



IRF26/4209

Gateway determination report – PP-2025-1782

Medowie Precinct J rezoning

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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 PP-2025-1782 – Version 4 – March 2026

Attachment E – Flood Impact Risk Assessment – December 2025

Attachment H – Council advice – Revised rezoning plan – 8 May 2026

Attachment J – Council advice – Revised rezoning plan – 22 May 2026

Attachment K – Biodiversity Development Application Report – January 2026

Hunter Water Preliminary Servicing Advice – August 2022

Stormwater Management Plan & Water Sensitive Urban – December 2025

Archaeological Due Diligence Assessment – November 2025

Traffic Impact Assessment – December 2025

Preliminary Site Investigation – December 2025

Strategic Bushfire Study – December 2025

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Port Stephens
PPA	Port Stephens Council
NAME	Medowie Precinct J rezoning
NUMBER	PP-2025-1782
LEP TO BE AMENDED	Port Stephens LEP 2013
ADDRESS	17, 19, 21, 23, 25, 27 and 29 Ferodale Road, Medowie
DESCRIPTION	Lots 1-2 DP 407773, Lot 191 DP 664436, Lot A DP 393174, Lot 2 DP 593462, Lot 5 DP 249781, Lot 4 DP 249781
RECEIVED	2/04/2026
FILE NO.	IRF26/4209
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 Background

The subject land is part of a broader site known as Medowie Precinct J in Port Stephens Council's Housing Supply Plan (refer Section 3 below).

The land was previously the subject of a scoping proposal referred to agencies in 2023 and 2024 (**Attachments B-D**). Concerns had been raised about the proposal's intention to rezone land below the existing flood planning level (FPL) to residential and rely on cut and fill that would be undertaken in the future to manage flood risks.

The rezoning plan in the planning proposal, while revised from earlier versions, still proposes to rezone land below the FPL to residential and to mitigate impacts through substantial earthworks that are yet to be undertaken (Figure 1). Further, the supporting Flood Impact Risk Assessment (FIRA) indicates the earthworks would cause off-site impacts under climate change scenarios. Advice was therefore requested from DCCEEW which confirmed the approach was not suitable and further investigation was required before the extent of flood prone land suitable for housing could be determined (**Attachment G**).

These concerns were raised with Port Stephens Council which in lieu of doing further investigation, submitted a revised zoning map that sought to apply a residential zone to only those parts of the site that were not flood prone (**Attachment H**). DCCEEW was consulted on the revised approach, and no concerns were raised (**Attachment I**).

Council's revised zoning plan was subsequently amended by Council to clarify the parts of the site to be either zoned C2 Environmental Conservation or retain the current R5 Large Lot Residential zoning (Figure 2). Two small areas of existing R5 zoned land are proposed to retain their R5 zoning to more easily facilitate stormwater management (western area) and to accommodate an existing rural-residential dwelling (eastern area). As these changes were considered minor, they were not referred to DCCEEW for comment prior to Gateway.

The following Gateway assessment is provided against the submitted March 2026 planning proposal and the revised rezoning plan (Figure 2) as proposed by Council on 22 May 2026 (**Attachment J**).

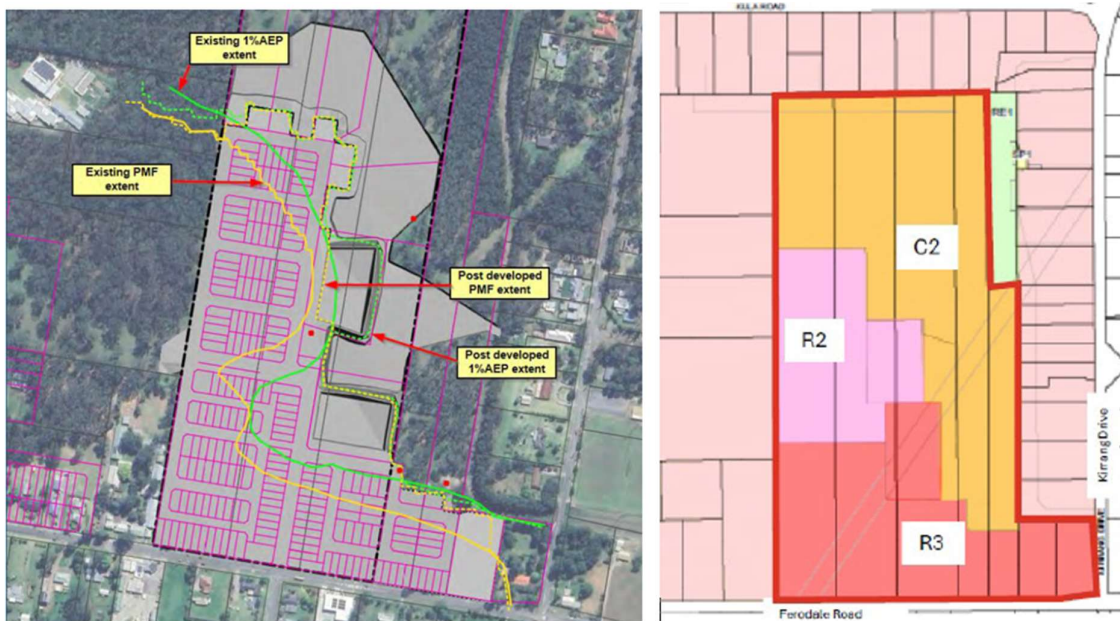


Figure 1: Flood extent and proposed zones (source: FIRA and Planning Proposal)

