



# **Planning Application Report & Statement of Environmental Effects 2 Lot Resubdivision**

**377 Alpine Way  
Bringenbrong NSW 3707**





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**Date: 6 June 2023**

**Environment Design Management**

Town Planning    Surveying    Engineering    Project Management

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## 1. INTRODUCTION

The purpose of this report is to support a development application for the resubdivision of a number of parcels located at 377 Alpine Way Bringenbrong. As will be outlined in further detail below the proposal relates to the primary purpose of creating two large rural parcels for farming purposes (Appendix 1).

This proposal is seen as an example of orderly planning consistent with relevant provisions of the Tumbarumba LEP 2010 and related DCP controls.

## 2. SUBJECT LAND

The subject land is utilized as a large beef cattle operation and is made up of a number of parcels (*refer to appendix 3*) with an approximate area of 251ha

Lots 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 17 DP133969

Lot 1 DP654229

The land is situated at the intersection of Tooma Road and the Alpine Way approximately 2km east of the Murray River crossing into Victoria. The land rises from both roads to the eastern side of the property as identified by the contours on the site context plan at appendix 2. The overall property is largely cleared having been long given to grazing purposes. Also located on the land is a large stock yard complex and there is a dwelling, with general outbuildings, near the Alpine Way.

The immediately locality comprise rural lots of varying sizes and configuration which are also similarly used for grazing and cropping purposes.

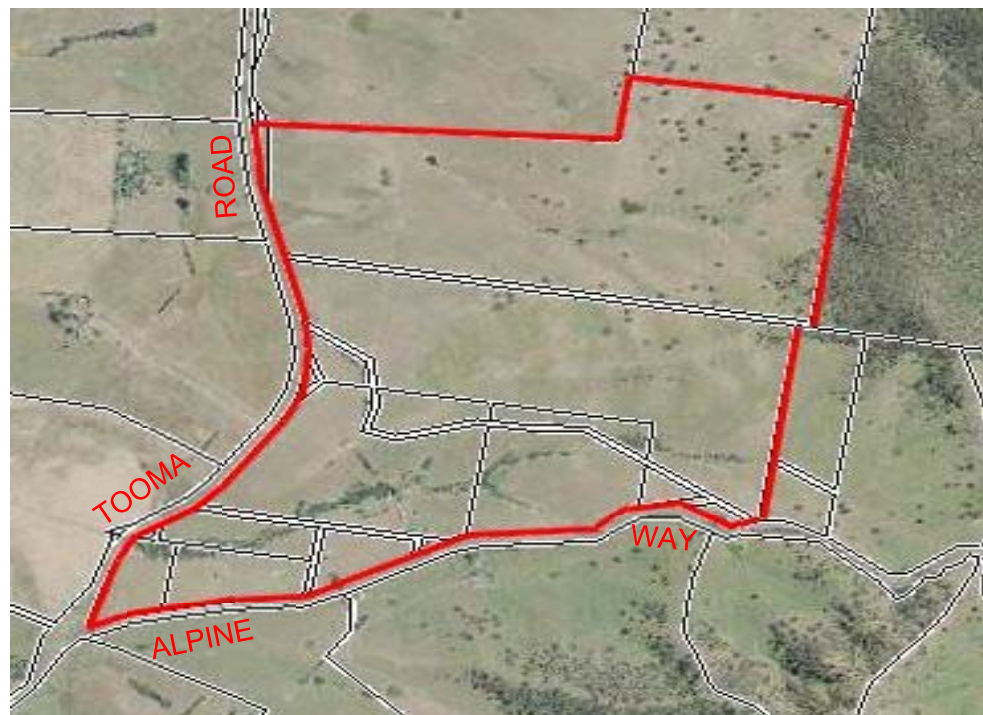


Figure 1: Locality Plan (Source SixView)

### 3. DEVELOPMENT PROPOSAL

The proposal relates to a resubdivision with the purpose being primarily related to creating a two large lots, in excess of 40ha, that will promote the ongoing rural use of this part of the property for farming purposes. (Appendix 1)

The purpose of the subdivision is to allow the current owners to retire and to transfer the lots created to their children. As part of this proposal, it is also proposed to create an easement for access to allow both lots to utilise the existing cattle stockyards which have been positioned to allow for a centralised holding area for the cattle that has excellent access for trucks to the site from the Tooma Road.

The new boundary created follows an existing fence line and subject to final survey the lots will be:

- Lot 1 – 141ha
- Lot 2 – 110ha

When framing the proposal, the following matters were given particular consideration:

- Regard for all site constraints and opportunities.
- The desire to retain and encourage existing agricultural uses.
- The aim of facilitating the ongoing rural use of land by creating as large a lot as practically possible in the circumstances.

### 4. PLANNING PROVISIONS

#### 4.1 Environmental Planning and Assessment Act 1979

##### Section 4.14 Consultation and development consent – Certain bush fire prone land

The property is identified as being within a designated bush fire prone area as identified within the NSW Rural Fire Service planning tool. As a consequence, due regard is required in respect of the NSW RFS (2019) Planning for Bushfire Protection – A guide for Councils, Planners, Fire Authorities and Developers (the “Guidelines”):

*COMMENT: In terms of vegetation assessment to a distance of 140 metres from the boundaries of the property together with an assessment of the vegetation types on and surrounding the property in accordance with the system for classification of vegetation as outlined in Appendix 1 of the Guidelines, it is to be noted the property is surrounded to the north, west and south by managed farm land (grassland with scattered paddock trees). To the east of proposed lot 2 is managed farm land and to the east of proposed lot 2 is bushland which is upslope of both proposed lots.*

*In response*

- *The proposal relates to a resubdivision of a number of lots into two lots without the creation of any additional lots.*
- *The proposal is not related to a residential or rural resident subdivision as reference in the Guidelines.*
- *The proposal is not related to Isolated Rural Development.*

- *There will be no change to the status quo in terms of any risk to bushfire hazard in respect of the existing dwelling on proposed Lot 2 There is suitable defensible space located around the existing dwelling.*
- *The road network provides adequate passage for fire fighters as well as residents who choose to evacuate the property in the event of a bushfire emergency.*
- *No Development is proposed for Lot 1 and it will continue to be used for general farming*
- *The existing Bringenbrong Fire Station is located adjacent to the proposal on Tooma Road.*

*In conclusion the overall boundary realignments will not result in any alteration to any existing bushfire risk profile relevant to either proposed lot.*

