

Cooma-Monaro Shire Council
Planning Proposal
Amendment of *Cooma-Monaro Local Environmental Plan 1999 — (Rural)*

Part 1 Intended Outcomes

An amendment of the *Cooma-Monaro Local Environmental Plan 1999 — (Rural)* (clauses 14 and 15) to allow for the subdivision of land for infrastructure purposes and the operation of extractive industries.

Part 2 Explanation of the Provisions

The revision of clause 14 of the *Cooma-Monaro Local Environmental Plan 1999 — (Rural)* for the subdivision of land for infrastructure purposes and the operation of extractive industries (non residential landuses) which exempts these uses from the requirements of clauses 14(2) and 14 (2A).

An amendment to clause 15(1)(b) would also be required to align with the revised clause 14.

Part 3 Justification

Currently clause 14 (2A) of the *Cooma-Monaro Local Environmental Plan 1999 — (Rural)* requires that land be a ‘1997 holding’ for consent to be granted for the subdivision of land. Clause 14 (2A) also specifically requires land to be a 1997 holding for subdivision in the 1(a) and 7(d) land use zones.

The current provisions are impractical in relation to land required for infrastructure or extractive industries purposes as such land may not be a ‘1997 holding’. The ‘1997 holding’ provision was introduced to prevent the fragmentation of rural land however, frequently infrastructure and extractive industries only require a small amount of rural land and so do not cause the widespread fragmentation of rural land. Often the land is marginal for primary production and/or dwelling houses. The use of rural land in the shire for infrastructure and extractive industries is permissible with consent in the *Cooma-Monaro Local Environmental Plan 1999 — (Rural)*.

Cooma-Monaro Shire Council is a significant regional provider of sand and gravel. It also provides for a major a gas pipeline and nationally significant electricity and road infrastructure. Additionally, Cooma-Monaro Shire Council operates numerous gravel pits which provide material for the maintenance of the shire’s extensive road network.

Section A-Need for the planning proposal

1 Is the planning proposal a result of any strategic study or report?

The proposal is not a result of any strategic study or report. However, if the proposal does not proceed a consequence may be that planned infrastructure or extractive industries are unable to proceed in a reasonable timeframe.

2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Cooma-Monaro Shire Council wishes to continue requiring that the subdivision of land obtain development consent so there is no alternative to not amending *Cooma-Monaro Local Environmental Plan 1999 — (Rural)*.

3 Is there a net community benefit?

The proposal is of benefit to the community as it will assist in the development of new infrastructure and economic opportunities for the Shire. This will in turn result in employment opportunities.

Section B-Relationship to strategic planning framework

- 4 Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?**

There are no regional or strategic plans applying to this proposal.

- 5 Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan**

There is no strategic plan for Cooma-Monaro Shire.

- 6 Is the planning proposal consistent with applicable state environmental planning policies?**

The proposal is consistent with the aim and the rural planning principles of the *State Environmental Planning Policy (Rural Lands) 2008*.

- 7 Is the planning proposal consistent with applicable Ministerial Directions (117 directions)?**

Relevant 117 Directions are 1.5 *Rural Lands*. The proposal complies with Direction No.1.5.

Section C – Environmental, social and economic impact

- 8 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

A flora and fauna study would normally be required as part of a subdivision application.

- 9 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

The consideration of environmental effects would normally be required as part of a subdivision application.

- 10 How has the planning proposal adequately addressed any social and economic effects?**

The subdivision for infrastructure development would potentially result in infrastructure projects in turn creating employment in the shire and facilitating employment across the region and state.

Section D – State and Commonwealth interests

- 11 Is there adequate public infrastructure for the planning proposal?**

Not applicable.

- 12 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?**

There has been no consultation with the Commonwealth or state government.

Part 4 – Community Consultation

- One advertisement will be placed in a local newspaper. Comment will be received for 28 days.
- The proposal will be placed on Council's website.

Additional information pertaining to the reclassification of land

If the provisions of the planning proposal include the extinguishment of any interests in the land, an explanation of the reasons why the interests are proposed to be extinguished

Not applicable.

The concurrence of the landowner, where the land is not owned by the relevant planning authority

Not applicable.