

Mr Ben Taylor  
Chief Executive Officer  
Wollondilly Shire Council  
PO Box 21  
PICTON NSW 2571

Our ref: IRF23/163

Attn: Brittany Madeley, Acting Executive Planner – Growth Areas,  
[Brittany.Madeley@wollondilly.nsw.gov.au](mailto:Brittany.Madeley@wollondilly.nsw.gov.au)

Dear Mr Taylor

**40-45 Maldon Road and Staff Road, Maldon Planning proposal (PP-2021-3179) to amend Wollondilly Local Environmental Plan 2021**

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the above planning proposal that proposes a number of land use and zoning changes at 40-45 Maldon Road and Staff Road, Maldon.

The Planning Proposal is considered consistent with Wilton 2040 and achieves the intended outcome of the land use zoning in the Maldon precinct. The Department has no objections to the nature of the proposed uses.

However, I note in the Planning Proposal Council identifies items of potential heritage significance and recommends further heritage studies are required prior to public exhibition. Due to this and other issues identified below, I have determined under section 3.34(2)(b) of the Act, as delegate of the Minister that the proposal be resubmitted. I encourage Council to resubmit the planning proposal following resolution of the outstanding issues with the relevant agencies. This approach will allow Council to review and endorse any changes to the planning proposal prior to it being resubmitted and will help ensure the proposal can proceed to public exhibition in a timely manner following a Gateway determination being issued.

The following matters are to be resolved prior to resubmission:

- Consult the Greater Cities Commission regarding the 0.60ha of Metropolitan Rural Area proposed within the rezoning site.
- Confirm the proposed C2 zoning aligns with avoided land and SCA identified under the Cumberland Plain Conservation Plan.
- Consider whether Council wishes to finalise heritage investigations mentioned above and amend the proposal as necessary in response to the findings or, undertake those investigations separately which may inform a separate planning proposal.
- Seek confirmation from Transport for NSW that there is no objection to the proposal proceeding to Gateway.
- Although Council has consulted Sydney Water, confirm that Sydney Water does not object to the proposal proceeding to Gateway.

The Department is committed to assisting Council and, if appropriate, the services of the Department's PDU Team may potentially be available to help resolve any outstanding

issues. Ms Gwenda Kullen, Manager Western of the Department is available to discuss this possibility.

I acknowledge the work that Council has undertaken to date, and I look forward to working with you to progress this proposal. The Department is available to discuss this determination with Council further, I have arranged for Ms Gwenda Kullen, Manager Western, of the Department to be of assistance. Ms Kullen can be contacted on (02) 9860 1530.

Yours sincerely



3 Feb 2023

**Adrian Hohenzollern**  
**Director, Western**  
**Metro West**  
**Planning and Land Use Strategy**