



Gateway Determination

Planning proposal (Department Ref: PP_2018_MCOAST_005_00): to prohibit innominate uses in the Greater Taree Local Environmental Plan 2010 R1 General Residential zone and to introduce a local provision for manufactured home estates in the Greater Taree Local Environmental Plan 2010, Great Lakes Local Environmental Plan 2014 and Gloucester Local Environmental Plan 2010.

I, the Acting Executive Director, Local and Regional Planning at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Greater Taree Local Environmental Plan (LEP) 2010 to prohibit innominate uses in the R1 General Residential zone and an amendment to the Greater Taree LEP 2010, Great Lakes LEP 2014 and Gloucester LEP 2010 to introduce a local provision for manufactured home estates should proceed subject to the following conditions:

1. Prior to community consultation, Council is to:
 - (a) update the planning proposal's explanation of provisions section to remove 'restriction facilities'; and
 - (b) review the permissibility of caravan parks in its land use zones considering section 9.1 Ministerial Directions 3.1 Residential Zones, 3.2 Caravan Parks and Manufactured Home Estates and 5.10 Implementation of Regional Plans and update the planning proposal with the outcomes of this review.
2. Council is to include its proposed development control plan provisions for manufactured home estates as part of the planning proposal exhibition package.
3. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning, Industry and Environment, 2018).
4. Consultation is required with the Housing and Property group of the Department of Planning, Industry and Environment under section 3.34(2)(d) of the Act. They are to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.

5. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
6. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
 - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
 - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
7. Prior to finalising the plan under section 3.36(2) of the Act, the planning proposal is to be updated to demonstrate consistency with any changes made to the regulatory framework for manufactured homes and manufactured home estates, including any changes to State Environmental Planning Policy No 36 – Manufactured Home Estates or the publication of guidelines for manufactured home estates.
8. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 4th day of October 2019.



Monica Gibson
Acting Executive Director, Local and
Regional Planning
Planning and Assessment
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces