

Clare Phelan  
The Chief Executive Officer  
Sutherland Shire Council  
Locked Bag 17  
SUTHERLAND NSW 1499

Dear Ms Phelan,

**Planning proposal PP-2025-245 to amend Sutherland Shire Local Environmental Plan 2015**

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) and additional information received on 24 March 2025 in respect of the planning proposal to review C3 Environmental Management and C4 Environmental Living land in Sutherland Shire.

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 5.1 Integration Land use and Transport is justified in accordance with the terms of the Direction.

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 30 January 2026. Council should aim to commence the exhibition of the planning proposal as soon as possible. Should Council seek to make a proposed LEP, the request to draft the LEP should be made directly to Parliamentary Counsel's Office well in advance of the date the LEP is projected to be made. A copy of the request should be forwarded to the Department of Planning, Housing and Infrastructure.

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 Ms Oyshee Iqbal to assist you. Ms Iqbal can be contacted on 5852 6824.

Yours sincerely

A handwritten signature in black ink, appearing to read 'T Chappell', with a stylized flourish at the end.

**Tina Chappell**  
**Director, Local Planning and Council Support**  
**Department of Planning, Housing and Infrastructure**

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.

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-2022-2380 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 27/08/2025 and meets the benchmarks timeframes for a Standard proposal we recommend the following milestones:

<b>Community consultation should start:</b>	11 August 2025
<b>Post exhibition report back:</b>	10 November 2025
<b>Submit for GIS and Finalisation:</b>	15 December 2025
<b>LEP completion:</b>	30 January 2026

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.