

# TOWN PLANNING REPORT

2 LOT SUBDIVISION

**ADDRESS**

Mungunyan Station,  
Ivanhoe

PREPARED FOR  
Bargunyah Pastoral Company

DATE  
12<sup>th</sup> July 2024



SURVEY DESIGN PLANNING

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## 1.0 APPLICATION

### 1.1 INTRODUCTION

This report has been prepared by Onleys on behalf of our client and leasee in support of a planning permit application seeking approval for a 2 Lot Subdivision of land. The subject land parcel is located at Mungunyan Station, Ivanhoe being Lot 3492 in DP765784. The subject lot is zoned Primary Production (RU1) in the Central Darling Local Environmental Plan 2012.

### 1.2 LOCAL ENVIRONMENTAL PLAN

Under the Central Darling Local Environmental Plan, a proposal of this nature generates a Development Application requirement addressing the following provisions.

- Section 2.6 (1) of the Central Darling Local Environmental Plan applies to the Subdivision of land.

### 1.3 SUMMARY

The intention of this proposal is to subdivide a lease title of 10602 hectares to create two titles of 6127 hectares and 4475 hectares. The proposal is to subdivide the lease as part of a deceased estate, with the subdivided parcels of land to be in the possession of neighbouring land holders.

Currently, Mungunyan Station is a large allotment, not dissimilar to the neighbouring blocks immediately adjoining the property. The lot is currently farmed and would be best described as flat.

The report addresses how the proposal meets the following requirements of the Central Darling Local Environmental Plan.

