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**RECEIVED**  
10/09/2026  
**TOOWOOMBA**  
**REGIONAL COUNCIL**

Our Reference: J002757  
Date: 3 September 2026

## ECOLOGICAL ADVICE LETTER – RESPONSE TO INFORMATION REQUEST FOR 1401 PIERCES CREEK ROAD, PIERCES CREEK

Dear James,

Range Environmental Consultants was engaged by Darran Hutchings to prepare documentation to respond to an Information Request (ref: RAL/2026/4503), dated 18 June 2026 from Toowoomba Regional Council (TRC) regarding the proposed Reconfiguration of a Lot (RaL) for a two (2) into two (2) lot boundary realignment at 1401 Pierces Creek Road, Pierces Creek (hereafter 'the site'). The site is formally described as Lots 8 & 9 on RP861104. The site is located within the TRC Local Government Area.

This letter provides a response to the following specific items in the TRC Information Request:

- Item 2. Environmental Significance Overlay
- Item 3. Bushfire Hazard Overlay

Tabulated response to items 2 and 3 is provided overpage.

## 1.1 TRC Information Request Response

**Table 1 Response to Information Request – Item 2 Environmental Significance Overlay and Item 3 Bushfire Hazard Overlay**

| Issue                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Information required                                                                            | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| <p>2.1</p> <p>The proposed development is identified within Council's Environmental Significance Overlay. The applicant has submitted an <i>Ecological Assessment Report, version 1, prepared by Range Environmental and dated 28 April 2026</i>. Within Section 10.2 of the report, the applicant has suggested the proponent enter an Environmental Covenant with Council in accordance with Figure 2 of the report. Council notes that Figure 2 of the report does not clearly indicate the proposed covenant area, but rather only pertains to indicating the existing dwelling and proposed development envelope locations. An amended figure is required which demonstrates the area proposed for Environmental Covenant under Section 10.2, and provides additional information.</p> <p>The applicant has also stated within Section 10.3 of the report that upon OP works for the driveway crossover, and Arborist Report is to be submitted to Council for review. The applicant will be required to address the removal of this vegetation within this RAL approval, and the relevant figures should be amended to incorporate tree removal/retention.</p> <p>Figures 10, 11, and 13 of the report provide an indication of areas to be cleared on site as a part of this development. However, it is unclear the extent of vegetation to be removed due to this lot</p> | <p>Provide an amended Ecological Assessment Report which addresses the issues raised above.</p> | <p>Upon review of the proposed development and nature of the site and future use, an environmental covenant is not recommended in conjunction with the proposed development. The site is a rural landholding utilised for cattle grazing. The use of an environmental covenant, which best serves it's purpose to direct a particular management regime (i.e. environmental rehabilitation or offsetting purposes), or development protection (i.e. preservation from further development pressure) is not a relevant consideration for the proposed development.</p> <p>The identification of the development envelope acts as an inverse covenant, while limiting all potential vegetation removal to the identified 'Area A' and Lot 9 boundary exemptions (maximum 10 metre width) as shown in Figure 13 of the submitted Ecological Assessment Report (EAR). As the existing Lot 9 is not currently improved by a residential dwelling or associated infrastructure, the identified development envelope reasonably accounts for reasonable expected uses of the land, including a bushfire asset protection zone (within the development envelope). The further restriction of the proposed development envelope (i.e. reduction in size) is not supported on the basis that it is a reasonable expectation on a rural zoned lot for additional sheds or structures to be constructed, and the proposed size of</p> |

