

Planning Proposal

Amendments to the MidCoast LEPs:

- **General Residential zone - Greater Taree LEP 2010**
- **Manufactured Home Estates Local Provision - Greater Taree LEP 2010, Great Lakes LEP 2014 and Gloucester LEP 2010**

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1. Introduction

The planning proposal seeks to create consistency and greater public confidence in the application of the residential zones across the MidCoast in the short-term. This will be achieved in the longer term through the completion and implementation of the MidCoast Local Environmental Plan (LEP).

The planning proposal to amend the R1 General Residential land use table in Greater Taree LEP 2010 was reported to the Council Ordinary Meeting on 28 November 2018 and referred to the NSW Department of Planning and Environment (the Department) for a Gateway determination. On 29 January 2019, the Department suggested a local provision could be included in the Local Environmental Plan that would define “manufactured home estates” and address residential issues experienced across the MidCoast. The planning proposal was amended to include a local provision to be inserted into Greater Taree LEP 2010, Great Lakes LEP 2014 and Gloucester LEP 2010. This local provision is supported by findings of the MidCoast Housing Strategy that is currently being drafted.

This planning proposal outlines the intended effect of, and justification for, the proposed LEP amendments.

Council has requested that the Department issue delegations to Council to make these amendments.

The planning proposal has been prepared by MidCoast Council in accordance with Division 3.4 of the *Environmental Planning and Assessment Act 1979* and the relevant Department of Planning and Environment Guidelines, including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*.

1.1 Background

MidCoast Council is currently working with three different planning frameworks being Gloucester LEP 2010, Great Lakes LEP 2014 and Greater Taree LEP 2010. Work has commenced on several strategic planning projects to inform a single, consistent planning framework – the MidCoast LEP. These strategic planning projects include:

- Housing Strategy
- Rural Strategy
- Infrastructure Zones Review
- Manning Health/ Taree CBD Precinct Plan
- Recreation Zones Review
- Employment Zones Review.

These projects are due for completion in late 2019 and a new MidCoast LEP is expected to be completed in 2022.

This planning proposal seeks to make interim changes to:

- the R1 General Residential zone land use table in the Greater Taree LEP 2010. The aim being to structure the zone in a way that is consistent with other residential zones in the Gloucester LEP 2010 and Great Lakes LEP 2014
- insert a manufactured home estate local provision in Greater Taree LEP 2010, Great Lakes LEP 2014 and Gloucester LEP 2010. The aim being to provide consistency and greater public confidence in the application of the residential zones across the MidCoast by defining “manufactured home estates” and applying consistent standards and assessment criteria.

2. Objectives or intended outcomes

The objective is to create greater consistency and public confidence in the application of the primary residential zones across the MidCoast area in the short-term, pending the completion of the MidCoast LEP over the longer term.

Specifically, this planning proposal will:

- make the R1 General Residential zone in Greater Taree LEP 2010 a closed zone consistent with the other MidCoast Council LEPs, being Great Lakes LEP 2014 and Gloucester LEP 2010. This will remove the ability to apply for innominate uses (uses not defined in the LEP) that are currently permitted with consent
- define “manufactured home estates”, permit “manufactured home estates” where “caravan parks” are permissible and apply consistent standards and assessment criteria. This will apply to all three MidCoast LEPs.

It is noted this planning proposal precedes the Housing Strategy currently being prepared for the MidCoast. This strategy, along with other strategic planning projects, will be used to inform the comprehensive MidCoast LEP. The planning proposal is consistent with the preliminary directions that have been established through consultation on the Housing Strategy and is an interim step given the timeframe and complexity of establishing the consolidated MidCoast LEP.

3. Explanation of provisions

The intended outcome of the planning proposal would be achieved by:

1. Review of the R1 General Residential zone in the Greater Taree LEP 2010

The R1 General Residential land use table is currently structured as an open zone allowing flexibility and permitting (with consent) a broad variety of land uses, unless the uses are specifically prohibited. This differs in structure to the residential land use zones that apply in the Gloucester LEP 2010 and Great Lakes LEP 2014, which identify all permissible (with or without consent) land uses, and establish that all others are prohibited. This difference in approach has created unnecessary misunderstanding and confusion within the community.

More specifically, the land use table review will result in a more transparent and consistent approach to the how land use tables are able to be interpreted by removing innominate uses as “permissible with consent”. To ensure that the modified land use table does not inadvertently exclude land use types that are considered to be potentially suitable, additional land uses are to be included as “permitted with consent”, with all remaining land uses being “prohibited”. The changes to the land use table, as set out below, are highlighted in yellow.

The R1 land use table will be amended to ensure “manufactured home estates” are not an innominate use, and that “caravan parks” will remain prohibited in this zone. As such State Environmental Planning Policy No. 36 (SEPP 36) will not enable the submission of development applications for “manufactured home estates” in the R1 zone, although “multi dwelling housing” will remain permissible in the R1 zone.