#### **Section 4.15 Evaluation**

The Act provides that in determining a development application, the following matters where relevant to the development are to be taken into consideration, namely:

##### **(1) Matters for consideration - general**

*(a) the provisions of:*

- (i) any environmental planning instrument, and*
- (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
- (iii) any development control plan, and*
- (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)*

*That apply to the land to which the development application relates.*

- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) the suitability of the site for the development,*
- (d) any submissions made in accordance with this Act or the regulations,*
- (e) the public interest.*

In respect of the consideration of a Development Control Plan the Act provides as follows:

##### **(3A) Development control plans**

*If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority:*

- (a) if those provisions set standards with respect to an aspect of the development and the development application complies with those standards—is not to require more onerous standards with respect to that aspect of the development, and*
- (b) if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards—is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and*
- (c) may consider those provisions only in connection with the assessment of that development application.*



## 5. ASSESSMENT RESPONSE

As previously noted assessment of a development application needs to be undertaken in respect to relevant considerations arising from the Act. Responses to relevant matters are provided as follows:

### 5.1 Environmental Planning Instruments

#### 5.1.1 State Environmental Planning Policies

*COMMENT: There are a range of SEPP's that generally apply to the subject land. Of those that cover the property the following are considered to be of some relevance requiring more detailed response.*

#### **SEPP (Biodiversity and Conservation) 2021- Chapter 3 – Koala Habitat Protection**

This policy aims to encourage the conservation and management of natural vegetation areas that provide habitat for koalas so as to ensure permanent free-living populations will be maintained over their present area. The policy applies to 7 Koala Management Areas across the state providing that development approval cannot be granted in an area affected by the policy without an investigation of core koala habitat.

*COMMENT: The site is not regarded as representing "Potential Koala Habitat" and there are no significant trees required to be removed from the subject land. As a consequence the planning proposal is seen as complying with this SEPP.*

#### **SEPP (Resilience and Hazards) 2021**

##### **Chapter 3 – Hazardous and Offensive Development**

This particular chapter requires development consent for hazardous or offensive development.

*COMMENT: It is to be noted that the land is not proposed to be used for a sensitive or offensive land use as it will continue to be operated primarily as a beef cattle operation. As a consequence it is concluded that the proposal is compliant with this chapter.*

##### **Chapter 4 – Remediation of land**

The object of this chapter is to provide for a planning approach to the remediation of contaminated land.

*COMMENT: It is to be noted that the land has not been used for extractive industry purposes and as a consequence it is submitted that the proposal is not one that would necessitate a site audit and/or remediation.*

#### **SEPP (Primary Production) 2021**

Part 2 of this SEPP (Primary Production) identifies the following Rural Subdivision Principles:

- (a) *the existing uses and approved uses of land in the vicinity of the development,*
- (b) *whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development,*
- (c) *whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b),*
- (d) *any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c).*

*COMMENT: The proposed development can be considered consistent with the above principles for the following reasons:*

- (a) *The surrounding land within the vicinity of the subject land is currently utilized for general farming, whether this be beef cattle production, cropping and dairy farming.*
- (b) *There is little or no risk of potential land use conflict between the proposed lots in this development and the surrounding land as the status quo will remain the same. ie. Beef cattle production.*
- (c) *The proposal will not be incompatible with surround land uses.*

## **5.1.2 Tumbarumba Local Environmental Plan 2010**

### **Part 1 Preliminary**

#### **Clause 1.2 Aims of Plan**

The Tumbarumba LEP 2010 (the LEP) is the principle local planning instrument applicable to this particular site.

*COMMENT: The proposed development is consistent with relevant aims of LEP 2011 including the following:*

- (a) to encourage development that supports the long term economic viability of the local community,*
- (b) to ensure development is undertaken in a manner that mitigates impacts on the natural environment, and*
- (c) to encourage development that promotes positive social outcomes for the local community.*

#### **Clause 1.9A Suspension of covenants, agreements and instruments**

*COMMENT: Noted.*

### **Part 2 Permitted or prohibited development**

#### **Clause 2.3 Zone objectives & Land Use Table (development permissibility)**

Part 2 of the LEP relates to prohibited or permitted development and includes various zone provisions as outlined within the Landuse Table. It is noted that the subject land is zoned RU1 (Primary Production) under the LEP (Appendix 4). Among other things relevant objectives of the RU1 Zone include:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

*COMMENT: There are no matters raised in respect of the proposal that could be considered to be inconsistent with the Zone provisions.*

#### **Clause 2.6 Subdivision—consent requirements**

*COMMENT: The subject land may be subdivided, but only with development consent.*

#### **Clause 2.7 Demolition requires development consent**

*COMMENT: Not applicable.*



## Clause 2.8 Temporary use of land

*COMMENT: Not applicable.*

### Part 3 Exempt and complying development

Provision	Comment
Clause 3.1 Exempt Development	<i>No applicable</i>
Clause 3.2 Complying Development	<i>Not applicable</i>
Clause 3.3 Environmentally sensitive areas excluded	<i>Noted</i>

### Part 4 Principal development standards

Provision	Comment
Clause 4.1 Minimum subdivision lot size	<i>The minimum lot size within the RU1 zone in this location is 40ha which this proposal complies with.</i>
Clause 4.1AA Minimum subdivision lot size for community title schemes	<i>Not applicable</i>
Clause 4.2 Rural Subdivision	<i>Not applicable, the proposal meets the minimum lot size requirement on the Lot Size map</i>
Clause 4.2AA Minimum subdivision size for community title scheme	<i>Not applicable.</i>
Clause 4.2A Erection of dwelling houses and dual occupancies on land in certain rural and residential zones	<i>Not applicable</i>
Clause 4.2B Minimum lot size for strata subdivisions of residential or tourist and visitor accommodation in certain zones	<i>Not applicable</i>
Clause 4.2C Exceptions to minimum subdivision lot sizes for certain rural zones	<i>Not applicable</i>
Clause 4.3 Height of buildings	<i>Not adopted</i>
Clause 4.4 Floor Space Ratio	<i>Not adopted</i>
Clause 4.5 Calculation of floor space ratio and site area	<i>Not adopted</i>
Clause 4.6 Exceptions to development standards	<i>Noted</i>