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| <p>reconfiguration. These figures indicate only a general area of the proposed new lot to be cleared, and do not indicate the location of proposed building envelopes, effluent disposal areas, ancillary structures, and driveway crossovers. The full extent of vegetation to be disturbed or removed is not clearly indicated within this report and must be shown.</p> <p>Further information is required to demonstrate compliance against Performance Outcome PO1 (Table 8.5.1:1) of the Environmental Significance Overlay Code.</p> <p><i>Note: Effluent disposal areas should be contained to areas outside of the Environmental Significance Overlay, or within areas devoid of vegetation.</i></p> |  | <p>development envelope (1.22 ha) reasonably facilitates this.</p> <p>The applicant has obtained advice from Downs Roadside Engineering (provided separately in response to the issued information request) which confirms the proposed access point to Lot 9 in respect to access from Pierces Creek Road. Range Environmental has prepared an additional figure (Attachment 1 Indicative development layout) which includes the nomination of an indicative driveway location. It is noted that this driveway location is co located with an exempt clearing location as identified in Figure 13, noting that the northernmost 10m section of Lot 9 (fronting Pierces Creek Rd) is an existing exempt clearing area (10m boundary fire management line).</p> <p>It is recommended that Council impose a development condition generally aligned with the below:</p> <ul style="list-style-type: none"> <li>Vegetation clearing associated with the proposed development is limited to the maximum extent as shown in Figure 13</li> </ul> <p>It is noted that in accordance with the accepted development requirements under the TRC Bushfire Hazard Overlay Code, development will be required to comply with the submitted bushfire management report where the development is approved. As the bushfire management report includes identification of the proposed development envelope, development (for all purposes) will be limited to this area.</p> <p>In respect to assessment of vegetation clearing external to the site (i.e. within road reserve), no clearing of vegetation in road reserve is proposed in</p> |
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|  |  | <p>association with this boundary realignment application.</p> <p>Assessment of any potential conceivable clearing within the road reserve in the context of this application to facilitate a potential future driveway crossover provides little benefit on the following basis</p> <ul style="list-style-type: none"> <li>• It has been established by the submitted engineering advice (submitted separately) that no works are considered necessary for the proponent (or future landholder) to implement beyond construction of a private access (driveway crossover), and that there is no engineering reasons to preclude placement of a private access at the proposed location for Lot 9. Accordingly, no significant (large scale) vegetation clearing works are expected or likely (this is in contrast with large urban developments for example which inherently necessitate significant impacts to adjacent road reserve vegetation where upgrades to those adjacent roadways are recommended or conditioned)</li> <li>• The final location, design, and construction methods for a potential future driveway cannot be reliably foreseen at the current stage of development planning.</li> <li>• Where any future clearing within the road reserve is required to construct a future driveway, this will be subject to an assessment in respect to Council's local law requirements for impacts to vegetation within road reserve, which is</li> </ul> |
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|  |  | <p>likely to include a requirement to provide a highly detailed Arboricultural Impact Assessment, which is to include the detailed information relating to precise siting, design and construction methods at that time. This typically occurs at the time of contractor engagement to allow for construction input.</p> <p>In addition, following Range Environmental Consultants' recent experience with Toowoomba Regional Council's Parks and Recreation Services department any "approved Ecological Assessment [in association with a RAL application] applies to the private lots and does not extend to Council-controlled land". Therefore, detailed assessment of vegetation removal in these council-controlled areas must be addressed in detail through a 'council controlled tree removal application' which is completed in accordance with an Operational Works application. Where detailed assessment of vegetation clearing located within the road reserve is required, an Arboricultural Impact Assessment report will be completed by a qualified AQ5 or higher arborist.</p> <p>Regarding Figures 10, 11 and 13 of the submitted EAR, Figures 10 and 11 address native vegetation clearing allowances (pre and post development) on the site in respect to the <i>Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development</i> legislative compliance under State Code 16: Native Vegetation Clearing (state assessment).</p> <p>Figure 13 details the maximum additional clearing extent permissible within mapped Areas of Ecological Significance (local assessment) on the site as a result of the proposed development. As</p> |
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|                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                               | <p>described in the Ecological Assessment Report and in Figure 13, any clearing of native vegetation is restricted within the identified Area A and created exempt boundary clearing (in addition to existing boundary clearing exemptions on the northern and eastern boundaries).</p> <p>The final location of proposed building envelopes, associated asset protection zone (APZ), effluent disposal areas, ancillary structures, and driveway crossovers are subject to the desired location by a future landholder, but must be located within the identified development envelope. Attachment 1 provides an indicative development layout which includes possible locations for future building envelopes, effluent disposal areas, ancillary structures, and driveway crossovers to be located.</p> <p>Noting the above, an amended Ecological Assessment Report is not proposed to be provided.</p> <p>To minimise and mitigate potential impacts as a result of the proposed development a development envelope has been identified to restrict any future native vegetation removal to identified areas shown in Figure 13. In addition, weed management is to be completed across the entirety of proposed Lot 9 to enhance retained areas of native vegetation and facilitate natural regeneration of the understorey layer.</p> |
| <p>3.1</p> <p>The development site is covered by Medium Risk and High Risk areas of Council's Bushfire Hazard Overlay. The applicant has provided a <i>Bushfire Management Report, version 1, prepared by Range Environmental and dated 24 April 2026</i>. Proposed</p> | <p>Provide an amended Bushfire Management Report to clearly delineate the Asset Protection zones proposed and provide a figure with indicative building envelopes, effluent disposal areas, ancillary structures, and driveway crossovers. The amendments made to the Bushfire Management</p> | <p>As per the submitted Ecological Assessment Report, and as per response to the above matter (ecology), a development envelope is proposed within the reconfigured Lot 9.</p> <p>The proposed development envelope is the maximum extent of clearing permitted for structures and associated asset protection zones.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