As previously stated, the closed zone approach is consistent with the land use table structure for all other residential zones in the two other MidCoast Council LEPs, being Great Lakes LEP 2014 and Gloucester LEP 2010.

The review aims to have the least possible impact on the current permissibility and prohibition of other land uses in the R1 zone, and does not change the objectives of the zone. The land uses that are not being listed as permissible with consent in the R1 General Residential zone through this review are discussed below:

- “business identification signs” - where appropriate, it can be considered as ancillary to other permissible uses in the zone
- “car parks” - where appropriate, it can be considered as ancillary to other permissible uses in the zone
- “centre-based child care facilities” – part of the group term definition of “early education and care facility”. As such, it does not need to be separately defined in the land use table
- “crematoriums” – this use would potentially not satisfy the objectives of the zone and will remain permissible in other non-residential zones
- “extractive industry” - this use would potentially not satisfy the objectives of the zone and will remain permissible in other non-residential zones
- “farm stay accommodation” - this use would potentially not satisfy the objectives of the zone and will remain permissible in other non-residential zones
- “health services facilities” – medical centres, community health service facilities and health consulting rooms (which are types of health services facilities) have been included as permissible. The scale and type of use are considered appropriate in the R1 General Residential zone. Other uses included in this definition (patient transport facilities and hospital) will not be permissible with consent. This approach is generally consistent with the R2 Low Density Residential zones in both the Great Lakes and Gloucester LEPs
- “highway service centres” - this use would potentially not satisfy the objectives of the zone and will remain permissible in other non-residential zones
- “mining - this use would potentially not satisfy the objectives of the zone and will remain permissible in other non-residential zones
- “schools” – part of the group term definition of “educational establishments” so does not need to be separately listed in the land use table
- “tourist and visitor accommodation” – this is a group term definition. Those land uses within this group that are appropriate are either already separately listed or have been included as permissible in the land use table
- “recreation facilities (outdoor)” this use would potentially not satisfy the objectives of the zone (ie. they are not “day to day needs”). However, recreation facility (indoor) will remain permissible in the zone
- “restricted premises” – currently prohibited in the R2 Low Density Residential zones in both the Great Lakes and Gloucester LEPs. This use would potentially not satisfy the objectives of the zone and will remain permissible in other non-residential zones.
- “restriction facilities” - this use would potentially not satisfy the objectives of the zone and will remain permissible in other non-residential zones

- “wholesale supplies” - this use would potentially not satisfy the objectives of the zone and will remain permissible in other non-residential zones.

A comparison of the existing and proposed R1 General Residential land use table has been included in Appendix A.

The proposed R1 General Residential land use table is as follows:

1 Objectives of zone

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

2 Permitted without consent

Home occupations.

3 Permitted with consent

Advertising structure; Attached dwellings; Backpackers' accommodation; Bed and breakfast accommodation; Boarding houses; Boat launching ramps; Boat sheds; Building identification signs; Centre-based child care facilities; Cemeteries; Community facilities; Community health service facilities; Dual occupancies; Dwelling houses; Early education and care facilities; Educational establishments; Emergency services facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Home businesses; Home industries; Hostels; Hotel or motel accommodation; Information and education facilities; Jetties; Medical centres; Moorings; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Recreation facilities (indoor); Residential flat buildings; Respite day care centres; Restaurants or cafes; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Serviced apartments; Sewerage systems; Service stations; Shop top housing; Take away food and drink premises; Tank-based aquaculture; Veterinary hospitals; Water recreation structures; Water supply systems.

4 Prohibited

Any other development not specified in item 2 or 3.

Air transport facilities; Airstrips; Agriculture; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Caravan parks; Charter and tourism boating facilities; Commercial premises; Correctional centres; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Home occupations (sex services); Industrial training facilities; Industries; Liquid fuel depots; Marinas; Mooring pens; Mortuaries; Passenger transport facilities; Public administration buildings; Recreation facilities (major); Registered clubs; Rural industries; Rural workers' dwellings; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste disposal facilities; Waste or resource management facilities; Wharf or boating facilities

2. Manufactured Home Estates

Insertion of a new local provision in Greater Taree LEP 2010, Gloucester LEP 2010, Great Lakes LEP 2014. This provision will define “manufactured home estates”, permit “manufactured home estates” where “caravan parks” are permissible and apply consistent standards and assessment criteria. A similar provision was included in the Lake Macquarie LEP 2014, which provides a base-case for this amendment, as suggested by the Department.

The local provision intends to:

- permit manufactured home estates with consent, only where caravan parks are a permitted with consent.
- provide a stronger connection with Council’s draft manufactured home estate provisions in the three Development Control Plans, which provides greater onus on design and locational considerations.

The local provision is provided below.

