to which this clause applies, the	
		applies, the consent authority must	consent authority must consider the following:	
		consider the following—	Tollowing.	
		consider the following—	(a) whether the proposed subdivision	
		(a) whether the proposed subdivision	relates to land identified as "Ecologically	
		relates to land identified as	Significant and Aboriginal Heritage Lands"	
		"Ecologically Significant and Aboriginal	on the Key Sites Map,	
		Heritage Lands" on the <u>Key Sites Map</u> ,	(b)the potential for the lots to be created	
		(b) the potential for the lots to be	from the proposed subdivision to	
		created from the proposed subdivision	accommodate future development (in	
		to accommodate future development	terms of their size, configuration and the	
		(in terms of their size, configuration	topography of the land) that will not have	
		and the topography of the land) that	an adverse impact on the protection of	
		will not have an adverse impact on the	the ecological and Aboriginal heritage	
		protection of the ecological and	characteristics of the locality.	
		Aboriginal heritage characteristics of		
		the locality		
	7.5 Limited development on foreshore		7.8 Limited development on	
	area		foreshore area	
	(1) The objective of this clause is to		(1) The objective of this clause is to	
	ensure that development in the		ensure that development in the	
	foreshore area will not impact on		foreshore area will not impact on natural	



tandard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
	natural foreshore processes or affect		foreshore processes or affect the
	the significance and amenity of the		significance and amenity of the area.
	area.		(2) Development consent must not be
	(2) Development consent must not be		granted for development on land in the
	granted for development on land in the		foreshore area except for the following
	foreshore area except for the following		-
	· ·		purposes:
	purposes—		(a) the extension, alteration or
	(a) the extension, alteration or		rebuilding of an existing building wholl
	rebuilding of an existing building wholly		or partly in the foreshore area,
	or partly in the foreshore area,		#N
			(b) the erection of a building in the
	(b) the erection of a building in the		foreshore area, if the levels, depth or
	foreshore area, if the levels, depth or		other exceptional features of the site
	other exceptional features of the site		make it appropriate to do so,
	make it appropriate to do so,		(c) boat sheds, sea retaining walls,
	(c) boat sheds, sea retaining walls,		wharves, slipways, jetties, waterway
	wharves, slipways, jetties, waterway		access stairs, swimming pools, fences,
	access stairs, swimming pools, fences,		cycleways, walking trails, picnic facilities
	cycleways, walking trails, picnic facilities		or other recreation facilities (outdoors
	or other recreation facilities (outdoors).		
	or other recreation racinates (outdoors).		(3) Development consent must not be
	(3) Development consent must not be		granted under subclause (2) unless the
	granted under subclause (2) unless the		consent authority is satisfied that:
	consent authority is satisfied that—		
	(a) the development will entitle to		(a) the development will contribute to
	(a) the development will contribute to		achieving the objectives for the zone i
	achieving the objectives for the zone in		which the land is located, and
	which the land is located, and		(b) the appearance of any proposed
			structure, from both the waterway an



tandard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
	(b) the appearance of any proposed		adjacent foreshore areas, will be
	structure, from both the waterway and		compatible with the surrounding area,
	adjacent foreshore areas, will be		and
	compatible with the surrounding area, and		(c) the development will not cause environmental harm such as:
	(c) the development will not cause environmental harm such as—		(i) pollution or siltation of the waterway, or
	(i) pollution or siltation of the waterway, or		(ii) an adverse effect on surrounding uses, marine habitat, wetland areas,
	(ii) an adverse effect on surrounding		fauna and flora habitats, or
	uses, marine habitat, wetland areas, fauna and flora habitats, or		(iii) an adverse effect on drainage patterns, and
	(iii) an adverse effect on drainage patterns, and		(d) the development will not cause congestion or generate conflict betwee
	(d) the development will not cause congestion or generate conflict		people using open space areas or the waterway, and
	between people using open space areas or the waterway, and		(e) opportunities to provide continuous public access along the foreshore and t
	(e) opportunities to provide continuous		the waterway will not be compromised
	public access along the foreshore and to		and
	the waterway will not be compromised, and		(f) any historic, scientific, cultural, soci
	(f) any historic, scientific, cultural, social, archaeological, architectural,		aesthetic significance of the land on which the development is to be carried
	natural or aesthetic significance of the		out and of surrounding land will be
	land on which the development is to be		maintained, and



PART 7: ADDITIONAL LOCAL PROVISIO	PART 7: ADDITIONAL LOCAL PROVISIONS			
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition	
	carried out and of surrounding land will be maintained, and (g) in the case of development for the alteration or rebuilding of an existing building wholly or partly in the foreshore area, the alteration or rebuilding will not have an adverse impact on the amenity or aesthetic appearance of the foreshore, and (h) sea level rise or change of flooding patterns as a result of climate change has been considered.		(g) in the case of development for the alteration or rebuilding of an existing building wholly or partly in the foreshore area, the alteration or rebuilding will not have an adverse impact on the amenity or aesthetic appearance of the foreshore, and (h) sea level rise or change of flooding patterns as a result of climate change has been considered.	
		7.5 Caravan parks and manufactured home estates	7.4 Caravan parks and manufactured home estates	
		(1) The objectives of this clause are as follows—	(1) The objectives of this clause are as follows:	
		(a) to ensure the social and economic well being of residents of caravan parks and manufactured home estates at risk of displacement due to the redevelopment of caravan parks and manufactured home estates,	(a) to ensure the social and economic well being of residents of caravan parks and manufactured home estates at risk of displacement due to the redevelopment of caravan parks and manufactured home estates in the Central Coast Local Government Area,	
		(b) to encourage the retention of caravan parks and other forms of low-cost accommodation on certain land in Gosford,	(b) to encourage the retention of caravan parks and other forms of low-cost accommodation on certain land in	



Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
		(c) to prevent development that	the Central Coast Local Government
		would result in a loss of low-cost	Area,
		accommodation on land unless	(c) to prevent development that would
		sufficient comparable accommodation	result in a loss of low-cost
		is available elsewhere in Gosford.	accommodation on land unless sufficier
		(2) This clause applies to development	comparable accommodation is available
		on land identified as "Caravan Parks	elsewhere in the Central Coast Local
		and Manufactured Home Estates" on	Government Area.
		the Manufactured Home Estate Map,	4-1
		other than development for the	(2) This clause applies to development
		following purposes—	on land identified as "Caravan Parks an
		(a) a caravan nark	Manufactured Home Estates" on the Manufactured Home Estate Map, other
		(a) a caravan park,	than development for the following
		(b) a camping ground,	purposes:
		(c) a manufactured home estate,	
		(c) a manufactured nome estate,	(a) a caravan park,
		(d) a public utility undertaking.	(b) a camping ground,
		(3) Development consent must not be	(c) a manufactured home estate,
		granted for development to which this	(c) a manaractarea nome estate,
		clause applies unless the consent	(d) a public utility undertaking.
		authority has considered the	(3) Development consent must not be
		following—	granted for development to which this
		(a) whether the proposed	clause applies unless the consent
		development is likely to reduce the	authority has considered the following:
		availability of low-cost	,
		accommodation on the land,	(a) whether the proposed developmen
		(1)	is likely to reduce the availability of low
		(b) whether sufficient comparable	cost accommodation on the land,
		accommodation is available to meet	



Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
		the demand for low-cost accommodation in Gosford, (c) whether the proposed development is likely to cause adverse social and economic impacts on existing residents or the general community of Gosford, (d) whether adequate arrangements have been made to assist existing residents to find alternative and comparable accommodation in Gosford, (e) whether the cumulative impact of the loss of low-cost accommodation is likely to significantly decrease the availability of low-cost accommodation in Gosford. (4) Development consent must not be granted for development to which this clause applies unless the consent authority is satisfied that— (a) sufficient accommodation will be available to accommodate the maximum number of people that could be accommodated by any existing development on the land from	(b) whether sufficient comparable accommodation is available to meet the demand for low-cost accommodation in the Central Coast Local Government Area, (c) whether the proposed development is likely to cause adverse social and economic impacts on existing residents or the general community of the Central Coast Local Government Area, (d) whether adequate arrangements have been made to assist existing residents to find alternative and comparable accommodation in the Central Coast Local Government Area, (e) whether the cumulative impact of the loss of low-cost accommodation is likely to significantly decrease the availability of low-cost accommodation in the Central Coast Local Government Area. (4) Development consent must not be granted for development to which this clause applies unless the consent authority is satisfied that: (a) sufficient accommodation will be available to accommodate the maximum



Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
		time to time in the 12 months before 27 February 2004, and (b) the accommodation referred to in paragraph (a) will be comparable to that provided on the land in relation to price, facilities, services and type of tenure. (5) In this clause, manufactured home estate has the same meaning as in State Environmental Planning Policy No 36—Manufactured Home Estates.	number of people that could be accommodated by any existing development on the land from time to time in the 12 months before 27 February 2004, and (b) the accommodation referred to in paragraph (a) will be comparable to the provided on the land in relation to price facilities, services and type of tenure. (5) In this clause: manufactured home estate has the same meaning as in State Environmental Planning Policy No 36—Manufactured Home Estates.
	7.6 Development on the foreshore must ensure access In deciding whether to grant consent for development in the foreshore area, the consent authority must consider whether and to what extent the development would encourage the following— (a) continuous public access to and along the foreshore through or adjacent to the proposed development,		(The matters dealt with by the clause are managed through the provisions of State Environmental Planning Policy (Coastal Management) 2018)



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	(b) public access to link with existing or proposed open space,		
	(c) public access to be secured by appropriate covenants, agreements or other instruments registered on the title to land,		
	(d) public access to be located above mean high water mark,		
	(e) the reinforcing of the foreshore character and respect for existing environmental conditions.		
	7.7 Airspace operations		7.9 Airspace operations
	(1) The objectives of this clause are as follows—		(1) The objectives of this clause are as follows:
	(a) to provide for the effective and ongoing operation of the Warnervale Airport by ensuring that its operation is not compromised by proposed development that penetrates the Limitation or Operations Surface for that airport,		(a) to provide for the effective and ongoing operation of the Central Coast Airport by ensuring that its operation is not compromised by proposed development that penetrates the Limitation or Operations Surface for that airport,
	(b) to protect the community from undue risk from that operation.		(b) to protect the community from undue risk from that operation.
	(2) If a development application is received and the consent authority is		(2) If a development application is received and the consent authority is



Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
	satisfied that the proposed		satisfied that the proposed development
	development will penetrate the		will penetrate the Limitation or
	Limitation or Operations Surface, the		Operations Surface, the consent
	consent authority must not grant		authority must not grant development
	development consent unless it has		consent unless it has consulted with the
	consulted with the relevant		relevant Commonwealth body about the
	Commonwealth body about the		application.
	application.		(2) 7
	(2) 7		(3) The consent authority may grant
	(3) The consent authority may grant		development consent for the
	development consent for the		development if the relevant
	development if the relevant		Commonwealth body advises that:
	Commonwealth body advises that—		(a) the development will penetrate the
	(a) the development will penetrate the		Limitation or Operations Surface but it
	Limitation or Operations Surface but it		has no objection to its construction, or
	has no objection to its construction, or		
			(b) the development will not penetrate
	(b) the development will not penetrate		the Limitation or Operations Surface.
	the Limitation or Operations Surface.		(4) The consent authority must not grant
	(4) The consent authority must not		development consent for the
	grant development consent for the		development if the relevant
	development if the relevant		Commonwealth body advises that the
	Commonwealth body advises that the		development will penetrate the
	development will penetrate the		Limitation or Operations Surface and
	Limitation or Operations Surface and		should not be constructed.
	should not be constructed.		should not be constructed.
	Should not be constitueted.		(5) In this clause:
	(5) In this clause—		Limitation or Operations Surface means
	Limitation or Operations Surface means		the Obstacle Limitation Surface or the
	the Obstacle Limitation Surface or the		Procedures for Air Navigation Services



standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
	Procedures for Air Navigation Services		Operations Surface as shown on the
	Operations Surface as shown on the		Obstacle Limitation Surface Map or the
	Obstacle Limitation Surface Map or the		Procedures for Air Navigation Services
	Procedures for Air Navigation Services		Operations Surface Map for the Central
	Operations Surface Map for the		Coast Airport.
	Warnervale Airport.		and a sum of Common and the body and a sum of the sum o
	relevant Common revealth hadversone		relevant Commonwealth body means
	relevant Commonwealth body means		the body, under Commonwealth
	the body, under Commonwealth		legislation, that is responsible for
	legislation, that is responsible for development approvals for		development approvals for developmen that penetrates the Limitation or
			Operations Surface for the Central Coast
	development that penetrates the		•
	Limitation or Operations Surface for the		Airport.
	Warnervale Airport.		
	7.8 Development in areas subject to		7.10 Development in areas subject to
	aircraft noise		aircraft noise
	(1) The objectives of this clause are as		(1) The objectives of this clause are as
	follows—		follows:
	(a) to prevent certain noise sensitive		(a) to prevent certain noise sensitive
	developments from being located near		developments from being located near
	the Warnervale Airport and its flight		the Central Coast Airport and its flight
	paths,		paths,
	(b) to assist in minimising the impact of		(b) to assist in minimising the impact of
	aircraft noise from that airport and its		aircraft noise from that airport and its
	flight paths by requiring appropriate		flight paths by requiring appropriate
	noise attenuation measures in noise		noise attenuation measures in noise
	sensitive buildings,		sensitive buildings,



Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
	(c) to ensure that land use and		(c) to ensure that land use and
	development in the vicinity of that		development in the vicinity of that
	airport do not hinder or have any other		airport do not hinder or have any other
	adverse impacts on the ongoing, safe		adverse impacts on the ongoing, safe
	and efficient operation of that airport.		and efficient operation of that airport.
	(2) This clause applies to development		(2) This clause applies to development
	that—		that:
	(a) is on land that—		(a) is on land that:
	(i) is near the Warnervale Airport, and		(i) is near the Central Coast Airport, and
	(ii) is in an ANEF contour of 20 or		(ii) is in an ANEF contour of 20 or
	greater, and		greater, and
	(b) the consent authority considers is		(b) the consent authority considers is
	likely to be adversely affected by		likely to be adversely affected by aircraft
	aircraft noise.		noise.
	(3) Before determining a development		(3) Before determining a development
	application for development to which		application for development to which
	this clause applies, the consent		this clause applies, the consent
	authority—		authority:
	(a) must consider whether the		(a) must consider whether the
	development will result in an increase in		development will result in an increase in
	the number of dwellings or people		the number of dwellings or people
	affected by aircraft noise, and		affected by aircraft noise, and
	(b) must consider the location of the		(b) must consider the location of the
	development in relation to the criteria		development in relation to the criteria
	set out in Table 2.1 (Building Site		set out in Table 2.1 (Building Site



Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
	Acceptability Based on ANEF Zones) in AS 2021—2000, and		Acceptability Based on ANEF Zones) in AS 2021—2000, and
	(c) must be satisfied the development will meet the indoor design sound levels		(c) must be satisfied the development will meet the indoor design sound levels
	shown in Table 3.3 (Indoor Design		shown in Table 3.3 (Indoor Design Sound
	Sound Levels for Determination of Aircraft Noise Reduction) in AS 2021—2000.		Levels for Determination of Aircraft Noise Reduction) in AS 2021—2000.
	2000.		(4) In this clause:
	(4) In this clause— ANEF contour means a noise exposure		ANEF contour means a noise exposure contour shown as an ANEF contour on
	contour shown as an ANEF contour on		the Noise Exposure Forecast Contour
	the Noise Exposure Forecast Contour Map for the Warnervale Airport		Map for the Central Coast Airport prepared by the Department of the
	prepared by the Department of the		Commonwealth responsible for airports
	Commonwealth responsible for airports.		AS 2021—2000 means AS 2021—2000, Acoustics—Aircraft noise intrusion—
	AS 2021—2000 means AS 2021—2000, Acoustics—Aircraft noise intrusion— Building siting and construction		Building siting and construction.
	Building siting and construction		
		7.7 Affordable housing at 85–93 Karalta Road, Erina	7.15 Affordable housing at 85–93 Karalta Road, Erina
		(1) The objective of this clause is to increase the supply of affordable rental housing for very low, low and moderate income earning households	(1) The objective of this clause is to increase the supply of affordable rental housing for very low, low and moderate income earning households by providing



Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
		development of new affordable rental	incentives for the development of new
		housing.	affordable rental housing.
		(2) This clause applies to development	(2) This clause applies to land being Lots
		for the purpose of a residential flat	6-7 DP 1071636, Lots 1-2 DP 259824 and
		building on land identified as "Area 1,	Lot 13 DP 550325 known as 85-93
		Karalta Road" on the <u>Development</u>	Karalta Road, Erina.
		Incentives Application Map if—	(3) This clause applies to development
		(a) the development will include at	for the purpose of a residential flat
		least 1 dwelling that contains 2	building if:
		bedrooms, and	building ii.
		Sear coms, and	(a) the development will include at least
		(b) the gross floor area of the	1 dwelling that contains 2 bedrooms,
		development that is to be used for the	and
		purpose of affordable housing is at	(b) the gross floor area of the
		least 80 square metres.	development that is to be used for the
		(3) Despite clause 4.3(2), the	purpose of affordable housing is at least
		maximum building height for	80 square metres.
		development to which this clause	oo square meales.
		applies is 13.75 metres.	(4) Despite clause 4.3 (2), the maximum
			building height for development to
		(4) Despite clause 4.4(2), the	which this clause applies is 13.75 metres.
		maximum floor space ratio for	(5) Despite clause 4.4 (2), the maximum
		development to which this clause	floor space ratio for development to
		applies is 1:1.	which this clause applies is 1:1.
		(5) Development consent must not be	
		granted to development to which this	(6) Development consent must not be
		clause applies unless conditions are	granted to development to which this
			clause applies unless conditions are



PART 7: ADDITIONAL LOCAL PROVISIO		Gosford LED 2014 Provision	Draft CCLED Boot Exhibition
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	imposed by the consent authority to the effect that— (a) for 10 years from the date of the issue of the occupation certificate— (i) the dwellings proposed to be used for the purposes of affordable housing will be used for the purposes of affordable housing, and (ii) all accommodation that is used for affordable housing will be managed by a registered community housing	imposed by the consent authority to the effect that: (a) for 10 years from the date of the issue of the occupation certificate: (i) the dwellings proposed to be used for the purposes of affordable housing will be used for the purposes of affordable housing, and (ii) all accommodation that is used for affordable housing will be managed by a registered community housing provider,
		provider, and (b) a restriction will be registered, before the date of the issue of the occupation certificate, against the title of the property on which development is to be carried out, in accordance with section 88E of the Conveyancing Act 1919, that will ensure that the requirements of paragraph (a) are met. (6) Development consent must not be granted to development to which this clause applies unless the consent authority is satisfied that the development is, or will be, serviced by	(b) a restriction will be registered, before the date of the issue of the occupation certificate, against the title of the property on which development is to be carried out, in accordance with section 88E of the <i>Conveyancing Act 1919</i> , that will ensure that the requirements of paragraph (a) are met. (7) Development consent must not be granted to development to which this clause applies unless the consent authority is satisfied that the development is, or will be, serviced by a reticulated water supply system and sewerage system.



andard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
		a reticulated water supply system and sewerage system.	(8) A word or expression used in this clause has the same meaning as in <u>State</u>
		(7) A word or expression used in this clause has the same meaning as in State Environmental Planning Policy (Affordable Rental Housing) 2009 unless it is otherwise defined in this Plan.	Environmental Planning Policy (Affordable Rental Housing) 2009 unless it is otherwise defined in this Plan.
		 7.8 Development at Terrigal (1) This clause applies to land identified as "Kings Ridge" on the Additional Permitted Uses Map. (2) Development consent must not be granted to development for the purpose of a dwelling house on land to which this clause applies unless the consent authority is satisfied that adequate provision will be made for a home business to be carried out in the dwelling house. (3) Development consent may be granted to development on land to which this clause applies for the purpose of a home business if the 	(This clause is proposed to be removed, as the land use, home business, is no longer a prohibited use in the R2 zone)



7.9 Essential services Development consent must not be	(4) This clause prevails over any other provision in this Plan to the extent of any inconsistency.	7.11 Essential services
	1 .	7.11 Essential services
	any inconsistency.	7.11 Essential services
		7.11 Essential services
Development consent must not be		
Development consent must not be		Development consent must not be
granted to development unless the		granted to development unless the
consent authority is satisfied that any of		consent authority is satisfied that the
the following services that are essential		following services that are essential for
for the development are available or		the development are available or that
that adequate arrangements have been		adequate arrangements have been mad
made to make them available when		to make them available when required:
required—		(a) the supply of water,
(a) the supply of water,		(b) the supply of electricity,
(b) the supply of electricity,		(b) the supply of electricity,
(b) the supply of electricity,		(c) the disposal and management of
(c) the disposal and management of		sewage,
sewage,		
(d) starmustar drainage or an site		(d) stormwater drainage or on-site
(d) stormwater drainage or on-site conservation,		conservation,
conservation,		(e) suitable vehicular access,
(e) suitable vehicular access.		(6)
		(f) suitable provision for waste
		collection and management.
	7.9 Location of sex services premises	7.6 Location of sex services
	(1) The chiestine of this slaves is to	premises
	(1) The objective of this clause is to minimise land use conflicts and	(1) The objective of this clause is to
	adverse amenity impacts by providing	minimise land use conflicts and adverse



Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
		a reasonable level of separation	amenity impacts by providing a
		between sex services premises,	reasonable level of separation between
		specified land uses and places	sex services premises, specified land
		regularly frequented by children.	uses and places regularly frequented by children.
		(2) In deciding whether to grant	
		development consent to development	(2) In deciding whether to grant
		for the purposes of sex services	development consent to development
		premises, the consent authority must	for the purposes of sex services
		consider the following—	premises, the consent authority must
		(a) whether the premises will be	consider the following:
		located on land that adjoins, is directly	(a) whether the premises will be locate
		opposite or is separated only by a local	on land that adjoins, is directly opposit
		road from land—	or is separated only by a local road fro
		(i) in Zone R1 General Residential,	land:
		Zone R2 Low Density Residential or	(i) in Zone R1 General Residential, Zon
		Zone RE1 Public Recreation, or	R2 Low Density Residential or Zone RE
		Zone REI Public Recreation, of	Public Recreation,
		(ii) used for the purposes of a centre-	Fublic Recreation,
		based child care facility, a community	(ii) or used for the purposes of a Centr
		facility, a school or a place of public	based child care facility, a community
		worship,	facility, a school or a place of public
		(b) the impact of the proposed	worship,
		development and its hours of	(b) the impact of the proposed
		operation on any place likely to be	development and its hours of operatio
		regularly frequented by children—	on any place likely to be regularly
		(i) that adjoins the proposed	frequented by children:
		development, or	



