



IRF25/1508

Gateway determination report – PP-2024-2727

*Additional Permitted Use for a Function Centre at 893 Paterson Road,
Woodville*

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Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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Table 1 Reports and plans supporting the proposal

Relevant reports and plans
Attachment A – Planning Proposal - 893 Paterson Rd, Woodville (Gateway)
Appendix A - LUCRA Report
Appendix B - Biodiversity Assessment

Relevant reports and plans

Appendix C - Flood Impact and Risk Assessment

Appendix D - Bush Fire Assessment Report

Appendix E - Noise Impact Assessment

Appendix F - Supporting Letter

Appendix G - Council Meeting Minutes - Woodville Function Centre - 10-06-2025

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Port Stephens
PPA	Port Stephens Council
NAME	893 Paterson Road, Woodville – Additional Permitted Use (APU), function centre
NUMBER	PP-2024-2727
LEP TO BE AMENDED	Port Stephens LEP (PLEP) 2013
ADDRESS	893 Paterson Road, Woodville
DESCRIPTION	Lot 10 DP 1035397
RECEIVED	13/06/2025
FILE NO.	IRF25/1508
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1.2 Objectives of planning proposal

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal. The objectives of the planning proposal are to:

- amend the Port Stephens Local Environmental Plan (LEP) 2013 to include an additional permitted use under Schedule 1 of the LEP which permits the use of the site for a function centre.

The objectives of this planning proposal are clear and adequate.

1.3 Explanation of provisions

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved. The planning proposal seeks to amend the Port Stephens LEP 2013 per the changes below:

Control	Current	Proposed
Zone	RU1 Primary Production.	No change.

Control	Current	Proposed
Maximum height of the building (HOB)	N/A.	N/A.
Floor space ratio (FSR)	N/A.	N/A.
Additional local provisions	Development for the purpose of a 'function centre' is not permitted within the current RU1 Primary Production zone under the LEP.	Include additional provision under Schedule 1 of the LEP which permits the use of the site for a function centre with development consent. Identify the subject site as a function centre on the Additional Permitted Uses Map.
Total Number of dwellings	1 dwelling on the site.	No change.

'Function centre' as defined by the Port Stephens LEP 2013 is a prohibited use within the RU1 Primary Production Zone. Consent was granted for 'Temporary Use of Land - Marriage Ceremonies' on the subject land in 2018 under Clause 2.8 of the LEP which permits the temporary use of land regardless of its permissibility but limits the number of days it can be used for such purposes.

The current temporary use of the site for 'Marriage Ceremonies' has been operating for 7 years and is currently in force until September 2028. This planning proposal seeks to permit function centres permanently on the site. This would allow a future development application to be considered by Council for a permanent function centre that could also include reception facilities to be constructed on the site without being restricted by the lapsing of the consent.

1.4 Site description and surrounding area

The planning proposal involves Lot 10 DP1035397, 893 Paterson Road, Woodville (the site) and is occupied by a rural dwelling and several outbuildings. The dwelling and outbuilding are located approximately 100 – 200 metres west from the front boundary (Paterson Road) (Figure 1).

The site is generally surrounded by land zoned RU1 Primary Production and approximately 9 kilometres northeast of Maitland. The site is bound by Paterson Road to the east, and Paterson River to the west. Adjoining the site to the north and south is land primarily used for primary production. Vehicular access is provided via an internal access road on the eastern boundary of the site, from Patersons Road.

Immediately to the south is the 'Albion Farm Gardens' which features several landscaped gardens used for private outdoor functions such as weddings. Further to the south-east of the site is a small cluster of buildings consisting of the Woodville School of Arts (community) Hall and Iona Public School (Figure 2).



Figure 1: Subject site outlined in red (source: as edited, Nearmaps 2025)



Figure 2: Site context (source: Nearmaps 2025)

1.5 Mapping

The site will be identified on the APU map with 'function centre' permitted on the site (Figure 3).

