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|-----------------|----------------------------------------------------------------------------------------------------------------|
| REPORT TITLE    | Reconfiguring a Lot – Impact – One (1) Lot into 15 Lots located at Old Homebush Road, GOWRIE JUNCTION QLD 4352 |
| AUTHOR          | Planning Officer (James Leader)                                                                                |
| Application No. | RAL/2026/2448                                                                                                  |

### PURPOSE OF REPORT

To consider a Development Application for Reconfiguring a Lot – Impact – One (1) Lot into 15 Lots located at Old Homebush Road, GOWRIE JUNCTION QLD 4352.

### EXECUTIVE SUMMARY

This report considers a Development Application for Reconfiguring a Lot – Impact – One (1) Lot into 15 Lots at Old Homebush Road, Gowrie Junction, formally described as Lot 7 on SP311097. The site is 6.665 hectares in area and located in the Rural Residential Zone (RR2 10,000m min Precinct) under the *Toowoomba Regional Planning Scheme 2012* (Version 28) (the Planning Scheme). The site is currently vacant and has been previously used for agricultural purposes.

The proposal seeks to subdivide the land to create 15 rural residential lots, with the approval granted over two (2) stages. The proposed rural residential allotments will have lot sizes ranging from 3,836m<sup>2</sup> to 4,125m<sup>2</sup> with an average lot size of 3,969m<sup>2</sup>.

The stages of development will comprise of the following structure:

- Stage 1: Proposed Lot 31 and Balance Lot; and
- Stage 2: Proposed Lots 32-45.

Vehicular access to Lot 31 and the Balance Lot (Stage 1) will be via a new driveway crossover to Old Homebush Road. Vehicular access to Stage 2 of the development will be provided via a new 18m wide road (New Road) connecting to the external road network via a new T-intersection with Old Homebush Road. Proposed Lots 34-45 will gain access to the New Road, with Lots 32-33 having access to Old Homebush Road.

All proposed lots will be connected to Councils' reticulated water supply network as well as electricity and telecommunications networks servicing the area.

Due to the rural residential nature of the development, the site will not be serviced by Council's reticulated sewer infrastructure. The proposed development has been designed to ensure each lot has suitable available land to support on-site wastewater treatment.

As part of the development, Council has imposed conditions of approval requiring that proposed Lot 31 be dedicated to Council for the purposes of Water Supply infrastructure. Proposed Lot 31 will facilitate a new water reservoir which services the greater locality and is required as part of development at the south of Gowrie Junction. The dedication of proposed Lot 31 is required for Trunk Water Supply Infrastructure purposes and as such has been conditioned to be dedicated in accordance with Section 128 of the *Planning Act 2016*.

As the proposed development was subject to Impact Assessment, the application underwent public notification. No submissions regarding the proposed development were received by Council.

The proposed development has been assessed against the applicable assessment benchmarks as outlined within the report. The proposed development is considered to achieve compliance with the applicable assessment benchmarks, or can be conditioned to comply. On this basis, the proposed development is recommended for approval subject to the conditions in the recommendation.

### RECOMMENDATION

**APPROVED** – Application No. RAL/2026/2448 for a Development Permit for Reconfiguring a Lot – Impact – One (1) Lot into 15 Lots, pursuant to the provisions of Section 60 of the *Planning Act 2016* and subject to the conditions listed below.

### ASSESSMENT MANAGER CONDITIONS

**PLANNING****APPROVED DEVELOPMENT**

1. This Development Approval is for Reconfiguring a Lot, being the subdivision of one (1) lot into 15 lots.

**CARRY OUT AND MAINTAIN DEVELOPMENT**

2. Unless otherwise stated, all conditions must be complied with prior to Council's approval of the Plan of Subdivision and at all times thereafter.
3. The development must be maintained generally in accordance with the Approved and Amended Plans and Documents subject to or modified by any conditions of this Development Approval.

**APPROVED PLANS**

4. The development must be carried out generally in accordance with the Approved Plans listed below, subject to the conditions of this Development Approval and the amendments listed below:

**Plan No:** File Ref: K4822, Version B2

**Description:** Plan of Proposed Subdivision, prepared by K.J. Wilson and dated 17 August 2026

**Amendments:** Nil

**Plan No:** Plan No. 1, Version B2

**Description:** "Staging Plan", prepared by K.J. Wilson and amended 7 September 2026

**Amendments:** As amended in red as follows:

- Plan Title changed to "Staging Plan";
- Plan No changed to "1";
- "Plan of Proposed Subdivision" Struck through;
- Date changed to "Amended 7 September 2026";
- "17/8/2026" Struck Through;
- "Red hatched area denotes extent of Stage 1"; and
- "Blue hatched area denotes extent of Stage 2".

**Plan No:** Project number C2526271, drawing number PR04, issue no. P3

**Description:** Preliminary Intersection Layout, prepared by Kehoe Myers Consulting Engineers and dated 21 August 2026

**Amendments:** Nil

**LOT NUMBERING**

5. The numbering of all approved lots must remain as indicated on the Approved Plan/s (unless otherwise amended/approved by Council).

**COUNCIL APPROVAL OF PLANS, DOCUMENTS & WORKS (OPERATIONAL WORK)**

6. Prepare and submit applications to Council and obtain a Development Permit for Operational Work for the following:
  - 6.1 Stormwater Infrastructure;
  - 6.2 Bulk Earthworks (if required);
  - 6.3 Water Infrastructure;
  - 6.4 Roadworks; and
  - 6.5 Driveway crossovers.

**COUNCIL APPROVAL OF PLANS, DOCUMENTS & WORKS (FOR ENDORSEMENT)**

7. Prepare and submit the following documents in accordance with the conditions of this Development Approval and obtain Council's endorsement:

## 7.1 Landscape Plan.

### COUNCIL APPROVAL OF PLANS, DOCUMENTS & WORKS

8. Prepare and submit for Council's approval a Plan of Subdivision in accordance with Schedule 18 of the *Planning Regulation 2017*. For the purposes of Section 1(4) of Schedule 18, the stated date by which the request must be made is the last date of the currency period of this approval.

### STAGED DEVELOPMENT

9. Staging of the development is to occur in accordance with the staging indicated on the Approved Plans listed within this Development Approval, subject to and modified by any conditions of this Development Approval.
10. Stages must be completed in sequential order (i.e. Stage 1 must be completed before Stage 2) as identified on the Approved Plans listed within this Development Approval, or may be combined and carried out at one time, subject to all conditions applicable to the relevant stages being complied with.
11. The development must be carried out in accordance with those conditions applicable to one or more of the stages of development as follows:
  - 11.1 Conditions Applicable to all Stages of development:  
1-12, 15-18, 22-63 and 81-82.
  - 11.2 Additional Conditions Applicable to Stage 1 of development:  
13.
  - 11.3 Additional Conditions Applicable to Stage 2 of development:  
14, 19-21, 64-80 and 83-88.

### AVAILABILITY OF APPROVED DOCUMENTATION DURING WORKS

12. A legible copy of the Development Approval, including the Approved and Amended Plans and Documents bearing Council's approved stamp must be available on the subject land for inspection at all times during subdivision earthworks and construction.

### DEDICATIONS, AGREEMENT AND CONTRIBUTIONS

#### DEDICATION OF LAND

13. The land area identified as Lot 31 on the Approved Plans must be dedicated to Council in fee simple on trust for Water Supply purposes.  
  
*Note: This condition is imposed pursuant to Section 128 of the Planning Act 2016.*
14. The land area identified as 'New Road' on the Approved Plans must be dedicated as road reserve to Council in accordance with the approved plans and in accordance with the requirements of the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development.  
  
*Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.*
15. The process of legal transfer of land dedicated to Council must be at no cost to Council. All transfer documentation is to be prepared and submitted to Council, at no cost to Council.
16. All land dedicated for Water Supply and Road Reserve purposes must not be encumbered by permanent structures, services such as pump stations, services easements or similar operational uses, unless otherwise approved by the conditions of this Development Approval.
17. All land dedicated for Water Supply and Road Reserve purposes must not be financially encumbered (e.g. mortgaged) unless otherwise approved by the conditions of this Development Approval.

## FEES AND CHARGES

18. All current and outstanding fees, rates, interest and other charges levied on the property, must be paid in accordance with the rate at the time of payment prior to Council's approval of the Plan of Subdivision.

## WORKS

### STREET NAMING

19. Forward a letter of Request for Street Naming to Council providing three alternative names for each new street.

*Note: Street names must be in accordance with AS4819:2011 - Rural and Urban Addressing, and are subject to Council's requirements and payment of the applicable fees in accordance the Fees and Charges Schedule.*

### PERMANENT SURVEY MARKS

20. A total of one (1) Permanent Survey Mark (PSM) must be supplied and connected to Australian Height Datum and provided in the following location:
  - 20.1 Within the road reserve adjacent to the south-eastern corner of proposed Lot 45.
21. Documentation detailing placement of the PSM must be lodged with Council at the time of lodgement of the Plan of Subdivision.

### ENGINEER'S CERTIFICATION AND SUPERVISION OF WORKS

22. Plans and specifications for all works associated with roadworks, stormwater drainage, water supply and any other works required on Council infrastructure, must be prepared and certified by a Registered Professional Engineer Queensland – Civil (RPEQ).
23. A RPEQ must submit to Council a copy of the:
  - 23.1 Design Certificate prior to commencement of the works; and
  - 23.2 Construction Supervision Certificate upon completion of the works certifying that works are in accordance with the approved plans and specifications.
24. Any works that have been certified by an RPEQ must be carried out under the supervision of an RPEQ with all executed works being detailed on a Construction Supervision Certificate.
25. Where any condition refers to, or requires, an Engineer to perform a task or function, the Engineer must hold professional indemnity insurance to the value of \$2,000,000. A Certificate of Currency must be submitted to Council with any Design Certificate or Construction Supervision Certificate.

