

REPORT TITLE	Reconfiguring a Lot – Impact – Boundary Realignment (Two (2) into Two (2) Lots) located at 162 Kim Road and Kim Road, WELLCAMP QLD 4350
AUTHOR	Planning Officer (Cassidy Pugh)
Application No.	RAL/2026/302

PURPOSE OF REPORT

To consider a Development Application for Reconfiguring a Lot – Impact – Boundary Realignment (Two (2) into Two (2) Lots) located at 162 Kim Road and Kim Road, WELLCAMP QLD 4350

EXECUTIVE SUMMARY

This report considers a Development Application for a Boundary Realignment for two (2) into two (2) lots on land at 162 Kim Road and Kim Road, formally described as Lot 3 RP222288 and Lot 5 RP222288, respectively. The subject land has a total area of 40.28 hectares. Existing Lot 3 is improved with a dwelling house, while existing Lot 5 contains rural outbuildings, with the balance of the land is predominantly vacant rural area. Both lots have frontage to Kim Road.

The proposal seeks to consolidate the existing dwelling house on existing Lot 3 and associated rural infrastructure located within existing Lot 5 together on a single lot (proposed Lot 5), while also creating a second vacant lot (proposed Lot 6). Existing Lot 3 will increase in size from 9,136m² to 20.603ha (proposed Lot 5) and existing Lot 5 will decrease in size from 39.37ha to 19.69ha (proposed Lot 6). Both proposed Lots will have frontage to Kim Road.

The site is located within the 100 hectare minimum Precinct within the Rural Zone under the *Toowoomba Regional Planning Scheme 2012 (Version 28)* (the Planning Scheme). The site is also mapped as being affected by the Environmental Significance Overlay, Bushfire Hazard Overlay, Airport Environs Overlay and Agricultural Land Overlay. In accordance with Table 5.6:1 of the Planning Scheme, the proposed development is subject to Impact Assessment due as the proposed lot sizes are less than the 100 hectare lot size minimum for the Rural Zone.

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

Under Schedule 10, Part 3, Division 4, Table 2 – Item 1, the proposed development was referable to the Department of State Development, Infrastructure and Planning. The referral response was received on 23 February 2026 providing conditions to be included with any future approval.

The proposed development has been assessed against the applicable assessment benchmarks and having regard to all relevant matters as outlined within the report. The proposed development is considered to achieve compliance with the applicable assessment benchmarks or, to the extent of non-compliance, is considered capable of being conditioned to comply. The proposed development is considered to be acceptable having regard to all relevant matters. On this basis, the proposed development is recommended for approval subject to the conditions in the recommendation.

RECOMMENDATION

APPROVED - Application No. RAL/2026/302 for a Development Permit for Reconfiguring a Lot – Impact – Boundary Realignment (Two (2) into Two (2) 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 for a Boundary Realignment of Two (2) Lots into Two (2) Lots.

CARRY OUT AND MAINTAIN DEVELOPMENT

2. The development must comply with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they have not been varied by this Development Approval.
3. Unless otherwise stated, all conditions must be complied with prior to Council's approval of the Plan of Subdivision and at all times thereafter.
4. 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

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

Plan No: 25-044-2

Description: Plan Showing Proposed Lots 5 & 6 Cancelling Lots 3 & 5 on RP222288 Kim Road, prepared by SMK Land Surveyors Pty Ltd and dated 12 June 2025

Amendments: Nil

LOT NUMBERING

6. 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

7. 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.

DEDICATIONS, AGREEMENT AND CONTRIBUTIONS

FEES AND CHARGES

8. 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

STORMWATER DRAINAGE

9. All land adjoining the development must be protected from ponding or nuisance from stormwater resulting from the development for the life of the development.

DAMAGE TO SERVICES & ASSETS

10. Protect Council and public utility services and assets during construction of the development.
11. 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:
 - 11.1 Where the damage would cause a hazard to pedestrian or vehicle safety or interrupts a service to the community, immediately; or
 - 11.2 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.

12. 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.
13. 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 131 872

AIR QUALITY IMPACT MITIGATION

14. 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 works.
15. All reasonable and feasible avoidance and mitigation measures are employed so that dust emissions generated during site works do not exceed the following levels when measured at any sensitive place or commercial place:
 - 15.1 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*.

CONSTRUCTION WASTE MANAGEMENT & STORAGE

16. 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*.
17. 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*.
18. Fires are not to be lit to dispose of demolition or construction waste.
19. 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:
 - 19.1 Elsewhere within this Development Approval;
 - 19.2 In accordance with an associated Development Permit for Operational Work;
 - 19.3 In association with and in accordance with an Environmental Authority issued under the *Environmental Protection Act 1994*;
 - 19.4 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
 - 19.5 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.
20. 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

21. 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

22. 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.
23. 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.
24. 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.
25. All disturbed areas must be mulched or turfed as soon as possible during construction.

LANDSCAPE & ECOLOGY

REMOVAL OF EXISTING TREES AND VEGETATION

26. Clearing, including felling, pushing, lopping and grubbing of existing trees and vegetation not identified for retention must be undertaken by a suitably qualified person and must:
 - 26.1 Retain old growth tree hollows and suitably relocate and distribute for nesting fauna;
 - 26.2 Mulch all other wood and leaf material (without root balls, soil or debris and minimising weed seeds) for re-usable mulch;
 - 26.3 Have mulch for re-use in landscape or rehabilitation stockpiled and aged for a minimum of three months;
 - 26.4 Have mulch stockpiles no larger than 1000m³, 2.5m in height and with 10m separation between piles.
 - 26.5 Allow for existing endemic ground flora to be translocated to suitable landscaping and rehabilitation areas; and
 - 26.6 Conclude with the area being stabilised against erosion.
27. Any processing of trees or vegetation must be carried out in a safe manner and without exceeding the noise and air emission levels listed or prescribed in this Development Approval.