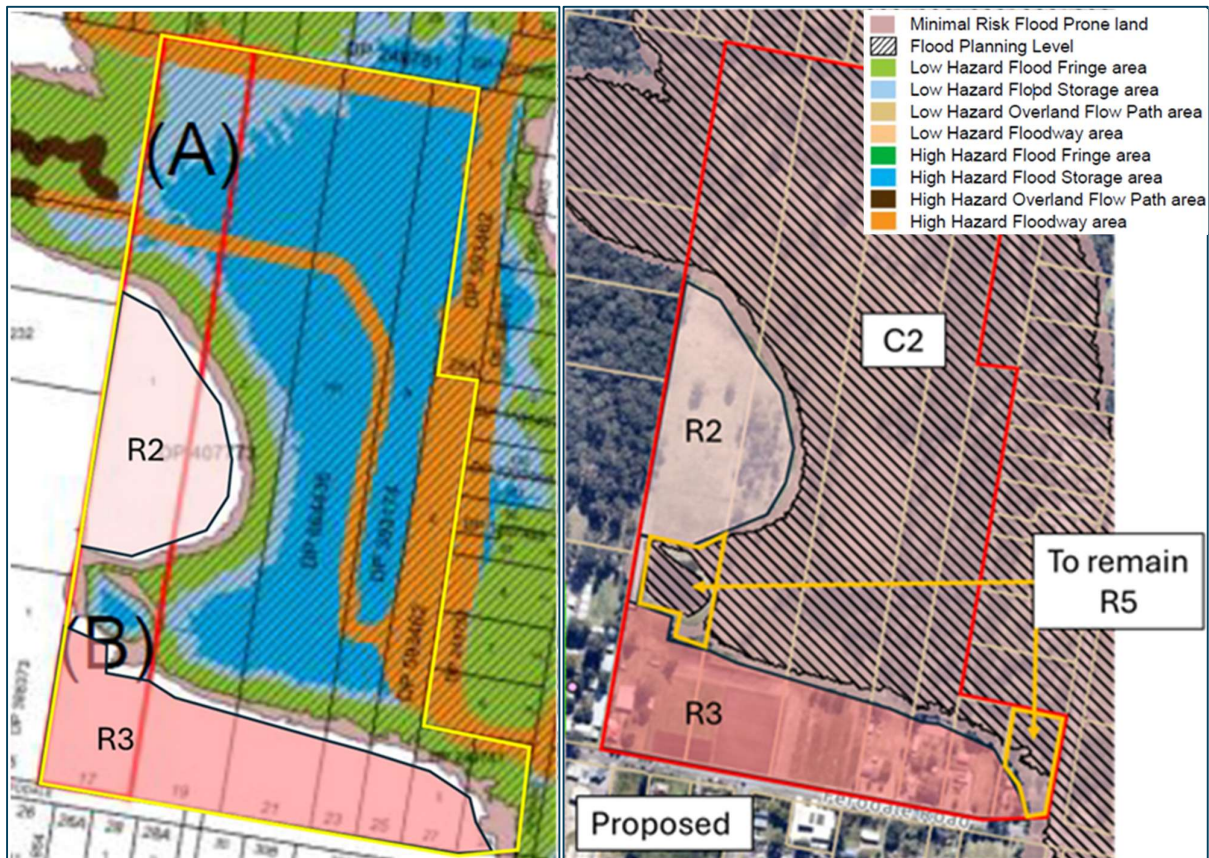


Figure 2 Revised Council-proposed rezoning plan (Source: Council 22 May 202)

1.3 Objectives of planning proposal

The planning proposal (**Attachment A**) contains objectives and intended outcomes that explain the intent of the proposal.

The objective of the planning proposal is to rezone land to facilitate low density and medium density residential development and conservation outcomes on the land.

While the submitted planning proposal is based on a proposed development footprint (Figure 1) which relies upon major cut and fill earthworks, this was not explicitly described in the Objectives of the planning proposal. As a result, Council's revised rezoning plan remains consistent with the objectives of the planning proposal.

1.4 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 (as amended by the revised rezoning plan):

Table 3 Current and proposed controls

Control	Current	Proposed
Land Zoning	R5 Large Lot Residential	R2 Low Density Residential R3 Medium Density Residential R5 Large Lot Residential C2 Environmental Conservation
Lot Size	1ha (R5 zone)	300m ² (R2 and R3 zones) 1ha (R5 zone) 40ha (C2 zone)
	40ha (C2 zone)	40ha (C2 zone)
Height of building	no applicable height limit (R5 and C2 zones)	9m (R2 zone)
		15m (R3 zone)
		no applicable height limit (R5 and C2 zone)

The explanation of provisions will need to be revised to ensure it is consistent with the recommended revised zone plan prior to community consultation. A requirement to this effect should be included as a condition of the Gateway determination.

Notwithstanding, as the site would facilitate greenfield housing, it is appropriate that the site be mapped as an urban release area to ensure servicing and that a development control plan is prepared to guide future development.

Development of the site could be further supported by including the site in the Greenfield Housing Code Area Map under the SEPP (Exempt and Complying Development Codes) 2008 to expedite complying development approvals for dwellings.

Council has confirmed it has no objection to the mapping of the site as an urban release area or the inclusion of the site in the Greenfield Housing Code Area Map (**Attachment H**). The planning proposal is to be amended prior to exhibition to incorporate these changes and to state that the proposal will amend the LEP to exact the necessary changes to the Codes SEPP.

1.5 Site description and surrounding area

The planning proposal relates to land at 17, 19, 21, 23, 25, 27 and 29 Ferodale Road, Medowie. The subject land has a total area of approximately 32.41 hectares and is bound by Ferodale Road to the south and the Campvale Drain to the north and east (Figure 3).

The subject land is predominantly rural residential and rural in nature. Existing rural uses include market gardens and the keeping of horses and cattle. Most properties contain a dwelling and associated out-buildings in the portion fronting Ferodale Road.

Surrounding land uses include schools, rural residential dwellings and a mixture of business premises on Ferodale Road. The town centre is 800m to the east, with sports and open space facilities nearby (Figure 4).

The subject properties are largely cleared for grazing cattle with existing dams, although parts of the subject site in the north and east remain vegetated. Vegetation on and adjoining the site is of significance for threatened species including the koala and powerful owl.

The southern and central western parts of the land are elevated, with the remainder lower-lying and subject to local flood inundation (Figure 13), influenced by the presence of the Campvale Drain. The current R5 Large Lot Residential zoning area (Figure 5) largely reflects the flood-free portion of the site. The site is located within the drinking water catchment for Grahamstown Dam, into which waters from the Campvale Drain are received.



Figure 3 Subject site (source: Planning Proposal)



Figure 4 Site context (source: Planning Proposal)

1.6 Mapping

The planning proposal includes mapping showing the proposed changes to the Land Zoning, Lot Size and Height of Buildings maps (Figures 5-7). These maps will need to be revised prior to community consultation to ensure the planning proposal it is consistent with the revised zone plan provided by Council. Greenfield Housing Code and Urban Release Area maps will also need to be prepared. A requirement to this effect should be included as conditions of any Gateway determination.

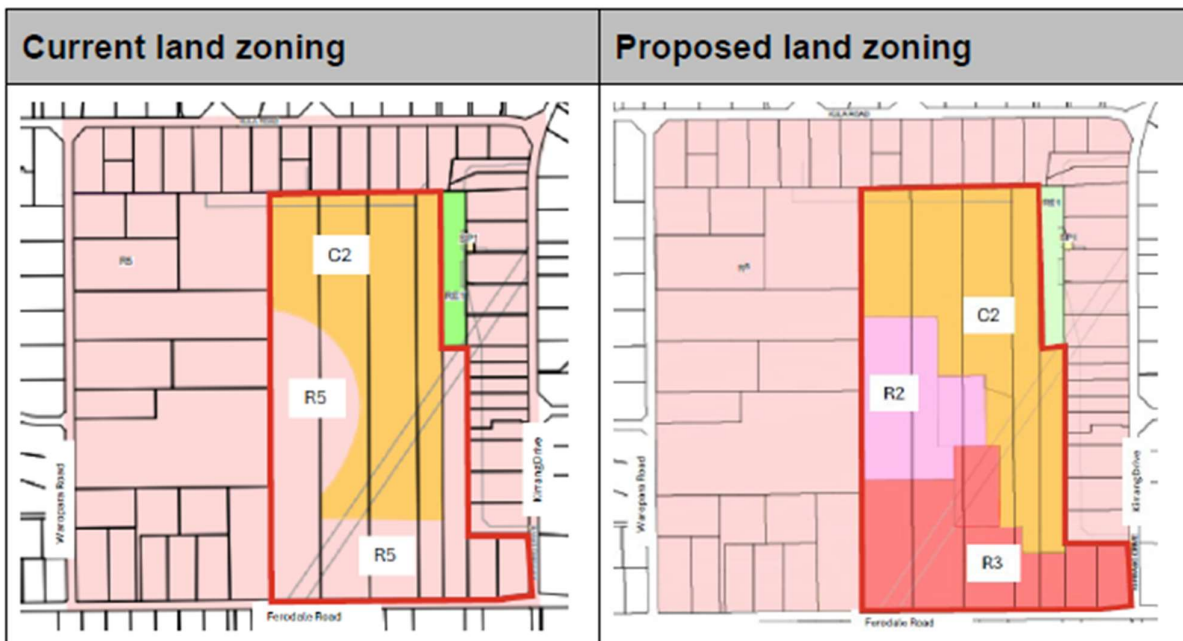


Figure 5 Indicative zoning map (source: Planning Proposal)