### STORMWATER DRAINAGE

26. All stormwater infrastructure necessary to convey run-off from roof and developed surface areas, and any run-off onto the subject land from adjacent areas, must be provided in accordance with a Development Permit for Operational Work.

*Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.*

27. Prior to the commencement of any works on the subject land, a Development Application for a Development Permit for Operational Work must be submitted to and be approved by Council for the internal and any external stormwater infrastructure. The design and the construction of the works must be certified by a RPEQ – Civil.
28. Submit to Council for approval, as part of the Development Application for a Development Permit for Operational Work, a Detailed Stormwater Management Plan prepared by a Registered Professional Engineer Queensland – Civil (RPEQ) in accordance with the relevant standards in *Planning Scheme Policy No. 2 – Engineering Standards – Roads and Drainage Infrastructure* (PSP No.2) demonstrating the following:

- 28.1 Stormwater is conveyed to a lawful point of discharge in accordance with the stormwater discharge conditions of this Development Approval.

### STORMWATER DISCHARGE

29. Stormwater from new roofed areas (including overflow pipes from rainwater tanks) is permitted to be discharged within the allotments, a minimum of 3 metres clear of any building foundations and any adjoining property boundary.
30. The act of on-site stormwater discharge must not cause erosion and scouring and must utilise appropriate control devices at outlets to prevent such erosion and scouring.
31. Stormwater must be dispersed as sheet flow within allotments.
32. Design and construction of all internal stormwater drainage works must comply with each applicable section of *Australian and New Zealand Standard AS/NZS 3500 – Plumbing and Drainage Code* and the *Queensland Urban Drainage Manual*.
33. Stormwater from the new road must be collected in kerb inlets, conveyed in stormwater pipes and discharged to the existing Old Homebush Road table drain.

Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.

### BULK EARTHWORKS OVER 50 M<sup>3</sup> OR OVER 1M CUT OR FILL

34. All cut, fill and associated batters must be undertaken in accordance with a Development Permit for Operational Work and contained entirely within the subject land.

### AIR QUALITY IMPACT MITIGATION

35. Odours or airborne contaminants which are noxious or offensive to public amenity or safety, likely to cause environmental harm or environmental nuisance or exceed the *Air Quality Objectives* listed in the *Environmental Protection (Air) Policy 2019* as measured at any sensitive place or commercial place must not be released to the atmosphere during building and operational work.
36. All reasonable and feasible avoidance and mitigation measures are employed so that dust emissions generated during building works do not exceed the following levels when measured at any sensitive place or commercial place:
- 36.1 Dust deposition of 133 milligrams per square metre per day, averaged over 1 month, when monitored in accordance with the most recent version of *Australian Standard AS3580.10.1 Methods for sampling and analysis of ambient air – Determination of particulate matter – Deposited matter – Gravimetric method*.

### VIBRATION IMPACT

37. Construction activities and equipment that produce vibrations must not impact upon the amenity of adjacent commercial and residential receptors or cause impacts to the structural integrity of the existing buildings/improvements, including foundations, on surrounding properties.
38. Where considered warranted by Council and when requested in writing to do so, a vibration impact investigation must be undertaken to determine extent of any impacts. In such circumstances, a suitably qualified person must monitor, interpret and record all parameters in order to determine whether or not vibration impacts are below those stated in **Table 1**. The results of the investigation must be provided to Council within 14 days of the request or a longer period if specified in any such request.

Table 1 - Human comfort vibration limits to minimise nuisance

| Building  | Work Period    | Resultant PPV (mm/s) |             |
|-----------|----------------|----------------------|-------------|
|           |                | Lower Limit          | Upper Limit |
| Dwellings | Standard Hours | 1.0                  | 2.0         |

|                                                                                     |                                            |     |     |
|-------------------------------------------------------------------------------------|--------------------------------------------|-----|-----|
|                                                                                     | Non-standard hours – evening (6pm to 10pm) | 0.3 | 1.0 |
|                                                                                     | Non-standard hours – night (10pm to 7am)   |     |     |
| Medical / health buildings (wards, surgeries, operating theatres, consulting rooms) | All                                        | 0.3 | 1.0 |
| Educational facilities (rooms designed for teaching purposes)                       | While in use                               |     |     |
| Court of Law (Court Rooms)                                                          |                                            |     |     |
| Court of Law (Court reporting and transcription areas, Judges’ chambers)            |                                            |     |     |
| Community Buildings (libraries, places of worship)                                  | While in use                               | 1.0 | 2.0 |
| Commercial (offices) and retail areas                                               |                                            |     |     |

Source: Table 3.3.1.1(a) of TMR Transport Noise Management Code of Practice Volume 2 – Construction Noise and Vibration (Code of Practice – Construction)

## CONSTRUCTION WASTE MANAGEMENT & STORAGE

39. Waste generated during demolition, excavation and construction must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction and Recycling Act 2011*.
40. The on-site storage and disposal of demolition, excavation and construction waste (including the storage and disposal of night soil) must comply with the *Environmental Protection Regulation 2019*.
41. Fires are not to be lit to dispose of demolition or construction waste.
42. No demolition, excavation or construction waste is to be used as fill or buried on-site (with the exception of cut material recycled from the subject land and used on the subject land), or be used as fill or buried elsewhere, unless otherwise permitted:
  - 42.1 Elsewhere within this Development Approval;
  - 42.2 In accordance with an associated Development Permit for Operational Work;
  - 42.3 In association with and in accordance with an Environmental Authority issued under the *Environmental Protection Act 1994*;
  - 42.4 In accordance with either a general or specific approval of a resource for beneficial use (otherwise known as a beneficial use approval) issued under the *Waste Reduction and Recycling Act 2011*; or
  - 42.5 In accordance with a written approval issued by Council under the *Environmental Protection Regulation 2019* relating to the depositing or disposal of general waste from a premises not serviced by Council.
43. Demolition, excavation and construction waste (including night soil) must not be placed or stored within the road reserve at any time.

## CONSTRUCTION NOISE IMPACT MITIGATION

44. Building work (as per the definition of the *Environmental Protection Act 1994*) that creates audible noise must be confined to the hours of 6:30 AM and 6:30 PM Monday to Saturday (excluding Public Holidays) unless otherwise approved by Council in an endorsed Construction Environmental Management Plan.

## EROSION & SEDIMENT CONTROL

45. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by the action of wind or running water must be stored clear of drainage paths and not within the road reserve at any time.
46. Measures such as sediment fences, earth berms, temporary drainage, temporary sediment basins, dewatering or stormwater filtering devices to prevent eroded material, sediment or sediment laden water from being transported to adjoining properties, roads or stormwater drainage systems must be provided.
47. Where erosion and sediment control measures have been damaged, fail or are inadequate and erosion or the release of sediment or sediment laden stormwater has occurred from the subject land or associated works, any resultant property or environmental damage or interference caused must be repaired or cleaned up within 24 hours or upon the direction of Council, at no cost to the affected parties.
48. All disturbed areas must be mulched or turfed as soon as possible during construction.

## **DAMAGE TO SERVICES & ASSETS**

49. Protect Council and public utility services and assets during construction of the development.
50. Any damage caused to existing services and assets as a result of the development works must be repaired at no cost to the asset owner in accordance with the following timing:
  - 50.1 Where the damage would cause a hazard to pedestrian or vehicle safety or interrupts a service to the community, immediately; or
  - 50.2 Where otherwise, as soon as reasonably possible, but no later than completion of the works associated with the development or prior to the commencement of use, whichever is the earlier.
51. Any repair work which includes alteration to the alignment or the level of existing services and assets must first be referred to the relevant service authority for approval.
52. Construction, alterations and any repairs to Council infrastructure is undertaken in accordance with Council's relevant policies and requirements at no cost to Council.

Note: Council must be notified of any damage to water and sewer immediately on Ph: 131 872.

## **SERVICES & UTILITIES**

### **ON-SITE WASTEWATER TREATMENT & DISPOSAL**

53. Future dwellings on all proposed lots must be provided with an on-site wastewater treatment and effluent disposal system having a capacity and land application area sufficient for the use. The area required for the wastewater treatment and effluent disposal, including irrigation areas, must be maintained for this purpose for the life of the approval.
54. The wastewater treatment and effluent disposal systems must comply with *Australian Standard AS3500.2 – National Plumbing and Drainage – Sanitary Plumbing and Drainage*; and *Australian Standard AS1547:2012 – On Site Domestic-Wastewater Management* where system size is not exceeded (ref. Part 1.2.1.2 of AS1547:2012).
55. All reasonable and practicable measures must be undertaken to prevent treated wastewater and effluent from overflowing or seeping onto adjoining properties.

### **WATER SUPPLY**

56. The subdivision must be connected to Council's existing water supply reticulation in accordance with Council's *Water Infrastructure Policy 2.03* at no cost to Council.

Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.

57. Council's existing reticulation main must be extended in accordance with the following:

- 57.1 A new water main must be constructed along proposed 'New Road' with a cul-de-sac arrangement. The water main is to extend from the existing DN150 water trunk main located on the eastern side of Old Homebush Road (Asset ID: 7W0119510000); and
- 57.2 The proposed water network shall be connected to the existing water main located in Sunrise Court via a new DN100 water main installed along Old Homebush Road.

Note: The water main across Old Homebush Road must be constructed with DICL with 900mm cover.

Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.