FAUNA MANAGEMENT DURING REMOVAL OF EXISTING TREES AND VEGETATION

28. A legislative compliant Fauna Spotter Catcher must be engaged to manage fauna prior and during clearing to:
 - 28.1 Ensure works are carried out in accordance with the *Nature Conservation Act 1992*.
 - 28.2 Undertake pre-clearing inspections including fauna relocation and removal or blocking of all vacant hollows;
 - 28.3 Ensure clearing works avoids nesting times of animals and birds;
 - 28.4 Co-ordinate staging and sequence of clearing with fauna protection;
 - 28.5 Protect and recover fauna during clearing operations (not previously removed);
 - 28.6 Manage the translocation of animals and recovery procedures in accordance with relevant legislation.

ECOLOGICAL PRESERVATION - FAUNA MANAGEMENT

29. Any proposed new fencing to delineate boundary alignments must be constructed to allow for the movement of fauna. Such fencing must:
- 29.1 Allow adequate clearance at ground level for macropods;
 - 29.2 Not include any use of barbed wire or similar materials;
 - 29.3 Provide regular opportunities for passage over and through

BUSHFIRE MANAGEMENT - FUTURE DWELLING REQUIREMENTS

30. All future dwellings on bushfire prone lots must be provided with a water storage reservoir having a minimum 10,000 litres of water for emergency firefighting purposes. Such storage must be provided in addition to the water supply capacity required for domestic use and must be provided in the form of either a dam, swimming pool, or rainwater tank located within 40m of the dwelling.
31. Where water storage is provided by way of rainwater tank, separate water storage for firefighting purposes must be provided either in a separate rainwater tank or a reserve section in the main water supply tank on which:
- 31.1 the domestic take off from the tank is at or above the 10,000 litre point; and
 - 31.2 standard rural fire brigade fittings (a 50mm male camlock coupling and ball valve) are fitted to the tank outlet for access by four wheel drive rural services vehicles.
32. The water storage reservoir must be provided with a water delivery mechanism that will function during an emergency event (such as an electric pump with auxiliary power supply or a petrol driven firefighting pump) and hose of sufficient length to easily reach around to all sides of the dwelling.
33. A hard stand area within 6m of the water storage reservoir must be provided to ensure accessibility for fire fighting vehicles.

GENERAL ADVICES:

INFRASTRUCTURE CHARGES

- 1) 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

- 2) 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.
- 3) 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.
- 4) 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

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

WHEN APPROVAL LAPSES

- 6) 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.

ENVIRONMENTAL HARM

- 7) 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.

FIRE ANTS

- 8) 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.

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 2). 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.



Emily Hinchliffe, Lead Senior Planner
Planning Branch

Decision Date: 12 June 2026

BACKGROUND

SITE DETAILS				
Site Address	162 Kim Road and Kim Road, WELLCAMP QLD 4350			
Real Property Description	Lot 3 RP222288, Lot 5 RP222288			
Site Area	40.28ha.			
Owner	Peter Charles Kim and Adam Keith Kim and Michelle Jean Kim			
SITE CHARACTERISTICS				
Current Land Use	Lot 3 RP222288: Large Home Site Dwelling Lot 5 RP222288: Rural Outbuildings			
Site Frontage/s	420m frontage to Kim Road			
Road/s	Order of Road	Width of Road Reserve	Width of Pavement	Road Material
Kim Road	Local	20m	4m	Gravel
Easements	Easement A on RP205923 on Lot 5 RP222288 for electricity infrastructure			
Existing Structures	Lot 3 RP222288: dwelling house and ancillary structures Lot 5 RP222288: rural outbuildings			
Infrastructure	Nil			
Topography	The site peaks toward the centre at 590m AHD, with a fall outwards to approximately 550m AHD.			
Street Trees	Several trees within the verge.			
Other Features	Nil			
PLANNING SCHEME SITE DATA				
Current Planning Scheme	<i>Toowoomba Regional Planning Scheme 2012</i> (Version 28)			Adopted: 28 November 2022
Zone	Rural			
Precinct	100ha minimum Precinct			
Overlays	Airport Environs Overlay • 13km Wildlife Hazard Buffer Zone Environmental Significance Overlay • Areas of Ecological Significance • Areas of Ecological Significance Buffer Bushfire Hazard Overlay • Medium Fire Risk Agricultural Land Overlay • Agricultural Land			
Infrastructure Charges Resolution	<i>Charges Resolution No. 7</i>			Adopted: 19 August 2025
SURROUNDS:				
Direction	Land Use	Zone/Precinct		
North	Grains	Rural/100ha minimum Precinct		
East	Large Home Site Dwelling, Grains, Cattle Grazing Breeding and Fattening	Rural/100ha minimum Precinct		
South	Large Home Site Dwelling, Cattle Grazing Breeding and Fattening	Rural/100ha minimum Precinct		
West	Large Home Site Dwelling, Grains, Cattle Grazing Breeding and Fattening	Rural/100ha minimum Precinct		
Other Features	Nothing to note			
APPLICATION HISTORY				
PREL/2025/5600	Advice provided on 19 August 2025.			
Other	No further relevant details.			

PROPOSED DEVELOPMENT	
Name of Applicant	Peter Charles Kim and Adam Keith Kim and Michelle Jean Kim
Type of Application	Reconfiguring a Lot
Proposed Development	Boundary Realignment (Two (2) into Two (2) Lots)
Variations Sought	Not Applicable
Level of Assessment	Impact Assessable
Submissions Received	Objection: Nil
	Support: Nil
Decision Making Period Ends	12 June 2026

CONSULTATION UNDERTAKEN

Referral Agency/ies

Referral Agency (Technical Agency)	Referral Role	Aspect of Development Requiring Referral	Response
Department of State Development, Infrastructure and Planning	Concurrence	Schedule 10, Part 3, Division 4, Table 2 – Item 1	A referral response was received on 23 February 2026 providing conditions to be attached to any future approval.

Internal Referrals

Internal Referral Partner	Referral / Response
Development Engineering	Recommended conditions of approval
Place Environmental	Recommended conditions of approval
Water and Waste	Recommended conditions of approval
Infrastructure Charges Unit	Preparing an Infrastructure Charges Notice in accordance with <i>Charges Resolution No. 7</i>

Public Notification

The Notice of Compliance was received by Council on 30 April 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 7 April 2026;
- Placing a notice on the land from 7 April 2026 until 29 April 2026; and
- Notifying owners of all land adjoining the site on 7 April 2026.

No submissions were received by Council regarding the proposed 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>	Schedules 9 and 10 categorises particular development and details the

	relevant assessment benchmarks for development as relevant. The proposed development was referred to State for assessment in accordance with Schedule 10.
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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 Regional Landscape and Rural Production Area (RLRPA) which is intended to support important values that help sustain the region, socially, economically and environmentally.</p> <p>The development application is consistent with the land use intent for the Regional Landscape and Rural Production Area (RLRPA). Given the site's steep terrain, the proposed boundary realignment is not considered to result in the fragmentation of rural land.</p>
<i>Darling Downs Regional Plan October 2013</i>	The <i>Darling Downs Regional Plan 2013</i> (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

Interests	Assessment Comments
Housing Supply and Diversity	No applicable assessment benchmarks
Livable Communities	No applicable assessment benchmarks
Agriculture	<p>The Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) interactive mapping (DAMS) which accompanies the SPP identifies that this interest is applicable to the subject property.</p> <p>The subject site is mapped as containing Important Agricultural Areas and Agricultural Land Classification (Class A and B).</p> <p>The proposed development is for the rearrangement of shared boundaries between two (2) existing rural lots. The resulting lot reconfiguration will not result in further fragmentation of established rural pastures and therefore, the state interest policies are considered to have been satisfied.</p>
Development and Construction	No applicable assessment benchmarks
Mining and Extractive Resources	No applicable assessment benchmarks
Tourism	No applicable assessment benchmarks
Biodiversity	No applicable assessment benchmarks
Cultural Heritage	No applicable assessment benchmarks
Water Quality	No applicable assessment benchmarks
Emissions and Hazardous Activities	No applicable assessment benchmarks
Natural Hazards, Risk and Resilience	<p>The Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) interactive mapping (DAMS) which accompanies the SPP identifies that this interest is applicable to the subject property.</p> <p><u>Bushfire prone area:</u> The entire site is mapped as bushfire-prone. However, the proposed development involves only the rearrangement of existing shared boundaries, with both resulting lots maintaining road frontage. As such, the proposal is not considered to increase risk to people or the environment. To further ensure the risk of bushfire is appropriately mitigated, conditions of approval have been recommended requiring any future development on the lots to be provided with an on-site water storage for firefighting purposes.</p>

	<p>As such, it is considered that the state interest policies identified in Part E of the SPP are considered to have been satisfied.</p> <p><u>Flood hazard area:</u> Planning (DSDMIP) interactive mapping (DAMS) which accompanies the SPP identifies that this State interest is applicable to the subject property being mapped in the Flood hazard area – Local Government flood mapping area. The Minister has identified that the SPP as it relates to flooding has been appropriately reflected within <i>Toowoomba Regional Planning Scheme 2012 (Version 28)</i>. As the Planning Scheme does not identify flood hazard mapping applicable to the subject site, the assessment benchmarks identified in Part E of the SPP do not apply to the proposed development.</p>
Energy and Water Supply	No applicable assessment benchmarks
Infrastructure Integration	No applicable assessment benchmarks
Transport Infrastructure	No applicable assessment benchmarks
Strategic Airports and Aviation Facilities	The Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) interactive mapping which accompanies the SPP identifies that this interest is applicable to the subject property, being wildlife hazard buffer zone. However, the assessment benchmarks identified in Part E of the SPP do not apply to the proposed development.

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

The proposed development was assessed against the following assessment benchmarks:

- Strategic Framework
- Environmental Significance Overlay Code
- Bushfire Hazard Overlay Code
- Airport Environs Overlay Code
- Agricultural Land Overlay Code
- Reconfiguring a Lot Code
- Rural Zone Code

The development was assessed against all of the assessment benchmarks listed above and is considered to comply without exception as follows:

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	This element is not directly relevant to the proposed development.
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.

OVERLAY CODE/S:

ENVIRONMENTAL SIGNIFICANCE OVERLAY CODE	
Performance Outcome	Acceptable Outcome

<p><i>PO₁</i> <i>Vegetation disturbance or other impacts on areas of ecological significance shown on the Environmental Significance Overlay maps, is avoided or where disturbance cannot be avoided the loss or reduction of ecological values is minimised.</i></p>	<p><i>AO_{1.1}</i> <i>Impacts are avoided by locating development wholly outside mapped areas of ecological significance and areas of ecological significance buffer identified on the Environmental Significance Overlay maps.</i></p> <p>OR</p> <p><i>Where impacts on areas of ecological significance shown on the Environmental Significance Overlay Maps cannot be avoided, they are minimised by:</i></p> <ul style="list-style-type: none"> <i>(a) minimising the total footprint within which activities, buildings, structures, driveways and other works or activities are contained;</i> <i>(b) avoiding further fragmentation of areas of ecological significance and strengthening linkages where possible;</i> <i>(c) utilising areas of lesser importance in terms of biodiversity values so that areas of higher value are conserved to the greatest extent practicable; and</i> <i>(d) maintaining areas of ecological significance in patches of greatest possible size and with the smallest possible edge to area ratio.</i>
<p>Alternate Outcome</p>	
<p>The applicant submits:</p> <p><i>“Complies - The proposed development will not result in any adverse impacts upon on-site remnant vegetation and complies with the Performance Outcome. Refer to the attached “Basic Ecological Impact Assessment Report” and “SDAP Code 16 Vegetation Assessment Report” by Yarramine Environmental.”</i></p>	
<p>Officer Comment</p>	
<p>The development site is mapped as being predominantly covered by areas of ecological significance.</p> <p>The proposed boundary realignment will utilise an existing fenceline as the new common boundary. Council’s Environmental Officers have reviewed the proposal, including the submitted Basic Ecological Impact Assessment Report and Vegetation Assessment Report, and have advised that the existing fenceline benefits from lawful vegetation clearing rights established prior to the lodgement of this development application.</p> <p>They have further concluded that the proposal represents a low ecological risk when considered against the overall site vegetation. Accordingly, standard conditions relating to minor vegetation clearing can be imposed to ensure compliance.</p>	
<p>AGRICULTURAL LAND OVERLAY CODE</p>	
<p>Performance Outcome</p>	<p>Acceptable Outcome</p>
<p><i>PO₃</i> <i>Reconfiguring lots on agricultural land does not result in allotment sizes that result in:</i></p> <ul style="list-style-type: none"> <i>(a) fragmentation of rural lands and loss of land to viable rural production;</i> <i>(b) conflict between farming and residential uses; or</i> <i>(c) loss of farming flexibility.</i> 	<p><i>AO_{3.1}</i> <i>The minimum lot size in the Rural Zone is in accordance with Table 9.3.3:2 of Part 9.3.3, Reconfiguring a Lot Code.</i></p> <p>OR</p> <p><i>AO_{3.2}</i> <i>The proposed lot is smaller than that nominated in Table 9.3.3:2 of Part 9.3.3, Reconfiguring a Lot Code and the reconfiguration is a boundary realignment that would not create any additional lots and would provide for the implementation of improved land management practices or productive utilisation of the land.</i></p>
<p>Alternate Outcome</p>	
<p>The applicant submits:</p> <p><i>“Alternate Outcome – Complies with PO – refer to applicant’s assessment of proposed development against Rural Zone Code.</i></p>	

