

Form 2

NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	430 Clebyarra Road GOON NURE VIC 3875 CA: 12 Sec: 4
The application is for a permit to:	Two Lot Subdivision (Boundary Realignment) & Creation of Carriageway Easement
A permit is required under the following clauses of the planning scheme:	
Planning Scheme Clause	Matter for which a permit is required
35.07-3 Farming Zone 1	Subdivide land
52.02 Easements, Restrictions and Reserves	Create an easement
The applicant for the permit is:	Crowther & Sadler Pty Ltd
The application reference number is:	5.2026.118.1

You may look at the application and any documents that support the application free of charge at: <https://www.eastgippsland.vic.gov.au/building-and-development/advertised-planning-permit-applications>

You may also call 5153 9500 to arrange a time to look at the application and any documents that support the application at the office of the responsible authority, East Gippsland Shire. This can be done during office hours and is free of charge.

Any person who may be affected by the granting of the permit may object or make other submissions to the responsible authority.

An objection must

- ◆ **be made to the Responsible Authority in writing,**
- ◆ **include the reasons for the objection, and**
- ◆ **state how the objector would be affected.**

The responsible authority must make a copy of every objection available at its office for any person to inspect during office hours free of charge until the end of the period during which an application may be made for review of a decision on the application.

The Responsible Authority will not decide on the application before:	Subject to the applicant giving notice
---	---

If you object, the Responsible Authority will tell you its decision.

April McDonald

From: Snapforms Notifications <no-reply@snapforms.com.au>
Sent: Wednesday, 29 April 2026 1:13 PM
To: Planning Unit Administration
Subject: Planning Permit application
Attachments: 21496 Report.pdf; CoT Vol 8039 Fol 353.pdf; CoT Vol 10819 Fol 439.pdf; Planning_Permit_Application_2026-04-29T13-12-30_33263563_0.pdf; attachment_errors.txt; 21496 Prop V2.pdf

Planning Permit Application

A "Planning Permit Application" has been submitted via the East Gippsland Shire Council website, the details of this submission are shown below:

Applicant name: Crowther & Sadler Pty Ltd

Email address: contact@crowthersadler.com.au

Postal address : PO Box 722, Bairnsdale Vic 3875

Preferred phone number: 0351525011

Owner's business trading name (if applicable):

Owner's postal address:

Street number: 430

Street name: Clebyarra Road

Town: Goon Nure

Post code: 3875

Is there any encumbrance on the Title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?: No

Will the proposal result in a breach of a registered covenant restriction or agreement?: No

Existing conditions : Existing dwelling and outbuildings

Description of proposal : Two Lot Subdivision (Boundary Realignment) and Creation of Carriageway Easement

Estimated cost of development: 0

Has there been a pre-application meeting: No

ExtraFile: 1

Invoice Payer: Crowther & Sadler Pty Ltd

Address for Invoice: PO Box 722, Bairnsdale Vic 3875

Invoice Email: contact@crowthersadler.com.au

Primary Phone Invoice: 0351525011

Declaration: Yes

Authority Check: Yes

Notice Contact Check: Yes

Notice check 2: Yes

Privacy Statement Acknowledge: Yes

Planning report: [21496 Report.pdf](#)

Full copy of Title: [CoT Vol 8039 Fol 353.pdf](#)

1. Supporting information/reports: [CoT Vol 10819 Fol 439.pdf](#)

Plans: [21496 Prop V2.pdf](#)



Copyright State of Victoria. No part of this publication may be reproduced except as permitted by the Copyright Act 1968 (Cth), to comply with a statutory requirement or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA REGD TM System. None of the State of Victoria, its agents or contractors, accepts responsibility for any subsequent publication or reproduction of the information.

The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

ADVERTISED

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958 Page 1 of 3

VOLUME 08039 FOLIO 353

Security no : 124133631879L
Produced 09/04/2026 11:04 AM

LAND DESCRIPTION

Lot 1 on Title Plan 240974C (formerly known as part of Crown Allotment 1 Section 2 Parish of Goon Nure).
PARENT TITLE Volume 07682 Folio 055
Created by instrument 2558610 12/05/1953

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP240974C FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 430 CLEBYARRA ROAD GOON NURE VIC 3875

ADMINISTRATIVE NOTICES

NIL

eCT Control
Effective from

DOCUMENT END

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.

TITLE PLAN	EDITION 1 TP 240974C
<p>Location of Land</p> <p>Parish: GOON NURE</p> <p>Township:</p> <p>Section: 2</p> <p>Crown Allotment: 1 (PT)</p> <p>Crown Portion:</p> <p>Last Plan Reference:</p> <p>Derived From: VOL 8039 FOL 353</p> <p>Depth Limitation: NIL</p>	
<p>ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN</p>	

<p>Description of Land / Easement Information</p>	<p>THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT</p> <p>COMPILED: 08/12/1999</p> <p>VERIFIED: CL</p>
--	---

