

Our ref: PP-2025-261/IRF25/1822

Ms Clare Phelan
Chief Executive Officer
Sutherland Shire Council
4-20 Eton Street,
Sutherland NSW 2232

CC: Beth Morris, bmorris@ssc.nsw.gov.au

30 September 2025

PP-2025-261 to amend Sutherland Shire Local Environmental Plan 2015

Dear Ms Phelan

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) received on 28 July 2025 in respect of the planning proposal to introduce new clause in Schedule 1 of Sutherland Local Environmental Planning 2015 which enables additional permitted uses for specialised retail premises on Lots 1 & 2 in DP 526394 and Lot 6 in DP 226993, at 117-131 Taren Point Road, Taren Point.

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, 1.1 Implementation of Regional Plan, 1.4, Site Specific provisions, 3.1 Conservation Zones, 4.1 Flooding, 4.4 Remediation of Contaminated Land, 4.5 Acid Sulfate Soils and 7.1 Business and Industrial Zones are justified in accordance with the terms of the Direction.

It is noted that the inconsistency with section 9.1 Direction 4.2 Coastal Management remains unresolved pending further justification.

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 28 July 2026. As this is a minor amendment, Council is to request Parliamentary Counsel's Office commence drafting as soon as practicable. 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 Stefenie Lai to assist you. Ms Lai can be contacted on 8275 1611.

Yours sincerely



Tina Chappell
Director, Central, West and South
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-2025-261 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 29/06/2026 and meets the benchmarks timeframes for a Standard proposal we recommend the following milestones:

Community consultation should start:	19 December 2025
Post exhibition report back to Council:	12 May 2026
Submit for GIS and legal drafting:	16 June 2026
LEP completion:	28 July 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.