PART 7: ADDITIONAL LOCAL PROVISION	ART 7: ADDITIONAL LOCAL PROVISIONS				
Standard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition		
		(ii) that can be viewed from the proposed development, or	(i) that adjoins the proposed development, or		
		(iii) from which a person can view the proposed development.	(ii) that can be viewed from the proposed development, or		
		(3) Despite subclause (2), if the sex services premises are proposed to be	(iii) from which a person can view the proposed development.		
		located in a building that contains one or more dwellings, development consent must not be granted to development for the purpose of sex services premises unless the sex services premises can only be accessed by a separate street entrance that does not provide access to the rest of the building	(3) Despite subclause (2), if the sex services premises are proposed to be located in a building that contains one or more dwellings, development consent must not be granted to development for the purpose of sex services premises unless the sex services premises can only be accessed by a separate street entrance that does not provide access to the rest of the building.		
	7.10 Council infrastructure development		7.12 Council infrastructure development		
	(1) Development may be carried out by or on behalf of the Council without development consent on any land, other than land in a heritage conservation area, land containing a heritage item or land that is an environmentally sensitive area for exempt and complying development.		(1) Development may be carried out by or on behalf of the Council without development consent on any land, other than land in a heritage conservation area, land containing a heritage item or land that is an environmentally sensitive area for exempt and complying development.		



tandard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
	(2) Subclause (1) does not apply to the following development—		(2) Subclause (1) does not apply to the following development:
	(a) the erection of a class 1–9 building under the Building Code of Australia,		(a) the erection of a class 1–9 building under the <i>Building Code of Australia</i> ,
	(b) development that is not exempt development under <u>State</u> <u>Environmental Planning Policy</u> (<u>Infrastructure</u>) 2007 and has a capital		(b) development that is not exempt development under <u>State Environmental Planning Policy (Infrastructure) 2007</u> and has a capital value of more than
	value of more than \$5,000,000.	7.40 Cub division and another of	\$1,000,000.
		7.10 Subdivision and erection of dwelling house—certain land at Wisemans Ferry Road, Somersby	7.17 Subdivision and erection of dwelling house—certain land at Wisemans Ferry Road, Somersby
		(1) The objective of this clause is to ensure that lot sizes and subdivision design for land with high environmental, conservation and biodiversity values conserve and protect those values while allowing flexibility in the size and arrangement of lots to facilitate appropriate low key development that results in improved environmental outcomes.	(1) The objective of this clause is to ensure that lot sizes and subdivision design for land with high environmental conservation and biodiversity values conserve and protect those values while allowing flexibility in the size and arrangement of lots to facilitate appropriate low key development that results in improved environmental outcomes.
		(2) This clause applies to that part of Lot 41, DP 1046841, that is in Zone E2 Environmental Conservation or Zone E3 Environmental Management.	(2) This clause applies to that part of I 41, DP 1046841, that is in Zone E2 Environmental Conservation or Zone E3 Environmental Management.



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		(3) Despite clauses 4.1, 4.1AA and 4.1A, development consent may be granted for the subdivision of land to which this clause applies to create lots with an area that is less than the minimum lot size shown on the Lot Size Map in relation to that land if the consent authority is satisfied that— (a) the total number of lots created from the subdivision will not exceed 6, and (b) one of the lots created will include all of the land in Zone E2 Environmental Conservation and part of the land in Zone E3 Environmental Management, and (c) the lots created from the subdivision will be used for the purposes of environmental conservation and protection of the environment, and (d) the lots created from the subdivision will retain, and are complementary to, the environmental conservation and biodiversity values of the land, and	(3) Despite clauses 4.1, 4.1AA and 4.1B, development consent may be granted for the subdivision of land to which this clause applies to create lots with an area that is less than the minimum lot size shown on the Lot Size Map in relation to that land if the consent authority is satisfied that: (a) the total number of lots created from the subdivision will not exceed 6, and (b) one of the lots created will include all of the land in Zone E2 Environmental Conservation and part of the land in Zone E3 Environmental Management, and (c) the lots created from the subdivision will be used for the purposes of environmental conservation and protection of the environment, and (d) the lots created from the subdivision will retain, and are complementary to, the environmental conservation and biodiversity values of the land, and (e) the subdivision will not result in any significant adverse environmental impacts on the land or on any adjoining land, and (f) any vehicular access to Peats Ridge Road from the land will not result in any



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		(e) the subdivision will not result in	adverse impacts on endangered flora on
		any significant adverse environmental impacts on the land or on any adjoining land, and (f) any vehicular access to Peats Ridge Road from the land will not result in any adverse impacts on endangered flora on the land or on any adjoining land. (4) Despite any other provision of this Plan, development consent must not be granted to the subdivision of a lot created under this clause unless the subdivision is for one or more of the	the land or on any adjoining land. (4) Despite any other provision of this Plan, development consent must not be granted to the subdivision of a lot created under this clause unless the subdivision is for one or more of the following purposes: (a) a minor realignment of its boundaries that does not create an additional lot, or (b) a subdivision creating or widening a public road or public reserve or for another public purpose, or
		following purposes— (a) a minor realignment of its boundaries that does not create an additional lot, or (b) a subdivision creating or widening a public road or public reserve or for	 (c) a consolidation of adjoining lots. (5) Despite any other provision of this Plan, development consent must not be granted for the erection of a dwelling house on a lot created by a subdivision under this clause unless the consent
		another public purpose, or (c) a consolidation of adjoining lots. (5) Despite any other provision of this Plan, development consent must not be granted for the erection of a dwelling house on a lot created by a	authority is satisfied that the dwelling house will not be erected on land in Zone E2 Environmental Conservation.