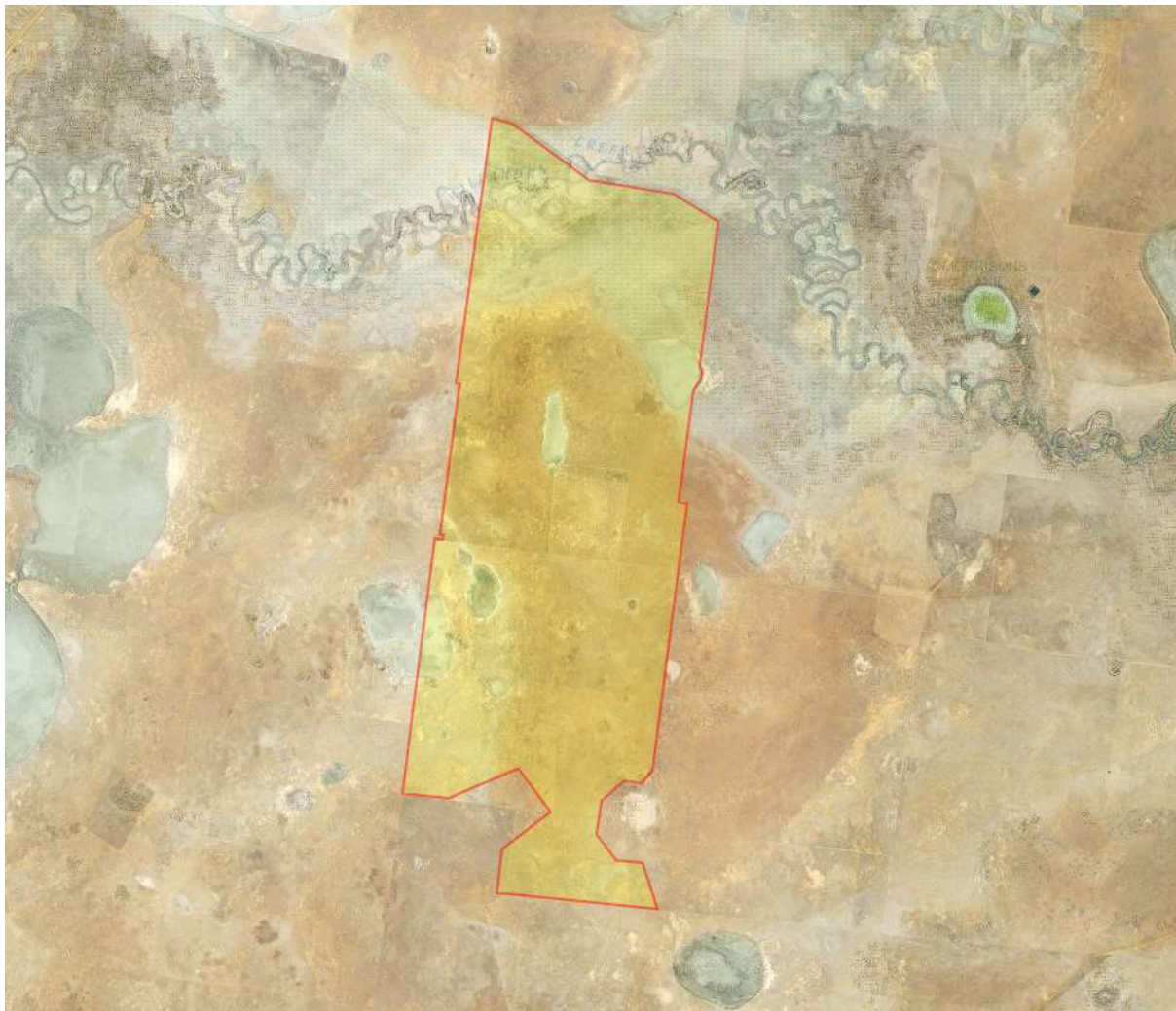
## 2.0 NOMINATED SITE & LOCALITY

### 2.1 SITE SUMMARY

The subject site referred to as Mungunyan Station is described on title as Lot 3492 in Deposited Plan 765784.

The site has a total area of 10602 hectares. Topographically, the site is described as flat.

The subject site is located approximately 29 kilometres west of Mossgiel, approximately 31 kilometres south of Ivanhoe and 13 kilometres east of Lake Barney. The lot is located in the southern aspect of the Central Darling Shire.



**Figure 1 – Aerial Image of Subject Site**



### 3.0 PROPOSAL

This application proposes the subdivision of an existing lease title with a resultant 2 titles in an area zoned Primary Production (RU1). The proposed lots will have access to existing road infrastructure via neighbouring property to be farmed in the same entity, and established access agreement with neighbouring landholders where required.

- The proposed lot 1 at 6127 hectares will be a vacant lot to be farmed in conjunction with the title to the west.
- The proposed lot 2 will create a vacant title of 4475 hectares which is to be farmed in conjunction with the farm to the east.

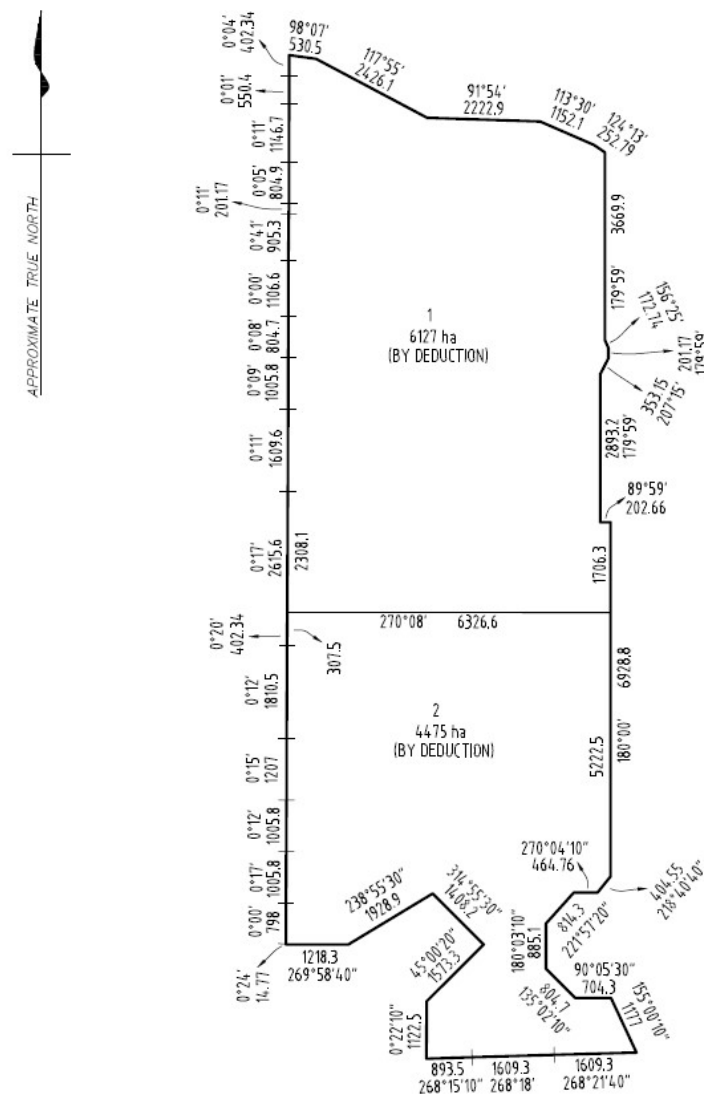


Figure 4 – Proposed Subdivision Layout

## 4.0 PLANNING ASSESSMENT

The application is assessed against the following provisions of the Central Darling Local Environment Plan 2012.

	Clause #	Provision
<b>Central Darling Local Environment Plan</b>		
	1.2	Aims of Plan
	2.6	Subdivision – Consent Requirements
	4.1	Minimum Subdivision Lot Size
<b>Land Use</b>		
	Land Use Table	Primary Production (RU1)

## 4.1 CENTRAL DARLING LOCAL ENVIRONMENT PLAN

### 1.2 Aims of Plan

The aim of the Local Environment Plan

The aims of this LEP are to:

Aims of Plan

- (1) This Plan aims to make local environmental planning provisions for land in Central Darling in accordance with the relevant standard environmental planning instrument under section 3.20 of the Act.
- (2) The particular aims of this Plan are as follows—
  - (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,
  - (a) to encourage the proper management of the natural and human-made resources of Central Darling by protecting, enhancing or conserving—
    - (i) productive agricultural land, and
    - (ii) timber, minerals, soil, water and other natural resources, and
    - (iii) areas of significance for nature conservation, and
    - (iv) areas of high scenic or recreational value, and
    - (v) places and buildings of archaeological or heritage significance,
  - (b) to promote ecologically sustainable urban and rural development,
  - (c) to provide a secure future for agriculture by expanding Central Darling's economic base and minimising the loss or fragmentation of productive agricultural land,
  - (d) to minimise land use conflict,

- (e) to ensure that development has regard to the capability of the land,
- (f) to provide a choice of living opportunities and types of settlement within Central Darling,
- (g) to ensure that the efficiency of arterial roads is not adversely affected by development on adjacent land.

## 2.6 Subdivision – Consent Requirements

- (1) Land to which this Plan applies may be subdivided, but only with development consent.

Notes—

- 1. If a subdivision is specified as **exempt development** in an applicable environmental planning instrument, such as this Plan or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, the Act enables it to be carried out without development consent.
- 2. Part 6 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 provides that the strata subdivision of a building in certain circumstances is **complying development**.

- (2) Development consent must not be granted for the subdivision of land on which a secondary dwelling is situated if the subdivision would result in the principal dwelling and the secondary dwelling being situated on separate lots, unless the resulting lots are not less than the minimum size shown on the [Lot Size Map](#) in relation to that land.

Note—

The definition of secondary dwelling in the Dictionary requires the dwelling to be on the same lot of land as the principal dwelling.

Response: The proposal is for a 2-lot subdivision in an area zoned Primary Production of the Central Darling Shire. The existing title is 10602 hectares which is vacant grazing land, with supporting dams and yards. The proposed development is to subdivide the existing allotment into 2 vacant parcels of land, as outlined in the deceased leaseholders will.

