

SCHEDULE 1

Statement of Reasons

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

SITE DETAILS	
Site Address	8 James Court, COTSWOLD HILLS QLD 4350
Real Property Description	Lot 160 RP906942
Site Area	7974.00m ²
Owner	Julie Maree Kerin and William James Mulholland

PROPOSED DEVELOPMENT	
Name of Applicant	Julie Maree Kerin and William James Mulholland
Type of Application	Material Change of Use
Proposed Development	Short Term Accommodation
Level of Assessment	Impact Assessable
Gross Floor Area	As per existing
Impervious Area	As per existing
Site Cover	As per existing
Car Parking Spaces	Four (4) car parking spaces in total, comprising of two (2) within the existing garage and two (2) spaces on the existing driveway. One (1) conditioned in accordance with the assessment benchmarks.
Submissions Received	Objection: Nil
	Support: Nil
Decision	Approval
Decision Date	24 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 ▪ Airport Environs Overlay Code ▪ Rural Residential Zone Code ▪ Medium Density Residential Code ▪ Environmental Standards Code ▪ Integrated Water Cycle Management Code ▪ Landscaping Code ▪ Transport, Access and Parking Code ▪ Works and Services Code 			
Relevant matters	No further relevant matters considered in the assessment of this application.			
Reasons for decision	The development was assessed against all of the assessment benchmarks listed above and complies with all of these with the exception listed below.			
	<table border="1" style="width: 100%;"> <thead> <tr> <th style="width: 30%;">Assessment benchmark</th> <th>Reasons for the approval despite non-compliance with benchmark</th> </tr> </thead> <tbody> <tr> <td>Performance Outcome PO₁ of the Rural Residential Zone Code:</td> <td>The proposed development is considered to not fully satisfy Performance Outcome PO₁ of the Rural Residential Zone Code, given that Short Term Accommodation is not intended to directly service the day-to-day needs of local residents. However, the</td> </tr> </tbody> </table>	Assessment benchmark	Reasons for the approval despite non-compliance with benchmark	Performance Outcome PO ₁ of the Rural Residential Zone Code:
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Performance Outcome PO ₁ of the Rural Residential Zone Code:	The proposed development is considered to not fully satisfy Performance Outcome PO ₁ of the Rural Residential Zone Code, given that Short Term Accommodation is not intended to directly service the day-to-day needs of local residents. However, the			

	<p><i>PO₁ The zone accommodates very low density forms of housing and other small-scale uses that service the day to day needs of local residents.</i></p>	<p>proposed development is considered to be generally consistent with the Purpose and relevant Overall Outcomes of the Rural Residential Zone Code for the following reasons:</p> <p><u>Purpose:</u></p> <ul style="list-style-type: none"> The proposed development seeks to retain the existing Dwelling House on the subject site, repurposing it for a Short-term Accommodation use in an Airbnb style arrangement. The use will retain the built form, scale, and appearance of a typical dwelling, thereby maintaining the dispersed, large-lot residential pattern and semi-rural landscape character of the area. The dwelling will continue to function in a manner consistent with residential uses. Accordingly, the development is considered to align with the purpose of the zone. <p><u>Overall Outcomes:</u></p> <p>(c) The proposed Short-term Accommodation use is to be accommodated within an existing Dwelling House on an established large residential lot, and will continue to operate in a manner consistent with a low-intensity residential use. Accordingly, the development maintains the intent of the zone in facilitating large residential lots with limited infrastructure and services.</p> <p>(d) The proposed Short-term Accommodation use is to be accommodated within an existing Dwelling House and does not involve any changes or additions to the built form. As such, the development will not impact the existing environmental or topographical features of the land. Accordingly, the proposal preserves the environmental and topographical characteristics of the site while maintaining a low-intensity use.</p> <p>4,000m² Precinct</p> <p>(b) As the proposed Short-term Accommodation use will be accommodated within the existing Dwelling House, the proposed development will retain the very low-density residential character of the area and is appropriately located within a locality that is accessible to nearby urban services.</p> <p>Accordingly, the proposal is consistent with the intended character of the zone, providing for a low-density residential use in proximity to urban areas.</p> <p>Overall, based on the above assessment it is considered that the proposed development complies, or can be suitably conditioned to comply with the Purpose</p>
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		and the relevant Overall Outcomes sought within the Rural Residential Zone.
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For further details on the assessment of this development application, please see the Delegated Report available for public viewing on the Toowoomba Regional Council Planning and Development Online website at: <https://developmenti.tr.qld.gov.au/>. When accessing Council's website please use the following Application Number: MCUI/2026/2322.