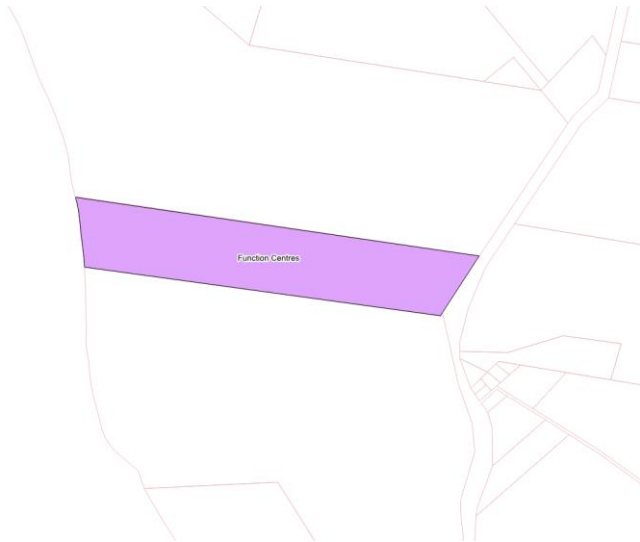


Figure 3: Extract of proposed Additional Permitted Uses Map. (source: planning proposal documentation)

2 Need for the planning proposal

The planning proposal is not the direct result of an endorsed strategy or report. The planning proposal aims to amend Schedule 1 of the LEP and the APU map to permit a function centre at 893 Paterson Road, Woodville.

The proposal is considered the best means to achieve the intended outcomes as the RU1 Primary Production Zone currently prohibits function centres. Council has granted consent on 2 occasions for the temporary use of the site for wedding ceremonies. The proposal aims to formalise the permanent use of the site for a function centre to allow wedding ceremonies and associated reception activities to both occur on the subject land.

It would not be appropriate to amend the land use table for the RU1 Primary Production Zone as this approach would permit function centres throughout the zone on sites which may be unsuitable.

The site has secured itself as a destination place in the local economy as a wedding venue that draws local and interstate visitors to the area. The formalisation and expansion of the wedding ceremony operations to a range of functions on the subject site will provide a source of employment and income for future staff.

This planning proposal responds to three key strategic documents; the Hunter Regional Plan (HRP) 2041, Port Stephens Local Strategic Planning Statement (LSPS), Port Stephens Community Strategic Plan (CSP), and the Port Stephens Hinterland Place Plan (HPP).

3 Strategic assessment

3.1 Hunter Regional Plan 2041

The NSW Department of Planning and Environment released the HRP 2041 in December 2022. The District Plan contains priorities to unlock sustainable growth opportunities and investments, as well as housing choice and lifestyle opportunities to retain the Hunter's position as a leading regional economy in Australia. The planning proposal is consistent with objective 8 of the HRP 2041 and the objectives of the Hinterland Districts in the Hunter as outlined below.

OBJECTIVE 8: Plan for businesses and services at the heart of healthy, prosperous and innovative communities

The planning proposal will contribute to a collaborative place that attracts ongoing tourism and supports domestic and interstate visitors. This will be provided through a unique landscaped place and setting that avoids land use conflict. The planning proposal does not seek to make 'function centres' a permissible use across the entirety of the RU1 Primary Production zone. Rather it proposes a site-specific APU as a 'function centre', which has been demonstrated to be an appropriate use for the site.

Visitor economy

The planning proposals will facilitate (on a minor scale) tourism activities in the area. A Land Use Conflict Risk Assessment (LUCRA) accompanies the proposal which concludes that the proposed APU is compatible with the characteristics of the site and existing and likely future land uses in the vicinity of the site. The APU is of a scale and type of tourism land use that can be supported by the local transport network and complements the surrounding landscape setting.

Hinterland District

The site is identified within the Hinterland District Under Part 3 of the HRP 2041. The planning proposal will permit function centres on the site. That proposal would contribute to the promotion of rural enterprises and diversification of land uses across the Hinterland District.

It is considered that the proposal is consistent with the broader objectives of Part 3 of the HRP 2041. It contributes to the delivery of well-located, diverse rural enterprises where people can continue to work in rural areas and stay connected to their communities.

