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Mr Chris Berry
General Manager
Goulburn Mulwaree Council
Locked Bag 22
GOULBURN NSW 2580

Our ref: 11/06151
Your ref: JGM:DM
File: 10/17627

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Dear Mr Berry

Goulburn Mulwaree Exempt and Complying Development Planning Proposal- Goulburn Mulwaree Local Environmental Plan 2009 (Amendment No. 3)

I refer to Council's letter dated 31st March 2010 advising of its resolution of 26th February 2011 to request that the Minister for Planning discontinue the above Planning Proposal.

I would like to advise that as delegate of the Minister for Planning and Infrastructure, I have decided in accordance with section 58(4) of the *Environmental Planning and Assessment Act 1979*, to agree with Council's resolution of 15 March 2011 not to proceed with the Planning Proposal.

I understand that Council received strong objections from the Sydney Catchment Authority to the proposal to allow dwellings as complying development within unsewered rural and environmental protection land that is covered by the *State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011*. I further understand that Council has not been able to obtain SCA's support for its proposed approach to include building envelope specific complying development standards to protect water quality within unsewered areas.

As you know the *State Environmental Planning Policy (Exempt and Complying Codes) 2008* ('Codes SEPP') was amended on 25th February 2011 to extend the range of exempt and complying development within rural areas. The amendment was prepared in consultation with government agencies including the SCA. Although, exempt and complying development continues to be excluded from unsewered drinking water catchment areas under the Codes SEPP, I note that a number of the matters proposed to be included in Council's Planning Proposal have now been included as either exempt or complying development in the Codes SEPP.

I would like to commend the work undertaken by Council in preparing the Planning Proposal.

If you have any questions in relation to this matter, please contact Mr Brett Whitworth, Regional Director, of the Department of Planning's Southern Regional Office on Telephone 4224 9455.

Yours sincerely



2/5/11

Tom Gellibrand
Deputy Director General
Plan Making and Urban Renewal