

Statement of Reasons
Section 63(4) and (5) of the *Planning Act 2016*

SITE DETAILS	
Site Address	12 Chamberlain Street, NORTH TOOWOOMBA QLD 4350
Real Property Description	Lot 13 and 14 RP16519
Site Area	809.00m ²
Owner	WR Baron Pty Ltd

PROPOSED DEVELOPMENT		
Name of Applicant	WR Baron Pty Ltd	
Type of Application	Material Change of Use	
Proposed Development	Short Term Accommodation	
Level of Assessment	Impact Assessable	
Gross Floor Area	As per existing	
Impervious Area	As per existing	
Site Cover	As per existing	
Car Parking Spaces	Two (2) car parking spaces within the existing double garage.	
Submissions Received	Objection:	One (1)
	Support:	Nil.
Decision	Approval	
Decision Date	27 July 2026	

ASSESSMENT MATTERS		
Assessment benchmarks	The proposed development was assessed against the following assessment benchmarks: - Schedules 9 and 10 of the <i>Planning Regulation 2017</i> (as relevant); <i>State Planning Policy July 2017</i> (as relevant); - South-east Queensland Regional Plan ShapingSEQ 2023/Darling Downs Regional Plan (as relevant); - The Local Government Infrastructure Plan; and <i>Toowoomba Regional Planning Scheme 2012</i> (Version 28) - Strategic Framework - Airport Environs Overlay Code - Low Density Residential Zone Code - Medium Density Residential Code - Environmental Standards Code - Integrated Water Cycle Management Code - Landscaping Code - Transport, Access and Parking Code - Works and Services Code	
Relevant matters	No further relevant matters considered in the assessment of this application.	
Matters raised in submissions	Issue	How matter was dealt with
	Security, Safety, Noise and Amenity Concerns of Surrounding Dwellings The submission raised concerns regarding the protection of residential amenity, including potential impacts associated with noise, disturbances,	The proposed use is considered compatible with the existing residential use, as the dwelling will continue to function in much the same way it currently does. Conditions of approval have been recommended to ensure the

	vehicle parking, street congestion, increased turnover of occupants and antisocial behaviour.	proposed short-term accommodation is only be let out by one (1) booking at a time by a maximum number of eight (8) occupants. Conditions have also been recommended to ensure that noise from activity associated with the use does not exceed the Acoustic Quality Objectives listed in the <i>Environment Protection (Noise) Policy 2019</i> at surrounding sensitive receptors. Additionally, a Noise Complaint Management Procedure was submitted as part of the application and is recommended to be endorsed with the procedures implemented, maintained and modified where necessary to maintain compliance with these conditions. Therefore, it is considered that the proposed development will not adversely impact upon the existing acoustic amenity of the area. The Planning Scheme prescribes a car parking rate of one (1) space per unit for Short-term Accommodation use. Notwithstanding, the existing premises' double garage and driveway provide three (3) car parking spaces, which exceeds the requirement for short-term accommodation. Conditions of approval will be imposed on the Short-term Accommodation to ensure the car parking requirements of the Planning Scheme are met on-site. Due to this, it is considered that the development is provided with sufficient on-site parking spaces to meet the demand generated by the development. While general unruly behaviour is not a matter assessed or regulated under the Planning Scheme or the Planning Act 2016, the required management procedures will assist in responding to and addressing any noise-related issues that may arise. Changes in the occupants of development is not a matter that can be considered in the assessment of the Development Application.
	Housing Crisis	The proposed development has been assessed against the requirements of the <i>Toowoomba Regional Planning Scheme 2012</i> (version 28) with

	The submission raised concerns regarding the potential impact of the proposed use on housing availability.		particular regard to the Low Density Residential Zone Code. In this regard, the Purpose and Overall Outcomes of the Low Density Residential Zone identifies that short-term accommodation uses can be established within the zone where such uses are of a small scale and they maintain the residential amenity of surrounding residential locality. It is considered that the proposed Short-term accommodation is consistent with the Purpose and Overall Outcomes of the Low Density Residential Zone Code. A full assessment of the proposals consistency with the Low Density Residential Zone Code is provided within this report under the heading "ISSUES, RISKS AND RESPONSES – ASSESSMENT" below.
	Competition with Existing Businesses The submission raised concerns regarding the potential economic impacts of the proposal, including increased competition for existing accommodation providers within the locality.		The proposed development is limited in scale and provides short-term accommodation for a single party at any one time. As such, it is not considered likely to adversely affect the operation or viability of existing accommodation providers within the locality, which are generally of a larger scale and cater to multiple guests or groups simultaneously. Consequently, the proposal is not expected to result in significant economic impacts on established accommodation businesses.
Reasons for decision	The development was assessed against all of the assessment benchmarks listed above and complies with all of these with the exception listed below.		
	Assessment benchmark	Assessment benchmark	
	Performance Outcomes PO₁ and PO₃ of the Low Density Residential Zone Code.	The proposed development does not achieve compliance with Performance Outcomes PO₁ and PO₃ of the Low Density Residential Zone Code. However, the proposed development is considered to be generally consistent with the Purpose and relevant Overall Outcomes of the Low Density Residential Zone Code for the following reasons: <u>Purpose</u> - The proposed development seeks to retain the existing Dwelling House on the subject site, repurposing it for a Short-term Accommodation use in an Airbnb style arrangement. Accordingly, the development will retain a low density dwelling form which will conserve the amenity and lifestyle of the local residents. - The amenity of surrounding residents will be further protected through conditions requiring the use to comply with the relevant criteria for noise limits and	

		restricting the number of guests to a maximum of eight (8) persons. <u>Overall Outcomes</u> (k) The proposed Short-term Accommodation will be accommodated within an existing Dwelling House which is at a scale that is consistent with the surrounding low density residential area. The proposed Short Term Accommodation use will not have direct access to a distributor or higher-level road. However, it is considered that the proposed development will generate traffic consistent with that of the existing Dwelling House on the subject site, and accordingly will not adversely impact upon the transport network. Further the proposal includes two (2) on-site car parking spaces that would meet the needs generated by the development. Therefore, subject to the imposition of relevant conditions, it is considered that the proposed use would not detract from the residential amenity of the area. (l) It is recommended that the proposed Short-term Accommodation use be conditioned to only be let out by one (1) booking at a time with a maximum occupancy of eight (8) persons at any time. Further, conditions provided limits of noise and lighting generated by the proposed use are also recommended. It considered that where imposing these conditions, the use will mitigate potential adverse impacts from traffic, noise and lighting on surrounding properties. Therefore, it is considered that the proposed development will not unreasonably detract from the existing residential amenity of the area. Overall, based on the above assessment it is considered that the proposed development complies, or can be suitably conditioned to comply with the Purpose and the relevant Overall Outcomes sought within the Low Density Residential Zone.
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For further details on the assessment of this development application, please see the Delegated Report available for public viewing on the Toowoomba Regional Council Planning and Development Online website at: <https://developmenti.tr.qld.gov.au/>. When accessing Council's website please use the following Application Number: [MCUI/2026/2757](#)