## 4.1 Minimum Subdivision Lot Size

- (1) The objectives of this clause are as follows—
  - (a) to protect rural and environmental land from inappropriate development,
  - (b) to maintain the existing function and character of the rural areas of Albury,
  - (c) to minimise fragmentation of rural lands,
  - (d) to encourage a diversity of lot sizes, housing forms and densities in residential zones,
  - (e) to ensure subdivision does not create unreasonable or uneconomic demands for the provision or extension of services.



(2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.

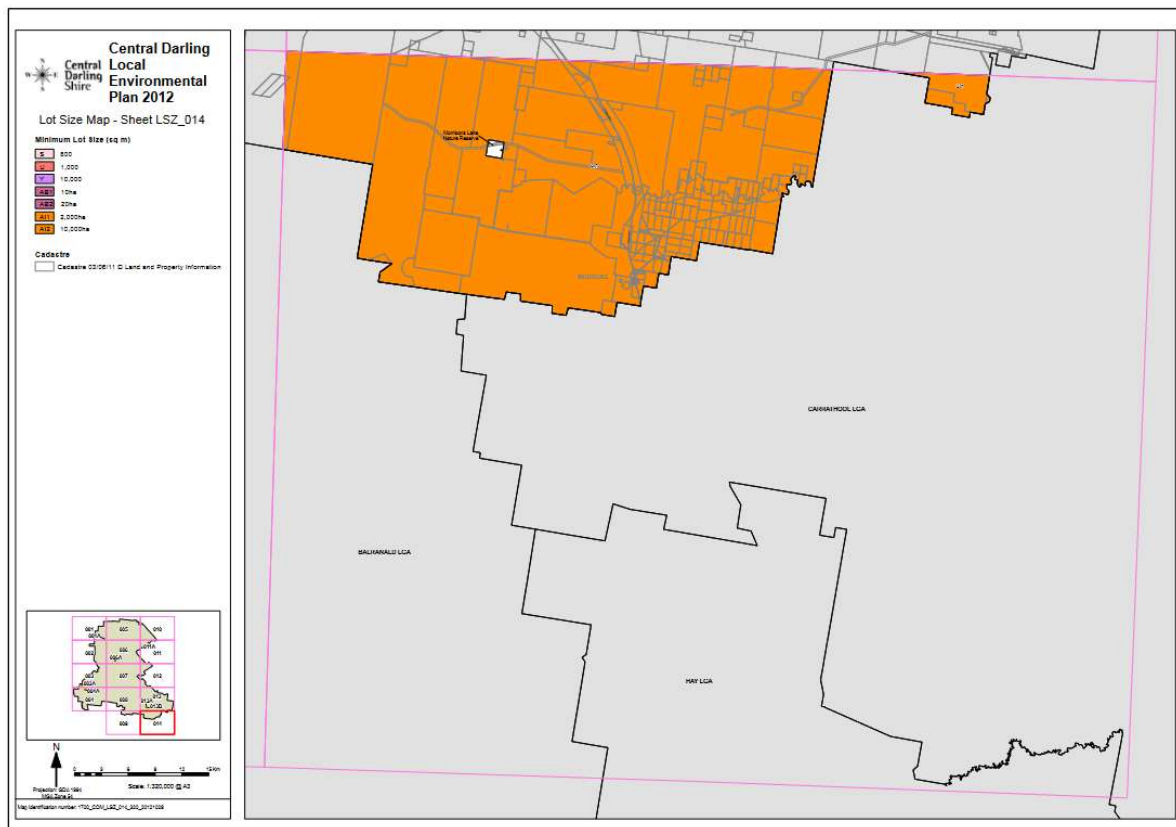
(3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.

