Gateway Determination

***Planning proposal (Department Ref: PP-2026-1942)**: to rezone and amend associated development standards to facilitate the delivery of health services, education facilities, key worker and student housing and supporting land uses at 8 Highfields Circuit, 3 and 5 Kulai Place and 9 and 11 Kingfisher Road, Port Macquarie.*

I, the Director, Hunter and Northern Region, Local Planning and Council Support 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 Macquarie-Hastings Local Environmental Plan 2011 to rezone and amend development standards to facilitate the delivery of health services, education facilities, key worker and student housing and supporting land uses at 8 Highfields Circuit, 3 and 5 Kulai Place and 9 and 11 Kingfisher Road, Port Macquarie should proceed subject to the following:

The LEP should be completed within 9 months of the Gateway determination.

Gateway Conditions

1. Prior to agency and community consultation, the planning proposal is to be updated to:

   (a) include an assessment of the updated Ministerial Directions relevant to planning proposals lodged after 1 July 2026;

   (b) include the relevant findings of the Economic Demand Assessment, particularly in relation to the justification of the proposed building height controls;

   (c) remove the proposed amendment to the Schedule 1 – Additional permitted uses for co-living and the associated amendments to the Additional Permitted Uses Map from the planning proposal;

   (d) revise the concept masterplan to remove detailed information and illustrate only high-level land use outcomes for the site; and

   (e) remove references to the land being mapped as bushfire prone.

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, Housing and Infrastructure, July 2026) 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 Guideline* (Department of Planning, Housing and Infrastructure, July 2026).

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 Ministerial Direction – Local Plan Making priorities under section 9.1 of the Act:

    - Development Coordination Authority – Environment, Biodiversity and Heritage Advisory (biodiversity)
    - Transport for NSW
    - NSW Health
    - Birpai Local Aboriginal Land Council

    Each 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 is not required to be held into the matter by any person or body under section 3.34(2)(e) of the 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).

Dated 25 September 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