

Gateway Determination

Planning proposal (Department Ref: PP-2025-2134): reclassification of 8 sites and the rezoning and amendment of development standards of 4 sites to facilitate residential development.

I, the Director, Hunter and Northern Region at the Department of Planning, Housing and Infrastructure, 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 Port Stephens Local Environmental Plan 2013 for the reclassification of 8 sites and the rezoning and amendment of development standards of 4 sites should proceed subject to the following:

The proposal is to be completed on or within 9 months of the Gateway determination date.

Gateway Conditions

1. Prior to agency and community consultation, the planning proposal is to be updated to detail whether the subject allotments will be listed in Part 1 or Part 2 of Schedule 4 'Classification and reclassification of public land' of the Port Stephens LEP 2013.
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 Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working days
 - (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 Guideline* (Department of Planning and Environment, August 2023) and LEP Practice Note PN 16-001 'Classification and reclassification of public land through a local environmental plan'.
3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act (or any other part of the Act) and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:
 - NSW Department of Climate Change, Energy, the Environment and Water
 - NSW Rural Fire ServiceEach public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working days to comment on the proposal.
4. A public hearing will be required to be held in accordance with section 29(1) of the *Local Government Act 1993*. This must occur after the exhibition has ended and at least 21 days public notice is to be given before the hearing.

5. Council must ensure that all relevant obligations in relation to the reclassification of public land through the LEP are undertaken in accordance with the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and LEP Practice Note PN 16-001 'Classification and reclassification of public land through a local environmental plan'.

Dated 9 February 2026



Craig Diss
Director, Hunter and Northern Region
Local Planning and Council Support
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning and
Public Spaces