### Part 5 Miscellaneous provisions

Provision	Comment
Clause 5.1 Relevant acquisition authority	<i>Noted</i>

Provision	Comment
<b>Clause 5.1A Development on land intended to be acquired for a Public Purpose</b>	<i>Not Applicable</i>
<b>Clause 5.2 Classification and reclassification of public land</b>	<i>Noted</i>
<b>Clause 5.3 Development near zone boundaries</b>	<i>Noted</i>
<b>Clause 5.4 Controls relating to miscellaneous permissible uses</b>	<i>Not applicable</i>
<b>Clause 5.5 Controls relating to secondary dwellings on land in a rural zone</b>	<i>Not Adopted</i>
<b>Clause 5.6 Architectural roof features</b>	<i>Not adopted</i>
<b>Clause 5.7 Development below mean high water mark</b>	<i>Not applicable</i>
<b>Clause 5.8 Conversion of fire alarms</b>	<i>Not applicable</i>
<b>Clause 5.9 &amp; 5.9AA</b>	<i>Repealed</i>
<b>Clause 5.10 Heritage conservation</b>	<i>Not applicable</i>
<b>Clause 5.11 Bush fire hazard reduction</b>	<i>Noted</i>
<b>Clause 5.12 Infrastructure development and use of existing buildings of the Crown</b>	<i>Noted</i>
<b>Clause 5.13 Eco-tourist facilities</b>	<i>Not applicable</i>
<b>Clause 5.14 Siding Spring Observatory—maintaining dark sky</b>	<i>Not adopted</i>
<b>Clause 5.15 Defence communications facility</b>	<i>Not adopted</i>
<b>Clause 5.16 Subdivision of, or dwellings on, land in certain rural, residential or environmental protection zones</b>	<i>No potential land use conflict exists with this proposal as all adjoining land uses and current land uses are general farming in excess of the minimum lot size.</i>
<b>Clause 5.17 Artificial waterbodies in environmentally sensitive areas of operation of irrigation corporations</b>	<i>Not applicable</i>
<b>Clause 5.18 Intensive Livestock agriculture</b>	<i>Not applicable. No intensive livestock agriculture is proposed as part of this application</i>
<b>Clause 5.19 Pond based, tank based and oyster aquaculture</b>	<i>Not relevant</i>
<b>Clause 5.20 Standards that cannot be used to refuse consent – playing and performing music</b>	<i>Not relevant</i>

Provision	Comment
<b>Clause 5.21 Flood Planning</b>	<i>Not relevant. The land within the proposal is not within a flood designated area.</i>
<b>Clause 5.22 Special flood considerations</b>	<i>Not adopted</i>

### **Part 6 Additional local provisions**

Provision	Comment
<b>Clause 6.1</b>	<i>Repealed</i>
<b>Clause 6.2 Biodiversity</b>	<i>It is contended that this development proposal will have little or no effect on the existing native fauna and flora as the status quo will remain the same and the proposed boundaries follow existing fencing.</i>
<b>Clause 6.3 Land</b>	<i>The proposed boundary follows existing fencing along a ridge line and as a consequence there will be little or no risk of erosion as no works are proposed.</i>
<b>Clause 6.4 Water</b>	<i>Natural water flows will remain as they are.</i>
<b>Clause 6.5 Earthworks</b>	<i>No earthworks are proposed as part of the application.</i>
<b>Clause 6.6 Public Utility infrastructure</b>	<i>The existing dwelling is connected to power and power supply can be provided to proposed lot 1 if required. Town water and sewage is not available.</i>
<b>Clause 6.7 Specific controls on land adjoining locally significant employment site</b>	<i>Not applicable</i>

### **Schedules**

Provision	Comment
<b>Schedule 1 Additional permitted uses</b>	<i>Not applicable</i>
<b>Schedule 2 Exempt development</b>	<i>Not applicable</i>
<b>Schedule 3 Complying development</b>	<i>Not applicable</i>
<b>Schedule 4 Classification and reclassification of public land</b>	<i>Not applicable</i>
<b>Schedule 5 Environmental heritage</b>	<i>Not applicable</i>
<b>Schedule 6 Pond-based and tank-based aquaculture</b>	<i>Not applicable</i>

## **5.2 Proposed instruments**

*COMMENT: There are a number of amendments to the LEP that have been the subject of public consultation under the Act. While these amendments apply to land within Snowy Valleys Council it is noted that none of these Amendments specifically change the provisions affecting the subject land. As a consequence there are no relevant issues identified.*

## 5.3 Any development control plan

### 5.3.1 Snowy Valleys Council Development Control Plan

The DCP provides general development standards that relate to all types of proposals, including subdivision within the Primary Production Zone (RU1).

*COMMENT: Following is an assessment against the provisions of Part 3 and Part 9.8 of the DCP.*

#### **Part 3 – Requirements applying to all types of development**

Provision	Comment
<b>Clause 3.2.1 Vehicle Access Standards</b>	<i>Proposed Lot 1 commands a long frontage to Tooma Road with ample opportunity for a new access point with adequate site distances. There is an existing access from the Tooma Road and it is proposed that this access will be utilised for both lots and access to the stock yards. If a new access is proposed in the future, then this will need to be constructed to councils requirements. Proposed Lot 2 has an existing access point from Alpine Way with good site distances.</i>
<b>Clause 3.2.2 Bushfire</b>	<i>The land is identified to be located within a bush fire prone area however there are no new dwellings proposed and both lots have excellent access to main roads as well as ample water supply. It is submitted that the proposed re-subdivision will not result in any increased bushfire risk to adjoining lands and will not result in any existing building being exposed to greater risk that might already exist. It also noted that there is a Fire Station located adjacent to both lots on Tooma Road.</i>
<b>Clause 3.2.3 Carparking</b>	<i>Not applicable.</i>
<b>Clause 3.2.4 Construction over council land and services</b>	<i>Not applicable.</i>
<b>Clause 3.2.5 Contaminated Land</b>	<i>Noted. It is believed that none of the land in the proposal is contaminated.</i>
<b>Clause 3.2.6 Cut and Fill</b>	<i>Complies, no works are proposed.</i>
<b>Clause 3.2.7 Demolition</b>	<i>Noted. No demolition is proposed</i>
<b>Clause 3.2.8 Development near electrical easements</b>	<i>There are Electrical Transmission Lines which cross the property near the intersection of the Alpine Way and Tooma Road, however, this proposal will not impact on these easements.</i>
<b>Clause 3.2.9 Erosion and Sediment control</b>	<i>Noted. No works are proposed</i>
<b>Clause 3.2.10 Flooding</b>	<i>The proposal is not located within a flood prone area.</i>
<b>Clause 3.2.11 Heritage</b>	<i>There are no built heritage items on the site or in proximity of the site that would be adversely affected by the development proceeding as outlined within this report.</i>