Proposed development complies with PO as it will not result in:

(a) fragmentation of rural lands and loss of land to viable rural production;

Complies - The proposed realignment will not create additional lots and will not undermine the existing 'viability' of the rural land. Noting the land is generally considered to be unsuitable for agricultural activities due to its size, topography and that it is not identified as GQAL.

Refer also to 'Agricultural Land' section of Section 5 of this Report and the assessment of the 'Purpose and Intent of Rural Zone' section within Section 7 of this Report.

(b) conflict between farming and residential uses; or

Complies - The proposed realignment will not create or result in potential impacts between farming and residential uses. Noting that the proposed development will not create additional lots, will not result in the potential for additional 'sensitive uses (i.e. Dwellings) will not reduce existing setback and separation distances for the "Dwelling House use on Lot 5 and Lot 6 will be provided with dimensions that will allow any future "Dwelling House" use to be provided with compliant setbacks from boundary lines. Refer also to 'Agricultural Land' section of Section 5 of this Report and assessment of 'Purpose and Intent of Rural Zone' section within Section 6 of this Report.

(c) loss of farming flexibility. The proposed subdivision will not result in the loss of useable farmland and will not result in the loss of farming flexibility – as above.

Refer also to "Assessment Against Purpose and Intent of the Rural Zone Code" section within Section 7 of this Report and the assessment of the Rural Zone Code herein."

Officer Comment

The development site contains a small portion of mapped agricultural land.

Although both proposed lots are under 100ha, the proposed lots do not result in the fragmentation of rural land. The proposed boundary realignment will result in increased lot size for proposed Lot 5, thereby enhancing its capacity for productive rural use and improving overall viability for ongoing rural activities. While proposed Lot 6 will be reduced in size, the overall productive capacity and functionality of the landholding is maintained as it is comparable in size and configuration to proposed Lot 5 and will maintain adequate area to support viable low-intensity rural activities consistent with the Rural Zone.

It is acknowledged that the subject land is characterised by steep terrain rising towards the centre of the existing site, which inherently constrains its agricultural productivity and limits its overall rural carrying capacity. However, this is an existing site constraint that applies equally to both the current and proposed lot configurations. Both proposed lots are substantial in size (being approximately 20ha), providing area for structures and rural activities to be located within less constrained areas of the site.

The proposed realignment effectively formalises alignment of the cadastral boundaries with the existing pattern of land use and management with the new common boundary between the two lots following an existing fenceline. This results in a more logical and efficient land configuration, supporting continued agricultural productivity without adverse impact.

As the proposed development does not propose any physical changes to the use of the land for rural purposes, and no additional lots are proposed, it is considered that the proposed development does not result in fragmentation of rural land, conflict between uses and loss of farming, and as an overall; provides for productive utilisation of the land. Therefore the development complies with Performance Outcome PO₃.

RURAL ZONE CODE:

Performance Outcome	Acceptable Outcome
PO ₁₃ <i>Development in the 100ha Precinct:</i> (a) does not involve the creation of additional lots smaller than 100ha; (b) maintains the productive capacity of the land; and (c) maintains the natural and scenic landscape values of the land.	<i>No acceptable outcome is nominated.</i>
Alternate Outcome	

The applicant submits:

“The proposed development complies and/or provides sufficient grounds to warrant approval despite any perceived or actual conflict, as follows:

(a) does not involve the creation of additional lots smaller than 100ha; Complies – no additional lots created.

(b) maintains the productive capacity of the land; and Complies – the realignment will not adversely impact upon the viability of the existing limited agricultural use of the subject land and will not result in a loss of, or fragmentation of agricultural lands. Noting the land is generally considered to be unsuitable for agricultural activities due to its size, topography and that it is not identified as GQAL. Refer also to assessment of Agricultural Land Overlay Code below and ‘Purpose and Intent of Rural Zone’ section within Section 6 of this Report.

(c) maintains the natural and scenic landscape values of the land. Complies.

Refer also to “Assessment Against Purpose and Intent of the Rural Zone Code” section within Section 7 of this Report and the attached detailed assessment of Agricultural Land Overlay Code.”

Officer Comment

Acknowledgement of compliance with Performance Outcome PO₁₃:

As the proposed development is a boundary realignment of lots with areas already under 100ha, it does not involve the creation of additional lots smaller than 100ha. As such, compliancy with PO₁₃ (a) is achieved.

Refer to the Officer Comments made in response to AO_{3.2} of the Agricultural Land Overlay Code. It is considered that the proposed development maintains the productive capacity of the land, and as so, complies with PO₁₃ (b).

As the proposed development proposes no physical changes to the elements of the land, the natural and scenic landscape value is maintained. Compliancy with PO₁₃ (c) is achieved.