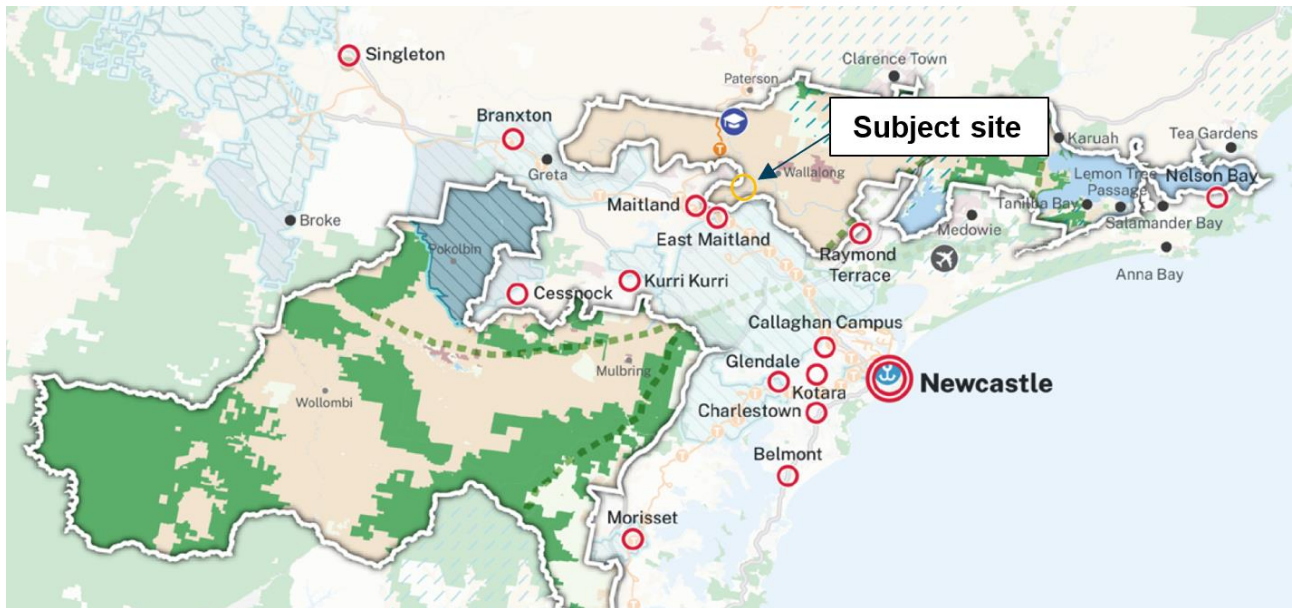


Figure 4: The 2 hinterland districts of the Hunter and approximate location of the subject site (source: as edited Hunter Regional Plan 2041)

3.2 Local Plans

The proposal is consistent with the following local plans and endorsed strategies, as stated in Table 3 below:

Table 3: Local strategic framework

Local Strategies	Justification
Local Strategic Planning Statement	<p>The planning proposal aligns with several key planning priorities within the LSPS for the Port Stephens, including:</p> <ul style="list-style-type: none"> • Planning Priority 2 - Make business growth easier: The use of the site for wedding ceremonies has become a successful small business and the proposal is looking to expand the capacity and improve the standard and level of services provided to visitors and patrons; and • Planning Priority 3 – Support Tourism and Attract Events: A future function centre will attract local and interstate visitors who require local accommodation and would potentially extend their stay to visit other regional attractions in the area, such as the Cessnock Vineyards. • Priority 9: Protect and Preserve Productive Agricultural Land: A Land Use Conflict Risk Assessment (LUCRA) has been carried out and can be found at (Appendix A). This concludes that the proposal will be appropriate for the site and is unlikely to result in adverse impacts on surrounding properties or the agricultural use of surrounding land.
Port Stephens Community Strategic Plan 2022-2032	The planning proposal is consistent with the Community Strategic Plan as it seeks to enhance an existing local business by permitting the use of a function centre on the site to deliver tourism and support local business adding to the diversity of businesses in the area.
Port Stephens Hinterland Place Plan (HPP)	The proposal aligns with the HPP as the APU would not compromise the intent of the HPP to protect and promote the values of the hinterland environment and economy.

3.3 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant and applicable section 9.1 Ministerial directions is discussed below. The planning proposal is consistent with all applicable section 9.1 directions other than those discussed in Table 4.