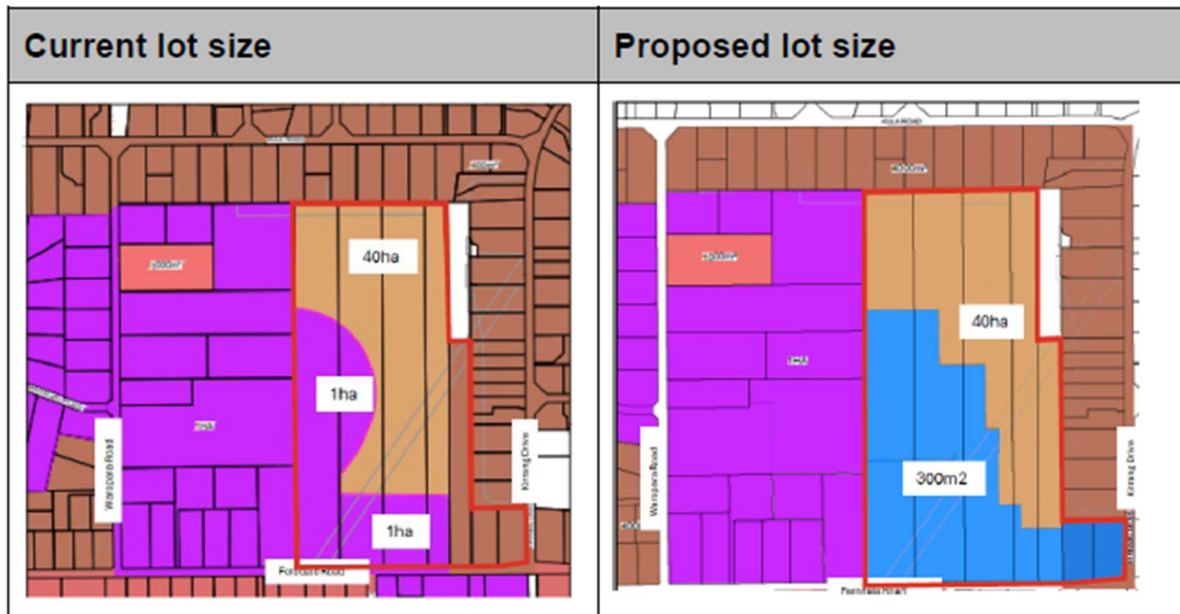


Figure 6 Indicative lot size map (source: Planning Proposal)

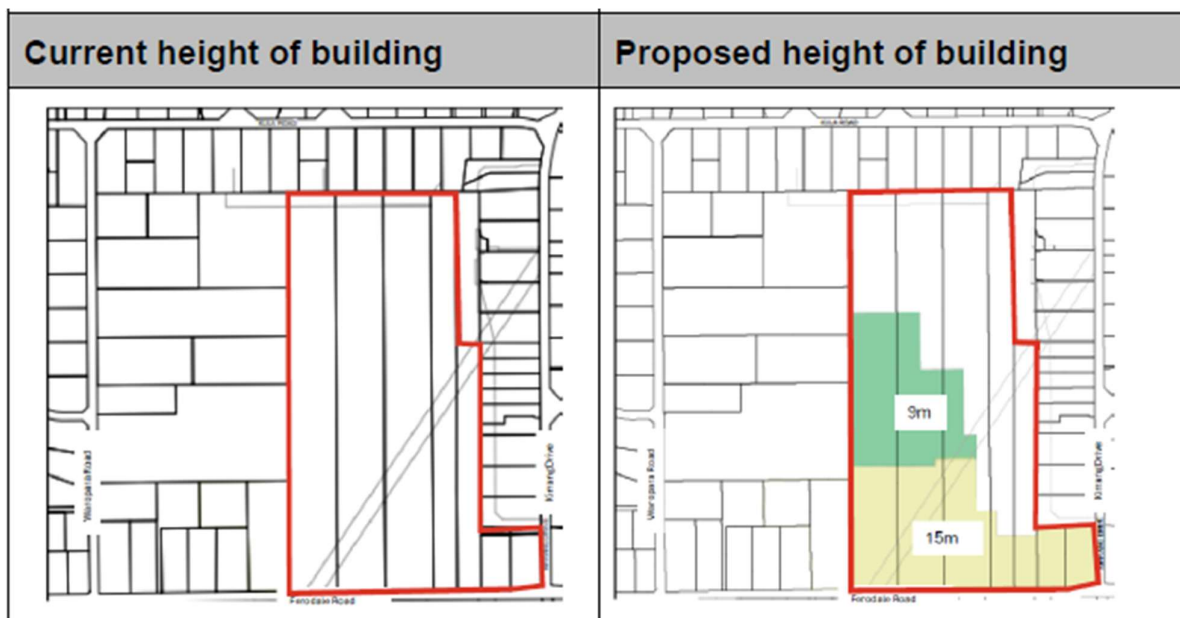


Figure 7 Indicative Height of Buildings map (source: Planning Proposal)

2 Need for the planning proposal

The planning proposal has been initiated by the landowner in response to the site being identified for housing in Council's Local Housing Strategy and Housing Supply Plan endorsed by the Department.

Medowie is identified for greenfield housing growth in regional and local strategies because it is an existing centre near key employment areas such as the Williamstown RAAF base and the Tomago industrial precinct. Development of the site would provide more homes and the residential zones and development standards proposed should support a mix of different housing types.

The planning proposal is considered the only means of achieving the objective and intended outcome.

3 Strategic assessment

3.1 Hunter Regional Plan 2041

An assessment of the planning proposal against the objectives of the Hunter Regional Plan (HRP) 2041 is provided below.

Table 4 Regional Plan assessment

Regional Plan Objectives	Justification
OBJECTIVE 3: Create 15-minute neighbourhoods to support mixed, multi-modal, inclusive and vibrant communities	Objective 3 of the Plan sets a goal of creating 15-minute mixed use neighbourhoods of sufficient density, where residents can live, work, and access daily needs without relying on personal vehicles. The proposal provides for greater housing supply in a location close to the town centre and recreational and educational services, with higher densities located closest to services and transport routes. The proposal will facilitate 15-minute neighbourhoods by locating more residents near their day-to-day needs and promoting a vibrant, walkable community.
OBJECTIVE 5: Plan for 'nimble neighbourhoods', diverse housing and sequenced development	Strategy 5.2 requires local strategic planning to consider amendments to planning and development controls that reflect the desired density targets for the urban core, general urban, inner suburban and general suburban contexts. The proposed increase in housing density in the residential zones supports this objective, with the small lot residential area providing potential for more diverse and affordable housing opportunities.
OBJECTIVE 6: Conserve heritage, landscapes, environmentally sensitive areas, waterways and drinking water catchments	Objective 6 encourages minimising potential development impacts on areas of high environmental value and biodiversity corridors by implementing the 'avoid, minimise and offset' hierarchy. The planning proposal generally seeks to avoid high value areas (and following the revised zoning plan proposed by Council), further avoidance will occur. These areas would be zoned C2 Environmental Conservation. Consultation with DCCEEW should occur to evaluate the proposed approach to biodiversity. Strategy 6.11 requires planning proposals to demonstrate that development within a drinking water catchment or sensitive receiving water catchment will achieve a neutral or beneficial effect on water quality. Further consideration of the proposal in this regard is required in consultation with Hunter Water Corporation.