DEVELOPMENT CODES:

RECONFIGURING A LOT CODE	
Performance Outcome	Acceptable Outcome
<p><i>PO₄</i> <i>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:</i></p> <ul style="list-style-type: none"> <i>(a) dwellings, buildings and/or other structures</i> <i>(b) setbacks ;</i> <i>(c) landscaping;</i> <i>(d) on site car parking and vehicle access;</i> <i>(e) recreation areas (private open space);</i> <i>(f) cultural heritage and character streetscape values;</i> <i>(g) other design criteria.</i> <p>Editors note:</p> <ul style="list-style-type: none"> <i>i. Setback considerations include solar access, privacy and amenity of residents and adjoining neighbours, on-site effluent disposal.</i> <i>A building envelope may demonstrate suitability to accommodate future development.</i> 	<p><i>AO_{4.1}</i> <i>All lots are rectangular and have minimum width to depth ratios, areas, dimensions and frontages as prescribed in Table 9.4.5:4.</i></p>
Alternate Outcome	

The applicant submits:

“AO4.1 – Alternate Outcome – complies with Performance Outcome as the lots maintain existing and compliant frontages and sufficient areas and dimensions to enable the ongoing use of the lots in accordance with the existing characteristics and/or the Zone intents.

Refer also to assessment of Agricultural Land Overlay Code below and the ‘Purpose and Intent of Rural Zone’ section within Section 7 of this Report.

AO4.2 – N/A.”

Officer Comment

The proposed development does not comply with Acceptable Outcome AO_{4.1} as the proposed lots do not meet the minimum lot area and are not rectangular.

Performance Outcome PO₄ states that lots provide sufficient area, frontage and dimensions, and road access that enable their future development to achieve relevant outcomes in the applicable Use, Zone, Overlay and other Development Codes.

It is acknowledged that the existing lot areas are under the 100ha minimum. The proposed boundary seeks to formalise the alignment of the cadastral boundaries with the existing pattern of land use, being to consolidate the existing dwelling house on existing Lot 3 with the associated area used on existing Lot 5 for rural purposes together on proposed Lot 5 (20.604ha in area). The new common boundary between the two lots will follow an existing fenceline. As such, this reconfigured lot will retain sufficient area and dimensions to support their existing rural uses.

Proposed Lot 6, with an area of 19.96ha, will be created as a vacant allotment. It is comparable in size and configuration to proposed Lot 5 and will maintain adequate area, dimensions, and access to support viable low-intensity rural activities consistent with the Rural Zone.

It is acknowledged that the subject land is characterised by steep terrain rising towards the centre of the existing site, which inherently constrains its agricultural productivity and limits its overall rural carrying capacity. However, this is an existing site constraint that applies equally to both the current and proposed lot configurations. Both proposed lots are substantial in size (being approximately 20ha), providing area for structures and rural activities to be located within less constrained areas of the site.

All lots retain frontages and vehicle access arrangements to a constructed road.

The proposed development enables the existing development (as well as future development on both proposed lots) to achieve the relevant outcomes in the Rural Zone and Agricultural Land Overlay.

Due to the above, it is considered that the proposed development complies with Performance Outcome PO₄.

Performance Outcome	Acceptable Outcome
PO ₁₃ <i>In the Rural Zone, the productive capacity of rural land resources is protected from the reconfiguration of lots that facilitates inappropriate intensification of development in the zone.</i>	AO _{13.1} <i>Lots have a minimum area as shown in Table 9.4.5:4.</i>

Alternate Outcome

The applicant submits:

“Alternate Outcome – complies with Performance Outcome. Noting that the existing lots are significantly less than the minimum areas within Table 9.4.5:4 and, most importantly, the proposed development does not result in the creation of additional lots; and therefore, will not facilitate inappropriate intensification of development in the zone – thereby complying with the PO.

Refer also to assessment of Agricultural Land Overlay Code below and the ‘Purpose and Intent of Rural Zone’ section within Section 7 of this Report.”

Officer Comment

The proposed development does not comply with Acceptable Outcome AO_{13.1} as both proposed lots do not meet the minimum area as shown in Table 9.4.5:4.

Notwithstanding, the development is to rearrange the boundary of two lots and does not seek to create any additional lots. It is also noted that the current lot sizes are already below the minimum lot sizes for the Rural Zone. As such the proposed development does not pose intensification of development in the Rural zone.

As discussed above in response to PO₃ of the Agricultural Land Overlay Code and PO₁₃ of the Rural Zone Code, it is considered that the proposed development maintains the productive capacity of the land.

As such, compliance with Performance Outcome PO₁₃ is achieved.

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 subject site is located outside Council's Priority Infrastructure Area (PIA).

Other Relevant Matters

No other future relevant matters.

FINANCIAL / RESOURCE IMPLICATIONS

Infrastructure charges will be applied in accordance with Council's *Charges Resolution No.7*.

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 benchmark 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 Map

Attachment 2 of 4 Zoning Map
Attachment 3 of 4 Overlay Map
Attachment 4 of 4 Proposed Plan