Table 4: 9.1 Ministerial Direction assessment

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
3.1 Conservation Zones	Justified inconsistency	<p>The planning proposal is inconsistent with this Direction as the land contains a small area of biodiversity value adjoining the river on the western boundary and does not propose provisions to protect this land.</p> <p>The inconsistency is considered to be of minor significance as the proposed function centre will not be located near this area and no adverse impacts to the area of biodiversity value are anticipated.</p>

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
4.1 Flooding	Justified inconsistency	<p>The planning proposal is inconsistent with the Direction as the site is part flood prone and will allow an intensification of development and does not propose provisions that give effect to:</p> <ul style="list-style-type: none"> • NSW Flood Prone Land Policy; • the principles of the Floodplain Development Manual 2005; • the Considering flooding in land use planning guideline 2021; and • any adopted flood study. <p>The inconsistency is considered to be of minor significance as:</p> <ul style="list-style-type: none"> • the site has already been used for wedding ceremonies for 7 years; • the intent of the proposal is only to allow an associated reception centre to complement the existing use for wedding ceremonies and to make these activities permanent; • the site has a sufficient flood warning period to allow events to be cancelled and/or guests evacuated; • areas of the site are located above both the flood planning level and the PMF; and • Port Stephens LEP 2013 contains clauses 5.21 and 5.22 which will ensure an appropriate flood assessment at the development application stage. <p>It is considered however that the Gateway should include a condition to require agency consultation with State Emergency Services (SES) and Department of Climate Change, Energy, the Environment and Water (DCCEEW).</p>
4.2 Coastal Management	Unresolved	<p>Part of the site towards the western boundary is located in the Coastal Use Area and the Coastal Environment Area.</p> <p>While it considered that the proposal is generally in accordance with the relevant requirements of the Coastal Management Act 2016 and NSW Coastal Design Guidelines 2023, it is recommended consistency with the Direction remain unresolved until Council has completed the checklist required by the Coastal Design Guidelines.</p> <p>A condition to complete and include the checklist in the planning proposal prior to exhibition has been included in the Gateway determination.</p>

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
4.3 Planning for Bushfire Protection	Unresolved	<p>The proposal is inconsistent with this Direction as the land is classified as bushfire prone and does not satisfy all the requirements of the Direction.</p> <p>A Bush Fire Assessment Report has been submitted with the proposal that indicates the site is able to comply with the requirements of Planning for Bush Fire Protection 2019.</p> <p>Until consultation post Gateway is undertaken with the NSW RFS as required by the Direction, consistency with this Direction remains unresolved.</p>
4.4 Remediation of Contaminated Land	Unresolved	<p>The proposal is potentially inconsistent with this Direction as agricultural land uses that have been undertaken on the site are listed in Table 1 of the contaminated land planning guidelines.</p> <p>The proposal has not been supported by a preliminary site investigation (PSI) to determine if the land is contaminated and whether the land is suitable for a function centre.</p> <p>It is recommended that the Gateway determination include a condition to undertake a PSI to enable the planning proposal authority to confirm consistency with the Direction.</p>
Direction 4.5 – Acid Sulfate Soils	Justified inconsistency	<p>The proposal is inconsistent with this Direction as the land contains Class 1, Class 3, Class 4 and 5 acid sulfate soils and an acid sulfate soils study was not submitted with the planning proposal to support the intensification of development.</p> <p>This inconsistency is considered to be of minor significance as:</p> <ul style="list-style-type: none"> the proposed development area within the site contains only Class 4 and 5 acid sulfate soils which are classified as low risk; and the Port Stephens LEP 2013 and DCP 2014 already contain adequate provisions to ensure that this issue can be properly assessed and managed in any future development application that involves excavation.
9.2 Rural Lands	Unresolved	<p>The proposal is inconsistent with this Direction as it permits an additional permitted use on the land and does not comply with all of the Direction requirements.</p> <p>The proposal is supported by a LUCRA which concludes that the proposal 'will be appropriate for the site and its setting and is unlikely to result in adverse impacts on surrounding properties or the agricultural use of surrounding land.'</p> <p>It is recommended that the Gateway determination require consultation with DPI Agriculture before the consistency of the proposal with the Direction is determined.</p>

3.4 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs.

4 Site-specific assessment

4.1 Environmental

Flooding

The subject site is located on the floodplain of the Paterson River, around 3km upstream of Dunmore Bridge at Woodville.

The topography of the local floodplain (**Figure 5**) is generally flat and low-lying. The site includes a levee and has an approximate ground level of 7 - 9m AHD. A low-lying flood channel east of the levee runs through the site (north to south). The existing residential and farm buildings, and location of the proposed function centre are on higher grounds within the central area of the site.