OBJECTIVE 7: Reach net zero and increase resilience and sustainable infrastructure	The HRP provides that future development must ensure there is no increased risk to residents from natural hazards and that flood impacts are not exacerbated. The original planning proposal was inconsistent with this objective because it would increase risks and reduce resilience to flooding impacts by developing land below the flood planning level. As Council has reduced the land to be rezoned for residential use to land mostly above the PMF, flood risks and impacts have been greatly reduced. Council proposes residents would shelter in place when the site becomes isolated in flash flooding conditions. Consultation with DCCEEW and the NSW SES should be undertaken to confirm the suitability of Council's approach. The site is also bushfire prone and consultation with the NSW RFS is also required. Following consultation with agencies, consistency with this Objective of the regional plan can be determined.
PLANNING PRIORITY 1 (Greater Newcastle District): Prioritise housing within 30 minutes of Williamstown SAP	Medowie is listed as a priority location for future housing to service the identified Williamstown Special Activation Precinct (SAP). While the SAP is no longer proceeding, Williamtown is an aviation and defence hub and remains a focus area for employment and services. Housing will be required nearby to support its future growth.

3.2 Greater Newcastle Metropolitan Plan 2036

An assessment of the planning proposal against the objectives of the Greater Newcastle Metropolitan Plan (GNMP) 2036 is provided below.

Table 5 Greater Newcastle Metropolitan Plan assessment

District Plan Priorities	Justification
Outcome 2: Enhance environment, amenity and resilience for quality of life	The site contains areas with biodiversity values. These areas are mostly zoned C2 Environmental Conservation, with additional areas proposed to be included. This should improve the environmental outcomes resulting from the proposal. By reducing the development footprint to avoid flood risks such that the residential zone would only be applied to those parts of the site above the PMF, the proposal is consistent with the objective's resilience outcomes.
Outcome 3: Deliver housing close to jobs and services	Part of the site is identified for long-term future housing in Medowie to support ongoing economic growth in the Williamtown area. The Planning Proposal will deliver housing close to job opportunities and contribute to housing targets.

3.3 Local

The proposal is generally consistent with the following local plans and endorsed strategies, although the area identified for future development varies between the various strategies, as outlined below.

Table 6 Local strategic planning assessment

Local Strategies	Justification
Local Strategic Planning Statement (LSPS)	Planning Priority 4 of the LSPS aims to ensure suitable land supply by utilising existing and future residential areas, including Precinct J, to provide housing options within 30 minutes of major employment centres in Williamstown, Maitland, Broadmeadow, and Newcastle City Centre. The Planning Proposal is consistent in this regard as it will support growth within the Williamstown area. Planning Priority 5 promotes housing diversity, which this Planning Proposal achieves by offering a new estate with higher densities and small lots to cater for varied housing types.
Port Stephens Local Housing Strategy (LHS) 2024	The LHS is the Department-endorsed local planning strategy for Port Stephens LGA. The strategy's key objectives are to promote housing diversity, affordability, and supply. Medowie is recognised in the LHS as an emerging centre that will play an important role within Newcastle and Greater Port Stephens. The Planning Proposal increases housing supply and density in the Medowie area, enhances housing affordability by enabling smaller lot sizes, and increases housing supply and diversity in proximity to employment opportunities. Action 16 encourages the provision of small lot housing to achieve more efficient and sustainable development outcomes in urban release areas. The Planning Proposal aligns with this action by reducing the minimum lot size to 300m² across the proposed residential area, facilitating small lot housing.
LHS Housing Supply Plan (HSP) 2024	The site is identified in the HSP for residential development within part of 'Precinct J' (Figure 8). The HSP acknowledges that Precinct J will provide more compact urban housing. To maximise available housing areas and offer a broader range of dwelling types, there is a recognised need to increase densities. This aligns with the objectives of the Regional Plan, which advocates for varied densities based on locational criteria.

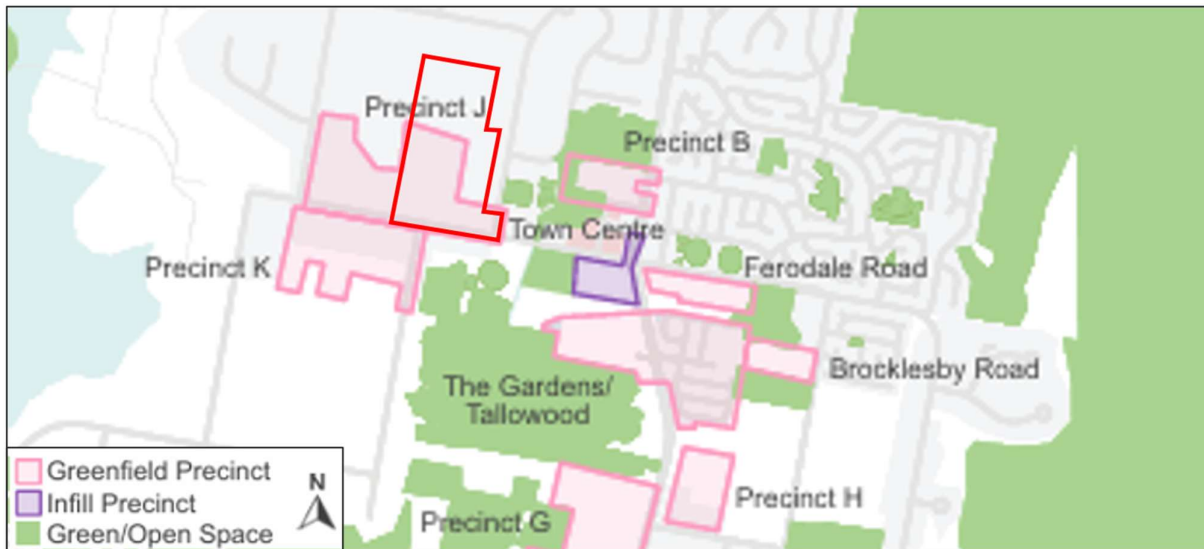


Figure 8 Precinct J in the Local Housing Strategy Housing Supply Plan (2024)

3.4 Section 9.1 Ministerial Directions

The planning proposal is consistent with all relevant section 9.1 Directions except as discussed below:

Table 7 9.1 Ministerial Direction assessment

Directions	Consistency	Reasons for Inconsistency
1.1 Implementation of Regional Plans	Unresolved	The original planning proposal was inconsistent with this direction because the proposed development footprint would increase risks to hazards such as flooding and not protect land with biodiversity values. Following discussion with the Department, Council revised the zoning footprint (Figure 2) to avoid land mapped below the PMF, greatly reducing flood impacts. Formal consultation with DCCEEW should however occur before consistency with the HRP can be fully determined in regard to this issue. Council's changes to the zoning plan would also see the conservation zone expanded across the site, reducing biodiversity impacts. DCCEEW should review the suitability of the proposed conservation zone boundary to inform consistency with the biodiversity outcomes of the regional plan. Consultation with the NSW RFS is required to evaluate whether proposed measures to manage bushfire risks are appropriate.