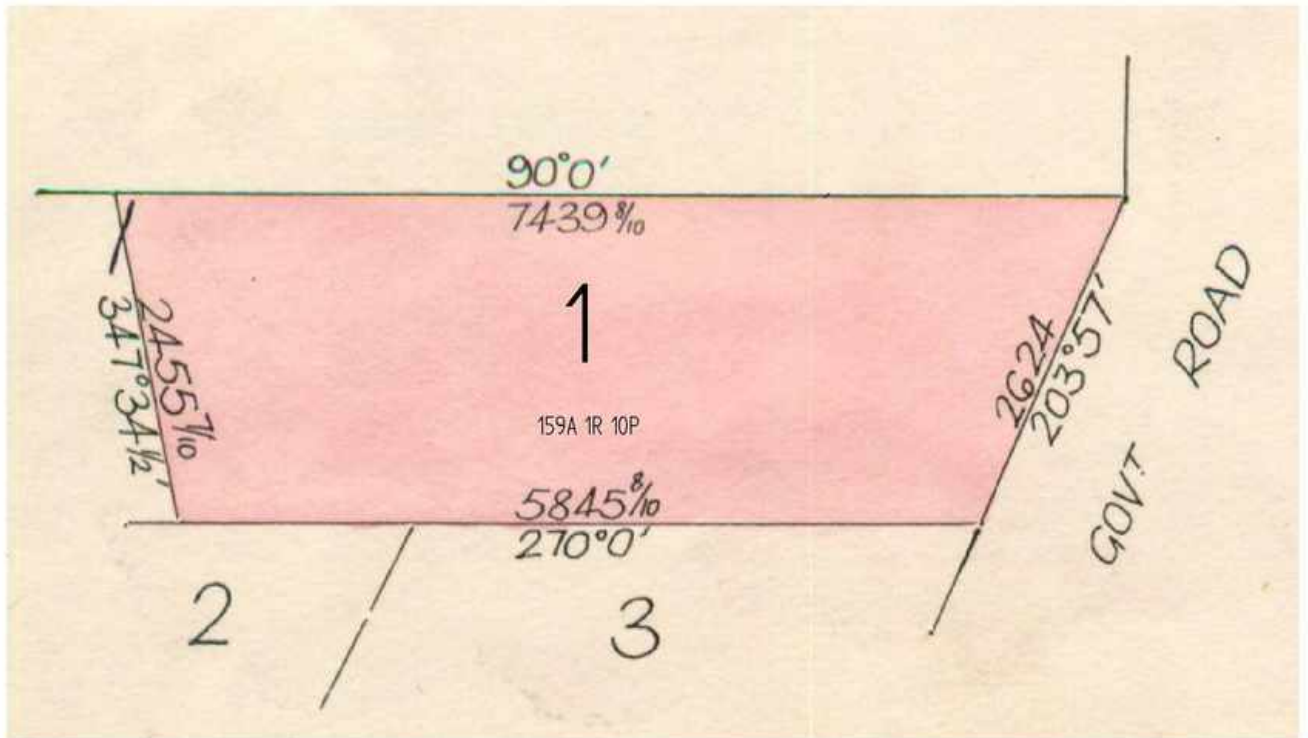


TABLE OF PARCEL IDENTIFIERS
WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962
PARCEL 1 = CA 1 (PT)

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958 Page 1 of 3

VOLUME 10819 FOLIO 439

Security no : 124133631852Q
Produced 09/04/2026 11:03 AM

LAND DESCRIPTION

Crown Allotment 12 Section 4 Parish of Goon Nure.
PARENT TITLE Volume 06238 Folio 595
Created by instrument AD014917T 29/07/2004

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor

ENCUMBRANCES, CAVEATS AND NOTICES

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP355300T FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 430 CLEBYARRA ROAD GOON NURE VIC 3875