A small local catchment drains through the eastern portion of the site across an existing internal access road and bridge structure and through to an on-site dam before crossing Paterson Road at the south-east corner of the site. The lowest elevation of the access road is approximately 4.6m AHD.

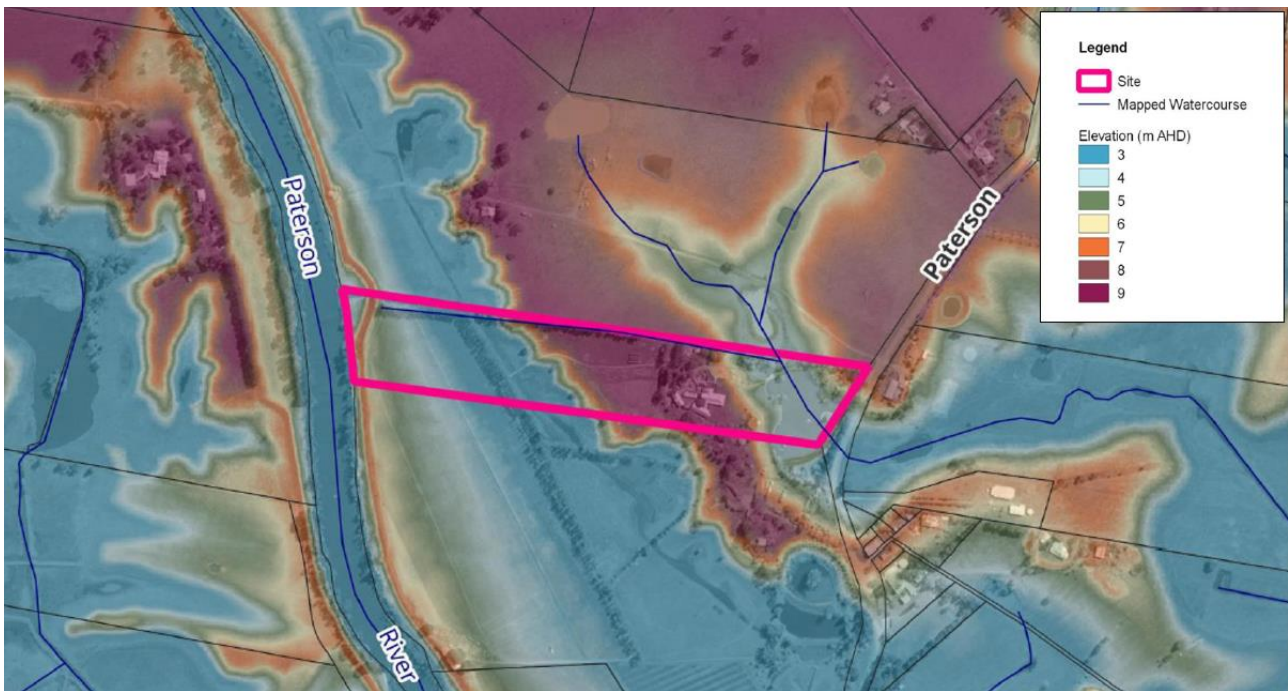
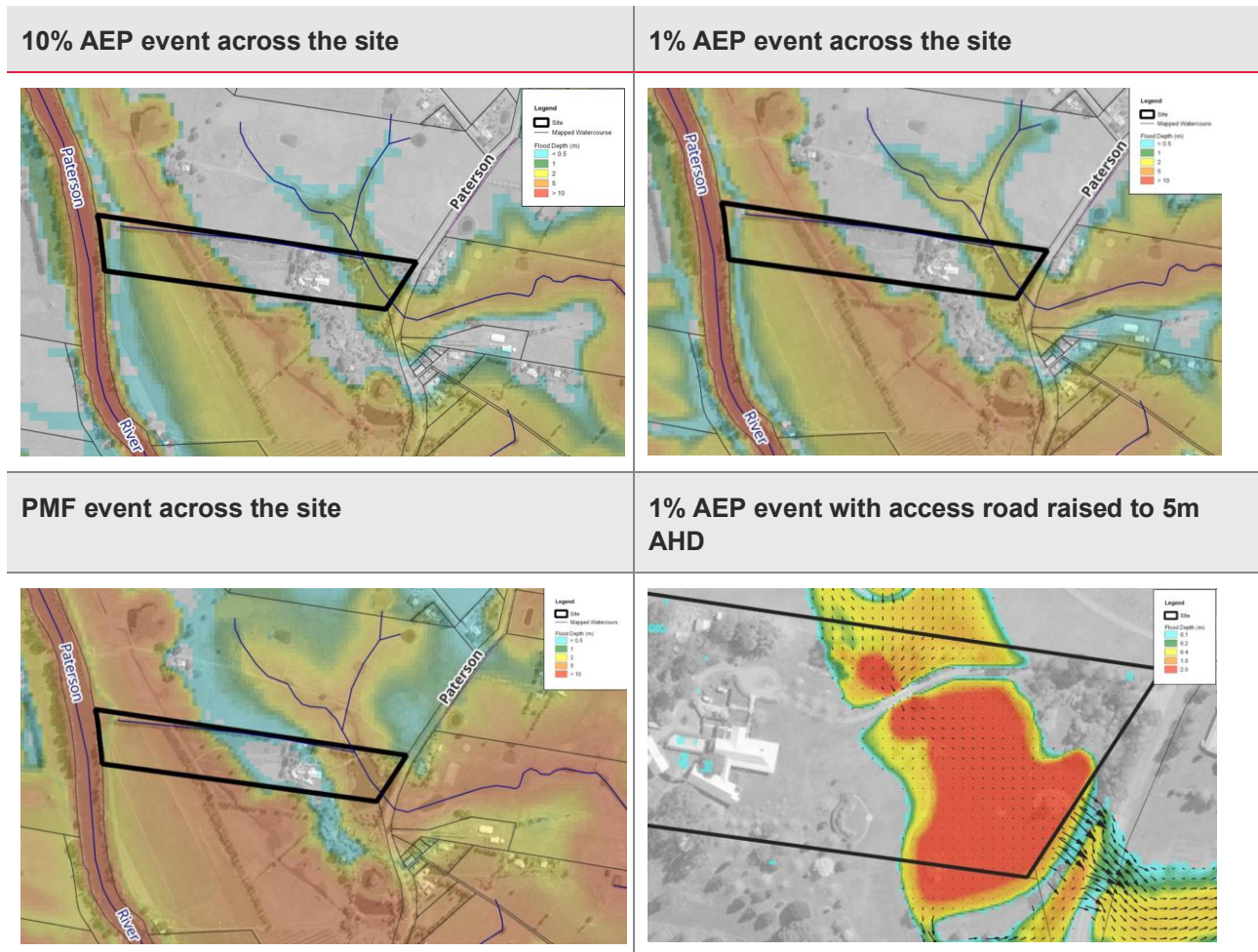


