

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

SITE DETAILS	
Site Address	47 Orchard Road, CROWS NEST QLD 4355
Real Property Description	Lot 1 RP206031
Site Area	2.04ha.
Owner	Matthew Gary Anderson

PROPOSED DEVELOPMENT		
Name of Applicant	VALKNUT MEADERY PTY LTD	
Type of Application	Material Change of Use - Impact	
Proposed Development	Winery (Meaderly)	
Level of Assessment	Not Applicable	
Gross Floor Area	Impact	
Car Parking Spaces	109m ²	
Service Vehicle Provision	Eight (8) car parking spaces	
Submissions Received	Objection:	Nil
	Support:	Nil
Decision	Approval	
Decision Date	8 May 2026	

ASSESSMENT MATTERS		
Assessment benchmarks	The proposed development was assessed against the following assessment benchmarks: • Schedules 9 and 10 of the <i>Planning Regulation 2017</i> (as relevant); • <i>State Planning Policy July 2017</i> (as relevant); • <i>Darling Downs Regional Plan 2013</i> (as relevant)]; • The Local Government Infrastructure Plan; and • <i>Toowoomba Regional Planning Scheme 2012</i> (Version 28) ○ Strategic Framework ○ Environmental Significance Overlay Code ○ Bushfire Hazard Overlay Code ○ Water Resource Catchment Overlay Code ○ Rural Residential Zone Code ○ Rural Uses Code ○ Environmental Standards Code ○ Integrated Water Cycle Management Code ○ Landscaping Code ○ Transport, Access and Parking Code ○ Works and Services Code	
Relevant matters	No relevant matters were considered in this assessment.	
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.	
	Assessment benchmark	Reasons for the approval despite non-compliance with benchmark
	Table 6.6.7:1 PO ₁₅ of the Rural Residential Zone Code; and	Broad compliance with Overall Outcomes 2(g) for non-residential uses is achieved: • Proposed on-site infrastructure and services are adequate to service the proposed Winery (Meaderly) activities. The development is accessible via appropriately formed roads to service the anticipated traffic to the site. There

	Table 6.6.7:2 PO ₁ of the Rural Residential Zone Code.	is sufficient available land for capacity upgrades if required and thus complies with Overall Outcome (g)(i); - The nature of the Cellar Door sales and tastings presents a unique experience that attracts tourists to the regional centre of Crows Nest. The site layout retains substantial setbacks, on-site vegetation and screening that maintains the Rural Residential amenity of the locality. The proposed Winery (Meadery) promotes a low intensity tourism activity that is sympathetic to the site context. The proposed development integrates well within the Rural Residential locality and is consistent with Overall Outcomes (g)(ii) and (iii); - Proposed vehicular access to Orchard Road diverts non-residential traffic into the subject site without introducing additional non-residential traffic into the local street of Pinnell Road. Further, on-site tasting is proposed for a maximum capacity of 20 patrons at any one time within the operational hours of 11:00 am to 5:00 pm, Friday to Sunday. Proposed traffic generation, frequency and capacity of site activities are considered to be low intensity which integrates well with the Rural Residential character of the surrounding locality, thereby complying with Overall Outcomes (g)(iv) and (v).
	Table 8.2.2:1 PO ₂ of the Bushfire Hazard Overlay Code.	The entire site is identified within the Medium and High Fire Risk mapped areas, and a bushfire management plan has not been provided. Non-compliance with AO2.2 and PO2 will require assessment against Overall Outcomes of the Bushfire Hazard Overlay Code. The proposed development is for a Winery (Meadery) of 109m² gross floor area which will operate in conjunction with the existing dwelling house. All building structures are located within an existing cleared area and identified outside of the High Fire Risk mapped areas. No additional exposure to bushfire is anticipated for the new shed (cellar door). The proposed Meadery does not produce or store hazardous goods. A 27,000L rainwater tank storage is located within 10m of the proposed development which exceeds minimum capacity requirement of 10,000L for fire fighting purposes. Therefore, the proposed development siting and site operations complies with Overall Outcomes (a), (b), (e) and (g) of the Bushfire Hazard Overlay Code.

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/2025/8560