<b>Clause 3.2.12 Landscaping</b>	<i>Noted. No landscaping proposed.</i>
<b>Clause 3.2.13 On-Site waste water management</b>	<i>The effluent disposal area of the existing dwelling is contained within proposed lot 2.</i>
<b>Clause 3.2.14 Provision of Services</b>	<i>Both electricity and telecommunications are available for both lots.</i>
<b>Clause 3.2.15 Retaining Walls</b>	<i>Noted. No retaining walls are proposed.</i>
<b>Clause 3.2.16 Safer by design</b>	<i>Noted.</i>
<b>Clause 3.2.17 Stormwater/roof water management</b>	<i>Roof water for existing buildings can be directed to rain water tanks.</i>

## **Part 9.8 – Rural Subdivisions**

<b>Provision</b>	<b>Comment</b>
<b>Clause 9.8.1 General Considerations</b>	<i>The proposal will result in two large lots to be utilised for agricultural production. For all intents and purposes, the status quo will remain from the public realm perspective.</i>
<b>Clause 9.8.2 Adjoining Development</b>	<i>The proposal will have no impact on adjoining agricultural activities.</i>
<b>Clause 9.8.3 Fencing</b>	<i>Fencing on both lots is in good order and is stock proof on road frontages.</i>
<b>Clause 9.8.4 Lot size, shape and orientation</b>	<i>Both lots are in excess of 40ha and proposed boundary lines follow existing fencing.</i>
<b>Clause 9.8.5 Natural Hazards and risks</b>	<i>The proposed layout has taken into account the topography of the site. Refer to commentary above (clause 3.2.2 and clause 3.2.10) with regards to bushfire and flooding.</i>
<b>Clause 9.8.7 Roads and access</b>	<i>Refer to clause 3.2.1 above. An easement for access will be required to service the existing stock yards and the appropriate 88B instrument will be created and approved by council.</i>
<b>Clause 9.8.8 Rural addressing</b>	<i>Noted.</i>
<b>Clause 9.8.9 Services</b>	<i>Refer to clause 3.2.14 above.</i>
<b>Clause 9.8.10 Water Supply</b>	<i>Ample water supply exists for both lots in the form of springs and dams.</i>

### **5.4 Any Planning Agreements**

*COMMENT: No planning agreements apply.*

### **5.5 The regulations**

*COMMENT: The regulations have been considered in the assessment of this application. It is considered that the application is consistent with the objectives of the regulations.*

### **5.6 Coastal Zone Management Plan**

*COMMENT: Not applicable.*

**5.7 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.**

*COMMENT: [NOTE: Refer to Section 5 of this report as well as the following Statement of Environmental Effects at Section 6 of this report.]*

*There is not expected to be any adverse impact on the natural environment or surrounding farm land as a consequence of approval of this development application.*

*The proposal will also not impact upon high quality agricultural land. There will be no additional lots created.*

**5.8 The suitability of the site for the development**

*COMMENT: Refer to above discussion. The subject land is considered to be suitable for the proposed development being primarily related to ongoing primary production.*

**5.9 Any submissions made in accordance with this Act or the regulations,**

*COMMENT: This matter will be dealt with by Council as a part of the due process..*

**5.10 The public interest.**

*COMMENT: It is contended that there is nothing against the public interest that would preclude Council making a favourable determination in this matter. No issues exist in relation to the public – private land interface that are raised as matters of significant concern.*

**6. STATEMENT OF ENVIRONMENTAL EFFECTS**

The Environmental Planning and Assessment Regulation 2021 provides that a statement of environmental effects must accompany a development application.

The development is considered to have the following environmental effects identified through site inspection of the subject land, desktop analysis, and research of relevant background documents and databases.

**6.1 Context and Setting**

The proposal is a relatively minor matter that relates to the resubdivision of a number of lots into 2 lots. As a consequence the outcome will not be out of keeping with the site's existing context and setting being situated within a broader rural landscape.

**6.2 Design**

The design response has regard to site constraints and opportunities and the proposed new boundary follows a ridgeline and existing fencing

**6.3 Noise**

There will be no change to the status quo in terms of the existing noise profile in the immediate locality.



#### **6.4 Access & traffic**

No issues raised. An easement for access is proposed and this will provide access to existing stockyards which will be utilised by both lots as well as providing access to proposed Lot 1. There is another access point to lot 2 which provides an entry from the Alpine Way to the existing dwelling. Both existing access points have good site distances along the main roads.

#### **6.5 Biodiversity Assessment**

No issues raised. No native vegetation will be impacted upon.

#### **6.6 Public Domain**

The Public Domain will not be adversely affected by the development.

#### **6.7 Social & Economic**

No adverse social and / or economic impacts are expected.

#### **6.8 Utilities**

No extension of utility services is required.

#### **6.9 Air & Microclimate**

No issues raised.

#### **6.10 Cultural Heritage**

There are no built heritage items on the site or in proximity of the site that would be adversely affected by the development proceeding as outlined within this report.

#### **6.11 Bush Fire Hazard**

The subject land is identified as bush fire prone on Council's Bush Fire Land Use Plan. As previously discussed it is submitted that the proposed resubdivision:

- will not result in any increased bush fire risk to adjoining lands and will not result in any existing building being exposed to greater risk than might already exist;
- will ensure that the footprint of the existing building is appropriately contained within the new lot boundaries so as to afford a more than adequate APZ can be maintained; and
- will not result in an increased bush fire management and maintenance responsibility on any adjoining land owners.

The subject land is not identified as an area of flood hazard. There is no evidence of salinity, landslip or other soil instability or other natural hazards on the subject land.

#### **6.12 Waste**

No issues raised.

#### **6.13 Drainage**

The proposal is not expected to alter existing drainage patterns across the broader land holding or the immediate locality.

## **7. CONCLUDING COMMENTS**

Having regard to the above it is concluded that the proposal is not inconsistent with the purposes or objectives of the Primary Production (U1) Zone under the provisions of the Greater Hume LEP and consequently the proposed development would be both appropriate and reasonable in the circumstances.

This position is further supported as follows:

1. No adverse off site impacts are anticipated.
2. No native vegetation is required to be removed.
3. The proposal will facilitate the ongoing rural use of the larger lot for primary production purposes.

As noted above it is contended that the proposal represents order planning for the subject land. Having regard to the above, it is requested that Council approve this application.