58. Prior to the commencement of any development works on the subject land, an Operational Works application must be submitted and be approved by Council for water reticulation works. The Operational Works application shall be in accordance with the approved plans and documents of this Development Approval.

## TELECOMMUNICATION

59. Install telecommunications infrastructure to service each approved lot which complies with the following:
- 59.1 The requirements of the *Telecommunications Act 1997* (Cth);
- 59.2 For a fibre ready facility, the NBN Co's standard specifications current at the time of installation; and
- 59.3 For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line is located underground.
60. Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary pits and pipes, and conduits to accommodate the future connection of optic fibre technology telecommunications.
61. Provide to Council written evidence from all relevant service providers that the telecommunications infrastructure is installed in accordance with the conditions of this Development Approval and all applicable legislation at the time of construction.

Note: The *Telecommunications Act 1997* (Cth) specifies where the deployment of optical fibre and the installation of fibre-ready facilities is required. For further information visit [www.infrastructure.gov.au/tind](http://www.infrastructure.gov.au/tind).

Note: For telecommunication services, written evidence must be in the form of either a "Telecommunications Infrastructure Provisioning Confirmation" where such services are provided by Telstra, or a "Notice of Practical Completion", "Confirmation of Payment" or "Post Execution of Development" Letter where such services are provided by NBN Co.

## ELECTRICITY

62. An electricity supply must be made available to service each approved lot within the subdivision. This supply must be in accordance with the relevant standards of the electricity distributor.
63. Written evidence must be submitted to Council from the electricity distributor advising that provision has been made for connection of reticulated electricity service for each approved lot in accordance with all applicable legislation at the time of construction.

Note: In relation to reticulated electricity, written evidence must be in the form of a "Certificate of Supply" or "Supply is Available" supplied by the relevant service provider.

## TRANSPORT & ACCESS

### ROADWORKS (EXTERNAL TO SUBDIVISION)

64. Old Homebush Road must be widened along the development frontage, as follows:

**Street:** Old Homebush Road  
**Classification:** Distributor  
**Construction Standard:** Pavement widening to achieve a 4.25m pavement width from the existing road centre line to the edge of formation on the western side of the road. The 3.5m wide traffic lane and 0.5m sealed shoulder on the western side of the road must be provided with a bitumen wearing surface.

The internal access road intersection with Old Homebush Road shall include a Basic Auxiliary Left (BAL) turning treatment on Old Homebush Road, on the southern side of the intersection.

Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.

65. The design and construction of the road must comply with *Planning Scheme Policy No. 2 – Engineering Standards – Roads and Drainage Infrastructure* (PSP No.2) and must include in particular:
  - 65.1 The Old Homebush Road widening and the construction of the access road (Road 01) intersection with Old Homebush Road shall be generally as shown on Kehoe Myers Preliminary Intersection Layout drawing number PR04, issue P3 dated 21 August 2026;
  - 65.2 Pavement cutback and widening including bitumen wearing surface;
  - 65.3 Gravel shoulder where required;
  - 65.4 Underground stormwater drainage where required;
  - 65.5 Table drain works;
  - 65.6 Relocation of utility and Council services if required; and
  - 65.7 Street lighting.
66. Any pavement widening must join neatly to the existing pavement so that there are no specific irregularities in line or level resulting at or adjacent to the joint for the length of the construction. Where necessary the existing pavement must be brought to a satisfactory standard in accordance with PSP No. 2 to allow for the above.
67. All street surfacing must be in accordance with the pavement construction standards in PSP No. 2.
68. Verge widths, street reserve widths, intersection treatment, provision of parking and speed control devices must comply with Council's requirements in PSP No. 2.
69. Prior to the commencement of any works on the subject land, a Development Application for a Development Permit for Operational Work must be submitted to and approved by Council for the roadworks external to the subject land and in accordance with the approved plans and documents of this Development Approval. All approved road works must be completed and accepted on-maintenance prior to the endorsement of the Plan of Subdivision.
70. The design and construction of the works must be certified by a Registered Professional Engineer Queensland (RPEQ) – Civil.

#### **ROADWORKS (INTERNAL TO SUBDIVISION)**

71. Internal road must generally be constructed as shown on the Approved Plans listed within this Development Approval.
72. The internal road must be constructed to a sealed standard, including kerb and channel on both sides of the new roads. Such kerb and channeling must be an approved residential kerb and channel. The internal road must be as follows:
  - 72.1 The entrance road from the intersection with Old Homebush Road to the 90 degree bend in the road adjacent to proposed Lot 37 must have a 18m road reserve width with 7m carriageway width measured between channel inverts;

- 72.2 The new cul-de-sac street from proposed Lot 37 must have a 17m road reserve width with 6m carriageway width measured between channel inverts;
- 72.3 A 1.5m wide concrete path is required on the high side of the street; and
- 72.4 The entrance from Old Homebush Road must generally be as per the Approved Plans in this Development Approval.

*Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.*

- 73. Verge widths, street reserve widths, intersection treatment, provision of parking, footpaths and speed control devices must comply with Council's requirements, as set out in *Planning Scheme Policy No. 2 – Engineering Standards – Roads and Drainage Infrastructure (PSP No.2)*.
- 74. Prior to the commencement of any works on the subject land, a Development Application for a Development Permit for Operational Work must be submitted to and be approved by Council for the road works and in accordance with the approved plans and documents of this Development Approval. All approved road works must be completed and accepted on-maintenance prior to Council's approval of the Plan of Subdivision.
- 75. The design and the construction of the works must be certified by a RPEQ – Civil.

#### **ROADWORKS SIGNAGE AND PEDESTRIAN SAFETY**

- 76. All works carried out on or near roadways must be adequately signed in accordance with the *Manual for Uniform Traffic Control Devices – Part 3, Works on Roads*.

*Note: Road or lane closures require approval from Council's Principal Engineer Road Operations, and all conditions of that approval complied with during construction of the works.*

- 77. Safe pedestrian access along Council's footpaths must be maintained at all times.

*Note: Should access to footpaths need to be restricted, a separate 'Temporary road or footpath closure' must be obtained from Council's Principal Engineer Road Operations, prior to the commencement of the works.*

#### **STREET LIGHTING**

- 78. Provide street lighting in accordance with *PSP No. 2 - Engineering Standards – Roads and Drainage Infrastructure* and *Australian Standard AS/NZS 1158 - Lighting for roads and public spaces*.

#### **ACCESS (FOOTPATH CROSSOVERS AND DRIVEWAYS)**

- 79. A vehicle crossover (crossing of the verge) and a suitable sealed driveway must be constructed from the Old Homebush Road edge of bitumen to the property boundary for approved Lots 32 and 33, in accordance with the following requirements:
  - 79.1 The Institute of Public Works Engineering Australasia *Drawing RS-056 Rural Driveways*, and in accordance with *Australian Standard AS 2890 – Parking Facilities (Part 1 and as relevant Part 2)*;
  - 79.2 Council's standards;
  - 79.3 The driveway surfacing must consist of an approved hot mixed asphaltic concrete, segmental clay/concrete pavers or patterned/plain concrete;
  - 79.4 The driveway must be constructed so as not to concentrate stormwater runoff onto neighbouring properties; and
  - 79.5 Underground service conduits for water supply, electricity, house drainage and any other services must be provided as part of the access driveway.

#### **PROPERTY ACCESS**

80. Direct access to Old Homebush Road is not permitted from approved Lot 34 at any time.

## LANDSCAPE & ECOLOGY

### REMOVAL OR MODIFICATION OF EXISTING COUNCIL CONTROLLED TREE

81. The removal, modification or interference (including disturbance within the Notional Root Zone (NRZ) or Structural Root Zone (SRZ)) of a Council Controlled Tree must not be undertaken unless approved in writing by Council and in accordance with any conditions of this Development Approval.

### PROTECTION OF COUNCIL CONTROLLED TREES

82. Council Controlled Trees affected by works within the Notional Root Zone (NRZ) as determined in accordance with *AS4970 Protection of Trees on Development Sites*, must be protected for the duration of construction. All works must be carried out in accordance with the relevant standards in *Planning Scheme Policy No.8 – Street Trees* and *AS4970 Protection of Trees on Development Sites*, and must include in particular:

- 82.1 Establishment of a work exclusion area around the Council Controlled Tree to be retained prior to commencement of construction to avoid damage and soil compaction from plant and machinery;
- 82.2 Providing Council with one (1) weeks' notice of any excavation works affecting the Notional Root Zone (NRZ) of a Council Controlled Tree so that a Council Arborist may choose to be present during excavation works;
- 82.3 During excavation works, where roots greater than 50mm diameter are uncovered that need to be severed, obtain approval from a Council Arborist to sever the root, and if granted, do so with a cutting device and not a ripping device; and
- 82.4 Tree protection measures are to be maintained until works are completed or accepted on-maintenance.

### LANDSCAPE PLAN

83. Submit to Council for endorsement, a Landscape Plan prepared by a suitably qualified person that details in particular:

- 83.1 Street tree species to be planted and their location;
- 83.2 The number and container size of plants;
- 83.3 The typical planting detail including preparation, backfill, staking and mulching;
- 83.4 Internal dimensions of all planting areas;
- 83.5 Location and species of existing site vegetation including adjacent street trees;
- 83.6 Maintenance schedule for the 12-month period; and
- 83.7 North point, scale and drawing number.

*Note: Unless otherwise approved, street trees required to be supplied as a condition of this Development Approval must be supplied in a minimum of 45L containers.*

84. The Landscape Plan must be submitted to Council prior to, or in conjunction with, the lodgement of any Development Application for a Development Permit for Operational Work and receive endorsement by Council prior to commencement of any site works or earthworks.

