

Our Reference: RAL/2026/4503
 CS Portal Reference: N/A
 Contact Officer: James Leader
 Contact: (07) 4688 6664
 Email: development@tr.qld.gov.au

INFORMATION REQUEST
Planning Act 2016 Section 68(1)
Development Assessment Rules Chapter 1 Part 3

Darran Gregory Hutchings
 C/- Precinct Urban Planning
 PO Box 3038
 TOOWOOMBA QLD 4350

Email: bayley@precinctplan.com.au

18 June 2026

Dear Sir/Madam

Development Application for: Reconfiguring a Lot – Impact – Boundary Realignment – Two (2) Lots into Two (2) Lots
Location: 1401 Pierces Creek Road, PIERCES CREEK QLD 4355
Property Description: Lot 8 RP861104, Lot 9 RP861104
Relevant Planning Scheme: *Toowoomba Regional Planning Scheme 2012 (Version 28)*

Upon review of the abovementioned Development Application and supporting information, Council requires further information which demonstrates compliance with the Planning Scheme. Please provide the information requested below:-

1. LOT SIZES

Issue:	
1.1	<p>The proposed lot layout and sizes are inconsistent with the intended character of the Zone and Precinct in which the land is located. The development is not consistent with the intent of the Rural Zone, Reconfiguring a Lot Code, or Strategic Framework of the Toowoomba Regional Planning Scheme 2012.</p> <p>The Strategic Framework of the Toowoomba Regional Planning Scheme 2012 includes the following sections:</p> <ul style="list-style-type: none"> Specific Outcome 3.3.9.1(2) and (3) seeks to ensure that agricultural land is conserved for current and future agricultural purposes and the potential for conflict between farming activities and residential development is avoided. The proposal creates a rural lifestyle allotment that does not provide for long term agricultural use. <p>The Rural Zone Code of the Toowoomba Regional Planning Scheme 2012 includes the following sections:</p> <ul style="list-style-type: none"> Overall Outcome 2(a) states that “<i>areas used or suitable for primary production are conserved and are not further fragmented.</i>”; and Overall Outcome 3 seeks to ensure development within the 100 Hectare Precinct ensures that “<i>the productive, natural and landscape values of highly fragmented rural</i>

	<p><i>land are preserved by the prevention of further fragmentation by reconfiguring a lot creating inappropriate lot sizes that do not support these outcomes” and this is supported by Performance Outcome PO13 (Table6.6.6:2).</i></p> <p>The Reconfiguring a Lot Code of the Toowoomba Regional Council Planning Scheme 2012 includes the following sections:</p> <ul style="list-style-type: none"> The purpose of the Reconfiguring a Lot Code (1)(a) requires development to “<i>provide for good neighbourhood design, consistent with the character and environmental values of the overlay, zone and precinct, and local plan area in which the land is located</i>”. This is supported by Overall Outcomes (2)(a) and (h). The proposed layout does not result in good neighbourhood design and is not in keeping with the intended character of land in the Rural Zone, 100ha Precinct. <p>The submitted justification relates to the consolidation of land in Proposed Lot 8 without addressing the creation of a proposed rural lifestyle lot (Proposed Lot 9). The applicant has failed to provide sufficient justification for Council to support the proposal. Specific Outcome 3.6.4.1(3) specifically seeks to amalgamate titles to facilitate viable farming units. This is supported by Performance Outcome PO1 (Table 9.4.5:1) of the Reconfiguring a Lot Code which states that realignment of boundaries does not contribute to the proliferation of land fragmentation.</p> <p>The proposed layout is inconsistent with the Overall Outcomes of the Rural Zone Code and Reconfiguring a Lot Code as it is considered to increase fragmentation and introduce potential for land use conflicts. The identified minimum lot size for the precinct intends to encourage larger lots to facilitate viable agricultural activities.</p> <p>Further justification and assessment is required against the Purpose and Overall Outcomes of the Rural Zone Code, and Reconfiguring a Lot Code amongst others, as well as an assessment against the Strategic Framework of the Planning Scheme to justify the creation of an undersized lot within the 100ha Precinct.</p> <p>Information Required:</p> <p>Provide a detailed assessment against the Purpose and Overall Outcomes of the Rural Zone Code and Reconfiguring a Lot Code, as well as an assessment against the Strategic Framework of the Planning Scheme, justifying the proposal to create a rural lifestyle allotment that is inconsistent with the intended character of the zone.</p>
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2. ENVIRONMENTAL SIGNIFICANCE OVERLAY