**EDM Group  
Brendon Windsor**

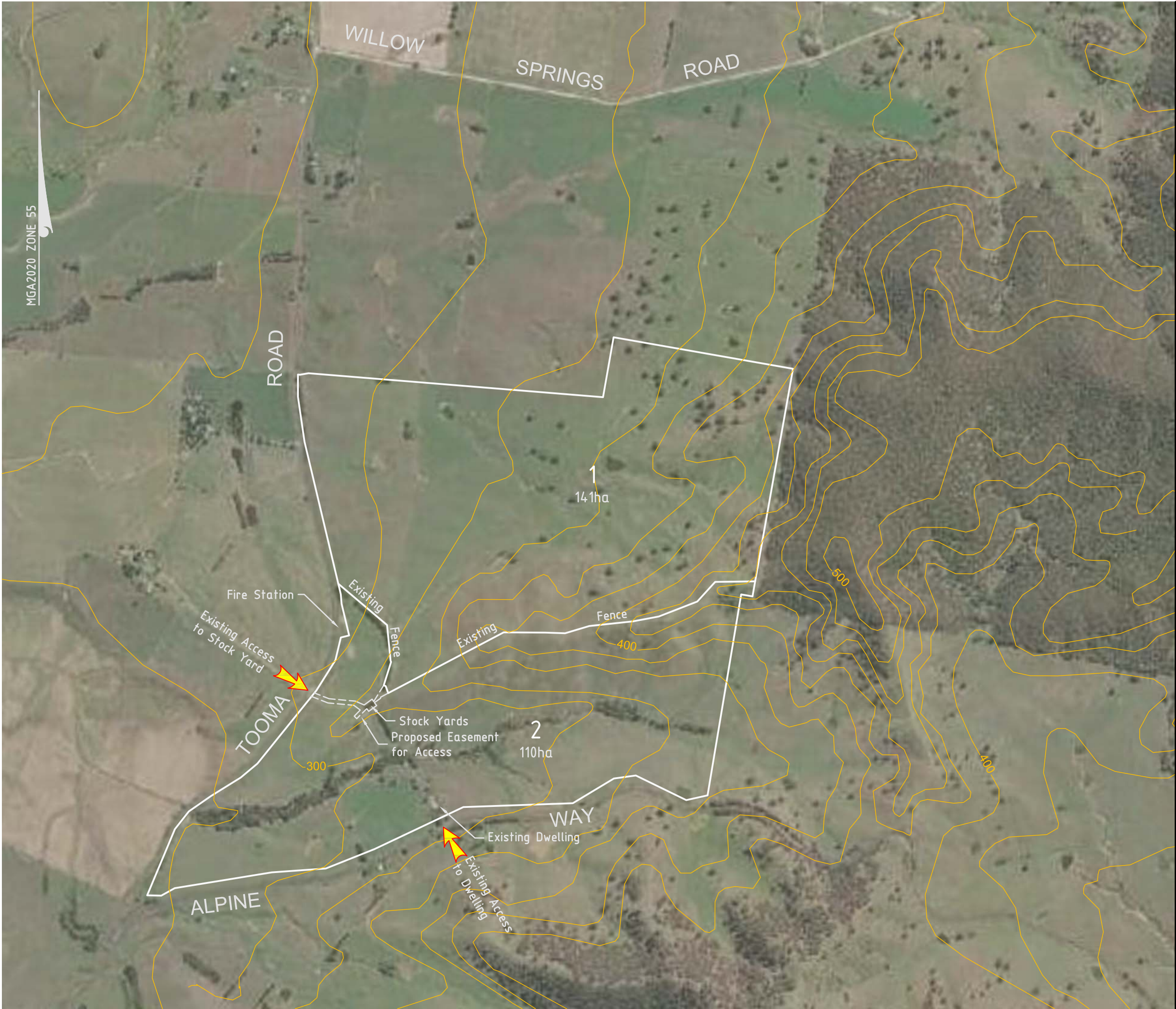
**20 June 2023  
Ref: 23000300**

# **APPENDIX 1**

## **SUBDIVISION LAYOUT PLAN**



DESIGN RESPONSE  
PROPOSED SUBDIVISION  
LOTS 1 to 4, 6 to14 & 17  
DP133969  
377 ALPINE WAY  
BRINGENBRONG 3707



NOTE:  
Areas, dimensions and lot layout are approximate only and are subject to final survey, council approval and registration of the Plan of Subdivision at the Titles Office