### LANDSCAPING WORKS (PROVISION OF STREET TREES)

85. Unless otherwise agreed by Council, plant and maintain for a period of 12 months, one (1) street tree for every 15 metres of new road reserve created as part of the development (both sides of the road) that is capable of reaching 10 metres in height at maturity.

86. Unless otherwise agreed by Council, plant and maintain for a period of 12 months, one (1) street tree for every 15 metres along the constructed development site frontage to Old Homebush Road that is capable of reaching 10 metres in height at maturity.
87. The selection and planting of any street tree, including any street tree required to replace a removed street tree must be in accordance with the requirements of *Planning Scheme Policy No.8 – Street Trees*, *Planning Scheme Policy No. 2 – Engineering Standards – Roads and Drainage Infrastructure* the *Toowoomba Regional Council Street Tree Master Plan*, and the endorsed Landscape Plan.
88. All landscape works must be established by a qualified person and maintained in accordance with the conditions of this Development Approval for the maintenance period, and in a manner that ensures healthy, sustained and vigorous plant growth.

## GENERAL ADVICES

### SUBMISSION OF PLANS FOR ENDORSEMENT

- 1) The conditions of this Development Approval require submission of plans to Council for endorsement. Please address the plans for endorsement to Council's Planning Branch with the Reference No. RAL/2026/2448 and send to [development@tr.qld.gov.au](mailto:development@tr.qld.gov.au).

### INFRASTRUCTURE CHARGES

- 2) Infrastructure charges are now levied by way of an Infrastructure Charges Notice, issued pursuant to Section 119 of the *Planning Act 2016*.

### OTHER LAWS & REQUIREMENTS

- 3) This Development Approval relates to development requiring approval under the *Planning Act 2016* only. It is the approval holder's responsibility to obtain any other necessary approvals, licenses or permits required under State and Federal legislation or Council local law, prior to carrying out the development. Information with respect to other Council approvals, licenses or permits may be found on the Toowoomba Regional Council website. For information about State and Federal requirements please consult with these agencies directly.
- 4) Any works impacting outside the property boundary will require a permit under Subordinate Local Law No. 1.15 (2020) (Carrying Out Works on a Road or Interfering with a Road or its Operation). Please contact Council's Road Operations Branch through our Customer Service Centre on 131 872. The application can be found on Council's website at [www.tr.qld.gov.au](http://www.tr.qld.gov.au).
- 5) The development has only been assessed in accordance with the provisions of the *Toowoomba Regional Planning Scheme 2012*. No assessment has been made in respect of the provisions of the *Building Code of Australia* and/or the *Queensland Development Code*.

### WHEN APPROVAL STARTS TO HAVE EFFECT

- 6) This Development Approval starts to have effect in accordance with the provisions of Section 71 of the *Planning Act 2016*.

### WHEN APPROVAL LAPSES

- 7) This Development Approval will lapse in accordance with the provisions contained in Sections 85 and 88 of the *Planning Act 2016*, unless otherwise stated elsewhere within this Development Approval.

### EXCAVATION & FILLING

- 8) The *Toowoomba Regional Planning Scheme 2012* (TRPS) declares excavation and filling activity involving less than 50m<sup>3</sup> of material and excavation and filling activity to a depth or height lower than 1m to be accepted development. Any combination of excavation or filling where 50m<sup>3</sup> or more of fill is deposited on, or 50m<sup>3</sup> or more of excavated material is removed from the premises and excavation or filling is not associated with 'Building Work' as defined under the *Planning Act 2016*, must obtain an Operational Work approval from Council before commencing site works.

### ENVIRONMENTAL HARM

- 9) The *Environmental Protection Act 1994* (EP Act) states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm.

Environmental harm includes environmental nuisance. In this regard persons and entities involved in the civil, earthworks, construction and operational phases of this development are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm. Environmental harm is defined by the EP Act as any adverse effect, or potential adverse effect (whether temporary or permanent and of whatever magnitude, duration or frequency) on an environmental value and includes environmental nuisance.

Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the Administering Authority to cause undue disturbance or annoyance to persons or affect property not connected with the use.

### **STREET TREE DISTURBANCE & REMOVAL APPROVAL**

- 10) This Development Approval does not infer or give approval to the owners or occupiers of the subject land to disturb or remove street trees. A separate Street Tree Disturbance or Removal Approval is required where a street tree is expected to be disturbed or removed. Please contact Council's Parks and Recreation Services Branch via Council's Customer Service Centre for further information in respect of street trees.

### **WATER POLLUTION**

- 11) In accordance with the *Environmental Protection Act 1994*, all sand, silt, mud, paint, cement, concrete, construction material and demolition material, and other such waste material must not be deposited or placed where it could reasonably be expected to travel into a roadside gutter, stormwater drain or watercourse. On the spot fines apply for such offences.

### **ABORIGINAL CULTURAL HERITAGE ACT 2003**

- 12) There may be a requirement to establish a Cultural Heritage Management Plan and/or obtain approvals pursuant to the *Aboriginal Cultural Heritage Act 2003* ("ACH Act").

The ACH Act establishes a cultural heritage duty of care which provides that: "*A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage.*" It is an offence to fail to comply with the duty of care. Substantial monetary penalties may apply to individuals or corporations breaching this duty of care. Injunctions may also be issued by the Land Court, and the Minister administering the ACH Act may also issue stop orders for an activity that is harming or is likely to harm Aboriginal cultural heritage or the cultural heritage value of Aboriginal cultural heritage.

You should contact the Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP) Cultural Heritage Unit on 07 3247 6212 to discuss any obligations under the ACH Act.

### **FIRE ANTS**

- 13) The State of Queensland has been declared a quarantine area for the Red Imported Fire Ant. Should this approval involve the movement of restricted items from areas of known infestation the provisions of the *Biosecurity Act 2014* apply, compliance with statutory provisions must be achieved.

### **WASTEWATER TREATMENT & DISPOSAL SYSTEM**

- 14) The establishment of a wastewater treatment and disposal system for the site requires a Compliance Permit to be obtained from Council under the *Plumbing and Drainage Act 2018*. The system must be designed in accordance with the *Queensland Plumbing and Wastewater Code* (Department of State Development and Infrastructure & Planning, 2007) and the Australian & New Zealand Standard AS/NZS1547 On-site Domestic Wastewater Management.

Please contact Council's Plumbing and Drainage team via the Customer Service Centre for further information in respect of a Compliance Permit. Where a development exceeds the accommodation

or use of 21 or more equivalent persons an Environmental Authority from the Department of Environment & Science will also be required.

### REASONS FOR RECOMMENDATION

The proposed development has been assessed with regard to the applicable assessment benchmarks as identified within this report and the attached Statement of Reasons (refer to Schedule 1). The proposed development generally complies with the assessment benchmarks or it can be conditioned to comply. Where the applicant has not provided sufficient information, conditions have been imposed to ensure compliance.

### DELEGATE'S DECISION:

I have reviewed the report for this application in accordance with the Relevant Instruments, Statutory and Non-Statutory Provisions and in accordance with Council's process and procedures. I agree with the responsible officer's recommendation that the application be Approved subject to the conditions contained in the recommendation. I exercise delegation in accordance with the delegations adopted by the Toowoomba Regional Council.



Richard Green  
Lead Senior Planner, Planning Branch

Decision Date: 25 September 2026

**CORPORATE PLAN REFERENCE**

**Strategic Action 2.3.3** Ensure development aligns with community sentiment, through effective and efficient assessment, with the planning scheme, planning instruments, codes and legislation.

**BACKGROUND**

| SITE DETAILS                      |                                                                                                                                                                                                                                                                                    |                                                          |                   |                           |
|-----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|-------------------|---------------------------|
| Site Address                      | Old Homebush Road, GOWRIE JUNCTION QLD 4352                                                                                                                                                                                                                                        |                                                          |                   |                           |
| Real Property Description         | Lot 7 SP311097                                                                                                                                                                                                                                                                     |                                                          |                   |                           |
| Site Area                         | 66,650m <sup>2</sup>                                                                                                                                                                                                                                                               |                                                          |                   |                           |
| Owner                             | David Lyndon Fraser Johnston and Catrina Lynette Johnston                                                                                                                                                                                                                          |                                                          |                   |                           |
| SITE CHARACTERISTICS              |                                                                                                                                                                                                                                                                                    |                                                          |                   |                           |
| Current Land Use                  | Vacant                                                                                                                                                                                                                                                                             |                                                          |                   |                           |
| Site Frontage/s                   | Old Homebush Road                                                                                                                                                                                                                                                                  |                                                          |                   |                           |
| Road/s                            | Order of Road                                                                                                                                                                                                                                                                      | Width of Road Reserve                                    | Width of Pavement | Road Material             |
| Old Homebush Road                 | Distributor                                                                                                                                                                                                                                                                        | 40m                                                      | 7m                | Bitumen                   |
| Easements                         | Nil.                                                                                                                                                                                                                                                                               |                                                          |                   |                           |
| Existing Structures               | Nil                                                                                                                                                                                                                                                                                |                                                          |                   |                           |
| Infrastructure                    | The subject site has access to Council's existing reticulated water network.                                                                                                                                                                                                       |                                                          |                   |                           |
| Topography                        | The site features a gradual fall from the north-west to the south-east of the site                                                                                                                                                                                                 |                                                          |                   |                           |
| PLANNING SCHEME SITE DATA         |                                                                                                                                                                                                                                                                                    |                                                          |                   |                           |
| Current Planning Scheme           | Toowoomba Regional Planning Scheme 2012 (Version 28)                                                                                                                                                                                                                               |                                                          |                   | Adopted: 28 November 2022 |
| Zone                              | Rural Residential Zone                                                                                                                                                                                                                                                             |                                                          |                   |                           |
| Precinct                          | RR2 (10,000 min) Rosalie                                                                                                                                                                                                                                                           |                                                          |                   |                           |
| Overlays                          | Airport Environs Overlay <ul style="list-style-type: none"><li>- 8km Wildlife Hazard Buffer Zone</li></ul> Environmental Significance Overlay <ul style="list-style-type: none"><li>- Areas of Ecological Significance Buffer</li><li>- Areas of Ecological Significance</li></ul> |                                                          |                   |                           |
| Infrastructure Charges Resolution | Charges Resolution No. 8                                                                                                                                                                                                                                                           |                                                          |                   | Adopted: 18 August 2026   |
| SURROUNDS:                        |                                                                                                                                                                                                                                                                                    |                                                          |                   |                           |
| Direction                         | Land Use                                                                                                                                                                                                                                                                           | Zone/Precinct                                            |                   |                           |
| North                             | Rural Residential                                                                                                                                                                                                                                                                  | Rural Zone/ RR2 (10,000 min), & RR1 (4,000 min) Precinct |                   |                           |
| East                              | Rural Residential                                                                                                                                                                                                                                                                  | Township Zone                                            |                   |                           |
| South                             | Rural Residential                                                                                                                                                                                                                                                                  | Rural Zone/ RR2 (10,000 min) Precinct                    |                   |                           |
| West                              | Rural                                                                                                                                                                                                                                                                              | Rural Zone                                               |                   |                           |