Figure 5: Site levels (source: Appendix C – Flood Impact and Risk Assessment Report)

A Flood Impact and Risk Assessment (FIRA) (**Appendix C**) prepared by Torrent Consulting accompanied the planning proposal. The report notes that the proposed location on the site for a potential function centre will remain predominantly flood free for major flood events (**Table 5**).

The main flood risk associated with the site is isolation. Internal site access and the local road network are cut during events in excess of the 10% AEP event (**Table 5**). Minor raising of the access road (140mm) can permit site access up to the 1% AEP event (**Table 5**), with negligible downstream impacts though the local road networks (Paterson Road) are inundated during the 1%AEP.

Table 5: Flood events across the site showing the 10% AEP, 1% AEP and PMF (source: Appendix C – Flood Impact and Risk Assessment Report).



Warning times provided by the Bureau of Meteorology (BoM) of approximately 12-hours are also available before the site is cut off during a flood event. As such, sufficient lead time is available to evacuate the site prior to loss of local flood access. Further to the evacuation opportunities, the APU does not introduce a permanent population at the site and the availability of early flood warning enables events booked at the site to be cancelled.

The FIRA demonstrates that the planning proposal and proposed future development of the site is compatible with the existing flood hazard profile and does not adversely impact life, property, and off-site flood impacts. There is no floodway, no impact on existing flood conditions, no additional dwelling density and no sensitive land use proposed for the development. Flood warnings provided by the BoM allow patrons and staff to avoid being on site during an event.