(4) This clause does not apply in relation to the subdivision of any land—

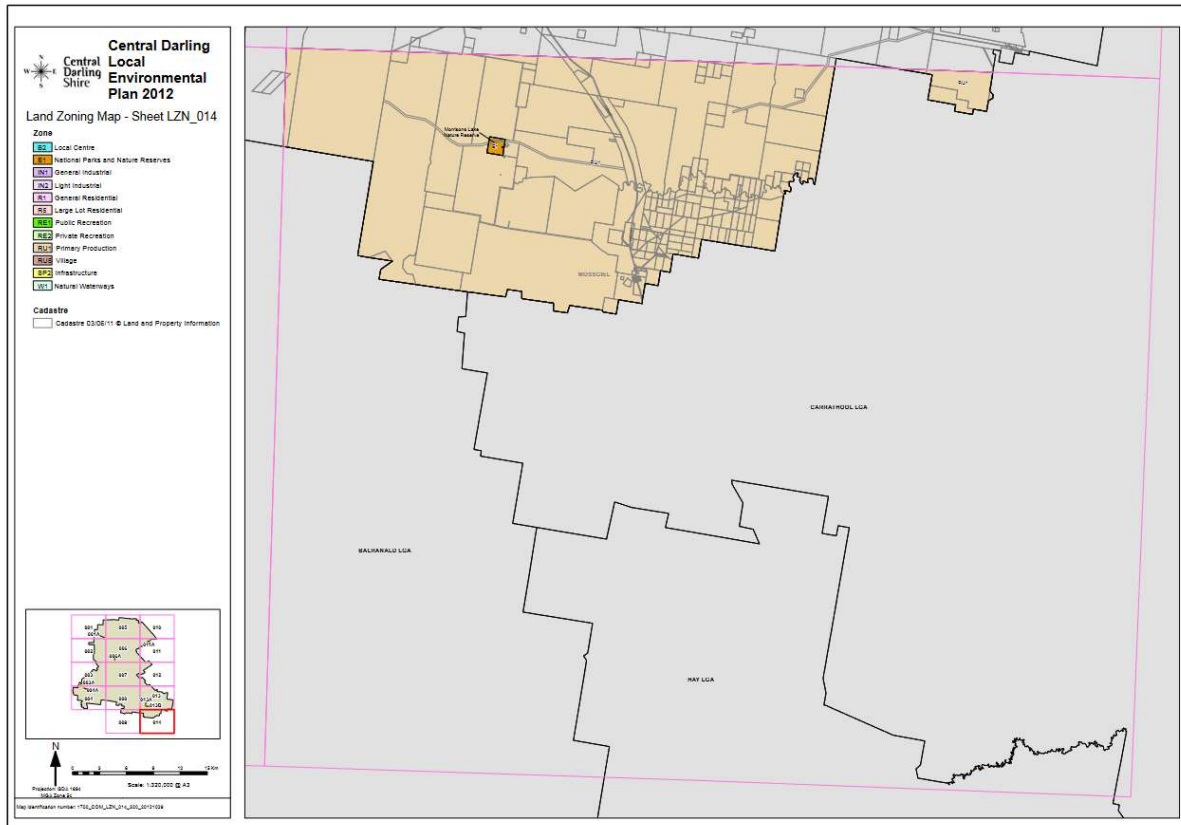
(a) by the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015, or

(b) by any kind of subdivision under the Community Land Development Act 2021.

Response: The proposed subdivision easily meets the 2000 hectare minimum allotment size for each proposed parcel.



**Figure 5. Local Environmental Plan Minimum Lot Size Map**



**Figure 6. Local Environmental Plan Land Zoning Map**

## 5.0 CONCLUSION

The proposal for the 2-lot subdivision of land at Mungunyan Station, Ivanhoe (Lot 3492 in Deposited Plan 765784) will create a further rural allotment within the Primary Production Zone (RU1) Zone of the Central Darling Shire.

It is considered the proposal meets the requirements of the Local Environmental Plan.

The proposal has responded appropriately to the LEP of the Central Darling Council addressing the Primary Production (RU1) Zone objectives, which is to encourage sustainable primary industry production by maintaining and enhancing the natural resource base. It is therefore requested that approval of a Development Application be granted.