

## Gateway Determination

**Planning proposal (Department Ref: PP-2023-1533):** to rezone land at 40-45 Maldon Bridge Road and Staff Road, Maldon from RU2 Rural Landscape to E5 Heavy Industrial and C2 Environmental Conservation to enable the expansion of employment land for heavy industrial uses and environmental conservation.

I, the Director, Western, Metro West at the Department of Planning and Environment, 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 rezone land at 40-45 Maldon Bridge Road and Staff Road, Maldon from RU2 Rural Landscape to E5 Heavy Industrial and C2 Environmental Conservation to enable the expansion of employment land for heavy industrial uses and environmental conservation should proceed subject to the following conditions:

1. Prior to exhibition, Council is to consult with:
  - (a) the NSW Rural Fire Service in accordance with Section 9.1 Direction 4.3 Planning for Bushfire Protection;  
and update the proposal as necessary to address any comments made.
2. Prior to exhibition, Council is to amend the planning proposal as follows:
  - (a) Align the boundary of the proposed C2 Environmental Conservation zoned land with the Cumberland Plain Conservation Plan avoided land boundary on the Land Zoning Map;
  - (b) Remove references to a proposed amendment to the Wilton Growth Area boundary to include Lot 1 DP162140, as a planning proposal cannot amend the growth area boundary and note that the location of the new planning controls will be subject to legal drafting by Parliamentary Counsel's Office and may be located in the Wollondilly LEP;
  - (c) Prepare a biodiversity study to support the proposed rezoning in the parcel of land (Lot 1 DP 162140) not subject to the Cumberland Plain Conservation Plan and amend the planning proposal as necessary to reflect the findings of the study;
  - (d) Update the planning proposal reference number to PP-2023-1533;
  - (e) Update commentary on heritage assessments in section C3.9 of the proposal;
  - (f) Update references to IN3 Heavy Industrial to E5 Heavy Industrial;
  - (g) Amend references to the "*State Environmental Planning Policy (Precincts – Western Parkland City) 2022*" to "*State Environmental Planning Policy (Precincts – Western Parkland City) 2021*"; and
  - (h) Propose a minimum lot size for the proposed C2 zone.
3. 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 Guidelines* (Department of Planning and Environment, 2021) and must be made publicly available for a minimum of 28 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 Guidelines* (Department of Planning and Environment, 2021).

Exhibition must commence within 3 months following the date of the Gateway determination.

4. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the EP&A Act:

- Subsidence Advisory NSW
- NSW Rural Fire Service
- Transport for NSW
- Sydney Water Corporation
- Endeavour Energy
- Environment and Heritage Group (Biodiversity and Conservation)
- NSW Environment Planning Authority

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 days to comment on the proposal.

5. 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 EP&A 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).
6. Given the nature of the planning proposal, Council is not authorised to be the local plan-making authority to make the plan.
7. The planning proposal must be reported to council for a final recommendation at least 9 months from the date of the Gateway determination.
8. The time frame for completing the LEP is to be 12 months following the date of the Gateway determination.

Dated 6 December 2023.



**Adrian Hohenzollern**  
**Director, Western, Metro West**  
**Planning, Land Use Strategy & Housing**  
**Department of Planning and Environment**

**Delegate of the Minister for Planning and**  
**Public Spaces**