Manufactured Home Estates

- (1) *The objective of this clause is to facilitate housing diversity and housing affordability in the form of manufactured home estates, in suitable, adequately serviced locations.*
- (2) *Development for the purposes of a manufactured home estate (and the associated installation or placement and use of a manufactured home) may be carried out with development consent on land to which this Plan applies if development for the purposes of a caravan park is permitted on that land, subject to complying with State Environmental Planning Policy No 36 – Manufactured Home Estates.*
- (3) *Despite any other provision of the Plan, in this Plan **multi dwelling housing** does not include land on which a manufactured home is installed or placed under this clause.*
- (4) *In this clause, **manufactured home** and **manufactured home estate** has the same meaning as in the Local Government Act 1993.*

The wording of the draft local provision may be subject to change when Council works with the Department and Parliamentary Counsel to ensure that the planning intent is achieved.

The intent is that this provision will not impact on the permissibility of eco-tourist facilities, dual occupancies, seniors housing and the like where “manufactured homes” form part of the development. Given these uses are defined in the LEPs and listed in land use tables, their permissibility should not be impacted upon. This will need to be considered in the drafting of the local provision with Parliamentary Counsel and a clarification note may be required.

The outcome of this approach is that manufactured home estates will only be permitted with consent in zones where caravan parks are permitted as outlined in the table over the page.

Use	Greater Taree LEP	Great Lakes LEP	Gloucester LEP
Caravan parks permitted with consent	<ul style="list-style-type: none"> • Tourist (SP3) • Public Recreation (RE1) • Private Recreation (RE2) 	<ul style="list-style-type: none"> • Low Density Residential (R2) • Medium Density (R3) • Tourist (SP3) • Public Recreation (RE1) • Private Recreation (RE2) • Rural Landscape (RU2) • Village (RU5) 	<ul style="list-style-type: none"> • Public Recreation (RE1) • Primary Production (RU1) • Special Activities (SP1)

4. Justification

4.1 Need for the Planning Proposal

4.1.1 *Is the Planning Proposal a result of any strategic study or report?*

No, this planning proposal is not the result of a specific strategic study or report, although has been raised in the context of the current Housing Strategy project being undertaken by Council. Community consultation for the Housing Strategy identified the potential for an interim step towards a consistent planning framework for the MidCoast area. This has included the opportunity to align the structure of the R1 General Residential zone of the Greater Taree LEP 2010, with the structure of the primary residential zones of both the Great Lakes LEP 2014 and Gloucester LEP 2010. It also identified that a local clause that provides better definition and clarity to the development of manufactured home estates was desirable.

It is further noted that the Department has commenced a review of the regulation of manufactured homes and estates, caravan parks and camping grounds. The proposed options and improvements being considered by the review (as outlined in the 2015 Discussion Paper) will have important benefits to the community and stakeholders such as:

- supporting uses in the right locations through clearer definitions and appropriate land use zonings;
- simplifying and streamlining the planning and approval process; and,
- improving the design, location and amenities of future developments.

This planning proposal responds to and addresses some of the benefits listed above, including the matters of location, simpler planning and clearer land use zonings.

The planning proposal is therefore considered to be consistent with the review commenced by the Department to improve the regulation of manufactured homes and estates, caravan parks and camping grounds.

This planning proposal also responds to and is consistent with the Department's suggested planning approach (dated 23 January 2019), as reflected in Section 3.

4.1.2 *Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

As outlined above, the Department commenced a review to improve the regulation of manufactured homes and estates, caravan parks and camping grounds. Implementation of a state-wide approach to these uses would also be desirable to further assist in the creation of consistency and community understanding.

In lieu of a comprehensive state-wide approach, and given the desire for consistency between the three existing LEPs in the MidCoast, the planning proposal is considered to be a means to implement the Department's desired outcomes. The planning proposal aims to define "manufactured home estates", permit "manufactured home estates" where "caravan parks" are permissible and apply consistent standards and assessment criteria.

In addition, changing the structure of the R1 General Residential zone land use table within the Greater Taree LEP 2010 is the best means to achieve consistency with the other LEPs which apply to the MidCoast area. Council is continuing to move towards long-term consistency across the available residential zones through its Housing Strategy, and this planning proposal supports these directions as an interim measure.

4.2 Relationship to Strategic Planning Framework

4.2.1 *Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?*

The planning proposal is considered to be generally consistent with the objectives and actions contained within the *Hunter Regional Plan 2036*. The key directions relevant to this planning proposal are outlined below:

- ***Direction 21 – Create a compact settlement***

Action 21.1 aims to promote development that respects the landscape attributes and the character of the metropolitan area, towns and villages. The revised land use table for the R1 General Residential zone will allow this to occur, through permitting most residential housing types, along with compatible land uses to service the day to day needs of towns and villages in Manning region.

Action 21.5 aims to promote small-scale renewal in existing urban areas, in consultation with the community and industry to ensure that this occurs in the right locations. The revised land use table for the R1 General Residential zone will allow this to occur, through permitting most residential housing types.