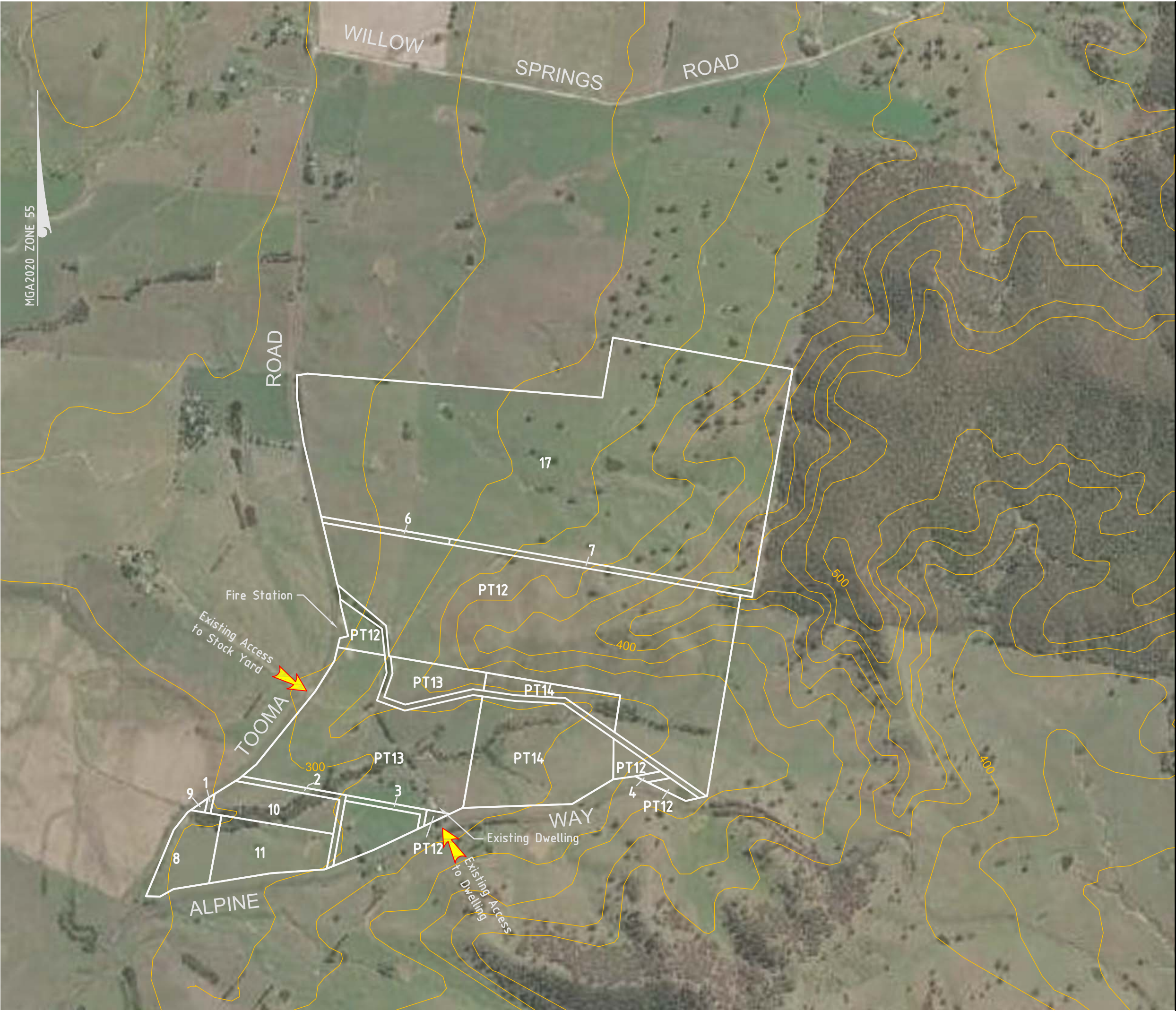
The cadastre has been laid over an aerial image for presentation purposes only.  
The aerial image is intended as a visual aid only and may not be an accurate representation of ground conditions. Title survey must be undertaken to accurately verify the location of any boundary shown hereon.

# **APPENDIX 2**

## **SITE CONTEXT**



SITE CONTEXT PLAN  
PROPOSED SUBDIVISION  
LOTS 1 to 4, 6 to14 & 17  
DP133969  
377 ALPINE WAY  
BRINGENBRONG 3707



NOTE:  
The cadastre has been laid over an aerial image for presentation purposes only.  
The aerial image is intended as a visual aid only and may not be an accurate representation of ground conditions. Title survey must be undertaken to accurately verify the location of any boundary shown hereon.



# **APPENDIX 3**

## **TITLE PARTICULARS**



FOLIO: AUTO CONSOL 8368-233

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SEARCH DATE	TIME	EDITION NO	DATE
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22/6/2023	2:28 PM	-	-

VOL 8368 FOL 233 IS THE CURRENT CERTIFICATE OF TITLE

LAND

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LAND DESCRIBED IN SCHEDULE OF PARCELS  
LOCAL GOVERNMENT AREA SNOWY VALLEYS  
PARISH OF BRINGENBRONG COUNTY OF SELWYN  
TITLE DIAGRAM DP133969

FIRST SCHEDULE

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W. JARVIS PROPERTIES PTY. LIMITED (T K98615)

SECOND SCHEDULE (5 NOTIFICATIONS)

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- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 LAND EXCLUDES MINERALS RESERVED BY THE CROWN GRANTS OF ALL LOTS  
EXCEPT AS REGARDS LOTS 11 AND 13
- 3 K515036 EASEMENT FOR TRANSMISSION LINE AFFECTING THE PART  
OF LOT 8 DESIGNATED (Y) IN THE TITLE DIAGRAM
- 4 Q967709 MORTGAGE TO NEW SOUTH WALES RURAL ASSISTANCE  
AUTHORITY
- 5 R134754 MORTGAGE TO NEW SOUTH WALES RURAL ASSISTANCE  
AUTHORITY

NOTATIONS

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UNREGISTERED DEALINGS: NIL

SCHEDULE OF PARCELS

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LOTS 1-18 IN DP133969.

\*\*\* END OF SEARCH \*\*\*

230003

PRINTED ON 22/6/2023



FOLIO: 1/654229

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SEARCH DATE	TIME	EDITION NO	DATE
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20/3/2023	10:24 AM	-	-

VOL 11444 FOL 60 IS THE CURRENT CERTIFICATE OF TITLE

LAND

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LOT 1 IN DEPOSITED PLAN 654229  
LOCAL GOVERNMENT AREA SNOWY VALLEYS  
PARISH OF BRINGENBRONG COUNTY OF SELWYN  
TITLE DIAGRAM DP654229

FIRST SCHEDULE

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W.JARVIS PROPERTIES PTY.LIMITED

SECOND SCHEDULE (2 NOTIFICATIONS)

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- 1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND  
CONDITIONS IN FAVOUR OF THE CROWN - SEE CROWN GRANT(S)
- \* 2 Q967709 MORTGAGE TO NEW SOUTH WALES RURAL ASSISTANCE  
AUTHORITY

