

Gateway Determination

Planning proposal (Department Ref: PP-2022-2086): to prohibit caravan parks on land zoned RU2 Rural Landscape and R5 Large Lot Residential

I, the Executive Director, Local and Regional Planning at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Nambucca Local Environmental Plan 2010 to prohibit caravan parks on land zoned RU2 Rural Landscape and R5 Large Lot Residential should proceed subject to the following conditions:

1. Prior to exhibition, the planning proposal is to be updated to:
 - note that the proposal is justifiably inconsistent with section 9.1 Direction 6.2 Caravan Parks and Manufactured Home Estates; and
 - amend page 8 to state that manufactured home estates are not permissible on land zoned RE1 Public Recreation pursuant to Schedule 6 clause 6 of SEPP (Housing) 2021;
 - include a discussion on the proposal's consistency with the draft North Coast Regional Plan 2041;
 - include a savings provision which identifies that a development application for a caravan park made but not finally determined before the commencement of the LEP amendment must be finally determined as if the plan has not commenced.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021) and must be made publicly available for a minimum of 20 working 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 *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021).

Exhibition must commence within two months following the date of the gateway determination.
3. Consultation is required with the NSW Rural Fire Service (NSW RFS) under section 3.34(2)(d) of the EP&A Act. The NSW RFS is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 30 days to comment on the proposal.
4. 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 EP&A 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).

5. The LEP should be completed within six months from the date of the Gateway determination.

Dated

19 July 2022



Malcolm McDonald
Executive Director
Local and Regional Planning
Department of Planning and Environment

Delegate of the Minister for Planning