- ***Direction 22 – Promote housing diversity***

Action 22.2 encourages housing diversity, to match forecast changes in household sizes. The revised land use table for the R1 General Residential zone will support housing diversity, through permitting a variety of residential housing types and the planning proposal does not substantially alter the current range of densities achievable in the R1 General Residential zone. Further, the proposed local provision will ensure any future applications for manufactured home estates will be subject to Council's development controls (including a new draft Development Control Plan), and SEPP 36 and this will result in consistent application of appropriate design and siting outcomes.

- **Direction 23 – Grow centres and renewal corridors**

Action 23.1 aims to concentrate growth in strategic centres, local centres and urban renewal corridors to support economic and population growth and a mix of uses. The revised land use table for the R1 General Residential zone and the proposed local provision will help achieve this through prohibiting “manufactured home estates”, which are potentially better located where there is access to more services and infrastructure, whilst retaining the flexibility of the current R1 General Residential zone. This will be further addressed as the Housing Strategy and comprehensive MidCoast LEP are developed and implemented in the longer-term.

4.2.2 Is the Planning Proposal consistent with the local council’s Community Strategic Plan, or other local strategic plan?

The planning proposal has been assessed against *MidCoast 2030 Shared Vision, Shared Responsibility 2018-2030* - being MidCoast Council’s Community Strategic Plan. There are two value strategies that apply, being:

- We balance the needs of our natural and built environments
- We make opportunities available for the community to inform decisions that shape our future.

The planning proposal is consistent with both of these strategies by:

- responding to the informed discussion of the community in the preparation of the MidCoast Housing Strategy, and their desire for consistency in application of planning processes and outcomes;
- ensuring the review of the R1 General Residential land use table and the proposed local provision considers the impact of manufactured home estates on both the built and natural environment. The planning proposal is optimising land use to meet environmental, social, economic and development needs, and will provide an opportunity (via the public exhibiton of the planning proposal) to determine if the community support this land use planning decision; and
- ensuring the community is provided with the opportunity to inform decisions about the housing and development types that are being provided in their local area in a clear and transpenant manner.

4.2.3 Is the Planning Proposal consistent with applicable state environmental planning policies?

The assessment of the planning proposal against the State Environmental Planning Policies (SEPPs) is provided in Appendix B. The applicable SEPPs are considered below.

SEPP 36 Manufactured Home Estates

The aim of SEPP 36 is to allow manufactured home estates as a form of multi dwelling housing, to provide an alternative to traditional style housing, in suitable locations which are adequately serviced and have access to essential community facilities and services. Further the SEPP aims to provide affordable housing in well-designed estates, with appropriate tenure. The SEPP applies to land where caravan parks are permissible and where manufactured home estates are permissible under an LEP.

The planning proposal is consistent with SEPP 36, as the SEPP does not dictate zones where an LEP must permit or prohibit manufactured home estates. Further, where caravan parks are permissible, the proposed local provision reinforces the SEPP considerations for the development application.

SEPP (Affordable Rental Housing) 2009

The Affordable Rental Housing SEPP aims to provide a consistent planning regime for the provision of affordable rental housing in the State.

The planning proposal is consistent with the Affordable Rental Housing SEPP, as various land uses that are appropriate for affordable rental housing, including secondary dwellings and group homes, continue to be permissible in the R1 General Residential zone. The proposed local provision includes a definition of manufactured home estates and provides clarity in relation to consistent standards and assessment criteria.

SEPP (Housing for Seniors or People with a Disability) 2004

The Housing for Seniors or People with a Disability SEPP aims to increase the supply and diversity of well-designed residences that meet the needs of seniors or people with a disability, and make efficient use of existing infrastructure and services.

The planning proposal is consistent with the Housing for Seniors or People with a Disability SEPP, as it does not impact the permissibility of housing to which the SEPP applies in the R1 General Residential zone.

4.2.4 Is the Planning Proposal consistent with applicable Ministerial Directions?

The planning proposal has been considered in relation to applicable Ministerial Directions (known as s.9.1 Directions as they are identified within that Section of the *Environmental Planning and Assessment Act 1979*). The assessment of the planning proposal against the Ministerial Directions is provided in Appendix C. The applicable Ministerial Directions are considered in the table below which demonstrates that the planning proposal is consistent with the Ministerial Directions.