| PROPOSED DEVELOPMENT |                             |     |
|----------------------|-----------------------------|-----|
| Name of Applicant    | Neue Projects Three Pty Ltd |     |
| Type of Application  | Reconfiguring a Lot         |     |
| Proposed Development | One (1) Lot into 15 Lots    |     |
| Variations Sought    | Not Applicable              |     |
| Level of Assessment  | Impact                      |     |
| Submissions Received | Objection:                  | Nil |

|                                    |                   |     |
|------------------------------------|-------------------|-----|
|                                    | Support:          | Nil |
| <b>Decision Making Period Ends</b> | 25 September 2026 |     |

## CONSULTATION UNDERTAKEN

### Referral Agency/ies

Not Applicable.

### Internal Referrals

| Internal Referral Partner            | Referral / Response                                                                                                                       |
|--------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| Development Engineering and Plumbing | Recommended approval subject to conditions.                                                                                               |
| Place Environmental                  | Recommended approval subject to conditions.                                                                                               |
| Infrastructure Charges Unit          | Prepared an Infrastructure Charges Notice in accordance with <i>Charges Resolution No. 8</i> to accompany an approval of the development. |

### Public Notification

The Notice of Compliance was received by Council on 10 July 2026. The information attached to the notice confirms that the public notification of the application was undertaken in accordance with the requirements of Part 4 of the *Planning Act 2016*. The Notice of Compliance states the public notification included:

- Publishing a notice in the Chronicle on 17 June 2026;
- Placing a notice on the land from 17 June 2026 until 10 July 2026; and
- Notifying owners of all land adjoining the site on 17 June 2026.

No submissions were received opposing the development.

No submissions were received supporting the development.

## ISSUES, RISKS AND RESPONSES – ASSESSMENT

### Categorising Instrument – *Planning Regulation 2017*:

| PLANNING REGULATION 2017      |                                                                                                                                                                                                                                                                    |
|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Prohibited Development</i> | The proposed development is not prohibited development in accordance with the <i>Planning Regulation 2017</i> .                                                                                                                                                    |
| <i>Infrastructure Charges</i> | The <i>Planning Regulation 2017</i> provides for the levying of infrastructure charges on development approvals.                                                                                                                                                   |
| <i>Schedules 9 and 10</i>     | The proposed development is a Reconfiguring a Lot as defined in Schedule 12A of the Regulation and has been assessed against the relevant Assessment Benchmarks. The proposed reconfiguring a Lot is considered to comply with the relevant Assessment Benchmarks. |

| REGIONAL PLANS                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|---------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Shaping SEQ – South East Queensland Regional Plan 2023</i> | <p>The subject site is mapped within the bounds of the <i>Shaping SEQ – South East Queensland Regional Plan 2023</i> (ShapingSEQ). ShapingSEQ identifies that the subject site is within the Rural Living Area (RLA), which is intended to identify land intended to be used for rural residential development.</p> <p>The development application is consistent with the land use intent for the Rural Living Area (RLA) as it proposes a Rural Residential development within the bounds of the Rural Living Area (RLA).</p> |
| <i>Darling Downs Regional Plan October 2013</i>               | The Darling Downs Regional Plan 2013 (DDRP) is a statutory regional plan that is intended to provide planning policy to address planning matters that are of State interest and specific to the Darling Downs region. The subject site is located within the Restricted Area 384 of the DDRP as it is located within the SEQRP and accordingly the DDRP has no requirements.                                                                                                                                                   |

**STATE PLANNING POLICY (SPP)***July 2017*

The proposed development complies with the relevant benchmarks of the SPP.

**Local Categorising Instrument – Toowoomba Regional Planning Scheme 2012:**

The proposed development was assessed against the following assessment benchmarks:

- Strategic Framework
- Rural Residential Zone Code
- Reconfiguring a Lot Code
- Airport Environs Overlay Code
- Environmental Significance Overlay Code
- Environmental Standards Code
- Integrated Water Cycle Management Code
- Landscaping Code
- Transport, Access and Parking Code
- Works and Services Code

The development was assessed against all of the assessment benchmarks listed above and is considered to comply, or can be conditioned to comply. Further comment is made with regard to the following assessment benchmarks:

**STRATEGIC FRAMEWORK:**

| Theme                             | Assessment Comments                                                                                       |
|-----------------------------------|-----------------------------------------------------------------------------------------------------------|
| Settlement Pattern                | The proposal is considered to comply with the applicable strategic and specific outcomes of this element. |
| Natural Environment               | The proposal is considered to comply with the applicable strategic and specific outcomes of this element. |
| Community Identity and Diversity  | The proposal is considered to comply with the applicable strategic and specific outcomes of this element. |
| Natural Resources and Landscaping | The proposal is considered to comply with the applicable strategic and specific outcomes of this element. |
| Access and Mobility               | The proposal is considered to comply with the applicable strategic and specific outcomes of this element. |
| Infrastructure and Services       | The proposal is considered to comply with the applicable strategic and specific outcomes of this element. |
| Economic Development              | The proposal is considered to comply with the applicable strategic and specific outcomes of this element. |

**RURAL RESIDENTIAL ZONE CODE:**

| Assessment Criteria                                                                                                                                                                                                                                                                                                                                                                                                                     | Assessment Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The purpose of the zone is to provide for residential development on large lots where Local Government infrastructure and services may not be provided and where the intensity of residential development is generally dispersed. Development for large residential lots provides for a range of residential housing styles to meet the needs of the community. Development maintains a semi-rural landscape character and expansion of | <p>An assessment of relevant overall outcomes is provided as follows:</p> <p><u>Overall Outcome (a):</u><br/>the development of large residential lots with limited provision of infrastructure and services is facilitated within this zone only;</p> <p><u>Response:</u><br/>The proposed development involves the creation of large semi-rural residential allotments between 3,836m<sup>2</sup> and 4,125m<sup>2</sup>. The proposed lots will feature reticulated water connections, stormwater infrastructure, and effluent disposal systems in lieu of reticulated sewer connections due to the lack of a reticulated network in the surrounding locality. The proposed development complies with Overall Outcome (a) as it provides for large residential lots with limited provision of infrastructure and services within the Rural Residential Zone.</p> |