3.1 Conservation Zones	Unresolved	The original planning proposal was inconsistent with this direction because it proposed to rezone land from C2 Environmental Conservation to R2 Low Density Residential and R3 Medium Density residential. The biodiversity development assessment report (BDAR) prepared for the proposal found parts of the site include habitat for threatened species, including the koala and powerful owl. While vegetated land currently zoned R5 Large Lot Residential along the eastern boundary of the site is proposed to be added to the C2 zone (Figure 5), other areas in the central and southern parts of the site have biodiversity value and these would be removed to facilitate housing (Figures 9-11)). To offset these losses, the proposal would revegetate undisturbed areas and areas that would be disturbed by earthworks (Figure 12). However, following discussion with the Department, Council has revised the zoning footprint (Figure 2) to avoid the proposed residential zoning of land mapped below the PMF. As a result, impacts on any existing habitat for threatened species would be significantly reduced, with these areas now proposed to be zoned C2 Environmental Conservation (Figure 2). The planning proposal will need to be updated prior to community consultation to incorporate the revised zoning footprint and corresponding development control mapping. This requirement should be conditioned in the Gateway determination should the proposal proceed. Consultation with DCCEEW is recommended to confirm the proposal's suitability before determining consistency with this direction.
3.2 Heritage Conservation	Unresolved	A Due Diligence Assessment was undertaken for the planning proposal. The assessment concludes that no Aboriginal sites, objects, or potential archaeological deposits were identified within the site and that there is not a high potential for the land to contain Aboriginal sites. Consultation with the Worimi LALC should however be undertaken to confirm whether Council's approach is appropriate before consistency with the direction can be confirmed.

4.1 Flooding	Unresolved	The site is partly located within the flood planning area and affected by all potential flood events (Figure 13). The original proposal was inconsistent because it would rezone land within the flood planning area from a conservation zone to a residential zone and would permit a significant increase in the dwelling density of that land. The FIRA states that future development can mitigate any flood impacts. It describes the overall development approach is to limit and minimise development extension into flood storage areas while also providing compensatory cut in 'overbank' areas to compensate for the loss in storage. This approach would result in all housing being located above the PMF, thereby avoiding impacts from flooding and enabling shelter in place when the local road network becomes inundated for short periods (up to 3 hours) in flash flooding events. The proposal notes that the designs are preliminary and would be subject to further refinement at the development application stage. Consultation with DCCEEW was undertaken by the Department at Gateway to understand whether the proposed approach is appropriate. DCCEEW advised that filling to the PMF was inconsistent with NSW flood policy, that the FPL and climate change scenarios had not been adequately considered, fill volumes not quantified, and that there was no mechanism proposed to ensure proposed earthworks would occur at the development delivery stage (Attachment E). DCCEEW did not consider the proposal's inconsistency with the direction to be of minor significance and recommended that the development footprint and FIRA be revised prior to progressing past the Gateway stage to determine an appropriate extent of the site for residential zoning. Based on the DCCEEW advice, it is evident that further work was required before the proposal could be supported to progress past Gateway. The Department raised these concerns with Council, and in response, Council submitted the revised zoning footprint (Figure 2) to avoid impacts. DCCEEW has provided preliminary advice that the revised zoning plan presents no concerns for progression through the Gateway (Attachment I). Formal consultation with DCCEEW post-Gateway should occur before consistency with the direction is determined. Consultation with NSW SES regarding flood isolation should also be required.
4.3 Planning for Bushfire Protection	Unresolved	This direction applies to a planning proposal that will affect or is in proximity to land mapped as bushfire prone land. The planning proposal is inconsistent with the Direction because parts of the subject land and adjoining areas are mapped as bushfire prone (Figure 15) and the direction provides that Council must consult with the Commissioner of the NSW Rural Fire Service (RFS) following the issue of a Gateway determination and prior to community consultation. Until this consultation has occurred the inconsistency with the Direction is unresolved.

3.5 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs except as outlined below where the proposal is either inconsistent or a change to the SEPP is proposed:

Table 8 Assessment of planning proposal against relevant SEPPs

SEPPs	Reasons for Consistency or Inconsistency
SEPP (Exempt and Complying Development Codes) 2008	This SEPP was not identified in the planning proposal however Council confirmed it has no objection to including the site in the Greenfield Housing Code Maps in the SEPP, given other sites in the LGA have been mapped to enable the fast-track complying-development approval pathway for dwellings.
Part 3C Greenfield Housing Code	The exclusions on which complying development may not be carried out under clause 1.19 of the SEPP would largely not affect the site.
Draft Climate Change and Natural Hazard SEPP	The draft SEPP includes Climate Change Scenario Guidelines which suggest that for rezoning and strategic planning decisions, the minimum requirement for considering climate change is the 2100 SSP3-7.0 scenario. The FIRA (Attachment E) has modelled a 2100 SSP3-7.0 scenario for the original proposal, which indicates off-site flood level increases of up to 17mm adjacent to the site. This change exceeds the 10mm target threshold for off-site peak flood level impacts set by Council and raises concern in relation to long-term flood risk. The FIRA does not discuss the impact of this flood risk on other property. It instead focuses on the present day 1% AEP event and notes there are negligible off-site impacts and so the proposal is suitable for the site. The revised zoning plan submitted by Council would limit the need for extensive cut and fill to be undertaken. As a result, it is unlikely that impacts on other properties would result under the relevant climate change scenarios. This approach is an adequate response to the requirements of the draft SEPP.

4 Site-specific assessment

4.1 Environmental

Biodiversity and habitat

The planning proposal is supported by a Biodiversity Development Assessment Report (BDAR) undertaken for the wider area identified as Precinct J (**Attachment K**). The BDAR notes that much of the site's biodiversity value (Figure 9) lies within the portion of land currently zoned C2 Environmental Protection, which offers habitat for a range of threatened species including the koala and powerful owl (Figures 10-11). Parts of the site proposed to be cleared due to earthworks are proposed to be revegetated (Figure 12).

By reducing the proposed residential footprint and associated earthworks, Council's revised zoning plan (Figure 2) reduces the area of existing habitat required to be cleared. Council proposes land below the PMF would be zoned C2 Environmental Conservation (excluding the two small areas proposed to be retained as R5) which would include more of the threatened species habitat in the

central and southern parts of the site. It was also noted that while the site contained preferred koala feed trees, no evidence of koala activity was found on the site.

The planning proposal will need to be updated prior to community consultation to incorporate the revised zoning footprint and corresponding development control mapping. Consultation with DCCEEW is recommended to confirm the proposal's suitability.