Consistency with Ministerial Directions

Ministerial Direction	Relevance	Consistency
3.1 Residential Zones	<p>This direction applies to this planning proposal as it will affect land within an existing residential zone, being the R1 General Residential zone.</p> <p>The relevant objectives of this direction are to encourage a variety and choice of housing types and to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services.</p>	<p>This planning proposal, through the review of the R1 land use table and the proposed local provision does:</p> <ul style="list-style-type: none"> • include provisions that enables ongoing choice of building types and locations available in the housing market (because although it prohibits manufactured home estates, it does continue to permit multi dwelling housing, along with many other types of residential accommodation) • continue to encourage more efficient use of existing infrastructure and services thought the retention of the zone objectives (and overall aims in the Greater Taree LEP 2010) • propose no change to the consumption of land for housing and associated urban development on the urban fringe • propose no change to any provisions that relate to housing design. <p>The planning proposal is consistent with this Direction.</p>

Ministerial Direction	Relevance	Consistency
3.2 Caravan Parks and Manufactured Home Estates	<p>This direction applies to this planning proposal as it seeks to prohibit manufactured home estates and innominate uses in the R1 General Residential zone.</p> <p>The relevant objectives of this direction are to provide for a variety of housing types, and to provide opportunities for caravan parks and manufactured home estates.</p>	<p>This planning proposal, through the review of the R1 land use table and the proposed local provision does:</p> <ul style="list-style-type: none"> ensure manufactured home estates are not permitted in the excluded areas outlined in Schedule 2 of SEPP 36 take into account the principles listed in Clause 9 of SEPP 36 permit caravan parks in at least three zones in each of the LEPs proposed to be amended. <p>The planning proposal is consistent with this Direction.</p>
4.1 Acid sulfate soils	Applies when a planning proposal affects land containing acid sulfate soils.	<p>This planning proposal does not propose new provisions or intensification of land uses on land containing acid sulfate soils. Nor does it alter the relevance or effect of assessment that will be given to the relevant acid sulfate soil controls, which will be considered if a development application was lodged on land to which the planning proposal applies.</p> <p>The planning proposal is consistent with this Direction.</p>
4.2 Mine subsidence and unstable land	Applies when a planning proposal affects land that is within a mine subsidence district or has been identified as unsuitable in a study.	<p>This planning proposal does not impact on any known mine subsidence area. Any future development application would address these issues if they were evident on a site.</p> <p>The planning proposal is consistent with this Direction.</p>
4.3 Flood prone land	Applies when a planning proposal creates, removes or alters a zone or a provision that affects flood prone land.	<p>This planning proposal is not site specific and does not change the zone of land. Nor does it alter the relevance or effect of the relevant flood controls, which will be considered if a development application was lodged on land to which the planning proposal applies.</p> <p>The planning proposal is consistent with this Direction.</p>
4.4 Bushfire protection	Applies when a planning proposal affects or is in proximity to land mapped bushfire prone land.	<p>This planning proposal is not site specific and does not change the zone of land. Nor does it alter the relevance or effect of the relevant bushfire controls, which will be considered if a development application was lodged on land to which the planning proposal applies.</p> <p>The planning proposal is consistent with this Direction.</p>
5.10 Implementation of Regional Plans	A planning proposal must be consistent with the relevant Regional Plan.	<p>The planning proposal is consistent with the <i>Hunter Regional Plan 2036</i> – refer section 4.2.1.</p> <p>The planning proposal is consistent with this Direction.</p>
6.1 Approval and referral requirements	A planning proposal must ensure LEP provisions encourage the efficient and appropriate assessment of development.	<p>The planning proposal does not alter the approval or referral requirements for developments and specifically does not contain provisions that relate to concurrence, consultation or referral of development applications to a Minister or public authority.</p> <p>The planning proposal is consistent with this Direction.</p>

Ministerial Direction	Relevance	Consistency
6.3 Site specific provisions	Applies when a planning proposal will allow a particular development to be carried out.	<p>The planning proposal does not allow a particular development and will not contain drawings that show a particular development.</p> <p>It amends the R1 General Residential land use table and does not substantially change the range of land uses that are “permissible with consent”.</p> <p>The planning proposal is consistent with this Direction.</p>

4.3 Environmental, Social and Economic Impact

4.3.1 *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

No. The planning proposal seeks to close the R1 General Residential zone in the Greater Taree LEP 2010, and introduce a local provision to define “manufactured home estates”, permit “manufactured home estates” where “caravan parks” are permissible and apply consistent standards and assessment criteria in the short-term. Future development applications lodged over land to which the planning proposal relates will be assessed on merit and due regard will be given to critical or threatened species/habitats. Council will still require a thorough ecological assessment to accompany any development application consistent with the *Environmental Planning and Assessment Act 1979*.

4.3.2 *Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?*

No. The planning proposal seeks to close the R1 General Residential zone in the Greater Taree LEP 2010, and introduce a local provision to define “manufactured home estates”, permit “manufactured home estates” where “caravan parks” are permissible and apply consistent standards and assessment criteria in the short-term. Any likely environmental effects will be realised when development applications are lodged over land to which the planning proposal relates in the future. At which stage, Council will assess environmental effects consistent with the *Environmental Planning and Assessment Act 1979*.

4.3.3 *Has the Planning Proposal adequately addressed any social/economic effects?*

Whilst there is a need for housing diversity, including smaller, lower cost homes as a consequence of an ageing population and the socio-economic demographic in the MidCoast Council area (as evidenced by the *Hunter Regional Plan 2036* and Council’s research on land supply), the proposed amendments do not reduce the potential for housing diversity, but do provide a more consistent and transparent approvals pathway.