|                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| these localities does not occur.                                                                                                                                                                                                                                                                                            | <p><u>Overall Outcome (b):</u><br/>development within the zone preserves the environmental and topographical features of the land by integrating an appropriate scale of residential activities amongst these features;</p> <p><u>Response:</u><br/>The proposed development creates large residential lots that require very little earthworks to establish level building pads. The majority of earthworks will be as a result of the new access road and infrastructure. The development will integrate with the existing landscape and topography of the site and provides for an appropriate scale of residential activities within the locality.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p>Precinct Intent:</p> <p><b>1 Hectare Precinct</b><br/>(4) The overall outcomes for this precinct are:<br/>(a) provide for a semi-rural living environment, where development is subservient to and integrates with the natural or rural landscape; and<br/>(b) facilitate lots with a minimum lot size of 1 hectare.</p> | <p>An assessment of relevant overall outcomes for the 1 Hectare Precinct is provided as follows:</p> <p><u>Overall Outcome (a):</u><br/>provide for a semi-rural living environment, where development is subservient to and integrates with the natural or rural landscape; and</p> <p><u>Response:</u><br/>The proposed development provides for a semi-rural living environment through rural residential lots that comply with the purpose of the Rural Residential Zone Code, being lots between 3,836m<sup>2</sup> and 4,125m<sup>2</sup> in size with limited provision of infrastructure and services. The proposed development integrates into the prevailing rural landscape which has been zoned for, or has been developed to, lots of less than 1 hectare. The proposed developments lots are an average of 3,969m<sup>2</sup> in area, which is consistent with the prevailing lot size of the locality being ~4,000m<sup>2</sup>, as seen in the development to the north at Sunrise Court. It is also noted that land to the east across Old Homebush Road, is mapped within the Township Zone, which allows for minimum lot sizes of 2,000m<sup>2</sup>.</p> <p>The proposed development further integrates with the prevailing rural landscape by allowing future residential development to benefit from the high quality rural vista to the east of the site.</p> <p><u>Overall Outcome (b):</u><br/>facilitate lots with a minimum lot size of 1 hectare.</p> <p><u>Response:</u><br/>The proposed development is subject to impact assessment as it does not meet the minimum lot size anticipated for the Rural Residential Zone (10,000m<sup>2</sup> min Precinct). Whilst not providing lots that are a minimum of 1 hectare in area, the proposed development provides lots that are consistent with the purpose and intent of the Rural Residential Zone Code. The proposed development provides for large residential lots where access to infrastructure and services is limited. The intensity of the proposed development is generally dispersed across the site and allows for the semi-rural landscape character of the site to be maintained through the proposed development. The applicant submits that there is no material reason for the site to provide a minimum lot size of 1 hectare, where the site is not constrained by infrastructure, a need to protect adjoining development, or other significant constraints. The surrounding locality is characterised by Rural Residential allotments of generally 4,000m<sup>2</sup> or greater, and the reduction from the minimum lot size of 1 hectare for the precinct to the average lot size of 3,969m<sup>2</sup> featured by the development, is not seen to be inconsistent with the character, development pattern, or assumptions of the planning scheme for this area.</p> <p>Whilst not able to comply with Overall Outcome (b) of the 1 Hectare precinct, the proposed development is considered to comply with the purpose of the Rural Residential Zone Code.</p> |
| <b>Performance Outcome</b>                                                                                                                                                                                                                                                                                                  | <b>Acceptable Outcome</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| P07                                                                                                                                                                                                                                                                                                                         | AO7.1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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| <p><i>Development in the 1ha precinct:</i></p> <p>(a) <i>does not require the creation of lots smaller than 1ha;</i></p> <p>(b) <i>maintains the semi - rural character; and</i></p> <p>(c) <i>is subservient to and integrates with the natural or rural landscape.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <p><i>No acceptable outcome is nominated.</i></p> |
| <p><b>Alternate Outcome</b></p> <p>The applicant submits:</p> <p><i>"Complies (Overall Outcome 1) The subject site is situated within the 1ha precinct.</i></p> <p><i>The proposed subdivision involves the creations of lots smaller than 1ha; smallest lot size proposed is 4,000m<sup>2</sup>, and is therefore subject to Impact Assessment. It is considered that the proposed subdivision:</i></p> <ol style="list-style-type: none"> <li><i>1. results in rural residential dwelling allotments which maintain the semi - rural character of the area, namely, the streetscape identity of Old Homebush Road; and</i></li> <li><i>2. Is well integrated with the natural and rural landscape surrounding the subject site, namely, the Sunrise Court subdivision to the north and the sweeping rural vistas to the east.</i></li> </ol> <p><i>Please refer to Section 4.1 of the Town Planning Report for further justification."</i></p> |                                                   |
| <p><b>Officer Comment</b></p> <p>An assessment against the Overall Outcomes and Purpose of the Rural Residential Zone Code has been undertaken above. The proposed development is considered to comply with the Overall Outcomes and Purpose of the Zone Code, and therefore, whilst unable to comply with the requirements of PO<sub>7</sub>, is able to comply with the relevant Overall Outcomes and Purpose of the Rural Residential Zone Code.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                   |

## DEVELOPMENT CODES:

| RECONFIGURING A LOT CODE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Purpose                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Assessment Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p>The purpose of the Reconfiguring a Lot Code is to:</p> <p>(a) 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;</p> <p>(b) ensure the creation of a sense of place and distinctive identity;</p> <p>(c) protect important natural features and values, economic resources and places of cultural heritage significance;</p> <p>(d) ensure lot reconfiguration provides for an efficient and well integrated urban form, and in rural areas provides for sustainable use of land and agricultural resources;</p> <p>(e) ensure lot reconfiguration</p> | <p>An assessment of relevant overall outcomes is provided as follows:</p> <p><u>Overall Outcome (a):</u><br/>lot reconfiguration facilitates the creation of safe, convenient, functionally efficient and attractive environments, consistent with the desired character of the zone or precinct in which the site is situated;</p> <p><u>Response:</u><br/>The proposed development involves the creation of safe, convenient, efficient, and attractive residential lots that are largely consistent with the desired character of the Rural Residential Zone. It has been demonstrated that the proposed development can comply with the relevant Overall Outcomes and Purpose of the Rural Residential Zone, and as such the proposed development is consistent with the desired character of the Zone (refer to the assessment against the Overall Outcomes and Purpose of the Rural Residential Zone above).</p> <p><u>Overall Outcome (h):</u><br/>lot design and sizes are suited to the intended use of the land;</p> <p><u>Response:</u><br/>The proposed development involves the creation of lots with an average lot size of 3,969m<sup>2</sup> which are suitable for the intended rural residential development over the land. Notably the proposed lots are not inappropriately affected by constraints and all proposed lots will have a substantial, relatively flat land area capable of accommodating future rural residential development.</p> |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <p>facilitates safe and efficient provision of, and equitable access to, infrastructure and services;</p> <p>(f) ensure transport networks provide for appropriate levels of accessibility and accommodate a wide range of travel modes including walking, cycling and the use of public transport;</p> <p>(g) encourage development to be resource efficient; and</p> <p>(h) Provide for neighbourhood design that suits safe and practical connectivity with adjoining similar uses in terms of roads, open space and stormwater drainage layout.</p> |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|

**Table 9.4.5:1 — Reconfiguring a Lot Code – Requirements for Accepted Development and Assessment Benchmarks for Assessable Development**

| Performance Outcome                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Acceptable Outcome                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>PO4</b><br/>All new lots provide sufficient area, frontage and dimensions, and road access that enable their future development to achieve relevant outcomes in applicable Use, Zone, Overlay, and Other Development Codes in relation to:</p> <ul style="list-style-type: none"> <li>(a) dwellings, buildings and/or other structures</li> <li>(b) setbacks;</li> <li>(c) landscaping;</li> <li>(d) on site car parking and vehicle access;</li> <li>(e) recreation areas (private open space);</li> <li>(f) cultural heritage and character streetscape values;</li> <li>(g) other design criteria.</li> </ul> | <p><b>AO4.1</b><br/>All lots are rectangular and have minimum width to depth ratios, areas, dimensions and frontages as prescribed in Table 9.4.5:4.</p> <p><b>AO4.2</b><br/>Where in the Low Medium Density Residential Zone development for lots 450m<sup>2</sup> or less in area are capable of accommodating a rectangular building envelope with area and dimensions for:</p> <ul style="list-style-type: none"> <li>(a) a dwelling, including ancillary buildings and structures such as garages, covered carports and decks, that comply with the minimum setback requirements of the overlay or zone in which the land is located and building regulations;</li> <li>(b) private open space and recreation areas;</li> <li>(c) vehicle access and on - site car parking in accordance with the Transport, Access and Parking Code</li> </ul> |

**Alternate Outcome**

The applicant submits:

*“All lots created as part of the proposed subdivision have sufficient areas, (new) road frontages, and dimensions to enable future rural residential dwelling development. Refer to the Proposal Plans provided at Appendix B.”*

**Officer Comment**

Whilst not complying with the minimum lot size for the 1 hectare precinct prescribed within Table 9.4.5:4, the proposed development creates lots that are of a sufficient size to enable future development to achieve the relevant outcomes in the applicable Use, Zone and Overlay Codes. The proposed development is considered to comply with PO4.

**Table 9.4.5:2 Reconfiguring a Lot Code – Assessment Benchmarks for Assessable Development**

| Performance Outcome | Acceptable Outcome                                           |
|---------------------|--------------------------------------------------------------|
| <p><b>PO6</b></p>   | <p><b>AO6.1</b><br/>No acceptable solution is nominated.</p> |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <p><i>The development is integrated with the surrounding urban or rural environment, having regard to:</i></p> <ul style="list-style-type: none"> <li><i>(a) the layout and dimensions of streets and lots;</i></li> <li><i>(b) connections to surrounding streets and pedestrian and cycle networks and other infrastructure networks;</i></li> <li><i>(c) provision for shared use of public facilities;</i></li> <li><i>(d) open space networks, retained habitat areas or corridors, landscape features and views and vistas; and</i></li> <li><i>(e) connections to centres.</i></li> </ul>                                                                                                                                                                                                                                |  |
| <b>Alternate Outcome</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |
| <p>The applicant submits:</p> <p><i>“The proposed subdivision:</i></p> <ul style="list-style-type: none"> <li><i>a. integrates with the surrounding rural residential environment, particularly to the north of the site.</i></li> <li><i>b. involves the construction of a new road to connect to Old Homebush Road. No other road or active transport network connections are appropriate for the proposed subdivision</i></li> <li><i>c. Not Applicable – public facilities are not associated with the proposed subdivision</i></li> <li><i>d. Has been designed to capitalise on the expansive views to the south and east. No notable areas of habitat areas exist on the site.</i></li> <li><i>e. Provides a road connection to the nearby centre of Gowrie Junction to the south via Old Homebush Road.”</i></li> </ul> |  |
| <b>Officer Comment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |
| <p>The proposed development, in response to Council's Information Request, has been designed in order to allow for future road connectivity to be achieved for lots to the south. The proposed access road runs along the southern property boundary and allows for future development to the south to connect to the greater road network and form a street network. The proposed development is sufficiently integrated into the surrounding rural residential environment and is seen to comply with PO<sub>6</sub>.</p>                                                                                                                                                                                                                                                                                                     |  |

**Local Categorising Instrument – Variation Approval:**

Not Applicable

**Local Categorising Instrument – Temporary Local Planning Instrument:**

Not Applicable

**Local Categorising Instrument – Preliminary Approval:**

Not Applicable

**Local Categorising Instrument – Local Government Infrastructure Plan:**

The proposed development does not involve any LGIP Infrastructure, however, does involve land to be dedicated to Council under Section 128 of the *Planning Act 2016*.

