

Our Reference: MCUI/2026/2617  
 Applicant Reference: 2026-557  
 Contact Officer: Jun Ong  
 Contact: 07 4688 9555  
 Email: [development@tr.qld.gov.au](mailto:development@tr.qld.gov.au)

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

Aaron Brett Stalling  
 C/- Precinct Urban Planning  
 PO Box 3038  
 TOOWOOMBA QLD 4350

Email: [kim@precinctplan.com.au](mailto:kim@precinctplan.com.au)  
[sarah@precinctplan.com.au](mailto:sarah@precinctplan.com.au)

27 April 2026

Dear Madam

**Development Application for:** Material Change of Use - Impact - Dwelling House  
**Location:** 83 Zeller Road, MOUNT LUKE QLD 4352  
**Property Description:** Lot 1 RP21723  
**Relevant Planning Scheme:** *Toowoomba Regional Planning Scheme 2012*

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

**1. ECOLOGICAL IMPACT ASSESSMENT**

<b>1.1</b>	<b>Issue:</b>
	The development site is located under Council's Environmental Significance Overlay. Adjacent land includes Geham National Park, Geham State Forest and rural residential blocks with contiguous, high value vegetation. Vegetation on site and on surrounding land includes endangered state regional ecosystem which is significant and rare from a state and regional perspective. The vegetation type is known to support koalas, among other wildlife.
	PO1 of the Environmental Significance Overlay requires disturbance to areas of ecological significance shown on the Environmental Significance Overlay maps be avoided or where disturbance cannot be avoided the loss or reduction of ecological values is minimised. While some vegetation on site is already cleared, the proposed bushfire management strategy would see complete degradation of the ecological values on site through the complete removal of ground, low and mid storey species and the further removal of canopy tree species. PO1 is not met and balance between clearing for bushfire management with retention of vegetation on site has not been achieved.
	Council notes that the lot to the east includes a desirable outcome for cleared vs retained vegetation. Similar principles should be adopted when siting the proposed dwelling and when planning for associated clearing activities.
	<b>Information Required:</b>
	To demonstrate compliance against PO1 of the Environmental Significance Overlay Code, prepare and submit an Ecological Impact Assessment that includes but is not limited to:

- Desktop assessment from relevant flora and fauna databases;
- Site investigations for areas of remnant vegetation, essential habitat for fauna and protected plant found either on site or believed to occur on site;
- Confirm footprint of all areas required to be cleared, areas to be retained and areas to be rehabilitated;
- Include a tree survey plan, showing trees to be retained and trees to be cleared;
- Discussion of the implications and requirements under State and federal legislation, including the *Vegetation Management Act 1999*, *Nature Conservation Act 1992*, *Water Act 2000*, and *EPBC Act 1999*.
- Discussion of matters of local environmental significance including how the development will:
  - Avoid impacts on the biodiversity values of ecosystems, areas of ecological significance and biodiversity corridors,
  - Maintain ecological processes and the ecosystem services provided by areas of ecological significance;
  - Retain connection of habitat areas and biodiversity corridors;
  - Restore and rehabilitate any degraded ecosystems, habitats and corridors;
  - Protect ecological values and processes of waterways and wetlands;
  - Protect water quality and riparian habitat of waterways on site or those receiving runoff from site.

The report must consider impacts based on clearing required for the dwelling, effluent disposal, driveways and other supporting or built infrastructure. The location of such infrastructure should optimise the use of previously cleared areas first, then areas of lower environmental values.

Please note that where both Bushfire mitigation and retention of areas of Ecological Significance are required, retention of vegetation of Ecological Significance should take precedence. Evidence of the consideration of both issues should be provided and not conflict with each other.

## 2. BUSHFIRE HAZARD

<b>Issue:</b>	
<b>2.1</b>	<p>The applicant submitted a Bushfire Management Plan, V 1, prepared by Range Environmental and dated 21/10/2025. Figures 1 to 7 include a nominal building envelope with Figure 7 stating boundary separation distance. Figure 7 also include a note and modelled assumption that the area highlighted yellow is to be maintained in “a low-fuel load state”. The bushfire modelling (Appendix A) and mitigation measures in s5.1 therefore presumes that all vegetation on site poses low bushfire risk and all vegetative structure on site is removed, other than sporadically located canopy trees. It is noted that the area proposed for the dwelling and effluent disposal is approximately 3100m<sup>2</sup> (calculated from Figure 7). Such areas are typically large enough for future dwellings to contain an Asset Protection Zones (APZ) while allowing for the remainder of the site to include retention of vegetation. This approach is contradictory to the outcomes required against the Environmental Significance Overlay Code.</p>
<b>Information Required:</b>	
	<p>Item 1.1 of the Information Request requires the applicant to submit an Ecological Impact Assessment and plan for retention of vegetation on site to meet PO1 of the Environmental Significance Overlay Code. Retained vegetation on site will alter the assumptions of the bushfire attack levels and APZ.</p> <p>Provide an amended Bushfire Management Plan in concert with the Ecological Impact Assessment. Where both Bushfire mitigation and retention of areas of Ecological Significance are required, retention of vegetation of Ecological Significance should take precedence.</p>

### Note on Alternative Solutions

Where an alternative solution to the Acceptable Outcome is proposed, justification demonstrating how the correlating Performance Outcome has been met must be provided. Requesting an alternative

solution without demonstrating how the Performance Outcome has been satisfied, does not oblige Council to favourably consider the alternative solution.

### **Options Available in Response to this Information Request**

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

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

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

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

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'Jayden Forbes-Mitchell', with a horizontal line above it.

Jayden Forbes-Mitchell  
Lead Senior Planner, Planning Branch