ADMINISTRATIVE NOTICES

NIL

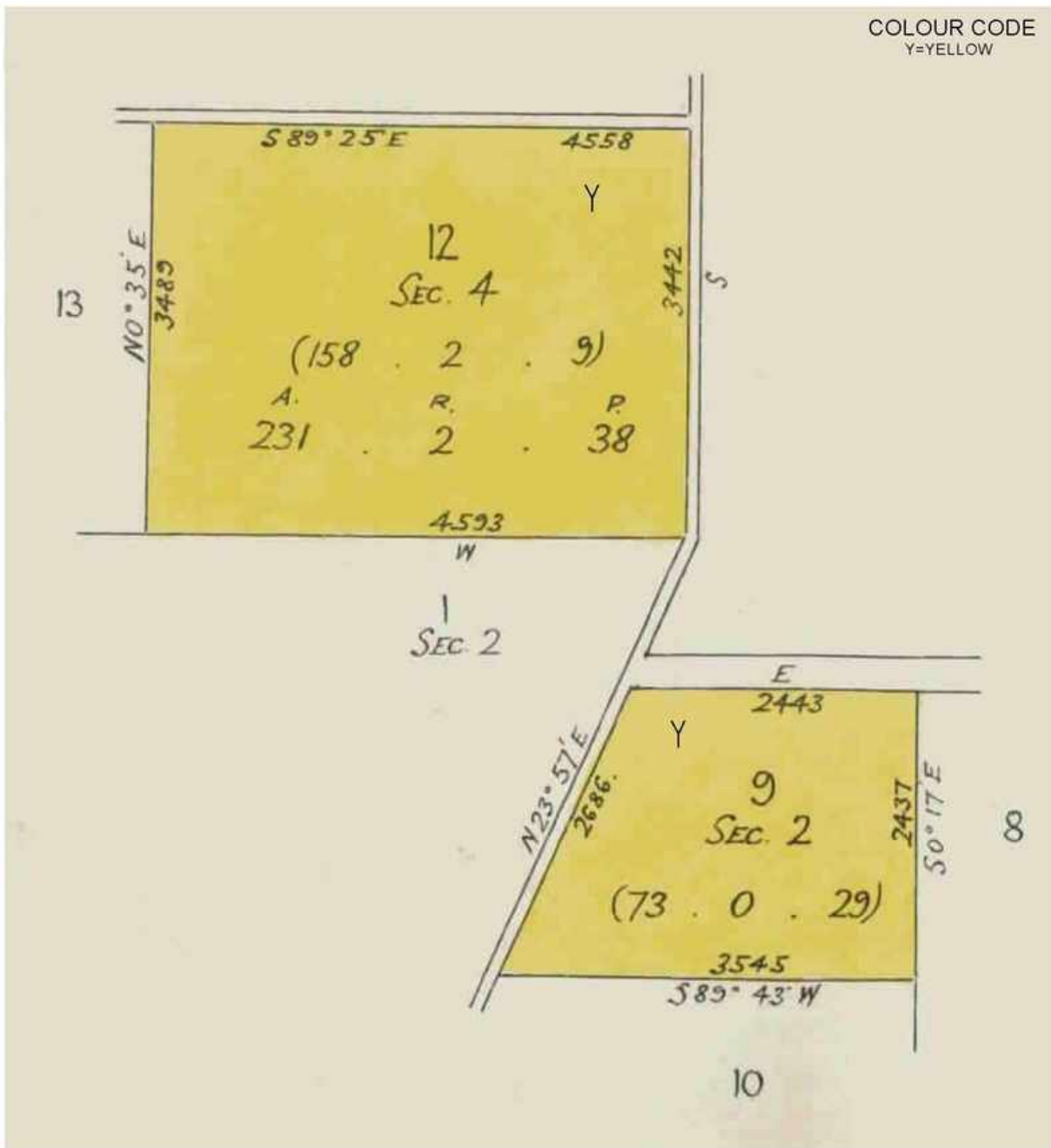
eCT Control
Effective from

DOCUMENT END

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.

TITLE PLAN		EDITION 1	TP 355300T
Location of Land		Notations Subject to the Reservations, Exceptions, Conditions and Powers contained in Crown Grant Vol. 6238 Fol. 595 and noted on sheet 2 of this plan	
Parish:	GOON NURE		
Township:			
Section:	2 4		
Crown Allotment:	9 12		
Crown Portion:			
Last Plan Reference:			
Derived From:	VOL 6238 FOL 595		
Depth Limitation:	50 FEET	ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN	

Description of Land / Easement Information	THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 22/03/2000 VERIFIED: P.C.
---	--



This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.

TP 355300T

TITLE PLAN

LAND DESCRIPTION INCLUDING RESERVATIONS EXCEPTIONS
CONDITIONS AND POWERS SHOWN ON THE CROWN GRANT

All THAT PIECE OF LAND in the said State containing *two hundred and thirty one acres two rods and thirty eight perches more or less being allotment nine of Section two and allotment twelve of Section four in the Parish of Spoon Hill County of Tanjil*

delimited with the measurements and abutments thereof in the map drawn in the margin of these presents and therein colored yellow PROVIDED nevertheless that the grantee shall be entitled to sink wells for water and to the use and enjoyment of any wells or springs of water upon or within the boundaries of the said land for any and for all purposes as though he held the land without limitation as to depth EXCEPTING nevertheless unto Us Our heirs and successors all gold and silver and minerals as defined in the *Mines Act 1928* in upon or under or within the boundaries of the land hereby granted AND reserving to Us Our heirs and successors free liberty and authority for Us Our heirs and successors and Our and their licensees agents and servants at any time or times hereafter to enter upon the said land and to search and mine therein for gold silver and minerals as aforesaid and to extract and remove therefrom any such gold silver and minerals and to search for and work dispose of and carry away the said gold silver and minerals lying in upon or under the land hereby granted and for the purposes aforesaid to sink shafts make drives erect machinery and to carry on any works and do any other things which may be necessary or usual in mining and with all other incidents that are necessary to be used for the getting of the said gold silver and minerals and the working of all mines seams lodes and deposits containing such gold silver and minerals in upon or under the land hereby granted AND ALSO reserving to Us Our heirs and successors—

- (i) all petroleum as defined in the *Mines (Petroleum) Act 1935* on or below the surface of the said land and
- (ii) the right of access for the purpose of searching for and for the operations of obtaining such petroleum in any part or parts of the said land and
- (iii) rights of way for access and for pipe-lines and other purposes necessary for obtaining and conveying such petroleum in the event of such petroleum being obtained in any part or parts of the said land.

PROVIDED ALWAYS that the said land is and shall be subject to be resumed for mining purposes under Section 168 of the *Land Act 1928*. AND PROVIDED ALSO that the said land is and shall be subject to the right of any person being the holder of a miner's right or of a mining lease or mineral lease under the *Mines Act 1928* or any corresponding previous enactment to enter therein and to mine for gold silver or minerals within the meaning of the said Act and to erect and occupy mining plant or machinery thereon in the same manner and under the same conditions and provisions as those to which such person would for the time being be entitled to mine for gold and silver in and upon Crown lands. PROVIDED that compensation shall be paid to the said

GRANTEE

his heirs executors administrators assigns or transferees by such person for surface damage to be done to such land by reason of mining thereon such compensation to be determined as provided for the time being by law and the payment thereof to be a condition precedent to such right of entry.