**Other Relevant Matters**

Not Applicable

**FINANCIAL / RESOURCE IMPLICATIONS**

Infrastructure charges will be applied in accordance with Council's *Charges Resolution No. 8*.

**Human Rights Act 2019 CONSIDERATIONS**

The *Human Rights Act 2019* provides that it is unlawful for a public agency to act or make a decision in a way that is not compatible with human rights, or to fail to give proper consideration to a human right. This necessitates understanding the human rights that are protected. When making decisions or taking actions, consideration needs to be given to how that may impact on a person's human rights. Where there is a

restriction on a person's human rights the restriction must be no greater than is justifiable to protect the rights of others or the community at large.

In assessing this application consideration has been given to the following sections of the *Human Rights Act 2019*:

Section 15 – Recognition and equality before the law

Section 24 – Property rights

It is the opinion of the decision maker that no human rights have been limited.

## CONCLUSION

The development has been assessed with regard to the applicable assessment benchmarks as identified within this report and the attached Statement of Reasons (refer to Schedule 1). The proposed development generally complies with the assessment benchmarks or it can be conditioned to comply. Where the applicant has not provided sufficient information, conditions have been imposed to ensure compliance. It is therefore recommended that the development application be approved subject to the conditions identified above.

## ATTACHMENT/S

|            |   |    |   |                |
|------------|---|----|---|----------------|
| Attachment | 1 | of | 4 | Aerial Imagery |
| Attachment | 2 | of | 4 | Zoning Map     |
| Attachment | 3 | of | 4 | Overlay Map    |
| Attachment | 4 | of | 4 | Approved Plans |

## SCHEDULES

|          |   |                      |
|----------|---|----------------------|
| Schedule | 1 | Statement of Reasons |
|----------|---|----------------------|

## ATTACHMENTS

### Attachment 1 of 4 — Aerial Imagery



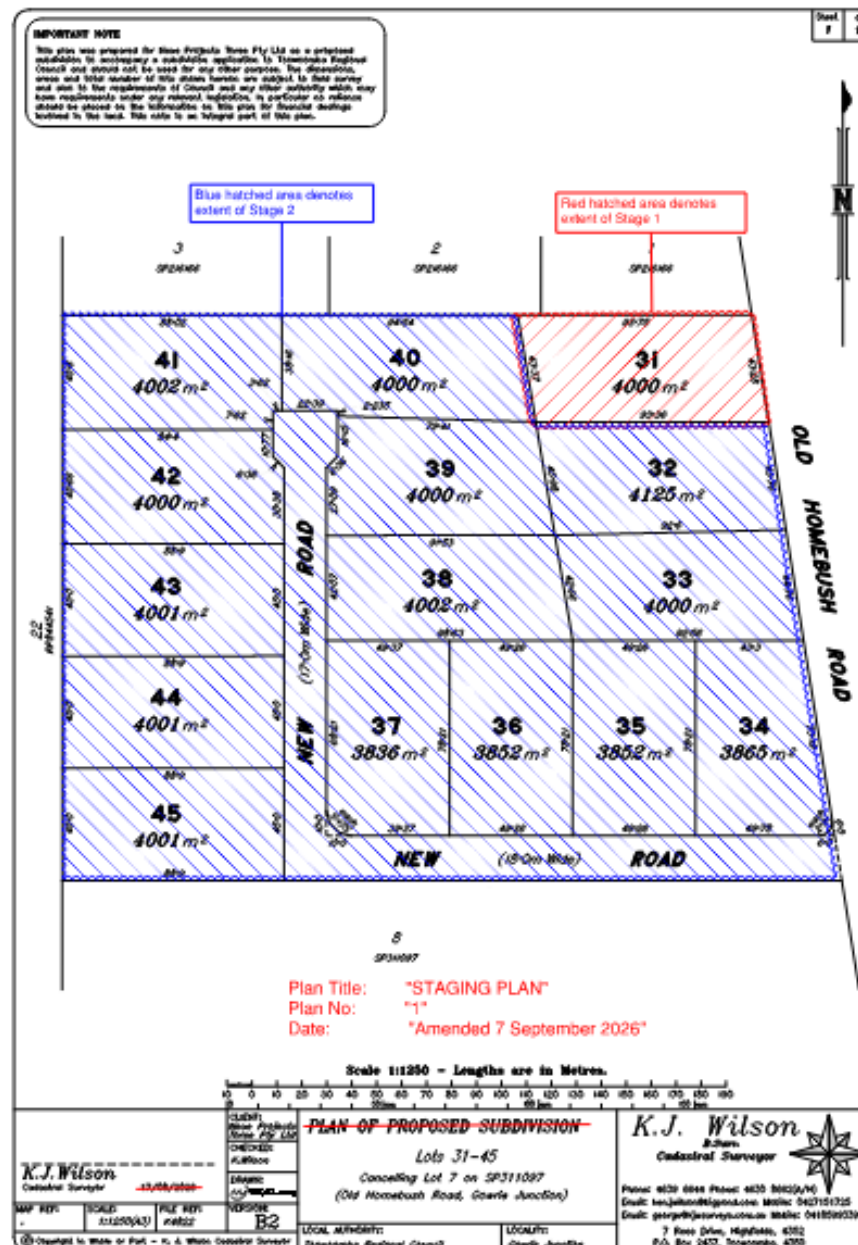
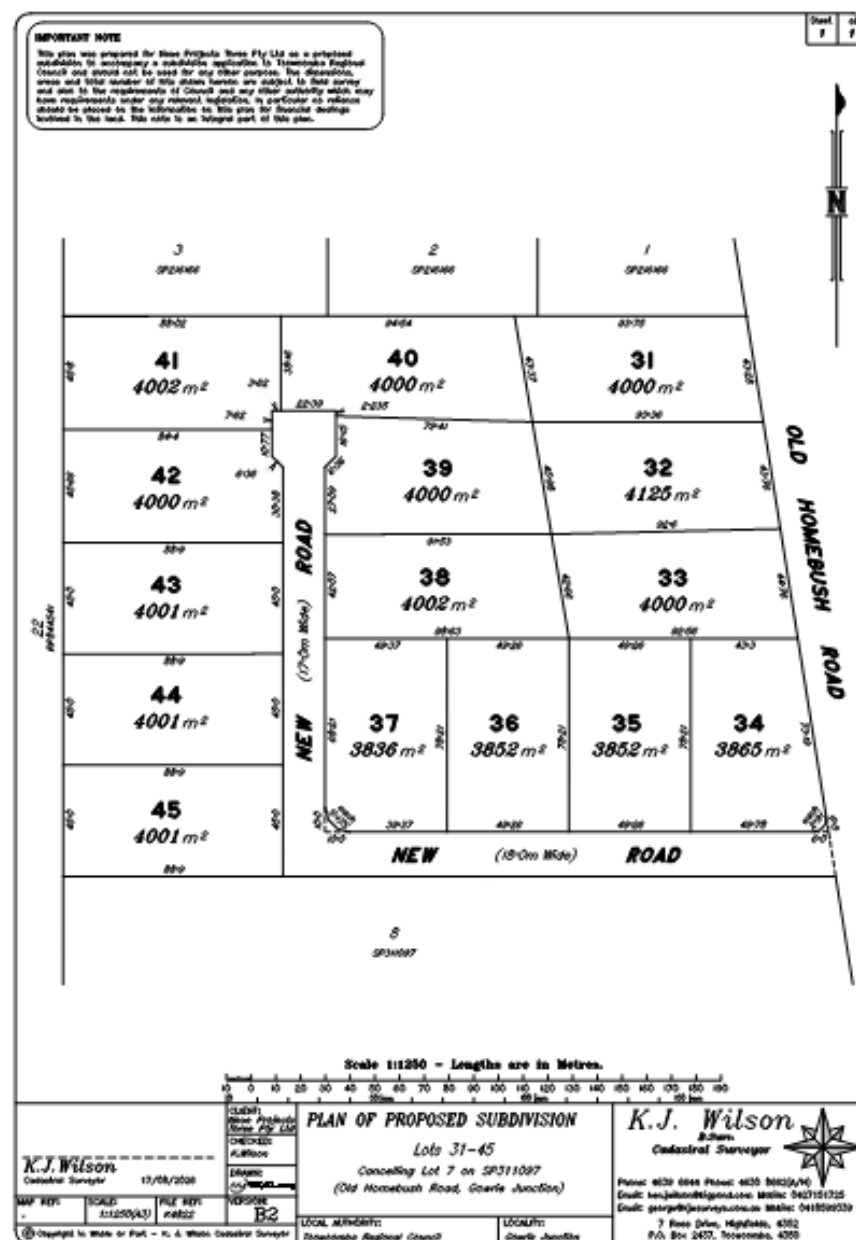
## Attachment 2 of 4 — Zoning Map