NOTATIONS

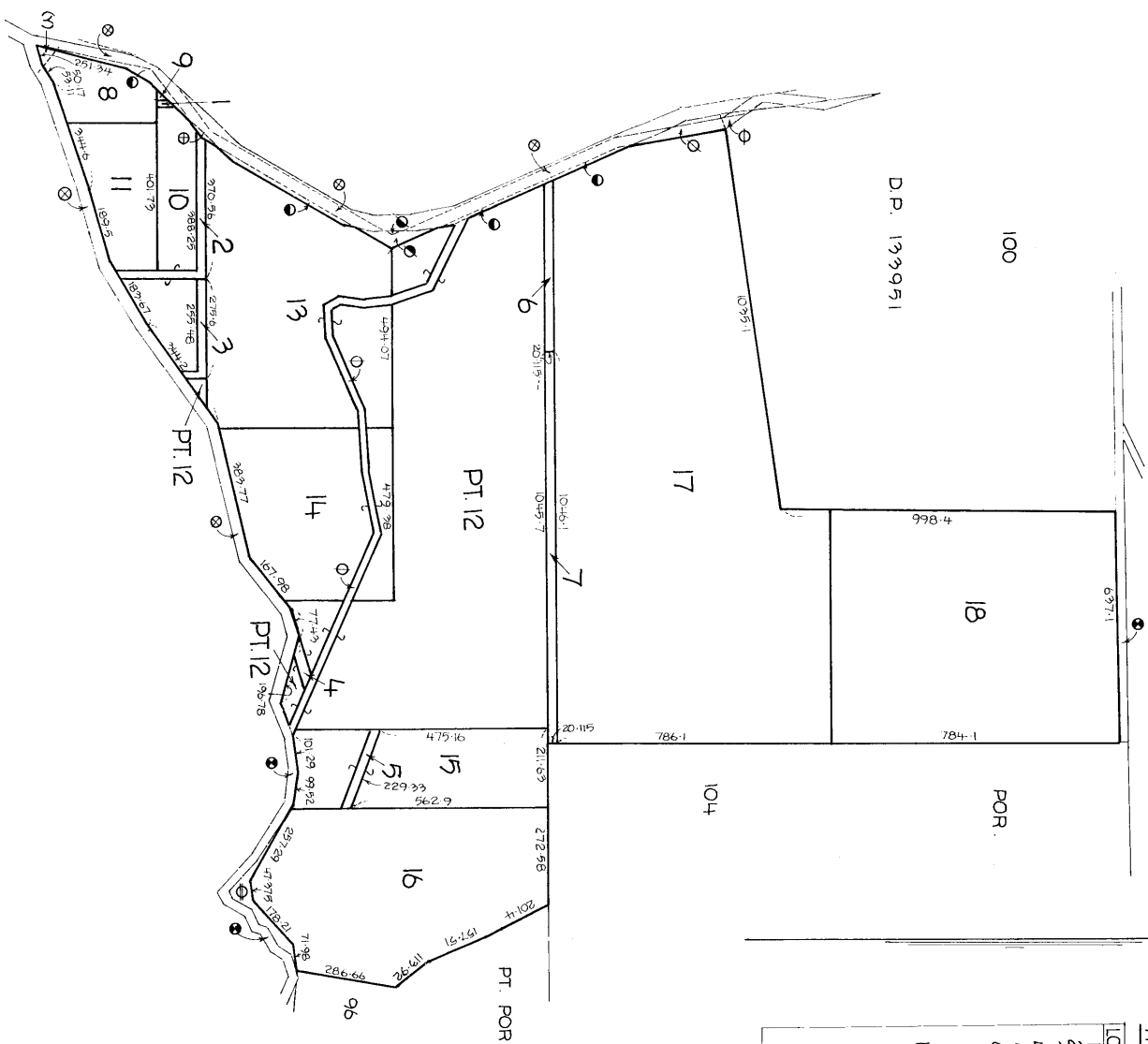
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UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*

230003

PRINTED ON 20/3/2023



TITLE REFERENCE : VOL. 8968 FOL. 233		
LOTS	DESCRIPTION	AREAS
1	PT. 2ac. 2r. 25p. Gt. (20.115 WIDE)	
2	PT. 14ac. Gt. (20.115 WIDE)	
3	PT. 2ac. 1r. Op. (20.115 WIDE)	
4	3T. 4p. Gt. (20.175 WIDE)	3136 m <sup>2</sup>
5	1ac. Or. 22p. Gt. (20.115 WIDE)	4603 m <sup>2</sup>
6	2ac. 1r. 31p. Gt. (20.115 WIDE)	9889 m <sup>2</sup>
7	5ac. Or. 32p. Gt. (20.115 WIDE)	2104 ha
8	PT. POR. 2	
9	PT. POR. 11	
10	PT. POR. 66	
11	PT. POR. 19	
12	PT. POR. 86	
13	PT. POR. 48	
14	PT. POR. 81	
15	PT. POR. 95	
16	PT. POR. 96	
17	PT. POR. 99	
18	PT. POR. 49	

- (V) EASEMENT FOR TRANSMISSION LINE 110.64 WIDE  
 & VAR. WIDTH - K 515026 (D.P. 227386)  
 ⊕ ROAD (R27916-1603) VAR. WIDTH  
 ⊕ ROAD (R27916-1603) VAR. WIDTH  
 ⊕ ROAD (R27916-1603) VAR. WIDTH  
 ⊕ ROAD 20.175 WIDE  
 ⊕ ROAD 20.115 WIDE  
 ⊕ LOT 1 D.P. 455062  
 ⊕ LOT 2 D.P. 455062  
 ⊕ LOT 3 D.P. 455062  
 ⊕ LOT 4 D.P. 455062  
 ⊕ LOT 5 D.P. 455062  
 ⊕ LOT 102 D.P. 133951  
 ⊕ LOT 1 D.P. 654229

Full dimensions are not available for all lots. Any division of the lands herein may necessitate the lodgment of a plan of survey.

<b>D. P. 133969</b> Registered :  12.1997 C.A.: _____ Title System: TORRENS Purpose: DEPARTMENTAL Ref. Map: PARISH (?)* Last Plans: D.P. 133951, D.P. 227386, D.P. 455062, D.P. 654229, R7280A-1603. <b>PLAN OF</b>		<b>LOTS 1 - 18</b> (SEE SCHEDULE)	<b>L.G.A. : TUMBARUMBA</b> <b>Locality :</b> <b>Parish: BRINGENBRONG</b> <b>County: SELWYN</b> <b>Reduction Ratio 1 : N.T.S.</b> <b>Lengths are in metres</b>	<b>CONT. :</b> R27916-1603, R20554-1603, 28-1522, 85-1522, 209-1522, 345-1522, 622A-1522, 911-1522, 980-1522, 1355-1522, 1428-1522 & 1297-1522
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PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

(Page 1) Vol. **11444** Fol. **60**

11444 Fol. 60

No. 19 70/2221

State of New South Wales

**(LAND GRANT)**

Register Book

Vol. 11444 Fol. 60

Registered / 16-11-1970

Registar General

**GRANT UPON PURCHASE OF UNNECESSARY ROAD  
(Under the Public Roads Act, 1902)  
CANCELLED**

(UNDER THE PUBLIC ROADS ACT, 1902

Dr. All to whom these Presents shall come, Writing:-

**SEE AUTO FOLIO**

**THE HERTFORDS W. JARVIS PROPERTIES PTY. LIMITED**

(hereinafter called the GRANTEE) being the owner of land adjoining the land hereinafter described and intended to be hereby granted (family & road which was duly created in accordance with the provisions of the Public Road Act, 1902) agreed to have such land granted to it on payment of the sum of two hundred and forty five dollars ninety nine cents being the value thereof agreed upon