LENGTHS ARE IN LINKS

Metres = 0.3048 x Feet
Metres = 0.201168 x Links

Sheet 2 of 2 sheets

Planning Report

Two Lot Subdivision (Boundary Realignment) and
Creation of a Carriageway Easement
430 Clebyarra Road, Goon Nure

Our reference – 21496

April 2026



FS 520900



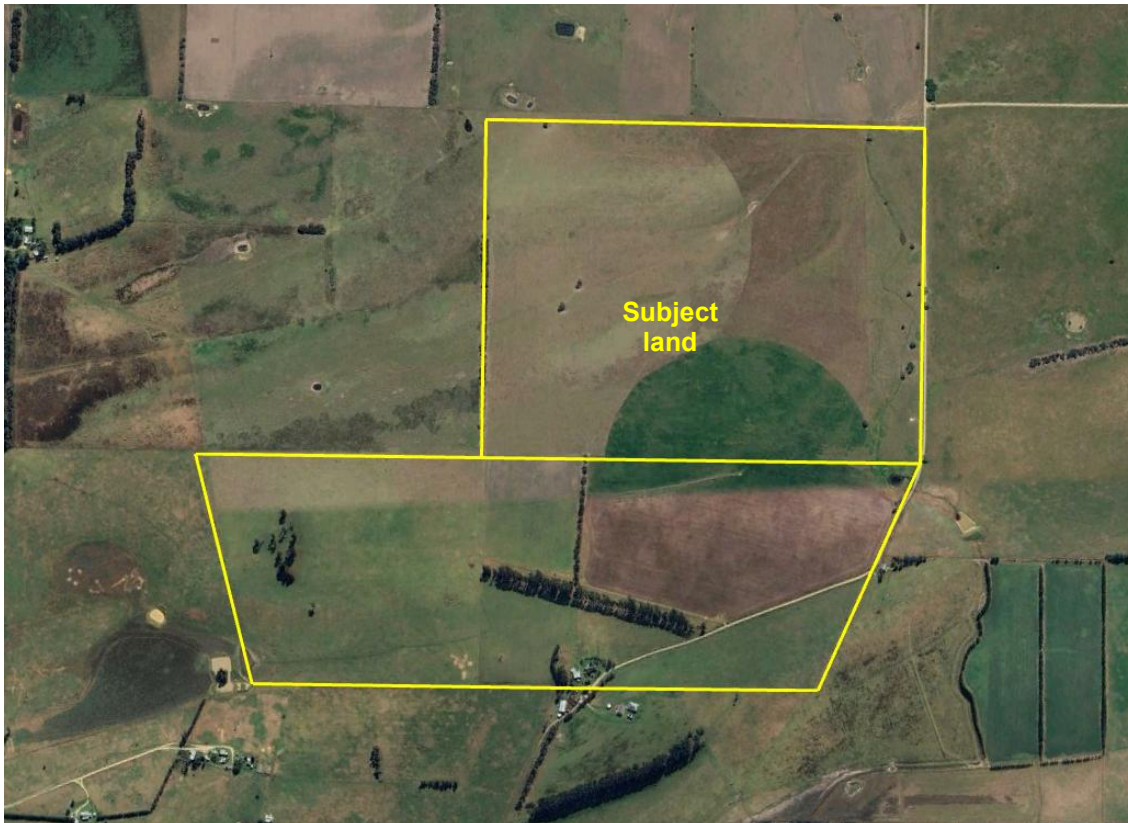
Contents

1.	Introduction	3
2.	Subject Land & Surrounding Context	4
3.	The Application & Proposal	6
4.	Cultural Heritage	8
5.	Planning Policy	9
	5.1 Planning Policy Framework	9
	5.2 Municipal Planning Strategy	10
6.	Planning Elements	11
	6.1 Farming Zone 1	11
	6.2 Clause 52.02 Easements, Restrictions and Reserves	12
7.	Conclusion	13
8.	Attachments	
	Application Form	
	Proposed Subdivision Plan (Version 2)	
	Copy of Title (Lot 1 on TP240974 and Crown Allotment 12, Section 4, Parish of Goon Nure)	

Note: Applicable Planning Application fee is \$1,496.10

1. Introduction

This Planning Report is prepared in support of a proposed two lot subdivision (boundary realignment) and creation of a carriageway easement at 430 Clebyarra Road, Goon Nure. The Report addresses the provisions of the Farming Zone 1 and Clause 52.02 Easements, Restrictions and Reserves as contained within the East Gippsland Planning Scheme.



Aerial image of the subject land and surrounds (Source: Google Earth)

2. Subject Land & Surrounding Context

The subject land consists of two land parcels being formally known as Lot 1 on TP240974 and Crown Allotment 12, Section 4, Parish of Goon Nure or otherwise known as 430 Clebyarra Road, Goon Nure.

The property is an irregular shape and has an area of approximately 128.63 hectares. It is developed by a dwelling and associated outbuildings located within the south-eastern part of the site, which is accessed by a rural gravel road.

The land is used for the production of fodder and contains a number of scattered native trees. The property has been improved with fencing, dams and shelter belts.

North of the subject land is a larger property that is developed with agricultural outbuildings.

To the west of the site are two properties developed with dwellings and associated outbuildings.

East of the subject land is a large landholding developed with a dwelling and shedding and south of the land is a property developed with a dwelling.

The site is within a traditional broad acre grazing area within the western part of the Shire. Landholdings vary in size but are generally actively farmed and some properties are developed with dwellings.

Agricultural production within the district sees livestock husbandry of both sheep and cattle, grain cropping and fodder cropping.

Properties within the area are not remote from significant townships such as Bairnsdale located approximately 20 kilometres to the north-east of the site.



*Aerial image demonstrating the subject land's location and distance to Bairnsdale
(Source: Google Earth)*

3. The Application & Proposal

It is proposed to subdivide the subject land into two lots through a boundary realignment.

The landowner has a large agribusiness company which includes a number of landholdings. The agricultural enterprise is a genuine undertaking which farms high quality livestock fodder such as hay, silage and grain.