SCHEDULES

Schedule 1 Concurrence Agency Response
Schedule 2 Statement of Reasons

ATTACHMENTS



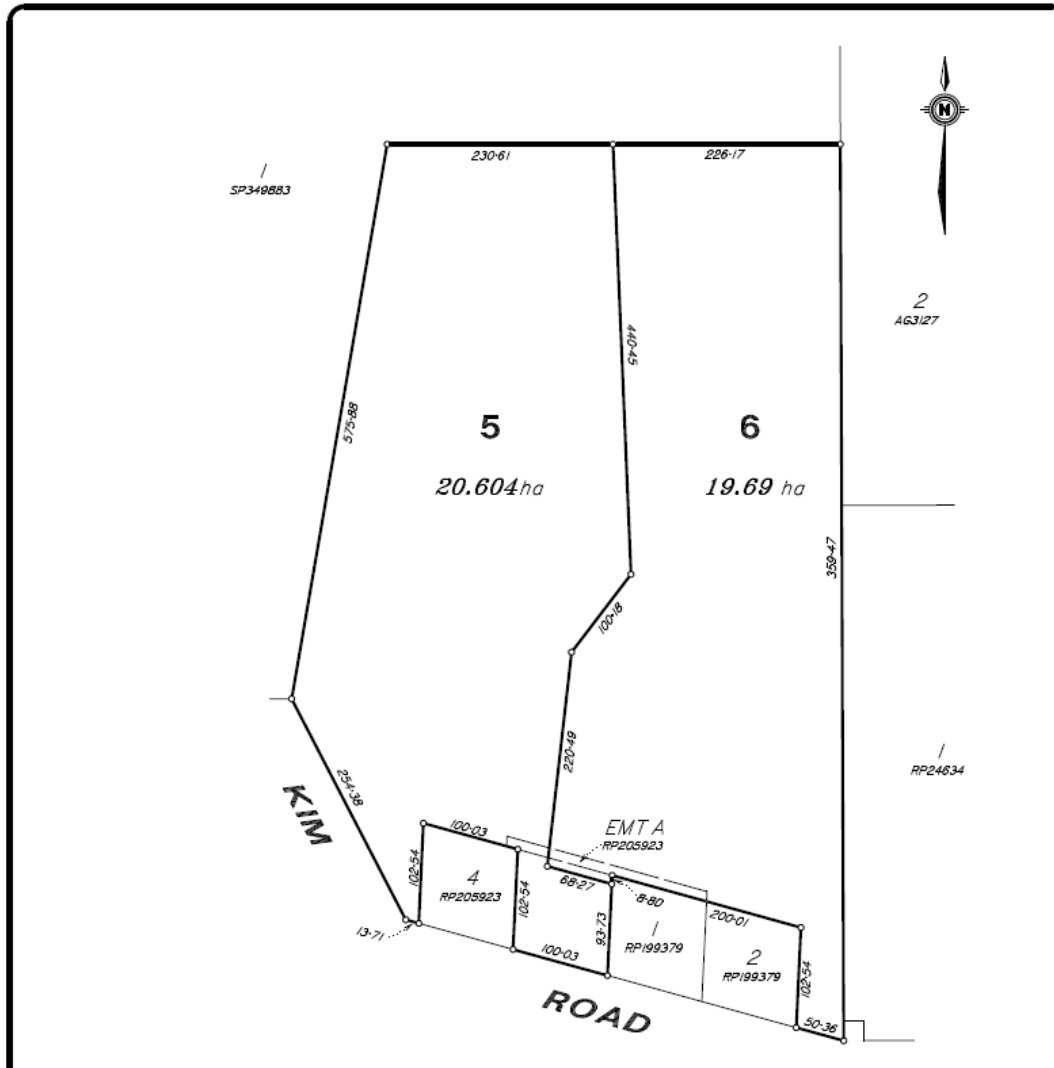
Attachment 1 of 4 Aerial Map



Attachment 2 of 4 Zoning Map



Attachment 3 of 4 Overlay Map



Attachment 4 of 4 Proposed Plan

SCHEDULE 1

Concurrence Agency Response/s

SARA reference: 2602-50635 SRA
Council reference: RAL/2026/302

RECEIVED
23/02/2026
TOOWOOMBA
REGIONAL COUNCIL

23 February 2026

Chief Executive Officer
Toowoomba Regional Council
PO Box 3021
TOOWOOMBA QLD 4350
development@tr.qld.gov.au

Attention: Cassidy Pugh

Dear Ms Pugh

SARA referral agency response—162 Kim Road, Wellcamp

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 11 February 2026.

Response

Outcome:	Referral agency response – with conditions
Date of response:	23 February 2026
Conditions:	The conditions in Attachment 1 must be attached to any development approval
Advice:	Advice to the applicant is in Attachment 2
Reasons:	The reasons for the referral agency response are in Attachment 3

Development details

Description:	Development permit	Reconfiguring a Lot for a Boundary Realignment (Two (2) into Two (2) Lots)
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 3, Division 4, Table 2, Item 1 (10.3.4.2.1) (Planning Regulation 2017) - Reconfiguring a lot that involves clearing native vegetation	
SARA reference:	2602-50635 SRA	
Assessment manager:	Toowoomba Regional Council	

Street address: 162 Kim Road, Wellcamp & Kim Road, Wellcamp
Real property description: Lots 3 & 5 on RP222288
Applicant name: Peter Kim, Adam Kim and Michelle Kim C/- Alpha Planning Applications
Applicant contact details: PO Box 764
TOOWOOMBA CITY QLD 4350
andrew@alphaplanning.com.au

Human Rights Act 2019 considerations: A consideration of the 23 fundamental human rights protected under the *Human Rights Act 2019* has been undertaken as part of this decision. It has been determined that this decision does not limit human rights

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 4**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Zinal Chand, Planning Officer, on (07) 3432 2410 or via email ToowoombaSARA@dasilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Paul Gleeson
A/Manager

enc Attachment 1 - Referral agency conditions
Attachment 2 - Advice to the applicant
Attachment 3 - Reasons for referral agency response
Attachment 4 - Representations about a referral agency response provisions
Attachment 5 - Documents referenced in conditions

cc Peter Kim, Adam Kim and Michelle Kim C/- Alpha Planning Applications, andrew@alphaplanning.com.au

Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (A copy of the document referenced below is found in Attachment 5)

No.	Conditions	Condition timing
<p>Schedule 10, Part 3, Division 4, Table 2, Item 1 (10.3.4.2.1)—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):</p>		
1.	<p>The development must be carried out generally in accordance with the following plan:</p> <p>(a) Plan Showing Proposed Lots 5 & 6 Cancelling Lots 3 & 5 on RP222288 Kim Road, prepared by SMK Land Surveyors Pty Ltd, dated 12/06/2025, reference 25-044-2.</p>	<p>Prior to submitting the Plan of Survey to the local government for approval</p>

Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> , its regulation or the State Development Assessment Provisions (SDAP) (version 3.5). If a word remains undefined it has its ordinary meaning.