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		the consent authority is satisfied that the dwelling house will not be erected on land in Zone E2 Environmental Conservation.	
	7.11 Development requiring the preparation of a development control plan (key sites)		7.13 Development requiring the preparation of a development control plan (key sites)
	(1) The objectives of this clause are as follows—		(1) The objectives of this clause are as follows:
	(a) to deliver a high standard of design excellence for certain key sites in Wyong,		(a) to deliver a high standard of design excellence for certain key sites in the Central Coast,
	(b) to encourage the amalgamation of those key sites to provide opportunities for the expansion of, and improvements to, the public domain,		(b) to encourage the amalgamation of those key sites to provide opportunitie for the expansion of, and improvemento, the public domain,
	(c) to provide a catalyst for the social and economic development of centres within Wyong,		(c) to provide a catalyst for the social and economic development of centres within the Central Coast,
	(d) to deliver significant public benefit to the community.		(d) to deliver significant public benefit the community.
	(2) This clause applies to land identified as "Key Site" on the <u>Key Sites Map</u> .		(2) This clause applies to land identifie as "Key Site" on the Key Sites Map.
	(3) Despite clause 4.3, the maximum height for a building on land to which		(3) Despite clause 4.3, the maximum height for a building on land to which



andard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
	this clause applies is the height shown		this clause applies is the height shown
	on the Key Sites Map in relation to that		on the Key Sites Map in relation to tha
	land if the consent authority is satisfied		land if the consent authority is satisfied
	that a development control plan that		that a development control plan that
	provides for the following matters has		provides for the following matters has
	been prepared for the land that is the		been prepared for the land that is the
	subject of the development		subject of the development applicatio
	application—		
			(a) the application of the principles of
	(a) the application of the principles of		ecologically sustainable development,
	ecologically sustainable development,		(b) green building solutions,
	(b) green building solutions,		(b) green banding solutions,
	(b) green banding solutions,		(c) design excellence, including a high
	(c) design excellence, including a high		standard of expertise in urban and
	standard of expertise in urban and		landscape design, interior design,
	landscape design, interior design,		construction and historic preservation
	construction and historic preservation,		/ / / / / / / / / / / / / / / / / / / /
			(d) a high standard of architectural
	(d) a high standard of architectural		design, materials, unique facade
	design, materials, unique facade		treatment and detailing appropriate t
	treatment and detailing appropriate to		the type and location of the
	the type and location of the		development,
	development,		(e) encouraging sustainable transport
	(e) encouraging sustainable transport,		including increased use of public
	including increased use of public		transport, walking and cycling,
	transport, walking and cycling,		transport, wanting and cycling,
	dansport, waiking and cycling,		(f) road access, including the circulati
	(f) road access, including the circulation		network and the provision of car
	network and the provision of car		parking,
	parking,		



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	(g) the impact on, and improvements to, the public domain,		(g) the impact on, and improvements to, the public domain,
	 (h) environmental constraints, including acid sulfate soils, flooding, contamination and remediation, (i) the relationship between the development and neighbouring sites, including urban and natural environments, 		 (h) environmental constraints, including acid sulfate soils, flooding, contamination and remediation, (i) the relationship between the development and neighbouring sites, including urban and natural environments,
	(j) the relationship between the development and any other development that is, or may be, located on or near the site in relation to overshadowing, privacy, setbacks and visual amenity.		(j) the relationship between the development and any other development that is, or may be, located on or near the site in relation to overshadowing, privacy, setbacks and visual amenity.
	 (4) This clause does not apply to a development application made 5 years after the commencement of this Plan. (5) In this clause, green building solution means a design, construction or operational solution that significantly reduces or eliminates the negative impact of the building to which it relates on the environment and includes strategies for addressing the following matters— 		 (4) This clause does not apply to a development application made 5 years or more after the commencement of Wyong Local Environmental Plan 2013. (5) In this clause, green building solution means a design, construction or operational solution that significantly reduces or eliminates the negative impact of the building to which it relates on the environment and includes strategies for addressing the following matters:



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	(a) energy efficiency,		(a) energy efficiency,
	(b) greenhouse gas emission abatement,		(b) greenhouse gas emission abatemen
	 (c) water conservation, (d) waste avoidance, reuse and recycling, (e) pollution prevention, (f) enhanced biodiversity, (g) reduced natural resource consumption, (h) productive and healthier environments, 		 (c) water conservation, (d) waste avoidance, reuse and recycling, (e) pollution prevention, (f) enhanced biodiversity, (g) reduced natural resource consumption, (h) productive and healthier environments,
	(i) flexible and adaptable spaces.		(i) flexible and adaptable spaces. Note: It is not the intention to extend this clause beyond 23 December 2018.
	7.12 Development for the purpose of bottle shops (1) The objectives of this clause are as follows— (a) to ensure that bottle shops are appropriately located throughout Wyong,		(The considerations in this clause are undertaken when assessing development for such purposes under Section 4.15 of the EP&A Act, 1979)



tandard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
	(b) to ensure that bottle shops do not have a significant adverse impact on surrounding areas.		
	 (2) Development consent must not be granted to development for the purpose of a bottle shop unless the consent authority is satisfied that the development will not have a significant adverse impact on the surrounding area. (3) In this clause, bottle shop means licensed premises under the <u>Liquor Act 2007</u> the principal purpose of which is the retail sale of liquor in sealed containers for consumption away from the premises. 		
	7.13 Shop top housing in certain business zones		7.14 Shop top housing in certain business zones
	(1) This clause applies to land in the following zones—		(1) This clause applies to land in the following zones:
	(a) Zone B5 Business Development,		(a) Zone B5 Business Development,
	(b) Zone B6 Enterprise Corridor,		(b) Zone B6 Enterprise Corridor,
	(c) Zone B7 Business Park.		(c) Zone B7 Business Park.
	(2) Development consent must not be granted for development for the		(2) Development consent must not be granted for development for the