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| <p>Lot 8 is to retain the existing dwelling on site and will not require further assessment.</p> <p>Section 6.1 of the submitted Bushfire Management Report provides a list of recommendations to be followed as a part of this lot reconfiguration. The document is generally accepted, However, within Section 6.1, one of the recommendation points states that vegetation within the building envelope is to be managed at a fuel load no greater than 8t/ha. Given the issues raised in relation to the Environmental Significance Overlay, it is unclear the extent of vegetation clearing that is required for building envelopes, effluent disposal, ancillary structures, and driveway crossovers. Council's position where the outcomes of the Bushfire Hazard and Ecological Significance Overlays conflict, is that retention of vegetation of ecological significance should take precedence. Evidence of consideration of both issues should be provided and not conflict.</p> | <p>Report, should be aligned with the Ecological Impact Assessment.</p> | <p>A reduced clearing extent may eventuate where a future landowner seeks for a reduced clearing footprint, however for the purpose of this assessment, is taken to be cleared to facilitate a reasonably expected development outcome given the site zoning (rural).</p> <p>In respect to consideration of balance between vegetation retention, and clearing for development (including for bushfire protection (APZ)) purposes within the development envelope, the following is noted:</p> <ul style="list-style-type: none"> <li>• The site is mapped as containing: <ul style="list-style-type: none"> <li>• Areas of Environmental significance: 86.75 ha</li> <li>• Areas of Environmental significance buffer 96.11 ha</li> </ul> </li> <li>• The proposed development proposes the clearing of 1.58 ha of Environmental significance and environmental significance buffer</li> </ul> <p>The retention of 97.71% of environmental significance areas is proposed by the development</p> <p>Individually within Lot 9, 1.97% (1.89 ha) of mapped environmental significance areas is proposed to be protected from development through limiting of development to the identified development envelope and identified exempt clearing areas.</p> <p>Given the above, and the establishment of a dwelling and associated structures is a reasonable expectation on an existing Lot (which is to be reconfigured), the development is considered to reasonably balance the considerations of both the bushfire hazard overlay, and environmental significance overlay.</p> |
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Please do not hesitate to contact me on 0439 776 283 if you have any queries regarding this project.

**Yours sincerely,**

A handwritten signature in grey ink, consisting of the letters 'HB' in a stylized, cursive font.

**Hannah Bakker  
Professional Ecologist  
Range Environmental Consultants**

## Attachment 1: Indicative development layout



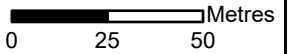
# Attachment 1 Indicative development layout

Project: 1401 Pierces  
Creek Road, Pierces  
Creek

Client: Darran and  
Naomi Hutchings

Project No.: J002757

Compiled by: Hannah Bakker Date: 1/09/2026  
Approved by: Will Gibson Date: 1/09/2026



## Legend

- Cadastral
- Roads
- Lot layout
- Development footprint
- Indicative driveway
- Indicative dwelling (30m x 30m)
- Indicative effluent disposal areas
- Indicative shed (30m x 20m)
- Indicative APZ (BAL 29)

The content of this document includes third party data. Range Environmental Consultants does not guarantee the accuracy of such data.

Source: Cadastral data sourced from DNRME (2026). Aerial imagery sourced from NearMap (2026).

