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Cowra Local Environmental Plan 2012

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4.2A Subdivision for the purposes of intensive livestock agriculture or intensive plant agriculture

- (1) The objectives of this clause are as follows:
 - (a) to provide flexibility in the application of standards for subdivision for the purpose of intensive livestock agriculture or intensive plant agriculture in certain rural zones,
 - (b) to encourage sustainable intensive livestock agriculture and intensive plant agriculture,
 - (c) to minimise unplanned rural residential development.
- (2) This clause applies to the following rural zones:
 - (a) Zone RU1 Primary Production,
 - (b) Zone RU4 Primary Production Small Lots.
- (3) Land in a zone to which this clause applies may, with development consent, be subdivided for the purpose of intensive livestock agriculture or intensive plant agriculture to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land.
- (4) However, development consent must not be granted to such a subdivision if an existing dwelling house would, as a result of the subdivision, be situated on a lot created by the subdivision unless the consent authority is satisfied that:
 - (a) the lot will have an area of at least 40 hectares, and
 - (b) the lot is or is to be subject to irrigation requiring a water licence and the volume of, and entitlement to, water available under that licence is or will be adequate for the use of the land for the purpose of intensive livestock agriculture or intensive plant agriculture, and
 - (c) the lot is suitable for, and is to be used for, intensive livestock agriculture or intensive plant agriculture, and
 - (d) the dwelling house is required to support the carrying out of such a purpose.
- (5) Development consent may be granted for the erection of a dwelling house on a lot created by a subdivision under this clause or on an existing lot of any size that only contains land in a zone to which this clause applies if the consent authority is satisfied that:

- (a) the lot complies with subclause (4) (a) and (b), and
- (b) the lot is suitable for, and is being used for, the purpose of intensive livestock agriculture or intensive plant agriculture, and
- (c) the dwelling house is required to support the carrying out of that purpose.

Note. State Environmental Planning Policy (Rural Lands) 2008 and Assessing Intensive Plant Agriculture Developments (published by the Department of Primary Industries) set out other relevant issues for the consideration of consent authorities when assessing development applications for intensive plant agriculture.

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