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	purpose of shop top housing on land to which this clause applies unless the gross floor area used for that purpose will not exceed 50 per cent of the total gross floor area of the building.		purpose of shop top housing on land to which this clause applies unless the gross floor area used for that purpose will not exceed the total gross floor area of ground floor level retail or business premises.
	7.14 Office premises on land at Warnervale in Zone B7		7.18 Office premises on land at Warnervale in Zone B7
	 (1) The objective of this clause is to protect the viability of the Warnervale town centre by ensuring that the proposed business park develops in a way that encourages a mix of uses. (2) This clause applies to land at Warnervale that is in Zone B7 Business Park. 		 (1) The objective of this clause is to protect the viability of the Warnervale Town Centre by ensuring that the proposed business park develops in a way that encourages a mix of uses. (2) This clause applies to land at Warnervale that is in Zone B7 Business Park.
	(3) Despite any other provision of this Plan, development consent must not be granted for development for the purpose of stand-alone office premises on land to which this clause applies unless the consent authority is satisfied that the total floor space of such development on land to which this clause applies does not exceed an area equal to 30% of the total area of the		(3) Despite any other provision of this Plan, development consent must not be granted for development for the purpose of stand-alone office premises on land to which this clause applies unless the consent authority is satisfied that the total floor space of such development on land to which this clause applies does not exceed an area equal to 30% of the total area of the land



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	(4) In this clause, stand-alone office premises means a building erected and predominantly used for the purpose of office premises.		(4) In this clause: stand-alone office premises means a building erected and predominantly used for the purpose of office premises.
	7.15 Office premises on land at		7.19 Office premises on land at
	Kanwal in Zone B6 Enterprise Corridor		Kanwal in Zone B6 Enterprise Corridor
	(1) The objectives of this clause are—		(1) The objectives of this clause are:
	(a) to protect the viability of existing		(a) to protect the viability of existing and
	and planned town centres, and		planned town centres, and
	(b) to provide incentives for the		(b) to provide incentives for the
	development of health services facilities		development of health services facilities
	on land at Kanwal that is within Zone B6		on land at Kanwal that is within Zone B6
	Enterprise Corridor.		Enterprise Corridor.
	(2) This clause applies to land at Kanwal		(2) This clause applies to land at Kanwal
	that is in Zone B6 Enterprise Corridor		that is in Zone B6 Enterprise Corridor
	and is identified as "Area 3" on the		and is identified as "Kanwal Enterprise
	Floor Space Ratio Map.		Zone" on the <u>Floor Space Ratio Map</u> .
	(3) Despite any other provision of this		(3) Despite any other provision of this
	Plan, development consent must not be		Plan, development consent must not be
	granted for development for the		granted for development for the
	purpose of stand-alone office premises		purpose of stand-alone office premises
	on land to which this clause applies		on land to which this clause applies
	unless the consent authority is satisfied		unless the consent authority is satisfied
	that the total floor space area of such		that the total floor space area of such



tandard Instrument Principal LEP	Wyong LEP 2013 Provision	Gosford LEP 2014 Provision	Draft CCLEP Post Exhibition
	development on land to which this		development on land to which this
	clause applies does not exceed an area		clause applies does not exceed an area
	equal to 30% of the total area of the		equal to 30% of the total area of the land
	land to which this clause applies.		to which this clause applies.
	(4) In this clause—		(4) In this clause:
	stand-alone office premises means a		stand-alone office premises means a
	building erected and predominantly		building erected and predominantly used
	used for the purpose of office premises.		for the purpose of office premises.
	7.16 Specialised retail premises on		7.20 Specialised retail premises on
	land at Kanwal in Zone B6 Enterprise		land at Kanwal in Zone B6 Enterprise
	Corridor		Corridor
	(1) The objective of this clause is to		(1) The objective of this clause is to
	protect the viability of existing and		protect the viability of existing and
	planned areas identified for the location		planned areas identified for the location
	of specialised retail premises within		of bulky goods premises within Kanwal.
	Wyong.		(2) This clause applies to land at Kanwal
	(2) This clause applies to land at Kanwal		that is in Zone B6 Enterprise Corridor
	that is in Zone B6 Enterprise Corridor		and is identified as "Kanwal Enterprise
	and is identified as "Area 3" on the		Zone" on the Floor Space Ratio Map.
	Floor Space Ratio Map.		
			(3) Despite any other provision of this
	(3) Despite any other provision of this		Plan, development consent must not be
	Plan, development consent must not be		granted for development for the
	granted for development for the		purpose of specialised retail premises on
	purpose of specialised retail premises		land to which this clause applies if the
	on land to which this clause applies if		gross floor area of such development is
	the gross floor area of such		more than 1,000 square metres.



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	development is more than 1,000 square metres.		
	7.17 Land in North Wyong Industrial		7.21 Land in North Wyong Industrial
	Estate in Zone B6		Estate in Zone B6
	(1) The objective of this clause is to protect the viability of existing and planned town centres.		(1) The objective of this clause is to protect the viability of existing and planned town centres.
	(2) This clause applies to land in the North Wyong Industrial Estate, Pacific Highway, North Wyong that is in Zone B6 Enterprise Corridor.		(2) This clause applies to land in the North Wyong Industrial Estate, Pacific Highway, North Wyong that is in Zone Be Enterprise Corridor.
	(3) Despite any other provision of this Plan, development consent must not be granted for development for the purpose of stand-alone office premises on land to which this clause applies unless the consent authority is satisfied that—		(3) Despite any other provision of this Plan, development consent must not be granted for development for the purpose of stand-alone office premises on land to which this clause applies unless the consent authority is satisfied that:
	(a) the total floor space of such premises on land to which this clause applies does not exceed an area equal to 30% of the total area of the land to which this clause applies, and		(a) the total floor space of such premises on land to which this clause applies does not exceed an area equal to 30% of the total area of the land to which this clause applies, and
	(b) the total floor space of such premises is not less than 200 square metres.		(b) the total floor space of such premise is not less than 200 square metres.