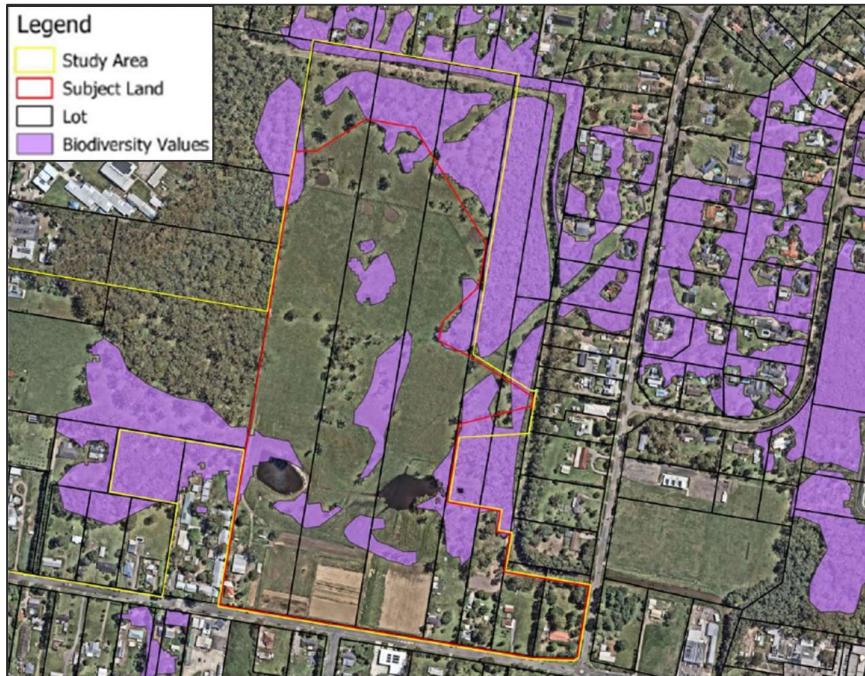


Figure 9 Biodiversity values mapping (source: Planning Proposal BDAR)

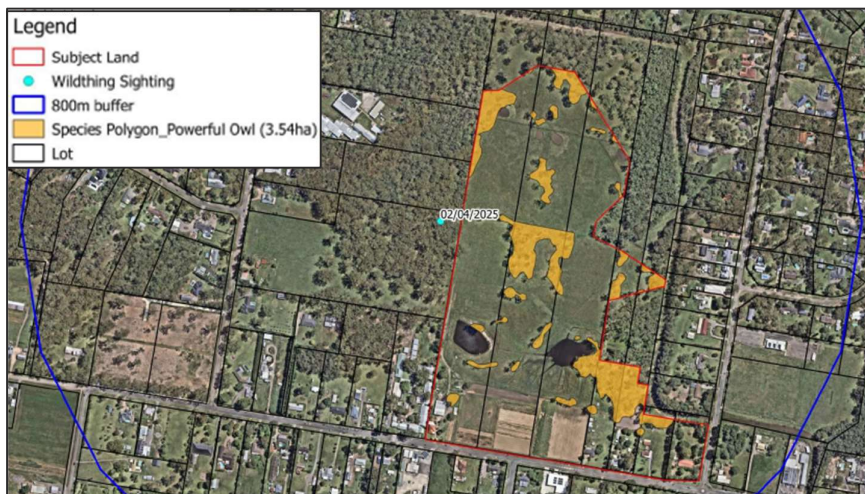


Figure 10 Powerful Owl habitat map (source: Planning Proposal BDAR)

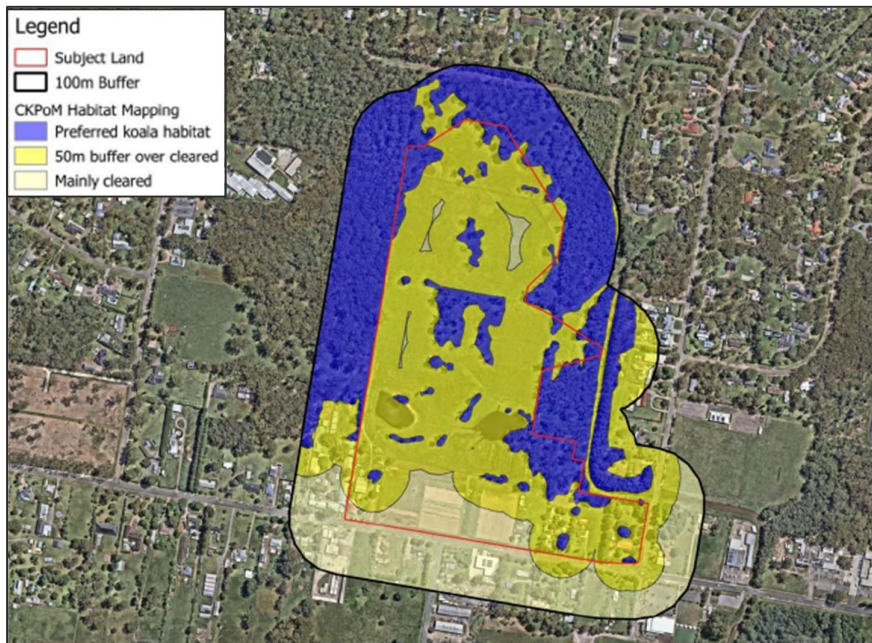


Figure 11 Revised CKPoM Koala Habitat Mapping (source: Planning Proposal)



Figure 12 Post development planting areas

Drinking Water Catchment

The site is located within the drinking water catchment for Grahamstown Dam and water quality considerations apply with rezoning and future development. Council has advised that the Stormwater Management Plan and Water Sensitive Urban Design Strategy adequately demonstrate that water quality requirements are able to be achieved. Should the planning proposal proceed, it should be referred to Hunter Water Corporation for comment on water quality requirements.

Flooding

Parts of the site are subject to flash flooding in a range of flood events (Figure 13).

The original planning proposal sought to rezone parts of this land to a residential zone and rely on major cut and fill works across much of the site to:

- a. raise proposed residential areas above the Probable Maximum Flood level; and
- b. mitigate the filling of existing flood storage areas by excavating additional compensatory flood storage and directing site draining to the Campvale Drain (Figure 14).

The FIRA indicates proposed residential areas are not expected to be impacted by inundation in all events up to the PMF event once earthworks is undertaken. Modelling of various flood scenarios indicate that off-site flood level increases of up to 17mm adjacent to the site for the 1% AEP event plus climate change 2100 SSP3-7.0 scenario would result. The modelled increase in many cases exceeds the 10mm target threshold for off-site peak flood level impacts set by Council.

As discussed, the proposal was provided to DCCEEW who raised concerns and in response Council amended the proposed zoning plan to avoid zoning land below the existing PMF level to avoid land filling and displacement of floodwaters onto other lands. This new approach has received initial support from DCCEEW.

The proposed zoning plan uses the flood levels from Council's 2016 study and as a result does not consider climate change scenarios. To address this issue, Council has included a small buffer between the proposed R2 and R3 land and the PMF line to account for increases in flood levels that may result from climate change (Figure 2). Council states that these areas are likely to include site infrastructure such as perimeter roads and basins rather than housing which would further reduce risks. While this approach appears reasonable and can be refined further at the development application stage, formal consultation with DCCEEW should occur to confirm whether Council's approach is suitable.

It is also noted that the FIRA shows areas of inundations in various events above the PMF on land proposed to be rezoned as R3. It is understood that this is associated with overland stormwater flow rather than riverine flooding and that DCCEEW has raised no concerns in relation to this issue. Formal consultation with DCCEEW should occur however to confirm the suitability of this issue.

Evacuation potential

The principal evacuation access route from the site is along Ferodale Road. Inundation along Ferodale Road occurs in all modelled flood events and may restrict site access. The FIRA predicts a time to inundation for all flood events of 0.1 hours (ie 6 minutes) from start of rain to maximum flood height. Predicted isolation periods are similarly consistent across the range of flood events.