The planning proposal seeks to close the R1 General Residential zone in the Greater Taree LEP 2010. The review of the land use table seeks to have the least possible impact on the current permissibility and prohibition of other land uses in the R1 General Residential zone, and does not change the objectives of the zone. Various types of residential accommodation will remain permissible land uses in the zone. The planning proposal also introduces a local provision to define “manufactured home estates”, permit “manufactured home estates” where “caravan parks” are permissible and apply consistent standards and assessment criteria.

The social and economic effects of the planning proposal are considered minimal and any likely effects will be realised when development applications are lodged over land to which the planning proposal relates in the future. At which stage, Council will assess social and economic effects consistent with the *Environmental Planning and Assessment Act 1979*.

4.4 Section D – State and Commonwealth Interests

4.4.1 *Is there adequate public infrastructure for the Planning Proposal?*

There are no public infrastructure implications with the planning proposal.

The planning proposal seeks to close the R1 General Residential zone in Greater Taree LEP 2010 and introduce a local provision to define “manufactured home estates”, permit “manufactured home estates” where “caravan parks” are permissible and apply consistent standards and assessment criteria in the short-term. Therefore, the public infrastructure requirements remain generally the same as prior to this planning proposal being prepared.

4.4.2 *What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?*

Consultation has not yet been undertaken with State and Commonwealth agencies, with the exception of the Department of Planning and Environment response (January 2019) that triggered this version of the planning proposal.

The following public agencies have been identified for consultation during public exhibition:

- NSW Department of Planning and Environment
- NSW Housing

Should the Proposal be significantly amended as a result of agency consultation, it may be reported back to Council and the Department of Planning and Environment for an amended Gateway Determination.

5. Mapping

No mapping changes are required as result of this planning proposal.

6. Community consultation

The planning proposal will be made publicly available for a minimum of 28 days and will be exhibited in accordance with Section 3.34(2)(c) of the *Environmental Planning and Assessment Act 1979*. The following will be undertaken:

- notices in the local newspapers;
- exhibition material and all relevant documents will be available at Council’s Administrative Offices; and
- exhibition material and all relevant documents will be available on Council’s website.

Any further consultation required by the Gateway Determination will also be undertaken.

7. Project timeline

The project timeline will be subject to Council and the State Government's resources, but it is expected a planning proposal of this nature would be completed within 6 months of the date of the Gateway determination.

The following table provides an indication of the expected timelines for progression of the planning proposal.

Task	Responsibility	Timeframe	Date (approx.)
Gateway determination	Department of Planning and Environment		May 2019
Public and State agency consultation	MidCoast Council	4 weeks	June 2019
Consideration of submissions	MidCoast Council	4 weeks	July 2019
Planning proposal reported to Council (if required)	MidCoast Council	4 weeks	August 2019
Making of Local Environmental Plan	MidCoast Council	4 weeks	September 2019

8. Conclusion

The planning proposal is considered to have strategic merit because it is consistent with the aims of the Department's review to improve the regulation of manufactured homes and estates, caravan parks and camping grounds in NSW, and is consistent with the planning approach recommended by the Department in January 2019. Namely, it addresses the matters of location, simpler planning and clearer land use zonings for manufactured home estates.

The planning proposal maintains the overall objectives of the Greater Taree LEP 2010 R1 General Residential zone and seeks to introduce a local provision to define "manufactured home estates", permit "manufactured home estates" where "caravan parks" are permissible and apply consistent standards and assessment criteria in the short-term.

The planning proposal aims to facilitate housing diversity and housing affordability in the form of manufactured home estates, in suitable, adequately serviced locations, to meet the current and future demographic needs of the community. Importantly, any future applications for this land use will be subject to Council's development controls, and will potentially result in better design outcomes for the end resident.

Further, the planning proposal is consistent with *Hunter Regional Plan 2036* and Council's *Community Strategic Plan – MidCoast 2030 Shared Vision, Shared Responsibility 2018-2030*.

Appendix A – Comparison of existing and proposed General Residential land uses

Development is "permitted without consent" (WOC), "permitted with consent" (WC), and "prohibited" (P). Development that is not WOC or P, is considered to be WC.

Comparison below is made between the existing and proposed Greater Taree R1 General Residential zone.

✓ or ✗ is written in land use table, ✓ or ✗ in implied from land use table (based upon land use table structure, use of "group term" definitions or other policy ie. SEPPs).