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	 (4) Despite any other provision of this Plan, development consent must not be granted for development for the purpose of specialised retail premises on land to which this clause applies unless the consent authority is satisfied that the total floor space of such premises is not greater than 2,000 square metres. (5) In this clause, stand-alone office premises means a building erected and predominantly used for the purpose of office premises. 		(4) Despite any other provision of this Plan, development consent must not be granted for development for the purpose of specialised retail premises or land to which this clause applies unless the consent authority is satisfied that th total floor space of such premises is not greater than 2,000 square metres. (5) In this clause, stand-alone office premises means a building erected and predominantly use for the purpose of office premises
	7.18 Short-term rental accommodation	7.6 Short-term rental accommodation	7.5 Short-term rental accommodation
	(1) The objective of this clause is to permit development for the temporary use of dwellings containing up to 6 bedrooms as short-term rental accommodation.	(1) The objective of this clause is to require development consent for the temporary use of dwellings containing 5 or 6 bedrooms as short-term rental accommodation.	(1) The objective of this clause is to permit development for the temporary use of dwellings containing up to 6 bedrooms as short-term rental accommodation.
	(2) Despite any other provision of this Plan, development consent may be granted for the use of a dwelling containing up to 6 bedrooms as short-term rental accommodation.	(2) Despite any other provision of this Plan, development consent may be granted for the use of a dwelling containing 5 or 6 bedrooms as short-term rental accommodation	(2) Despite any other provision of this Plan, development consent may be granted for the use of a dwelling containing up to 6 bedrooms as short-term rental accommodation.
	7.19 Development near zone boundaries		7.23 Development near zone boundaries



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	(1) The objective of this clause is to		(1) The objective of this clause is to
	provide flexibility where the		provide flexibility where the
	investigation of a site and its		investigation of a site and its
	surroundings reveals that a use allowed		surroundings reveals that a use allowed
	on the other side of a zone boundary		on the other side of a zone boundary
	would enable a more logical and		would enable a more logical and
	appropriate development of the site		appropriate development of the site and
	and be compatible with the planning		be compatible with the planning
	objectives and land uses for the		objectives and land uses for the
	adjoining zone.		adjoining zone.
	(2) This clause applies to so much of		(2) This clause applies to so much of any
	any land that is within the relevant		land that is within the relevant distance
	distance of a boundary between any 2		of a boundary between any 2 zones. The
	zones. The relevant distance is 20		relevant distance is 20 metres.
	metres.		(3) This clause does not apply to:
	(3) This clause does not apply to—		
			(a) land in Zone RE1 Public Recreation,
	(a) land in Zone RE1 Public Recreation,		Zone E1 National Parks and Nature
	Zone E1 National Parks and Nature		Reserves, Zone E2 Environmental
	Reserves, Zone E2 Environmental		Conservation, Zone E3 Environmental
	Conservation, Zone E3 Environmental		Management or Zone W1 Natural
	Management or Zone W1 Natural		Waterways, or
	Waterways, or		(b) land within the coastal zone, or
	(b) land within the coastal zone, or		(2)
	(2) 13.13 11.11.11 11.2 000000 20110, 01		(c) land proposed to be developed for
	(c) land proposed to be developed for		the purpose of sex services or restricted
	the purpose of sex services or restricted		premises.
	premises.		(4) Despite subclause (3) (a), this clause
			applies to land in Zone E3 Environmenta



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	(4) Despite subclause (3)(a), this clause		Management only if the land is shown
	applies to land in Zone E3		edged by a heavy red line on the
	Environmental Management only if the		Dwelling Density Map.
	land is shown edged by a heavy red line		(=) =
	on the <u>Dwelling Density Map</u> .		(5) Despite the provisions of this Plan
			relating to the purposes for which
	(5) Despite the provisions of this Plan		development may be carried out,
	relating to the purposes for which		development consent may be granted to
	development may be carried out,		development of land to which this claus
	development consent may be granted		applies for any purpose that may be
	to development of land to which this		carried out in the adjoining zone, but
	clause applies for any purpose that may		only if the consent authority is satisfied
	be carried out in the adjoining zone, but		that:
	only if the consent authority is satisfied		
	that—		(a) the development is not inconsistent
			with the objectives for development in
	(a) the development is not inconsistent		both zones, and
	with the objectives for development in		(b) the carrying out of the developmen
	both zones, and		is desirable due to compatible land use
	(b) the carrying out of the development		planning, infrastructure capacity and
	is desirable due to compatible land use		other planning principles relating to the
	planning, infrastructure capacity and		efficient and timely development of
	other planning principles relating to the		land.
	efficient and timely development of		101101
	land.		(6) This clause does not prescribe a
			development standard that may be
	(6) This clause does not prescribe a		varied under this Plan.
	development standard that may be		
	varied under this Plan.		



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			7.22 Development for the purposes of dwellings, home occupations or bed and breakfast accommodation on land zoned E2 Environmental Conservation
			(1) The objective of this clause is to enable development for the purposes of a dwelling house or home occupation of bed and breakfast accommodation on land which had a dwelling entitlement and was zoned E2 Environmental Conservation under the Gosford Local Environmental Plan 2014 immediately prior to the commencement of this plan (2) This clause applies to land zoned E2 Environmental Conservation under the Gosford Local Environmental Plan 2014 immediately prior to the commencement of this plan as identified on the Dwelling Opportunity Map.
			(3) Development for the purpose of a dwelling house, home occupation or be and breakfast accommodation is permitted with development consent where a dwelling entitlement existed for that land immediately prior to the commencement of this plan.