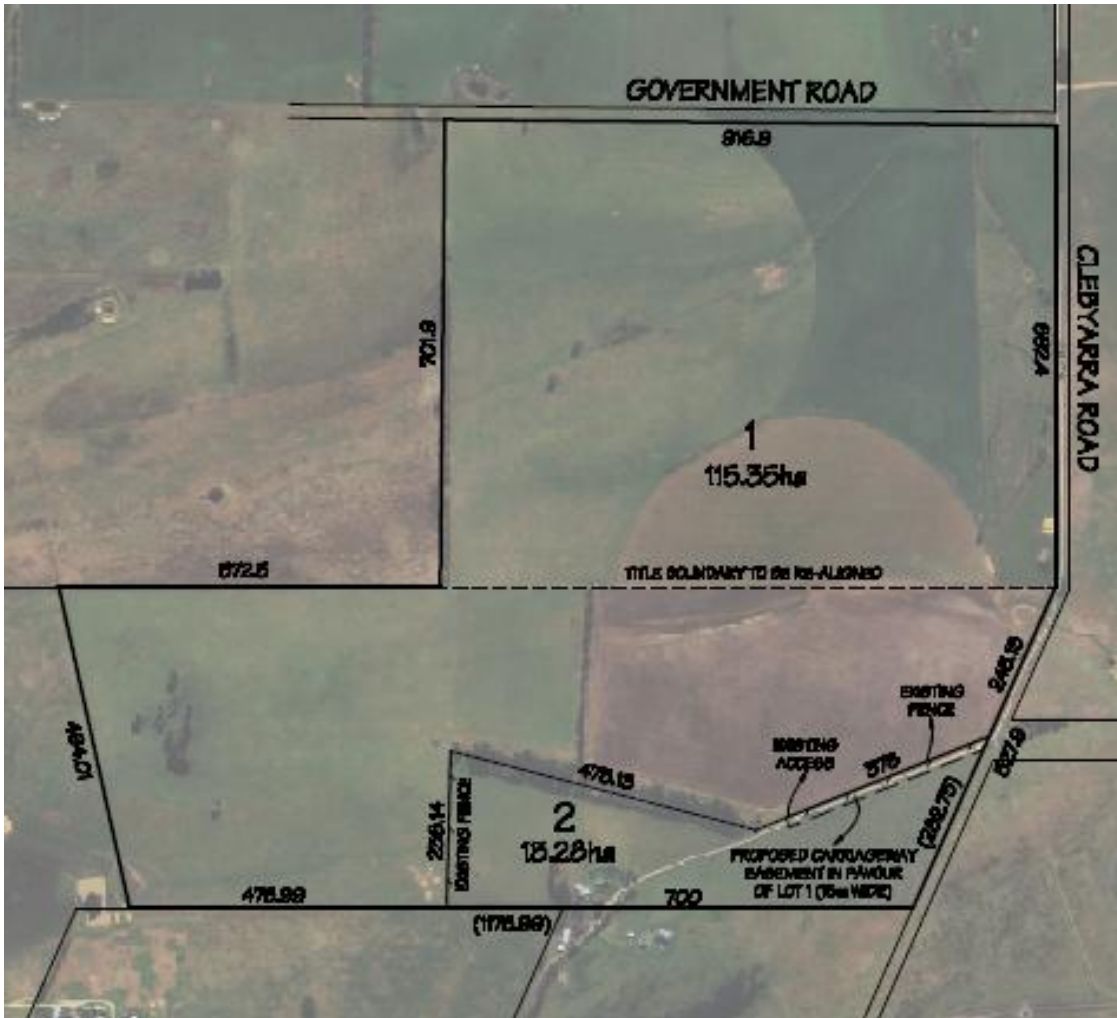
The purposes of the subdivision is to create a smaller lot for the existing dwelling as the dwelling is surplus to the requirements of the agricultural enterprise. The landowner wishes to maximise the land within one title so that the current agricultural activities can continue and be expanded.

To ensure the larger lot remains as a significant property the landowner is prepared to enter into a section 173 agreement to prevent further subdivision of the land so as to create an additional lot.

Generally existing fencing has been adopted so as to not disrupt the current paddock configuration and it will avoid impacts to vegetation. The exception being the northern boundary of lot 2 adjoining the existing shelter belt which will be offset 5 metres from the vegetation to allow the shelter belt to remain with lot 1.

The smaller lot to be created by the subdivision will have sufficient area to provide a buffer between the house and agricultural activities on the proposed larger lot and will be of sufficient size to allow for land management or hobby farming.

As part of the subdivision, it is proposed to create a carriageway easement over the existing dwelling's access to provide for lot 1 to obtain legal access over lot 2 to an existing farm gate.



Proposed plan of subdivision

Planning approval is required pursuant to the following Clauses of the East Gippsland Planning Scheme:

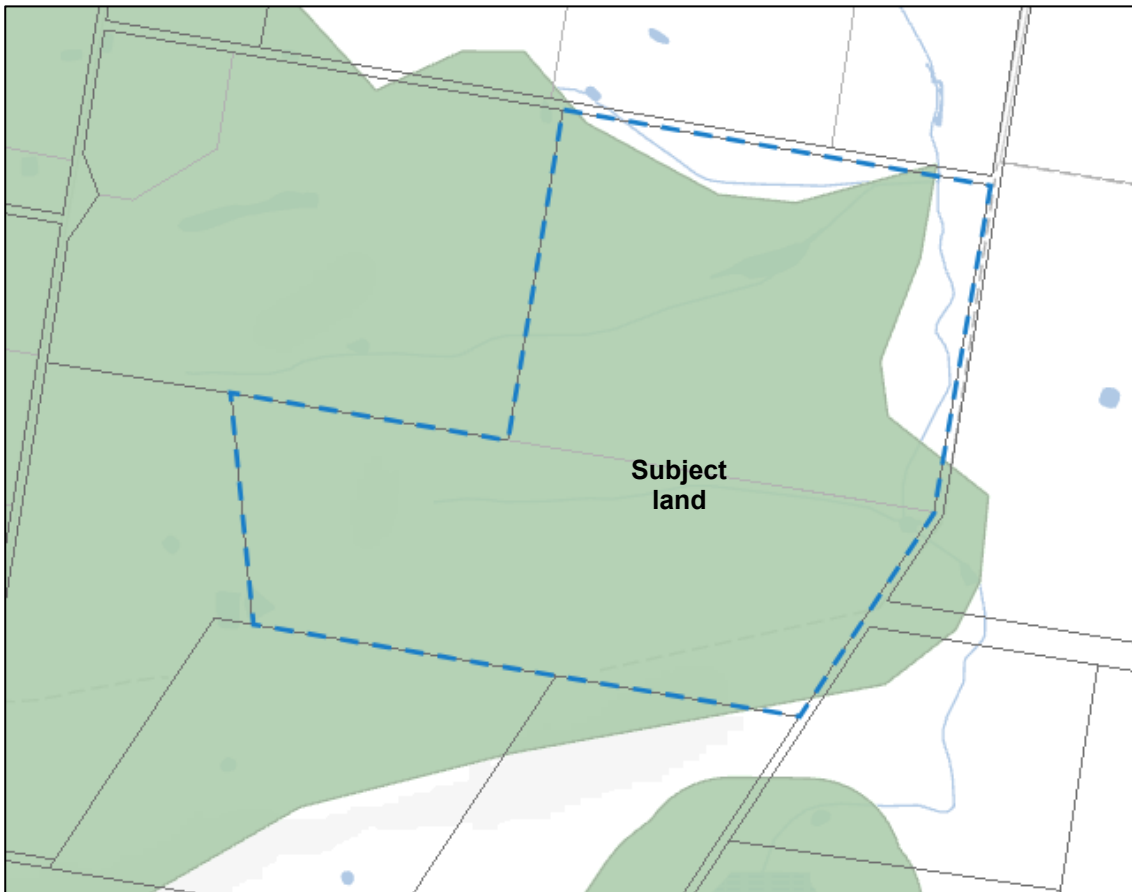
Planning Scheme Clause	Matter for which a Permit is required
35.07-3 Farming Zone 1	Subdivide land
52.02 Easements, Restrictions and Reserves	Create an easement

The application does not require referral in accordance with section 55 of the *Planning and Environment Act 1987*.

4. Cultural Heritage

Pursuant to Regulation 7 of the *Aboriginal Heritage Regulations 2018*, a CHMP is required for an activity if:

- (a) *all or part of the activity area for the activity is in an area of cultural heritage sensitivity; and*
- (b) *all or part of the activity is a high impact activity*



Extract from Cultural Heritage Sensitivity mapping – cultural heritage sensitive land is shown in dark green (Source: VicPlan)

The majority of the property is culturally sensitive however, a two lot subdivision is not a high impact activity. As such a CHMP is not required for the proposed development.

5. Planning Policy

5.1 Planning Policy Framework

The proposed subdivision is respectful of the waterways on the subject land. The waterways will be contained within the boundaries of the larger allotment allowing for the management of the waterways by one landowner as encouraged by Clause 12.03-1S River and riparian corridors, waterways, lakes, wetlands and billabongs.

The subject land is well placed for the proposed subdivision as the land is not within an area identified as subject to risk from bushfire, flooding or erosion as included within Clause 13 of the planning scheme.

The proposal is consistent with Clause 14.01-1S Production of agricultural land:

- The resultant lot structure will create an agricultural allotment of significant area rather than the existing two lots with lesser areas. This will provide for a commercial agricultural sized lot that can produce more product than the current lot arrangement if separately sold.
- As the existing dwelling is surplus to the needs of the agricultural enterprise, the proposal makes good use of the existing dwelling by providing for housing provision.
- There will be no permanent removal of agricultural land as the large lot will continue to be actively farmed and the reduced lot will allow for hobby farming and agricultural production.
- Although the land is agriculturally productive the property and area are not identified as land of agricultural strategic significance.
- The subdivision ensures that there are sufficient buffers between the house and the new lot to be created ensuring the future amenity of occupants is maintained.

Subdividing the subject land to provide a large commercial farming property producing high quality fodder will assist to support the local rural economy as encouraged within Clause 17.01-1S Diversified economy.

5.2 Municipal Planning Strategy

The proposed subdivision will create a large allotment that will contain the waterways on the property. Providing for waterways to be located within a single allotment allows for the effective management by a single landowner as encouraged by Clause 02.03-2 Environmental and landscape values.

In accordance with Clause 02.03-2 Environmental and landscape values – Biodiversity and habitat conservation the proposed subdivision will have no detrimental impact on remnant vegetation.

The subject land is well placed to be subdivided as the property is not subject to bushfire, flooding or erosion hazard (Clause 02.03-3 Environmental risks and amenity).

Clause 02.03-4 Natural resource management provides support for the proposed subdivision as the restructure of titles will provide for a large commercial sized farming property that will improve the agricultural production from the subject land.