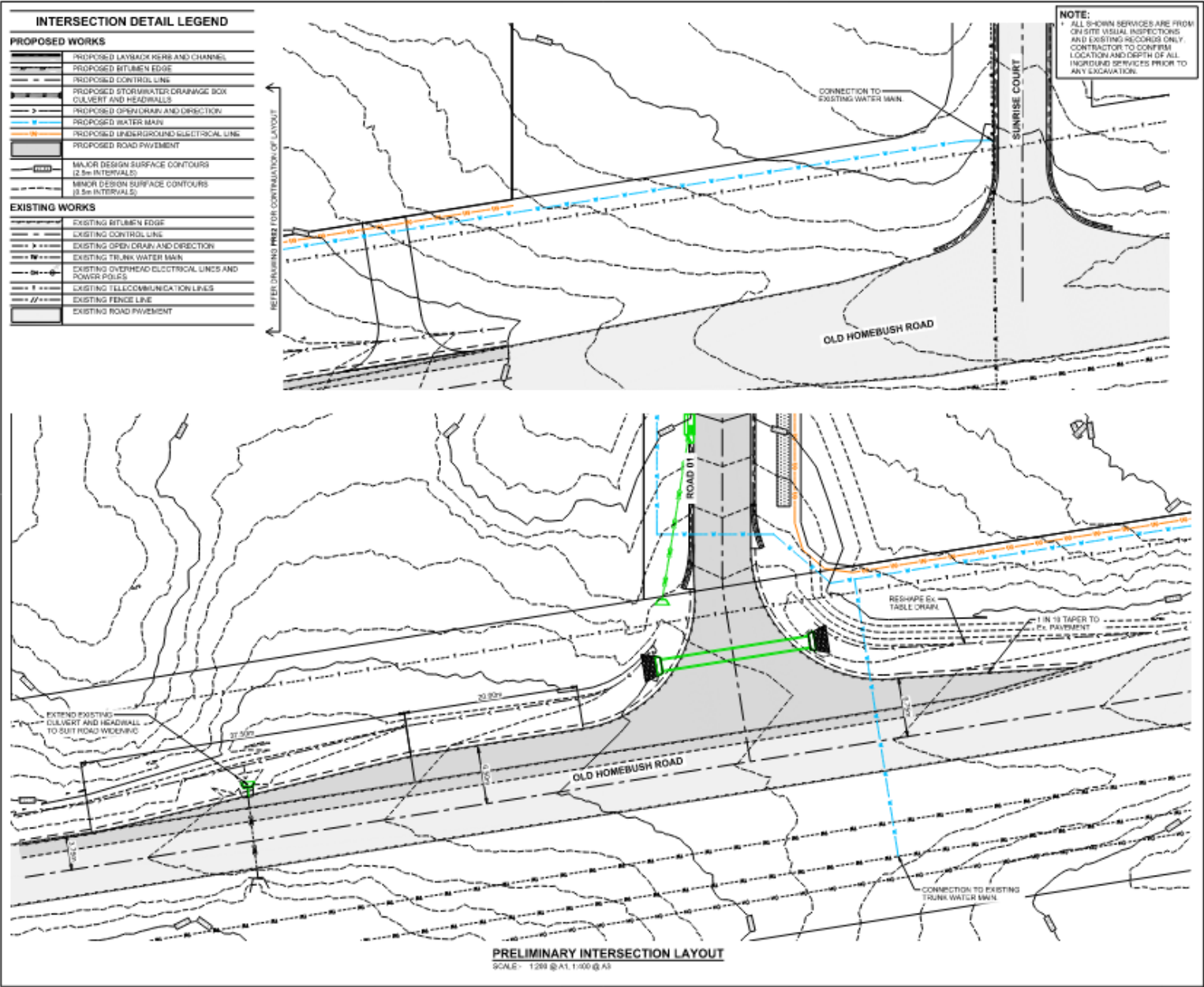


## Attachment 3 of 4 — Overlay Map



## Attachment 4 of 4 — Approved Plans





**PRELIMINARY**

NOT FOR CONSTRUCTION

DATE: 21.08.26 02:56 PM

**PRINT IN COLOUR**

**Kehoe Myers**

CONSULTING ENGINEERS KAHOO MYERS.COM.AU PH +61 7 400 9100

CIVIL | STRUCTURAL | HYDRAULIC

CLIENT: BRC PROPERTY GROUP

PROJECT: OLD HOMEBUSH ROAD SUBDIVISION

DRAWING FILE: PRELIMINARY INTERSECTION LAYOUT

| DESIGN | DATE     | DESIGNER       | DATE     |
|--------|----------|----------------|----------|
| DESIGN | 22.03.24 | PROJECT NUMBER | C2526271 |
| DESIGN | 22.03.24 | DRAWING NUMBER | PR04     |
| DATE   |          | SCALE          | P3       |

## **SCHEDULE 1**

### **Statement of Reasons**

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

| SITE DETAILS              |                                                           |
|---------------------------|-----------------------------------------------------------|
| Site Address              | Old Homebush Road, GOWRIE JUNCTION QLD 4352               |
| Real Property Description | Lot 7 SP311097                                            |
| Site Area                 | 66,650m <sup>2</sup>                                      |
| Owner                     | David Lyndon Fraser Johnston and Catrina Lynette Johnston |

| PROPOSED DEVELOPMENT |                             |     |
|----------------------|-----------------------------|-----|
| Name of Applicant    | Neue Projects Three Pty Ltd |     |
| Type of Application  | Reconfiguring a Lot         |     |
| Proposed Development | One (1) Lot into 15 Lots    |     |
| Level of Assessment  | Impact                      |     |
| Submissions Received | Objection:                  | Nil |
|                      | Support:                    | Nil |
| Decision             | Approval                    |     |
| Decision Date        | 25 September 2026           |     |

| ASSESSMENT MATTERS    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Assessment benchmarks | <p>The proposed development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none"> <li>• Schedules 9 and 10 of the <i>Planning Regulation 2017</i> (as relevant);</li> <li>• <i>State Planning Policy July 2017</i> (as relevant);</li> <li>• South-east Queensland Regional Plan ShapingSEQ 2023 (as relevant);</li> <li>• The Local Government Infrastructure Plan; and</li> <li>• <i>Toowoomba Regional Planning Scheme 2012</i> (Version 28):               <ul style="list-style-type: none"> <li>○ Strategic Framework</li> <li>○ Rural Residential Zone Code</li> <li>○ Reconfiguring a Lot Code</li> <li>○ Airport Environs Overlay Code</li> <li>○ Environmental Significance Overlay Code</li> <li>○ Environmental Standards Code</li> <li>○ Integrated Water Cycle Management Code</li> <li>○ Landscaping Code</li> <li>○ Transport, Access and Parking Code</li> <li>○ Works and Services Code</li> </ul> </li> </ul> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Reasons for decision  | <p>The development was assessed against all of the assessment benchmarks listed above and was considered to comply except as follows:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                       | Rural Residential Zone Code – Overall Outcome (a)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p>The proposed development involves the creation of large semi-rural residential allotments between 3,836m<sup>2</sup> and 4,125m<sup>2</sup>. The proposed lots will feature reticulated water connections, stormwater infrastructure, and effluent disposal systems in lieu of reticulated sewer connections due to the lack of a reticulated network in the surrounding locality. The proposed development complies with Overall Outcome (a) as it provides for large residential lots with limited provision of infrastructure and services within the Rural Residential Zone.</p> |
|                       | Rural Residential Zone Code – 1 Hectare Precinct                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p>The proposed development provides for a semi-rural living environment through rural residential lots that comply with the purpose of the Rural Residential Zone Code, being lots between 3,836m<sup>2</sup> and 4,125m<sup>2</sup> in size</p>                                                                                                                                                                                                                                                                                                                                       |

|  |                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--|------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | – Overall Outcome (a)                                                  | <p>with limited provision of infrastructure and services. The proposed development integrates into the prevailing rural landscape which has been zoned for, or has been developed to, lots of less than 1 hectare. The proposed developments lots are an average of 3,969m<sup>2</sup> in area, which is consistent with the prevailing lot size of the locality being ~4,000m<sup>2</sup>, as seen in the development to the north at Sunrise Court. It is also noted that land to the east across Old Homebush Road, is mapped within the Township Zone, which allows for minimum lot sizes of 2,000m<sup>2</sup>.</p> <p>The proposed development further integrates with the prevailing rural landscape by allowing future residential development to benefit from the high quality rural vista to the east of the site.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|  | Rural Residential Zone Code – 1 Hectare Precinct – Overall Outcome (b) | <p>The proposed development is subject to impact assessment as it does not meet the minimum lot size anticipated for the Rural Residential Zone (10,000m<sup>2</sup> min Precinct). Whilst not providing lots that are a minimum of 1 hectare in area, the proposed development provides lots that are consistent with the purpose and intent of the Rural Residential Zone Code. The proposed development provides for large residential lots where access to infrastructure and services is limited. The intensity of the proposed development is generally dispersed across the site and allows for the semi-rural landscape character of the site to be maintained through the proposed development. The applicant submits that there is no material reason for the site to provide a minimum lot size of 1 hectare, where the site is not constrained by infrastructure, a need to protect adjoining development, or other significant constraints. The surrounding locality is characterized by Rural Residential allotments of generally 4,000m<sup>2</sup> or greater, and the reduction from the minimum lot size of 1 hectare for the precinct to the average lot size of 3,969m<sup>2</sup> featured by the development, is not seen to be inconsistent with the character, development pattern, or assumptions of the planning scheme for this area.</p> <p>Whilst not able to comply with Overall Outcome (b) of the 1 Hectare precinct, the proposed development is considered to comply with the purpose of the Rural Residential Zone Code.</p> |
|  | Reconfiguring a Lot Code – Overall Outcome (a)                         | <p>The proposed development involves the creation of safe, convenient, efficient, and attractive residential lots that are largely consistent with the desired character of the Rural Residential Zone. It has been demonstrated that the proposed development can comply with the relevant Overall Outcomes and Purpose of the Rural Residential Zone, and as such the proposed development is consistent with the desired character of the Zone (refer to the assessment against the Overall Outcomes and Purpose of the Rural Residential Zone above).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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: RAL/2026/2448.