R1 General Residential Zone Land Use Comparison

Land Use	Existing Greater Taree (R1)			Proposed Greater Taree (R1)		
	WOC	WC	P	WOC	WC	P
Advertising structure		✓			✓	
Air transport facilities			✗			✗
Airstrips			✗			✗
Agriculture (excl. aquaculture)			✗			✗
Amusement centres			✗			✗
Animal boarding & training estab.			✗			✗
Artisan food & drink industry			✗			✗
Attached dwellings		✓			✓	
Backpackers' accommodation		✓			✓	
Bed and breakfast accommodation		✓			✓	
Boarding houses		✓			✓	
Boat building & repair facilities			✗			✗
Boat launching ramps		✓			✓	
Boat sheds			✗		✓	
Brothels			✗			✗

Land Use	Existing Greater Taree (R1)			Proposed Greater Taree (R1)		
	WOC	WC	P	WOC	WC	P
Building identification signs		✓			✓	
Business identification signs		✓				✗
Business premises			✗			✗
Camping grounds			✗			✗
Canal estate development			✗			✗
Car parks		✓				✗
Caravan parks			✗			✗
Cellar door premises			✗			✗
Centre-based child care facilities		✓			✓	
Cemeteries		✓			✓	
Charter & tourism boating facilities			✗			✗
Commercial premises			✗			✗
Community facilities		✓			✓	
Community health service facilities			✗		✓	
Correctional centres			✗			✗
Crematorium		✓				✗
Dairies (pasture based & restricted)			✗			✗
Depots			✗			✗
Dual occupancies (attached & detached)		✓			✓	
Dwelling houses		✓			✓	
Early education & care facility			✗		✓	

Land Use	Existing Greater Taree (R1)			Proposed Greater Taree (R1)		
	WOC	WC	P	WOC	WC	P
Eco-tourist facilities			✗			✗
Educational establishments;		✓			✓	
Electricity generating works			✗			✗
Emergency services facilities		✓			✓	
Entertainment facilities			✗			✗
Environmental protection works		✓			✓	
Exhibition homes		✓			✓	
Exhibition villages		✓			✓	
Extensive agriculture			✗			✗
Extractive industry		✓				✗
Farm buildings			✗			✗
Farm stay accommodation		✓				✗
Feedlot			✗			✗
Flood mitigation works		✓			✓	
Food & drink premises			✗			✗
Forestry			✗			✗
Freight transport facilities			✗			✗
Function centres			✗			✗
Funeral homes			✗			✗
Group homes		✓			✓	
Health consulting rooms		✓			✓	
Heavy industrial storage estab.			✗			✗



Land Use	Existing Greater Taree (R1)			Proposed Greater Taree (R1)		
	WOC	WC	P	WOC	WC	P
Helipads			✗			✗
Heliports			✗			✗
High technology industries			✗			✗
Highway service centres		✓				✗
Home-based child care		✓			✓	
Home businesses		✓			✓	
Home industries		✓			✓	
Home Occupations	✓			✓		
Home occupations (sex services)			✗			✗
Hospitals		✓				✗
Hostels		✓			✓	
Hotel or motel accommodation		✓			✓	
Industrial retail outlets			✗			✗
Industrial training facilities			✗			✗
Industries			✗			✗
Information & education facilities		✓			✓	
Intensive livestock agriculture			✗			✗
Intensive plant agriculture			✗			✗
Jetties		✓			✓	
Kiosks			✗			✗
Landscaping material supplies			✗			✗
Liquid fuel depots			✗			✗

Land Use	Existing Greater Taree (R1)			Proposed Greater Taree (R1)		
	WOC	WC	P	WOC	WC	P
Livestock processing industries			X			X
Local distribution premises			X			X
Medical centres		✓			✓	
Marinas			X			X
Markets			X			X
Mining		✓				X
Moorings		✓			✓	
Mooring pens			X			X
Mortuaries			X			X
Multi dwelling housing		✓			✓	
Neighbourhood shops		✓			✓	
Neighbourhood supermarkets			X			X
Offensive industries			X			X
Offensive storage establishments			X			X
Office premises			X			X
Oyster aquaculture		✓			✓	
Passenger transport facilities			X			X
Places of public worship		✓			✓	
Plant nurseries			X			X
Pond based aquaculture		✓			✓	
Port facilities			X			X
Pub			X			X

Land Use	Existing Greater Taree (R1)			Proposed Greater Taree (R1)		
	WOC	WC	P	WOC	WC	P
Public administration buildings			✗			✗
Public utility undertaking		✓			✓	
Recreation areas		✓			✓	
Recreation facilities (indoor)		✓			✓	
Recreation facilities (outdoor)		✓				✗
Recreation facilities (major)			✗			✗
Registered clubs			✗			✗
Residential care facilities		✓			✓	
Residential flat buildings		✓			✓	
Resource recovery facilities			✗			✗
Respite day care centres		✓			✓	
Restaurants or cafes		✓			✓	
Restricted premises		✓				✗
Restriction facilities		✓				✗
Retail premises			✗			✗
Roads		✓			✓	
Roadside stalls			✗			✗
Rural industries			✗			✗
Rural supplies			✗			✗
Rural workers dwellings			✗			✗
Sawmill or log processing works			✗			✗
School based child care		✓			✓	

