

Mr Ben Taylor  
Chief Executive Officer  
Wollondilly Shire Council  
PO Box 21  
PICTON NSW 2571  
Attn: Max Strassmeir

Our ref: IRF23/2071

Dear Mr Taylor

**Planning proposal PP-2023-1533 to amend *State Environmental Planning Policy (Precincts—Western Parkland City) 2021***

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 7 November 2023 in respect of the planning proposal to amend the zoning at 40-45 Maldon Bridge Road and Staff Road, Maldon to enable the expansion of employment land for heavy industrial uses and environmental conservation.

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 Directions 9.1 Rural Zones and 9.2 Rural Lands is justified in accordance with the terms of the Direction.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of Section 9.1 Directions 3.1 Conservation Zones, 3.6 Strategic Conservation Planning, 4.3 Planning for Bushfire Protection and 4.6 Mine Subsidence and Unstable Land.

In relation to Section 9.1 Direction 3.6 Strategic Conservation Planning, I note that the resubmitted planning proposal remains misaligned to the certified and avoided land boundaries in the Cumberland Plain Conservation Plan. This was noted in the department's letter dated 3 February 2023 (enclosed) as a requirement to be addressed prior to any resubmission. While I appreciate the misalignment is minor, a planning proposal cannot amend the CPCP and therefore the Gateway has been conditioned to correct this misalignment prior to public exhibition. Further work and consultation with Environment and Heritage Group (Biodiversity and Conservation) is required to confirm the proposed boundary of the C2 and E5 zones on the portion of the site that does not form part of the CPCP.

I have determined not to authorise Council to be the local plan-making authority due to the nature of the planning proposal.

The amending local environmental plan (LEP) is to be finalised within 12 months from the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made eight weeks in advance of the date the LEP is projected to be made.

Should you have any enquiries about this matter, I have arranged for Edward Bell to assist you. Mr Bell can be contacted on 02 9860 1424.

Yours sincerely



6 December 2023

**Adrian Hohenzollern**  
**Director, Western**  
**Metro West**

Encl: Gateway determination