AND WHEREAS the said sum has been duly paid and all things required by law to be done

to entitle the GRANTEE to a Genl of the fee simple of the said land and Subject to the Reservations and Exceptions hereinafter contained have been done

and performed NOW THESE PRESENTS WITNESS That in consideration of the premises We DO HEREBY GRANT unto the GRANTEE Subject to the Reservations and Exceptions hereinafter contained ALL THAT parcel of land containing by admeasurement eight acres two rods

ht acres two rods —————

County of Bergen  
road within portions 86, 48 and 87

Parish of Bringenbrong Being the closed part. of a

LG4 - TUMBALUMBH

CO: SELWYN  
PH: BRINGENBROG

$$= 0.75$$

STAMP  DUTY

THE LAND WITHIN  
DESCRIBED IS

LOT 1 IN DP654229

Area: 8 acres 2 roods

SCALE

0 5 10 20 CHAINS

As per Plan hereon TO HOLD unto the GRANTEE in fee simple

PROVIDED NEVER THESS AND WE DO HEREBY RESERVE AND EXCEPT unto Us Our Heirs and Successors all minerals which the said Land contains with full power and authority for Us Our Heirs and Successors and each person as shall from time to time be authorised by Us or Them to enter upon the said Land and to search for mine dig and remove the said minerals AND ALSO all such parts of the said Land as may hereafter belong to Us upon the said Land and to search for mine dig and remove the same to be set out for Our Governor for the time being of Our said State or some person by him authorised for the said works in and over and through the same to be set out for Our Governor for the time being of Our said State or some person by him authorised in that respect with full power for Us Our Heirs and Successors and for Our Governor as aforesaid by such person or persons as shall be by Us Them or him authorised in that behalf to make and conduct all such public works and the right of full and true ingress egress and regress into out of and upon the said Land for the several purposes and or any of them IN TESTIMONY WHEREOF we have caused this Our Grant to be sealed with the Seal of our said State

**Philippa** Our Governor of Our State of New South Wales and its

### Dependencies in the Commonwealth of Australia, at Sydney


in Our said State, this fourth

day of November in the nineteenth

Only *living* of Our Reign and in the year of Our Lord one Thousand nine hundred and seventy

WARNING: THIS DOCUMENT MUST NOT BE REMOVED FROM THE LAND TITLES OFFICE.

DP 654229

Prepared :  26.7.1994

This plan has been created to provide a unique identifier to enable the issue of an Automated Torrens Title for the land comprised in folio of the Register

Volume 11444

Folio 60

Metric Conversion Chart

Feet	Inches	Metres
1/4	0.0064	
1/2	0.0127	
3/4	0.0190	
1	0.0254	
2	0.0508	
3	0.0762	
4	0.1016	
5	0.1270	
6	0.1524	
7	0.1778	
8	0.2032	
9	0.2286	
10	0.2540	
11	0.2794	
1	0	0.3048
50	0	15.24
100	0	30.48

Links	Metres
1/10	0.0201
1	0.2012
100	20.115

Areas

1 Perch (P)	25.29 m <sup>2</sup>
1 Rood (R)	1012 m <sup>2</sup>
1 Acre (A)	4047 m <sup>2</sup>
1 Hectare (Ha)	= 10,000 m <sup>2</sup>

N	O	O	I	D	I	B
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# **APPENDIX 4**

# **PROPERTY REPORT**



# Property Report

337 ALPINE WAY BRINGENBRONG 3707



## Property Details

Address:	337 ALPINE WAY BRINGENBRONG 3707		
Lot/Section	1/-/DP1117937	1/-/DP133969	1/-/DP455062
/Plan No:	1/-/DP654229	10/-/DP133969	11/-/DP133969
	12/-/DP133969	13/-/DP133969	14/-/DP133969
	15/-/DP133969	16/-/DP133969	17/-/DP133969
	18/-/DP133969	2/-/DP133969	2/-/DP455062
	2/-/DP755854	3/-/DP133969	3/-/DP455062
	4/-/DP133969	4/-/DP455062	5/-/DP133969
	5/-/DP455062	6/-/DP133969	7/-/DP133969
	8/-/DP133969	9/-/DP133969	92/-/DP755854
Council:	SNOWY VALLEYS COUNCIL		

## Summary of planning controls

Planning controls held within the Planning Database are summarised below. The property may be affected by additional planning controls not outlined in this report. Please contact your council for more information.

Local Environmental Plans	Tumbarumba Local Environmental Plan 2010 (pub. 30-6-2010)
Land Zoning	RU1 - Primary Production: (pub. 24-2-2023)
Height Of Building	NA
Floor Space Ratio	NA
Minimum Lot Size	40 ha
Heritage	NA
Land Reservation Acquisition	NA
Foreshore Building Line	NA
Terrestrial Biodiversity	Sensitive Land

## Detailed planning information

### State Environmental Planning Policies which apply to this property

State Environmental Planning Policies can specify planning controls for certain areas and/or types of development. They can also identify the development assessment system that applies and the type of environmental assessment that is required.

This report provides general information only and does not replace a Section 10.7 Certificate (formerly Section 149)



# Property Report

337 ALPINE WAY BRINGENBRONG 3707

- State Environmental Planning Policy (Biodiversity and Conservation) 2021: Allowable Clearing Area (pub. 21-10-2022)
- State Environmental Planning Policy (Biodiversity and Conservation) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004: Land Application (pub. 25-6-2004)
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008: Land Application (pub. 12-12-2008)
- State Environmental Planning Policy (Housing) 2021: Land Application (pub. 26-11-2021)
- State Environmental Planning Policy (Industry and Employment) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Planning Systems) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Primary Production) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Resilience and Hazards) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Resources and Energy) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Transport and Infrastructure) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development: Land Application (pub. 26-7-2002)

## Other matters affecting the property

Information held in the Planning Database about other matters affecting the property appears below. The property may also be affected by additional planning controls not outlined in this report. Please speak to your council for more information

1.5 m Buffer around Classified Roads	Classified Road Adjacent
Bushfire Prone Land	Vegetation Buffer
	Vegetation Category
Land near Electrical Infrastructure	This property may be located near electrical infrastructure and could be subject to requirements listed under ISEPP Clause 45. Please contact Essential Energy for more information.
Local Aboriginal Land Council	BEGA
	MERRIMANS
Regional Plan Boundary	Riverina Murray

This report provides general information only and does not replace a Section 10.7 Certificate (formerly Section 149)