Land Use	Existing Greater Taree (R1)			Proposed Greater Taree (R1)		
	WOC	WC	P	WOC	WC	P
Schools		✓			✓	
Secondary dwellings		✓			✓	
Self-storage units			✗			✗
Semi-detached dwellings		✓			✓	
Seniors housing		✓			✓	
Serviced apartments		✓			✓	
Service stations		✓			✓	
Sewage reticulation systems		✓			✓	
Sewage treatment plants		✓			✓	
Sewerage systems		✓			✓	
Sex services premises			✗			✗
Shop			✗			✗
Shop top housing		✓			✓	
Small bar			✗			✗
Specialised retail premises			✗			✗
Stock & sale yards			✗			✗
Storage premises			✗			✗
Take away food & drink premises		✓			✓	
Tank based aquaculture		✓				
Telecommunication facilities	✓	✓		✓	✓	
Timber yards			✗			✗
Transport depots			✗			✗

Land Use	Existing Greater Taree (R1)			Proposed Greater Taree (R1)		
	WOC	WC	P	WOC	WC	P
Truck depots			✗			✗
Turf farming			✗			✗
Vehicle body repair workshops			✗			✗
Vehicle repair stations			✗			✗
Vehicle sales or hire premises			✗			✗
Veterinary hospitals		✓			✓	
Warehouse or distribution centres			✗			✗
Waste disposal facilities			✗			✗
Waste or resource Mgt facilities			✗			✗
Water recreation structures		✓			✓	
Water recycling facilities		✓			✓	
Water reticulation systems		✓			✓	
Water supply systems		✓			✓	
Water treatment facilities		✓			✓	
Wharf or boating facilities			✗			✗
Wholesale supplies		✓				✗

Appendix B – Consistency with State Environmental Planning Policies

State Environmental Planning Policy (SEPP)	Consistency
14. Coastal Wetlands	N/A
19. Bushland in Urban Areas	N/A
21. Caravan Parks	N/A
26. Littoral Rainforests	N/A
30. Intensive Agriculture	N/A
33. Hazardous and Offensive Development	N/A
36. Manufactured Home Estates	Consistent
44. Koala Habitat Protection	N/A
50. Canal Estate Development	N/A
52. Farm Dams and Other Works in Land & Water Management Plans	N/A
55. Remediation of Land	N/A
62. Sustainable Aquaculture	N/A
64. Advertising and Signage	N/A
65. Design Quality of Residential Apartment Development	N/A
70. Affordable Housing (Revised Schemes)	N/A
71. Coastal Protection	N/A
Affordable Rental Housing 2009	Consistent
Building Sustainability Index: BASIX 2004	N/A
Exempt and Complying Development Codes 2008	N/A
Housing for Seniors or People with a Disability 2004	Consistent
Infrastructure 2007	N/A
Integration and Repeals 2016	N/A
Mining, Petroleum Production and Extractive Industries 2007	N/A
Rural Lands 2008	N/A
State and Regional Development 2011	N/A
State Significant Precincts 2005	N/A
Urban Renewal 2010	N/A

Appendix C – Consistency with S9.1 Ministerial Directions

State Environmental Planning Policy (SEPP)	Consistency
1.1 Business and Industrial Zones	N/A
1.2 Rural Zones	N/A
1.3 Mining, Petroleum Production, Extractive Industries	N/A
1.4 Oyster Aquaculture	N/A
1.5 Rural Lands	N/A
2.1 Environmental Protection Zones	N/A
2.2 Coastal Protection	N/A
2.3 Heritage Conservation	N/A
2.4 Recreational Vehicle Areas	N/A
3.1 Residential Zones	Consistent
3.2 Caravan Parks and Manufactured Home Estates	Consistent
3.3 Home Occupations	N/A
3.4 Integrating Land Use and Transport	N/A
3.5 Development Near Licensed Aerodromes	N/A
3.6 Shooting Ranges	N/A
4.1 Acid Sulfate Soils	Consistent
4.2 Mine Subsidence and Unstable Land	Consistent
4.3 Flood Prone Land	Consistent
4.4 Planning for Bushfire Protection	Consistent
5.1 Implementation of Regional Strategies	N/A
5.2 Sydney Drinking Water Catchments	N/A
5.3 Farmland of State/Regional Significance on Far North Coast	N/A
5.4 Commercial/retail development - Pacific Highway, North Coast	N/A
5.8 Second Sydney Airport: Badgerys Creek	N/A
5.9 North West Rail Link corridor Strategy	N/A
5.10 Implementation of Regional Plans	Consistent
6.1 Approval and Referral Requirements	Consistent
6.2 Reserving Land for Public Purposes	N/A
6.3 Site Specific Provisions	Consistent
7.1 Implementation of a Plan for Growing Sydney	N/A
7.2 Implementation of Greater Macarthur Land Release Investigation	N/A