

Statutory Planning Approvals

Frequently Asked Questions

By Art Wooding

As your 'friendly neighbourhood town planner' I've 'chatted planning' to quite a few members lately. I hope the following FAQ's prove informative and help you navigate the bureaucracy.

[NSW Planning Portal](#) – Lots of information on our zoning and permissible uses at 25 Research Road Narara.

[Gosford Local Environmental Plan \(LEP\)](#) – Statutory development standards like height, minimum lot size and FSR. These are a requirement to adhere to but you can apply to Central Coast Council (CCC) to vary the standard within a Development Application (DA) under 'clause 4.6' provisions. These standards are also found on the NSW Planning Portal (above).

They tend to be applied more rigorously than the Gosford Development Control Plan (GDCP) standards (see below).

[Gosford LEP Dictionary](#) – Definitions of different uses and essential to understand what uses are defined as. 'Prohibited uses' means just that unless an application is made to change the zoning.

NEV has applied to re-zone the Village which also includes some variation to some LEP controls as part of our re-zoning application to CCC and the Department of Planning (DoP) (via the Gateway Process).

We are not able to put date on determination on this planning proposal just now. There is working group (JT, Richard Denham and I) working to obtain some consistent direction from CCC and the DoP and this is expected to be resolved soon.

In the meantime, lets leverage what we can under existing controls.

[NEV Building Standards](#) – All owner builders are required to adhere these standards as a condition of our membership. Our standards may vary with the Gosford DCP (below).

Note - Speak to one of our own assessors if you are unsure about how to interpret this.

[Complying Development Certificate \(CDC\)](#) – Regrettably, homes are not eligible to be constructed under complying development at Narara. You must apply for a DA.

[Gosford Development Control Plan \(GDCP\)](#) – If you require a DA, these delimit development standards applicable across the former Gosford area and these controls have recently changed. Controls can be varied with sufficient justification.

Key controls are typically landscaping provision (typically 40% of lot area) parking (1 space for a 3-bedroom home (recently changed from a 2-space requirement (yes!)) and setbacks.

Andy and Joel met with CCC to discuss variations to setbacks, car- parking and 'cut and fill'.

ProTag have developed extremely useful templates and guidance for DA lodgement including a Statement of Environmental Effects (SEE).

Prior to DA lodgement, if there are significant variations to DCP controls exceeding those already agreed and discussed with CCC, I would advise submitting a Pre-DA (see below) with concept sketches.

Sadly, the Interactive Buildings website has now been decommissioned by the Department of Planning without explanation. You will need to now consult the [Exempt and Complying Development Codes 2008](#) to check if additional development is exempt from planning controls.

This will help you begin to plan 'extras' on your lot after you have built your home, subject to compliance with NEV Building Standards.



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[Secondary Dwellings \(Granny Flats\)](#) – are allowed under different [legislation](#) as 'complying development'. The factsheets explain it all. However, as our lots are 'Community Property Title', my and Andy's understanding is that all secondary dwellings require a DA. Good news is secondary dwellings are permissible within R2 zones with CCC consent.

You require [Council approval](#) to have a temporary building on your property while you build, and due to its visual impact it's likely to be contentious. Unless you have a large lot, it's unlikely to be practical option and it's unlikely to be approved by CCC. This option would also require member approval via our 'master-planning' process.

However, should you wish to explore this you will need to approach CCC and chat to the 'Duty Planner'. Please share the outcome with members.

Tip- You are legally allowed to have mobile home, caravan, tiny home on wheels, yurt etc...once you have a [dwelling in place](#) if its occupied by people 'associated with the dwelling'. However, these should also be the subject to member approval processes and NEV building standards due visual and other amenity implications.

A hot topic and some members have strong opinions on this issue! The good news is 'camp-grounds' and 'caravan parks' are permissible within our RE1 zone with consent and either of these (or a combination) could provide great temporary 'live-build' options for members.

Important issues to be considered include;

- sympathetic design
- landscape screening
- parking and access
- heating and cooling
- bushfire and flooding
- provision of sewerage, water, power
- waste provision
- management policy and,
- length of tenure

If located badly, 'caravan parks' can result in real 'eyesore' and no-one wants that at NEV. Despite best intentions, they can tend to stay in place 'indefinitely' as they require capital investment and units can be difficult to sell or to relocate.

A convincing pre-DA would need to be put to CCC prior to a DA submission addressing all the above points. They would also require member approval via our 'master-planning' process. CCC may consider a temporary use.

Tip - As far as I understand, 'tiny homes' on wheels are classified as 'caravans'. Caravans are permissible within our RE1 zone with consent.

If you require a DA, amongst other documents and plans, you will need to submit a [Statement of Environmental Effects including a Character Statement](#). I would recommend submitting a concept Pre-DA for anything 'unusual' first, which can include significant variations to GLEP and GDCP controls above and beyond those already agreed with CCC (see above).

Pre-DA's can save time and money overall and provide greater certainty. You really don't want to have to re-concept a DA and make major changes to drawings and other documents once it's been submitted, it's expensive and time consuming. Obviously familiarise yourself with our 'Building Standards'.

As Richard Denham advised last week, CCC have agreed to consider DA's prior to the issue of our Subdivision Certificate (SC) and these can be determined as 'Deferred Commencement'. This means the DA can be approved, but the Construction Certificate cannot be approved until the SC is released. This is significant concession by CCC and means we soon begin to lodge DA's for our homes.

[Neighbourhood shops](#) are allowed within R2 zones up to 100m² in size. These could potentially include some 'ancillary' take-away / café uses (see our Narara local shop for a blueprint!).

Under this use, any food operation would be limited in scope, hence ancillary. A proper café / restaurant or a mixed use, is not allowed under the present zoning.

Good news is that due to its local heritage listing, the former 'Grafting Shed', could get consent for uses that are [not normally allowed](#). CCC could even potentially leverage grants to assist with conversion and they are very keen on the retention of this building.

Possibly if you are sufficiently confident and you have the time. If you are considering this I would look at few DA examples for similar developments example on the CCC [website](#). If not, a town planner can assist you. It takes time even if you know what you are doing.

I'm always happy to be approached at NEV to chat planning issues and I'm keen to help!

Due to the significant time investment to successfully navigate the pre - DA or DA process, I must charge beyond initial scoping (first hour free). I have a special rate for NEV members below standard industry. Please contact me further if you wish to explore this.

Good Luck!! Art