Accordingly, the planning proposal is considered to be compatible with the known flood risk. It is however recommended that Council consult with Department of Climate Change, Energy, the Environment and Water (DCCEEW) – Flooding and the NSW State Emergency Service to confirm that the flood impact risk assessment is satisfactory.

Noise

The subject site is located in a rural zone and is generally characterised by surrounding rural lands. A noise impact assessment (NIA) accompanies the planning proposal that assesses the potential impacts of noise from a proposed function centre with amplified noise on the surrounding rural areas and nearby rural residential receivers.

The NIA notes that suitable mitigation measures can be undertaken to ensure no adverse impact to adjoining land owners. It is considered that these measures can be appropriately and adequately assessed at the development application stage.

4.2 Social and economic

The planning proposal will create positive social outcomes within the area. The planning proposal provides for an APU for function centres, promoting a vibrant, rural enterprises and diversification of the rural environment. Additionally, a proposed function centre offers a place for the community to meet, socialise, host events, strengthening social ties and will provide a source of employment and income for future staff.

4.3 Infrastructure

Electricity and telecommunications infrastructure are available to the site.

Reticulated sewer and water are not available. The proposal notes that rainwater tanks can be used to provide adequate water supply and that an on-site wastewater disposal report prepared in June 2023 concluded that the site is suitable for an on-site wastewater management system.

No additional community or social infrastructure is required as a result of the proposal.

No state infrastructure is anticipated to be needed for the proposed function centre.

5 Consultation

5.1 Community

The planning proposal is categorised as a standard under the LEP Making Guidelines (September 2022). Accordingly, a community consultation period of 20 working days is recommended and this forms part of the conditions to the Gateway determination.

5.2 Agencies

It is recommended the following agencies be consulted on the planning proposal and given 30 working days to comment:

- Department of Primary Industries and Regional Development – Agriculture;
- Department of Climate Change, Energy, the Environment and Water – Flooding;
- NSW State Emergency Services and
- NSW Rural Fire Services.

6 Timeframe

The LEP Plan Making Guidelines (August 2023) establishes maximum benchmark timeframes for planning proposal by category. This planning proposal is categorised as a standard.

An LEP completion date of 9 months in line with the Department's commitment to reducing processing times and with regard to the benchmark timeframes is recommended.

7 Local plan-making authority

Council has advised that it would like to exercise its functions as a Local Plan-Making Authority.

As it is considered that the proposal only deals with local planning matters that are generally consistent with strategic planning framework, it is recommended that Council be authorised to be the local plan-making authority for this proposal.

8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- the proposed APU has been determined to have site specific merit and strategic merit;
- it is consistent with the objectives and priorities of the Hunter Regional Plan 2041, Port Stephens Local Strategic Planning Statement, Port Stephens Community Strategic Plan, and the Port Stephens Hinterland Plan; and
- the site has been operating in a similar manner that has been underway for some time with the temporary use of the land without any adverse impacts; and
- it supports a viable future business that, is compatible with the surrounding RU1 Primary Production zone and associated flood risk, benefits the Port Stephens Council Area and the Hunter Region.

9 Recommendation

It is recommended the delegate of the Secretary:

- agree that any inconsistencies with section 9.1 Directions; 4.1 Flooding; and 4.5 Acid Sulfate Soils are justified; and
- Note that the consistency with section 9.1 Directions 4.2 Coastal Management, 4.3 Planning for Bushfire Protection, 4.4 Remediation of Contaminated Land, and 9.2 Rural Lands are unresolved and will be considered after the required information is provided and consultation with NSW Rural Fire Service and DPIRD Agriculture has occurred.

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to conditions.

The following conditions are recommended to be included on the Gateway determination:

2. Prior to public exhibition, the planning proposal be updated to:
 - a) to include the checklist required by the Coastal Design Guidelines.
 - b) Include a preliminary site contamination investigation report that confirms that site is suitable for its intended use.
3. Consultation is required with the following public authorities:
 - Department of Primary Industries and Regional Development – Agriculture;
 - Department of Climate Change, Energy, the Environment and Water – Flooding;
 - NSW State Emergency Services; and
 - NSW Rural Fire Services.
4. The planning proposal should be made available for community consultation for a minimum of 20 working days.



9 July 2025

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10 July 2015

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