The following key observations are made in the FIRA in relation to flood inundation and isolation:

- Ferodale Road becomes inundated at the onset of the storm with overland runoff;
- The duration of inundation, measured at the location of maximum water depth along Ferodale Road, ranges between 2.7 - 2.9 hours across all flood events;
- Ferodale Road remains trafficable in the 1%AEP (2030 SSP2-4.5 scenario) and 0.5%AEP (2030 SSP2-4.5 scenario) events with hazard category H1;
- In all other events, the road becomes untrafficable with hazard levels reaching up to H2 and up to H5 during the PMF event. However, for most of the inundation period, water depths remain shallow within the H1 hazard category and Ferodale Road remains trafficable; and
- The regional flood modelling excludes potential future site stormwater management controls. These controls may have some effect on overland runoff in this portion of the Site.

The FIRA concludes that formal evacuation would not be feasible given the flash flood conditions at the site. Shelter in Place is proposed and an assessment against the Department's guideline

has been undertaken. The FIRA concludes that Shelter in Place is appropriate because proposed residential areas would be above the PMF and isolation periods would be limited. Consultation with DCCEEW and NSW SES is recommended.



Figure 13 Flood prone (black hatching) parts of the site (source: Planning Proposal)

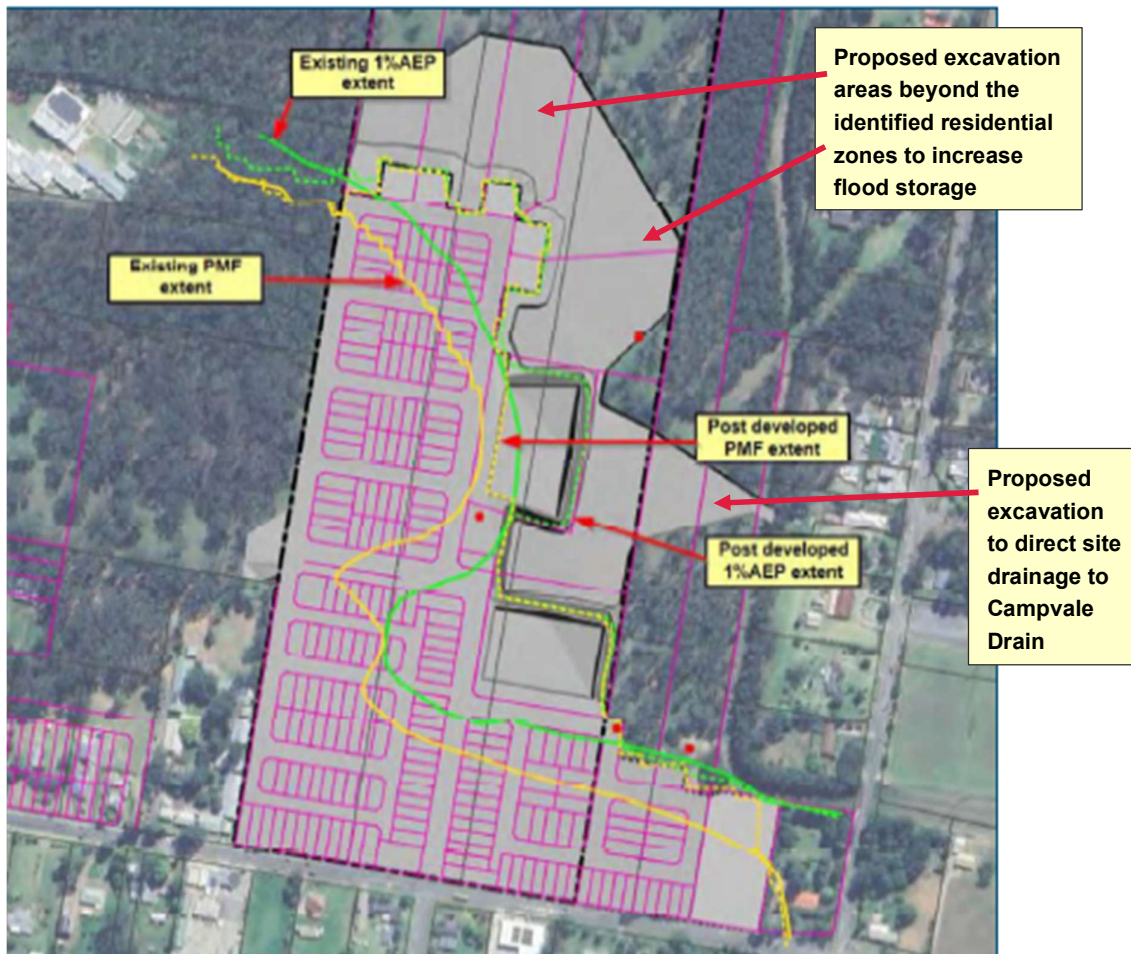


Figure 14 Pre- and predicted post-development flood extent against proposed subdivision and development footprint (source: annotated FIRA map)

Bushfire

The site is mapped as being Bushfire Prone Land (Categories 1 - 3) (Figure 15). A Strategic Bushfire Study has been undertaken in accordance with the provisions of Planning for Bushfire Protection 2019. The assessment concludes that a future subdivision application would be capable of complying with the provisions relating to asset protection zones, access, services, landscaping and building construction as outlined in the policy.

Consultation with the NSW RFS will be required prior to public exhibition of the planning proposal to assess the relative risk to future residents and dwellings and determine requirements for future development.

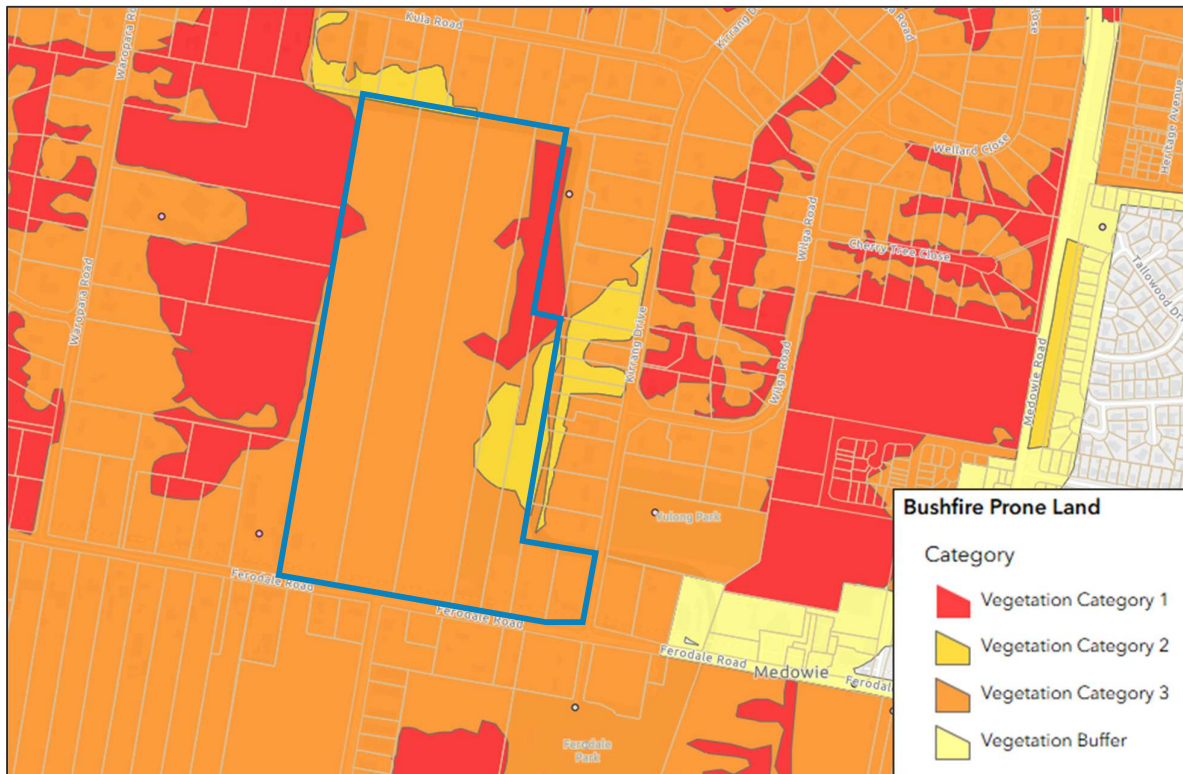


Figure 15 Bushfire prone land in relation to the site (source: Council online mapping)

Contamination

The site has previously been used for rural residential and agricultural purposes with a history of past cropping, orchards, grazing and market gardening.