Attachment 3—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for the SARA's decision are:

- SARA assessed the development against State code 16: Native vegetation clearing (State code 16) of the State Development Assessment Provisions (SDAP), version 3.5:
- The development complies with the assessment benchmarks of State code 16 of SDAP in that the development:
 - o avoids clearing, or where avoidance is not reasonably possible, minimises clearing to:
 - a. conserve vegetation
 - b. avoid land degradation
 - c. avoid the loss of biodiversity
 - d. maintain ecological processes
 - o minimises contributions to greenhouse gas emissions
 - o for vegetation retention purposes, is undertaken in a manner that retains or regenerates vegetation by sustainably managing the impacts of the clearing on regional ecosystems, biodiversity and ecological processes over time
 - o avoids impacts on vegetation and minimises and mitigates impacts on vegetation where avoidance is not possible

Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP (version 3.5), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- State Planning Policy mapping system
- section 58 of the *Human Rights Act 2019*

Attachment 4—Representations about a referral agency response provisions

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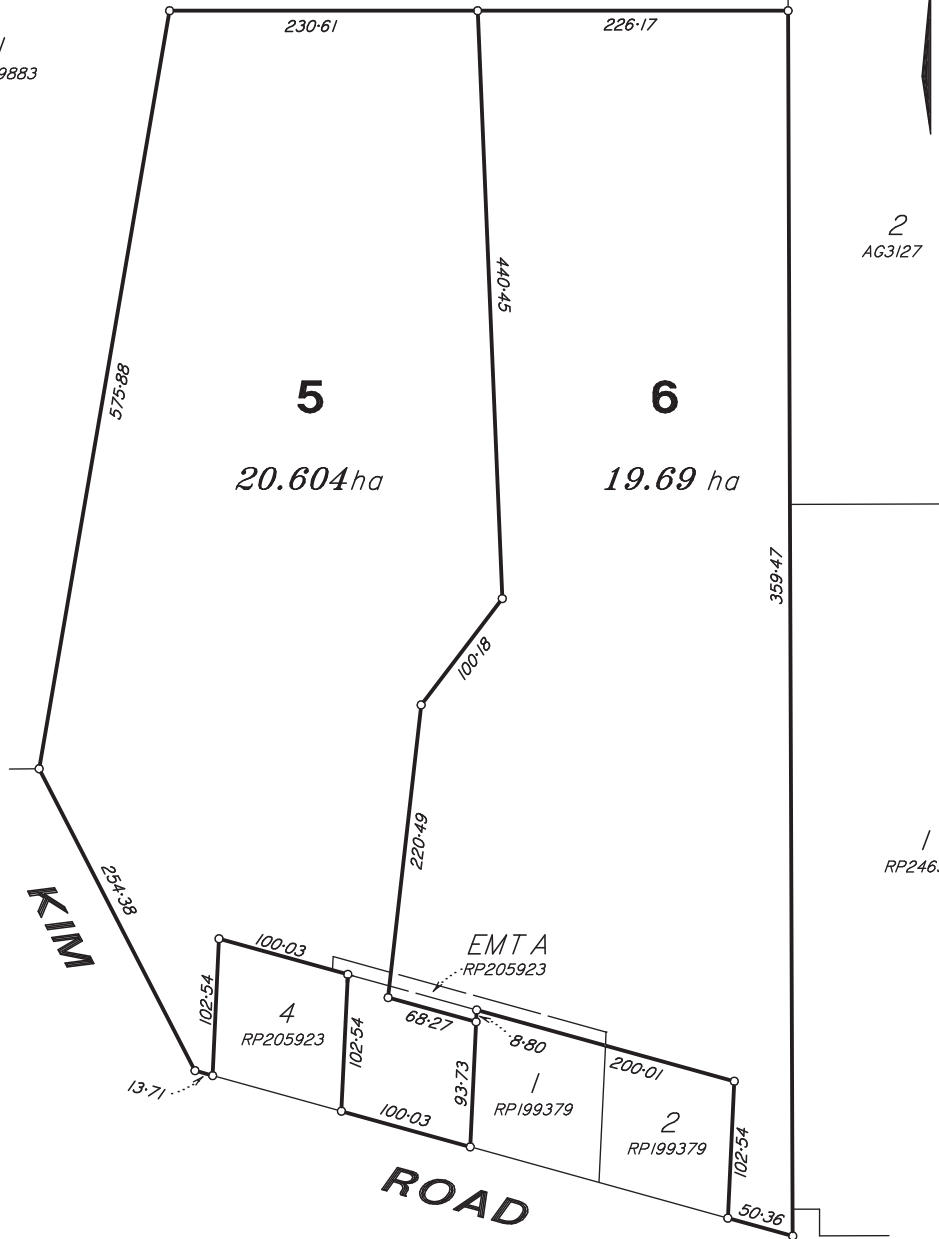
Attachment 5—Documents referenced in conditions

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1
SP349883



2
AG3127



1
RP24634


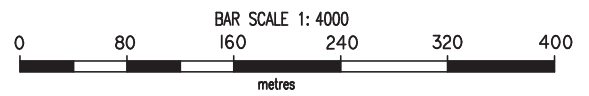
Note:

This plan was prepared for Adam Kim as a proposed subdivision to accompany a subdivision application to the Toowoomba Regional Council and should not be used for any other purpose. The dimensions, areas and total number of lots shown hereon are subject to field survey and also to the requirements of Council and any other relevant legislation. In particular, no reliance should be placed on this plan for any financial dealings involving the land. Service alignments shown are approximate only and have been plotted from DBYD records. Contours have been sourced from QLD Govt Lidar data and are shown at 1.0m intervals. This note is an integral part of this plan.