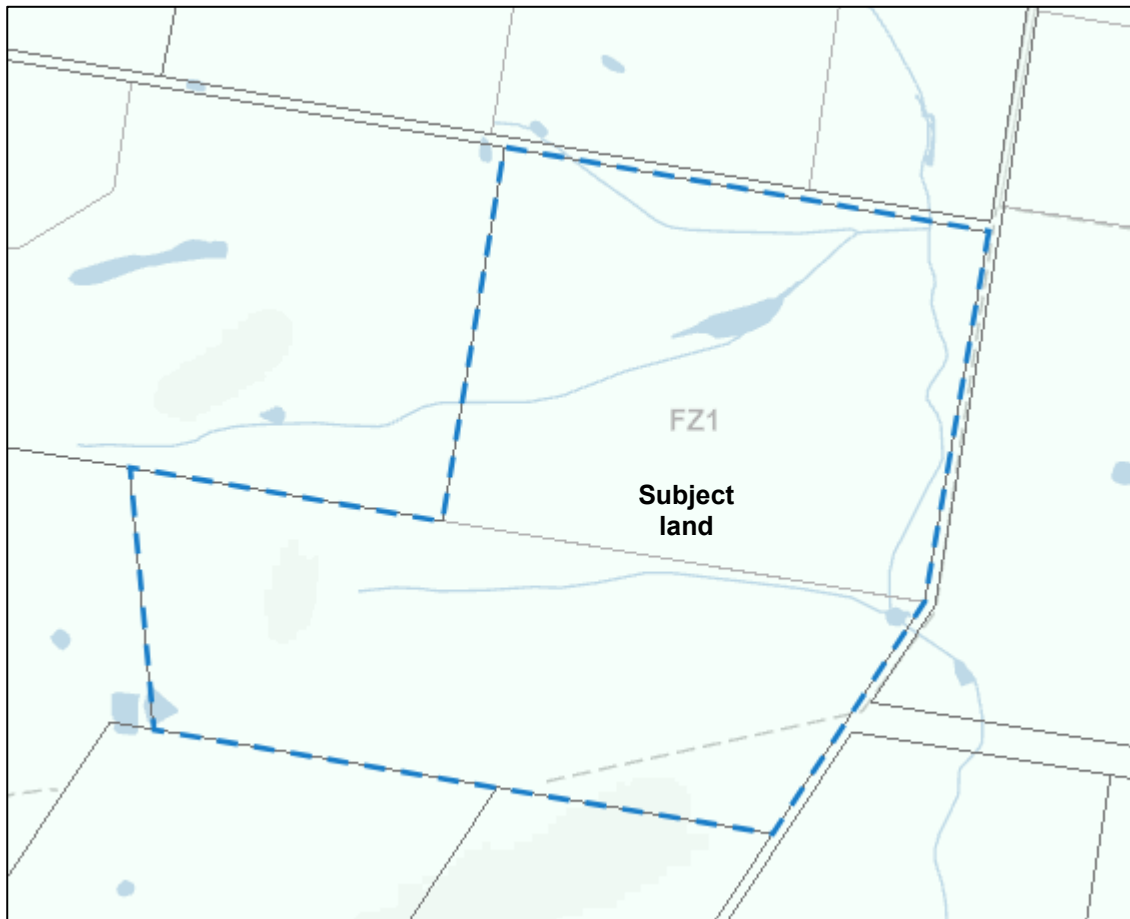
Proposed lot 2 can provide for land management agriculture allowing some agricultural production and has been kept as best as possible to the area of the property used for domestic purposes.

Clause 02.03-7 Economic development advises that agriculture is a key existing industry within East Gippsland. The proposal will provide for the creation of a large lot capable of sustaining a commercial farming enterprise which will support the rural economy.

6. Planning Elements

6.1 Farming Zone 1

The subject land is zoned Farming Zone 1 in accordance with the East Gippsland Planning Scheme.



Planning scheme zone mapping (Source: VicPlan)

Consistent with the purposes of the Farming Zone the subdivision will facilitate improved use of the land for the purposes of agriculture, provides productive agricultural land to be retained and allows for the retention of population to support the rural community.

Clause 35.07-3 Subdivision advises that each lot must be at least 40 hectares unless the subdivision is the re-subdivision of existing lots and the number of lots is not increased.

The proposal is the re-subdivision of existing lots and the number of lots will not be increased.

Decision Guidelines

An assessment of the proposed subdivision against the decision guidelines has been undertaken, and the following commentary is provided:

- The proposal will not result in the removal of native vegetation consistent with the relevant themes contained within the East Gippsland Regional Catchment Strategy.
- The lot to be created for the existing dwelling is of sufficient area to continue to accommodate the need to manage wastewater.
- Restructuring of the titles will ensure sustainable land management into the future with the larger lot allowing for waterway management by a single landowner.
- Nearby land uses will not be detrimentally impacted by the proposal as agricultural activities on the land will continue.
- Agricultural production will be enhanced by the subdivision with the creation of a large lot dedicated to a genuine agricultural enterprise, that has the ability to produce increased agricultural product.
- Agricultural fodder is currently being produced on the land and the development of proposed lot 1 will more than have the capacity to sustain the agricultural use.
- Proposed lot 1 has more than sufficient area to maintain the existing pivot irrigation infrastructure on the land.
- Proposed lot 2 is of sufficient size to continue to provide for land management agricultural activities and provide for agricultural production.
- Willingness to accept a condition placed on the permit so as not to create an additional lot from the balanced allotment demonstrates a commitment to agricultural production and use of the land.

6.2 Clause 52.02 Easements, Restrictions and Reserves

A permit is required before proceeding under section 23 of the *Subdivision Act 1988* to create an easement.

