



New South Wales

# **Cooma-Monaro Local Environmental Plan 1999—(Rural) (Amendment No 7)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister for Planning and Infrastructure, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (10/16978)

**TOM GELLIBRAND**

As delegate for the Minister for Planning and Infrastructure

## **Cooma-Monaro Local Environmental Plan 1999—(Rural) (Amendment No 7)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of Plan**

This Plan is *Cooma-Monaro Local Environmental Plan 1999—(Rural) (Amendment No 7)*.

### **2 Commencement**

This Plan commences on the day on which it is published on the NSW legislation website.

### **3 Land to which Plan applies**

This Plan applies to the land to which *Cooma-Monaro Local Environmental Plan 1999—(Rural)* applies.

---

## **Schedule 1      Amendment of Cooma-Monaro Local Environmental Plan 1999—(Rural)**

### **[1]    Clause 14 Subdivision**

Omit clause 14 (2)–(3) (including the headings to those subclauses).

Insert instead:

#### **Land within Zone No 1 (a) or 7 (d)**

- (2) Development consent may be granted for the subdivision of land within Zone No 1 (a) or 7 (d):
  - (a) if the land is to be used primarily for the purpose of agriculture and:
    - (i) the land is a 1997 holding or, if the land has been the subject of a development consent for subdivision in accordance with this clause, the land has been nominated as the residue lot in the last subdivision of the land, and
    - (ii) the average area of the lots will be at least 80 hectares, and
    - (iii) each lot will have an area of at least 5 hectares, and
    - (iv) the consent authority has taken into consideration the matters indicated in Schedule 2 (to the extent that they are relevant), and
    - (v) the consent authority has considered the objectives of clause 21, or
  - (b) if the land is to be used primarily for the purpose of infrastructure or extractive industries and the consent authority is satisfied that the area of each lot will be appropriate for the proposed development, or
  - (c) if the land is to be used primarily for a purpose other than agriculture, extractive industries, infrastructure or a dwelling and:
    - (i) the land is a 1997 holding, and
    - (ii) the consent authority is satisfied that the area of each lot will be appropriate for the proposed development, or
  - (d) if, after considering a property development plan prepared in accordance with Schedule 3, the consent authority is satisfied that each lot will be of a size and use that is environmentally and economically sustainable.

**2011 No 496**

Cooma-Monaro Local Environmental Plan 1999—(Rural) (Amendment No 7)

Schedule 1      Amendment of Cooma-Monaro Local Environmental Plan 1999—(Rural)

---

- (3) Land does not cease to be a 1997 holding if it is subdivided in accordance with subclause (2) (b) or (c).

**[2] Clause 15 Residential development**

Omit clause 15 (1) (b). Insert instead:

- (b) a lot created in accordance with clause 14 (2) (a), or

**[3] Clause 15 (1) (e)**

Omit the paragraph. Insert instead:

- (e) a lot created in accordance with clause 14 (2) (d) and the consent authority is satisfied that a dwelling is necessary for the ongoing management of the property for horticultural purposes.

**[4] Dictionary**

Omit the definitions of *Extractive industry* and *Extractive material*.

Insert instead:

*Extractive industry* and *Extractive material* have the same meanings as they have in the standard instrument prescribed by the *Standard Instrument (Local Environmental Plans) Order 2006*.