A Preliminary Contamination Assessment concludes there is negligible contamination on site and that there is no impediment to zoning the land for residential purposes and that contamination can be adequately considered and addressed at the DA stage.

Transport

A Traffic Impact Assessment prepared to support the planning proposal demonstrates that the surrounding road network can accommodate future residential subdivision.

The site benefits from an existing transport network with capacity to support the proposal. Road upgrades where the site adjoins Ferodale Road and pathways have been identified in the indicative concept plan and will be required at the development stage.

The site is within walking distance to shops, community and recreation facilities, and bus stops which connect to Raymond Terrace and Newcastle. It is well-connected by pathways to surrounding facilities including schools.

4.2 Social and economic

Housing

The proposal would have positive social effects by supporting diverse housing types through a combination of low and medium density residential zones to cater to a variety of housing needs close to the Meadowie town centre.

Other positive social and economic benefits outlined within the planning proposal include:

- Provision of housing near major employment areas including Newcastle Airport, RAAF Base Williamtown, Astra Aerolab, Tomago and Heatherbrae.
- Pedestrian, cycle and road connectivity between Ferodale Road and the surrounding area.
- Provision of housing in immediate proximity to existing and under-construction schools.
- Stimulation of local economic activity through increased local spending and demand for new services, facilities, and public transport.

4.3 Infrastructure

Power capacity is available and detailed discussion with Ausgrid would be required at the development application stage. The proposed development layout may require the relocation of the 132kV feeder and easement. Advice from Ausgrid considers overhead relocation to be feasible to maintain the existing rating and connectivity on an altered alignment. This matter will need to be considered with the future development of the site.

The site can be serviced with water and sewer services, subject to a Servicing Strategy being undertaken with future development and in consultation with Hunter Water Corporation.

5 Consultation

5.1 Community

Council proposes to undertake community consultation in accordance with the Gateway determination.

The planning proposal is categorised as a standard proposal under the LEP Plan Making Guidelines (August 2023). Accordingly, a community consultation period of 20 working days is recommended and this forms part of the conditions to the Gateway determination, should the planning proposal proceed.

5.2 Agencies

Council has nominated public agencies to be consulted about the planning proposal.

Should the planning proposal proceed, it is recommended the following agencies be consulted on the planning proposal and given 30 working days to comment:

- Department of Climate Change, Energy, the Environment and Water (DCCEEW) - Conservation Programs, Heritage and Regulation Group
- NSW State Emergency Service (SES)
- NSW Rural Fire Service (NSW RFS)
- Transport for NSW (TfNSW)
- Worimi Local Aboriginal Land Council (LALC)
- Hunter Water Corporation (HWC)
- Ausgrid
- Heritage NSW

6 Timeframe

Council proposes a nine (9) month time frame to complete the LEP.

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

An LEP completion date of 9 month is recommended in line with the Department’s commitment to reducing processing times and with regard to the benchmark timeframes. A condition to the above effect is recommended in the Gateway determination.

7 Local plan-making authority

Council has advised that it would like to exercise its functions as a local plan-making authority.

As the planning proposal will amend a State Environmental Planning Policy it is considered appropriate that delegation is not provided to Council to be the local plan-making authority.

8 Assessment summary

Noting the revised zoning plan provided by Council, the proposal is supported to proceed for the following reasons:

- the proposal has strategic merit and is generally consistent with the Hunter Regional Plan 2041;
- the proposal will deliver residential land for the Port Stephens LGA, which is a demonstrated need within the local government area and the wider region.

Based on the assessment outlined in this report, if the planning proposal were to proceed, it must be updated before consultation to:

- reflect Council’s revised zoning map submitted on 22 May 2026;
- identify the land as a proposed Urban Release Area and include the proposed Urban Release Area LEP Map;
- identify the land as a Greenfield Housing Code Area under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and include the proposed Greenfield Housing Code Area map; and
- clearly state that the proposed amendment to Port Stephens LEP 2013 seeks to amend the relevant provisions of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 to identify the land as a Greenfield Housing Code Area.

9 Recommendation

It is recommended the delegate of the Secretary:

- Note that the consistency with section 9.1 Directions 1.1 Implementation of Regional Plans, 3.1 Conservation Zones, 3.2 Heritage Conservation, 4.1 Flooding and 4.3 Planning for Bushfire Protection are unresolved and will require justification.

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:

1. Prior to community and agency consultation the planning proposal is to be updated to:
 - (a) reflect the revised zoning plan submitted by the Council to the Department on 22 May 2026;
 - (b) identify the land as a proposed Urban Release Area and include the proposed Urban Release Area LEP Map;

- (c) identify the land as a Greenfield Housing Code Area under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and include the proposed Greenfield Housing Code Area map; and
 - (d) clearly state that the proposed amendment to Port Stephens LEP 2013 seeks to amend the relevant provisions of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 to identify the land as a Greenfield Housing Code Area.
2. Prior to community consultation, consultation is required with the following public authorities:
- Department of Climate Change, Energy, the Environment and Water (DCCEEW) - Conservation Programs, Heritage and Regulation Group
 - NSW State Emergency Service (SES)
 - NSW Rural Fire Service (NSW RFS)
 - Transport for NSW (TfNSW)
 - Heritage NSW
 - Worimi Local Aboriginal Land Council (LALC)
 - Hunter Water Corporation (HWC)
 - Ausgrid
3. The planning proposal should be made available for community consultation for a minimum of 20 working days.

Given the nature of the planning proposal, it is recommended that the Gateway not authorise council to be the local plan-making authority and that an LEP completion timeframe of 9 months be included on the Gateway.



3/6/2026

Ben Holmes

Manager, Hunter and Northern Region



3 June 2026

(Signature)

(Date)

Craig Diss

Director, Hunter and Northern Region

Assessment officer

Carlie Boyd

Senior Planning Officer, Hunter and Northern

6643 6404

Attachments

Attachment	Name
A	Planning Proposal PP-2025-1782 – Version 4 – March 2026
B	Agency meeting notes – September 2024
C	Agency scoping comments – August 2023
D	DCCEEW informal advice – November 2024
E	Flood Impact Risk Assessment – December 2025
F	Council strategic assessment report – April 2026
G	DCCEEW Gateway advice – submitted proposal – 26 April 2026
H	Council advice – Revised rezoning plan – 8 May 2026
I	DCCEEW Gateway advice – Revised proposal – 18 May 2026
J	Council advice – Revised rezoning plan – 22 May 2026
K	Biodiversity Development Application Report – January 2026
Letter	Letter to Council