The application proposes to create a carriageway easement over the existing dwelling's driveway. Part of the dwelling driveway will be included within a carriageway easement to provide legal access to proposed lot 1 via an existing gate which is accessed from the driveway.

The creation of the proposed carriageway easement ensures legal access to lot 1 and provides for practical access arrangements for the various properties.

7. Conclusion

The proposed two lot subdivision (restructure) and creation of a carriageway easement at 430 Clebyarra, Goon Nure is considered to accord with all relevant provisions of the Farming Zone 1 and Clause 52.02 Easements, Restrictions and Reserves of the East Gippsland Planning Scheme. The proposal is consistent with the Planning Policy Framework and Municipal Planning Strategy and will result in a positive agricultural outcome.

For these reasons we respectfully request that Council consider the merits of the application favourably and resolve to issue a Planning Permit.

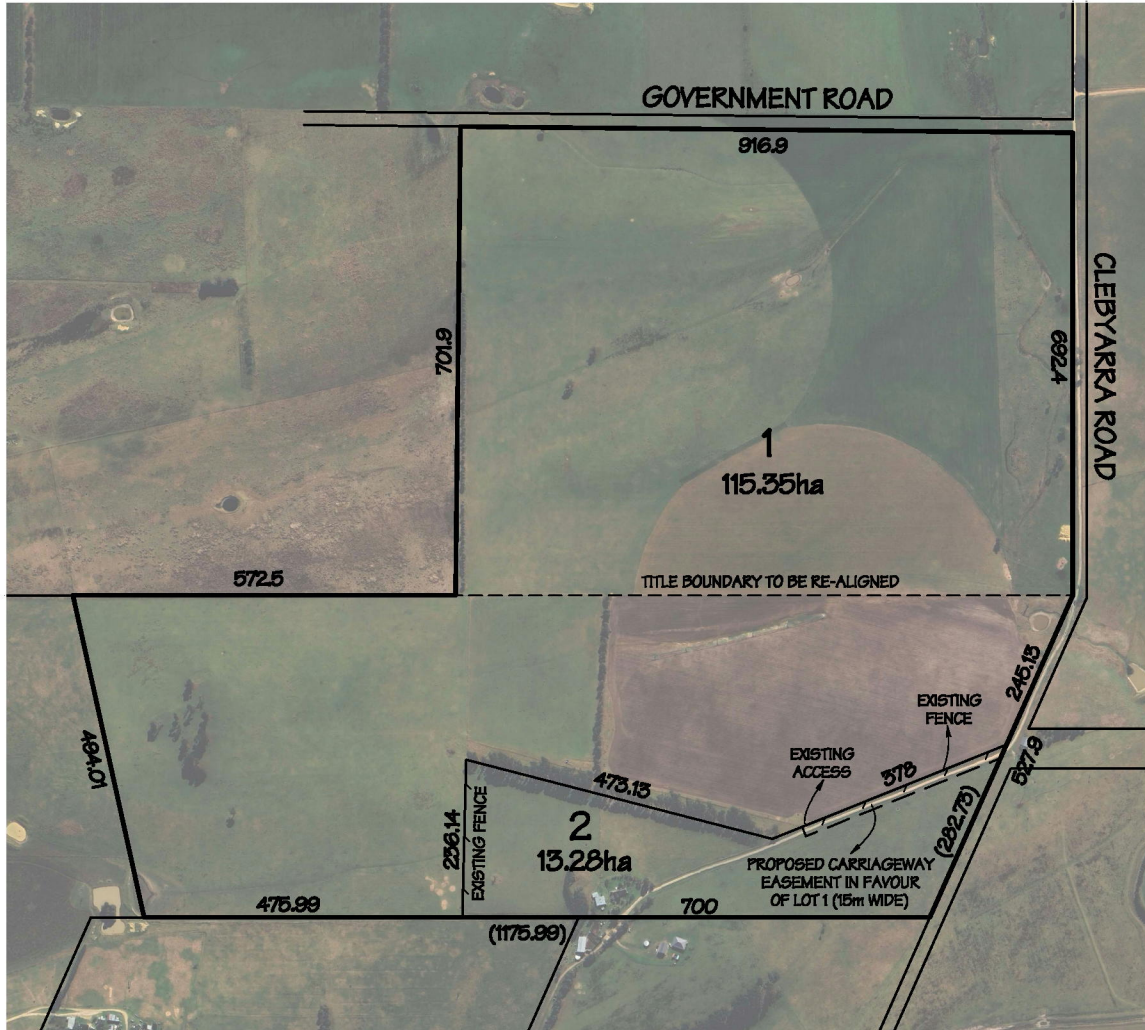
This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.

MGA2020 ZONE 55

PROPOSED SUBDIVISION

PARISH OF GOON NURE
SECTION 2
CROWN ALLOTMENT 12 & (PART) 1

C/T VOL 8039 FOL 353 - TP240974C
C/T VOL 10819 FOL 439 - TP355300T



430 CLEBYARRA ROAD, GOON NURE

Crowthier & Sadler Pty. Ltd.

LICENSED SURVEYORS & TOWN PLANNERS
182 MACLEOD STREET, BAIRNSDALE, VIC., 3875
P. (03) 5182 6011 E. contact@crowthiersadler.com.au

FILENAME: Y:\21000-21999\21400-21499\21496 Kennagrl\21496 Prop V2.pro

NOTATIONS

AREAS ARE APPROXIMATE ONLY
DIMENSIONS ARE SUBJECT TO SURVEY

SCALE (SHEET SIZE A3)

1 : 8000

SURVEYORS REF.

21496

VERSION 2 - PLAN 12/20/2026