	<p>Issue:</p> <p>The proposed development is identified within Council’s Environmental Significance Overlay. The applicant has submitted an <i>Ecological Assessment Report, version 1, prepared by Range Environmental and dated 28 April 2026</i>. Within Section 10.2 of the report, the applicant has suggested the proponent enter an Environmental Covenant with Council in accordance with Figure 2 of the report. Council notes that Figure 2 of the report does not clearly indicate the proposed covenant area, but rather only pertains to indicating the existing dwelling and proposed development envelope locations. An amended figure is required which demonstrates the area proposed for Environmental Covenant under Section 10.2, and provides additional information.</p> <p>2.1 The applicant has also stated within Section 10.3 of the report that upon OP works for the driveway crossover, and Arborist Report is to be submitted to Council for review. The applicant will be required to address the removal of this vegetation within this RAL approval, and the relevant figures should be amended to incorporate tree removal/retention.</p> <p>Figures 10, 11, and 13 of the report provide an indication of areas to be cleared on site as a part of this development. However, it is unclear the extent of vegetation to be removed due to this lot reconfiguration. These figures indicate only a general area of the proposed new lot to be cleared, and do not indicate the location of proposed building envelopes, effluent disposal areas, ancillary structures, and driveway crossovers. The full extent of vegetation to be disturbed or removed is not clearly indicated within this report and must be shown.</p>
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	<p>Further information is required to demonstrate compliance against Performance Outcome PO₁ (Table 8.5.1:1) of the Environmental Significance Overlay Code.</p> <p style="text-align: center;"><i>Note: Effluent disposal areas should be contained to areas outside of the Environmental Significance Overlay, or within areas devoid of vegetation.</i></p>
	Information Required:
	Provide an amended Ecological Assessment Report which addresses the issues raised above.

3. BUSHFIRE HAZARD OVERLAY

	Issue:
	<p>The development site is covered by Medium Risk and High Risk areas of Council's Bushfire Hazard Overlay. The applicant has provided a <i>Bushfire Management Report, version 1, prepared by Range Environmental and dated 24 April 2026</i>. Proposed Lot 8 is to retain the existing dwelling on site and will not require further assessment.</p>
3.1	<p>Section 6.1 of the submitted Bushfire Management Report provides a list of recommendations to be followed as a part of this lot reconfiguration. The document is generally accepted, However, within Section 6.1, one of the recommendation points states that vegetation within the building envelope is to be managed at a fuel load no greater than 8t/ha. Given the issues raised in relation to the Environmental Significance Overlay, it is unclear the extent of vegetation clearing that is required for building envelopes, effluent disposal, ancillary structures, and driveway crossovers. Council's position where the outcomes of the Bushfire Hazard and Ecological Significance Overlays conflict, is that retention of vegetation of ecological significance should take precedence. Evidence of consideration of both issues should be provided and not conflict.</p>
	Information Required:
	Provide an amended Bushfire Management Report to clearly delineate the Asset Protection zones proposed and provide a figure with indicative building envelopes, effluent disposal areas, ancillary structures, and driveway crossovers. The amendments made to the Bushfire Management Report, should be aligned with the Ecological Impact Assessment.

4. ACCESS AND DRIVEWAY CROSSOVERS

	Issue: Safe Intersection Sight Distance (SISD)
	<p>The submitted plans and supporting information have not provided any details on how proposed Lot 9 will be provided with access to Pierces Creek Road. As a result Council is unable to determine if the required driveway crossover for proposed lot 9 will affect the function, vehicle speeds, safety, efficiency, and capacity of Pierces Creek Road.</p>
4.1	<p>No information has been provided to demonstrate Safe Intersection Sight Distance (SISD) is available from the development access to Pierces Creek Road for Lot 9. The available sight distance is likely to be insufficient due to the road geometry, which may impact the safety and suitability of the proposed driveway access.</p>
	Information Required:
	<p>Provide amended plans and supporting information which:</p> <ul style="list-style-type: none"> • Identify a proposed driveway crossover location for proposed Lot 9; • Demonstrate Safe Intersection Sight Distance (SISD) is available from the proposed driveway crossover for proposed Lot 9 to Pierces Creek Road in accordance with Austroads Guide to Road Design Part 4A; • Provide a road safety and risk assessment prepared and certified by a Registered Professional Engineer of Queensland (RPEQ) to confirm the safety and suitability of the proposed driveway access for proposed Lot 9, including any required mitigation measures.

Note on Alternative Solutions

Where an alternative solution to the Acceptable Outcome is proposed, justification demonstrating how the correlating Performance Outcome has been met must be provided. Requesting an alternative solution without demonstrating how the Performance Outcome has been satisfied, does not oblige Council to favourably consider the alternative solution.

Options Available in Response to this Information Request

In accordance with section 13.2 of the *Development Assessment Rules*, you may respond to this request for information by providing Council with:

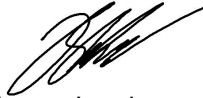
- 1) all of the information requested; or
- 2) part of the information requested; or
- 3) a notice stating that none of the information will be provided.

In your response, advise Council which option you are supplying. If you choose 2) or 3), you may also advise Council to proceed with its assessment of the application.

Provide one electronic copy of the response to Council, including any plans or supporting information.

In accordance with section 13.1 of the *Development Assessment Rules*, you must respond to this information request within **three months** of the date the information request was made, or a further period agreed between the applicant and Council. If there is no response to the information request within the period described, Council will proceed with the assessment of the application based on the information currently available.

Yours faithfully



James Leader
A/Lead Senior Planner, Planning Branch