



Department of Planning, Housing and Infrastructure

Our ref: IRF24/1998
PP-2024-109

Robyn Stevens
Chief Executive Officer
Shoalhaven City Council

By Email: council@shoalhaven.nsw.gov.au

Attention: Eric Hollinger

Planning Proposal PP-2024-109 to amend Shoalhaven Local Environmental Plan 2014 – 131 St. Vincent Street, Ulladulla.

Dear Ms Stevens

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) to rezone, amend the minimum lot size, and amend the maximum height at 131 St. Vincent Street, Ulladulla.

As delegate of the Minister for Planning and Public Spaces, I have determined that the planning proposal should proceed subject to the conditions in the enclosed gateway determination.

I have also agreed, as delegate of the Secretary, the inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the Act 4.5 Acid Sulphate Soils and 7.1 Business and Industrial Zones are justified in accordance with the terms of the Direction. No further approval is required in relation to the Directions.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant applicable directions of the Minister under section 9.1 of the Act 4.3 Planning for Bushfire Protection. Council should ensure this occurs prior to public exhibition.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The proposed local environmental plan (LEP) is to be finalised on or before 10 September 2025. Council should aim to commence the exhibition of the planning proposal as soon as possible.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the Local Environmental Plan Making Guideline (Department of Planning, Housing and Infrastructure, August 2023) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Stephanie Wood to assist you. Ms Wood can be contacted on (02) 9274 6550.

Yours sincerely

A handwritten signature in purple ink, appearing to read 'Chantelle Chow', with a long horizontal flourish extending to the right.

10/9/2024

Chantelle Chow
A/Director, Southern, Western and Macarthur Region
Local Planning and Council Support

Encl: Gateway determination

Guidance on maximum Benchmark Timeframes for planning proposals

The NSW Government is committed to reducing the time taken to assess planning proposals. The Department's categorisation of planning proposals in the Local Environmental Plan Making Guideline (Department of Planning and Environment, August 2023) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses.

Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required. The Minister may appoint an alternate planning proposal authority if Council does not meet these timeframes.

Stage	Maximum Benchmark Timeframes (working days)			
	Basic	Standard	Complex	Principal
Stage 1 - Pre-lodgement	30 days	50 days	60 days	20-30 days
Stage 2 - Planning Proposal	80 days	95 days	120 days	40 days
Stage 3 - Gateway determination	25 days	25 days	45 days	45 days
Stage 4 - Post-Gateway	20 days	50 days	70 days	160 days
Stage 5 - Public Exhibition & Assessment	70 days	95 days	115 days	95 days
Stage 6 - Finalisation	25 days	55 days	70 days	80 days
Sub-total (Department target)	140 working days	225 working days	300 working days	380 working days
Total (end to end)	220 days	320 days	420 days	420 days

Note: Department target of 380 working days is measured from Stage 3 - Stage 6 (inclusive).

Planning proposal PP-2024-109 is categorised as a Standard proposal as described in the Local Environmental Plan Making Guidelines (Department of Planning and Environment, August 2023).

To ensure your planning proposal is finalised by 29/08/2025 and meets the benchmarks timeframes for a Standard proposal we recommend the following milestones:

Community consultation should start: 25 November 2024

Post exhibition report back to Council: 14 March 2025

Submit for GIS and legal drafting: 20 June 2025

LEP completion: 8 August 2025

Please contact the Department as soon as possible in the event that unexpected delays occur that may impact timing, so that assistance to meet these timeframes can be discussed.