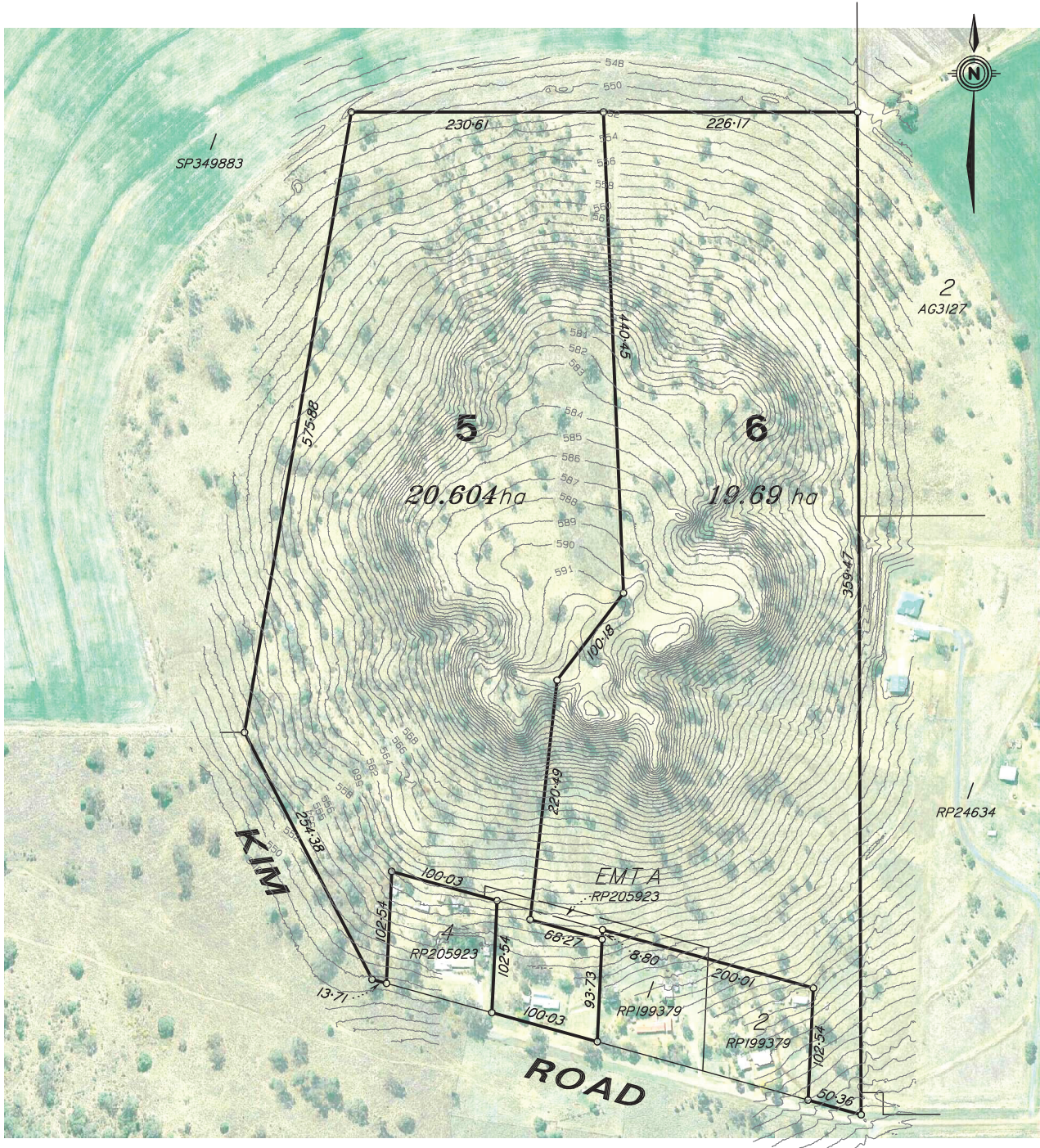
PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 2602-50635 SRA

Date: 23 February 2026

Adam Kim		PLAN SHOWING PROPOSED LOTS		SCALE: 1:4000	
Gatton PO Box 109, Gatton Qld 4343 Ph 0427 713 508 Email: dan@smkls.com.au		5 & 6		25-044-2	
SMK LAND SURVEYORS Pty Ltd Associated Company SMK QLD Pty Ltd Brisbane - Goondiwindi		CANCELLING LOTS 3 & 5 ON RP222288			
Drawn DJF 12/06/2025		Checked DPL 12/06/2025		LOCALITY WELLCAMP	
				25-044 A3	



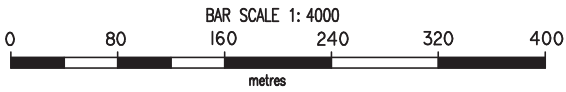
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PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 2602-50635 SRA

Date: 23 February 2026



Adam Kim		PLAN SHOWING PROPOSED LOTS		SCALE: 1:4000	
Gatton PO Box 109, Gatton Qld 4343 Ph 0427 713 508 Email: dan@smkls.com.au		5 & 6		25-044-2	
SMK LAND SURVEYORS Pty Ltd		CANCELLING LOTS 3 & 5 ON RP222288			
Associated Company SMK QLD Pty Ltd Brisbane - Goondiwindi		KIM ROAD		25-044 A3	
Drawn DJF	12/06/2025	Checked DPL	12/06/2025	LOCALITY	WELLCAMP

Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules¹ regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

¹ Pursuant to Section 68 of the *Planning Act 2016*

² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

Part 7: Miscellaneous

30 Representations about a referral agency response

30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.³

³ An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

SCHEDULE 2

Statement of Reasons

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

SITE DETAILS	
Site Address	162 Kim Road and Kim Road, WELLCAMP QLD 4350
Real Property Description	Lot 3 RP222288, Lot 5 RP222288
Site Area	40.28ha.
Owner	Peter Charles Kim and Adam Keith Kim and Michelle Jean Kim

PROPOSED DEVELOPMENT	
Name of Applicant	Peter Charles Kim and Adam Keith Kim and Michelle Jean Kim
Type of Application	Reconfiguring a Lot
Proposed Development	Boundary Realignment (Two (2) into Two (2) Lots)
Level of Assessment	Impact Assessable
Submissions Received	Objection: Nil
	Support: Nil
Decision	Approval
Decision Date	5 June 2026

ASSESSMENT MATTERS	
Assessment benchmarks	<p>The proposed development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none"> • Schedules 9 and 10 of the <i>Planning Regulation 2017</i> (as relevant); • <i>State Planning Policy July 2017</i> (as relevant); • South-east Queensland Regional Plan ShapingSEQ 2023/Darling Downs Regional Plan (as relevant); • The Local Government Infrastructure Plan; and • <i>Toowoomba Regional Planning Scheme 2012</i> (Version 28) <ul style="list-style-type: none"> ○ Strategic Framework ○ Environmental Significance Overlay Code ○ Bushfire Hazard Overlay Code ○ Airport Enviro Overlay Code ○ Agricultural Land Overlay Code ○ Rural Zone Code ○ Reconfiguring a Lot Code
Relevant matters	No further relevant matters considered in the assessment of this application.
Reasons for decision	The development was assessed against all of the assessment benchmarks listed above and complies, or can be conditioned to comply with all of these without exception.
	No further relevant matters considered in the assessment of this application.

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/2026/302](#)