

TOWN PLANNING REPORT

LOT 84 KYNOCH ROAD,
CORNER OF KYNOCH RD & NATIONAL PARK RD
PALMTREE, QUEENSLAND 4352

Development Permit for Material Change of Use for Nature-based Tourism

Assessable Development (Code Assessment)

Prepared by:

Lyndell Abercrombie (Owner) for
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3 June 2026

1.0 Summary

1.1 Development application details

Proposed development:	Use of existing premises for tourist accommodation for the appreciation of the natural environment.
Type of approval sought:	Development permit for Material Change Of Use for Nature-based tourism.
Site address:	Lot 84 Kynoch Road, Palmtree, Qld 4352
Real property description:	Lot 84 CSH515
Site area:	5.45 hectares
Assessment manager:	Toowoomba Regional Council
Owner details:	Lyndell Abercrombie Retirement Fund Pty Ltd
Applicant details:	Lyndell Abercrombie

1.2 Planning instrument details

State planning policy:	Biodiversity, Natural Hazards Risk and Resilience, Agriculture
Regional plan: Designation:	The site is located in the Darling Downs Regional Plan
Planning scheme:	Toowoomba Regional Planning Scheme Version 28
Applicable preliminary approval:	
Strategic framework:	Toowoomba Regional Planning Scheme
Zone:	Rural Zone (100 ha minimum Precinct)
Local plan:	
Level of assessment:	Code Assessment
Applicable overlays:	Environmental Significance Overlay • Areas of Ecological Significance • Areas of Ecological Significance Buffer • Biodiversity Corridors • Waterways And Wetlands Buffer Bushfire Hazard Overlay • Bushfire Hazard – High Fire Risk • Bushfire Hazard – Medium Fire Risk Agricultural Land Overlay • Agricultural Land Flood Hazard overlay • Balance Mixed Area Water Resource Catchment Overlay

- Water Resources Catchment

Applicable codes:

Medium Density Residential Code
Environmental Standards Code
Integrated Water Cycle Management Code
Landscaping Code
Transport, Access and Parking Code
Works and Services Code

2.0 Site details

2.1 Site description

The subject site is located at Lot 84 Kynoch Road, Palmtree. It is a total of 5.448 hectares. National Park Road runs along the Eastern boundary of the property. The property is approximately 40km northeast of Toowoomba CBD.

The site is accessed by Kynoch Road, an all weather gravel sealed road.

The site has vegetation along the Kynoch roadside frontage and dense vegetation on the eastern half of the property. The western half of the property is mostly cleared with manicured lush green grass.

The site topography is slightly undulating with a small watercourse gully running from east to west on the northwestern quadrant of the block.

Table 1: Site description

Site characteristic	Description
Existing land use	The land is currently used as a rural lifestyle block.
Existing structures	A two-storey, one bedroom home and a 12m x 7m garage/shed is located at the south-western corner of the block.
Frontage and access	338 meter frontage to Kynoch Road, on the northern boundary. Gated gravel driveway entrance into the property is approximately at the half way point along the Kynoch Rd frontage. The eastern boundary is 276m frontage to National Park Rd.
Topography and views	The topography is undulating with a small gully running from east to west on the northern half of the block.
Existing vegetation	The western half of the block is cleared and grassed. The Kynoch Road frontage is tree lined. The Eastern half of the block is densely treed.
Existing waterways	There is a small watercourse running through the northwestern quadrant of the block.

Figure 1: Aerial view and site identification

Source: Qld Globe



Figure 2: Site Plan of Existing House

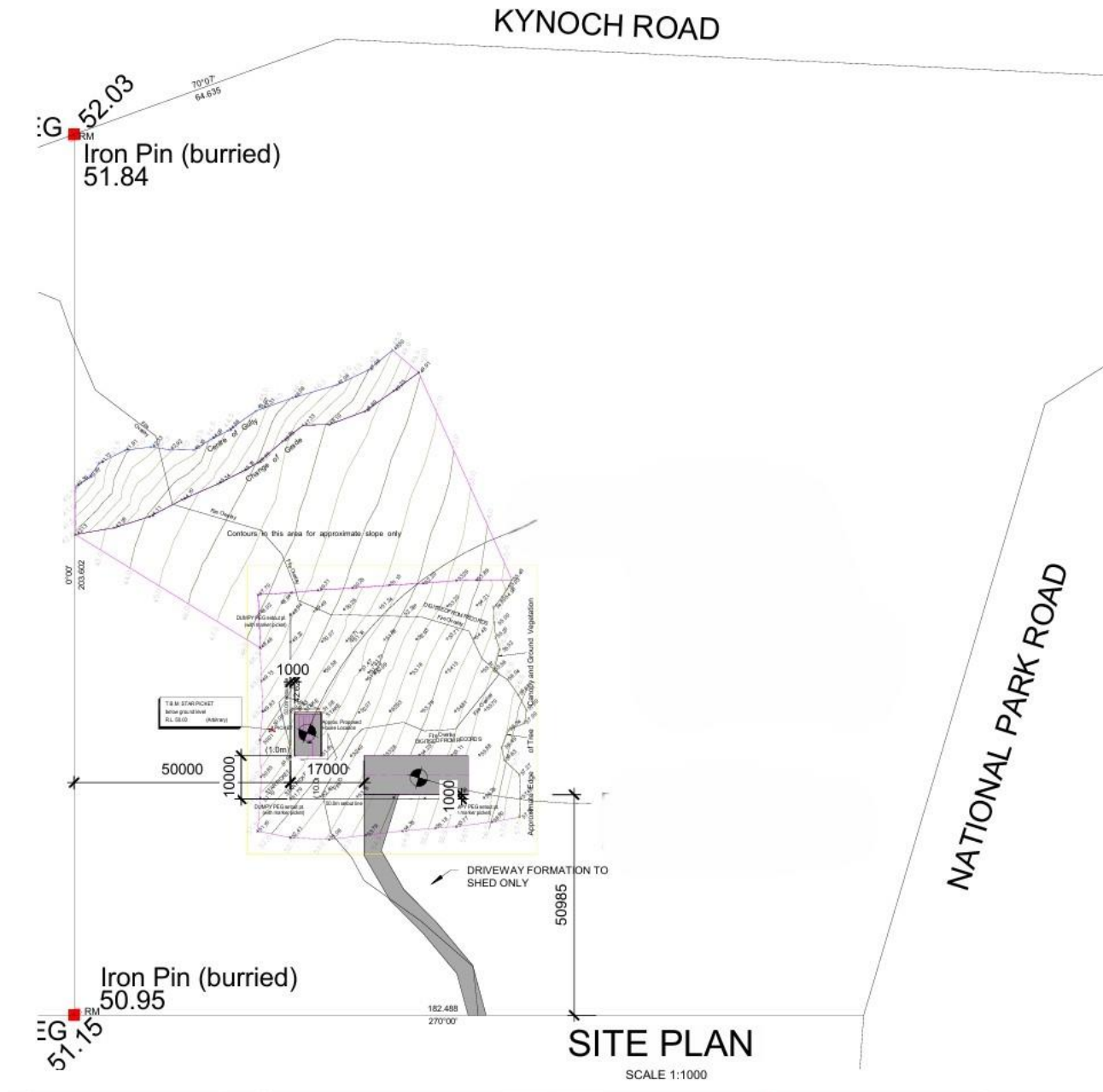


Figure 3: Satellite view and site identification

Source: Google Maps

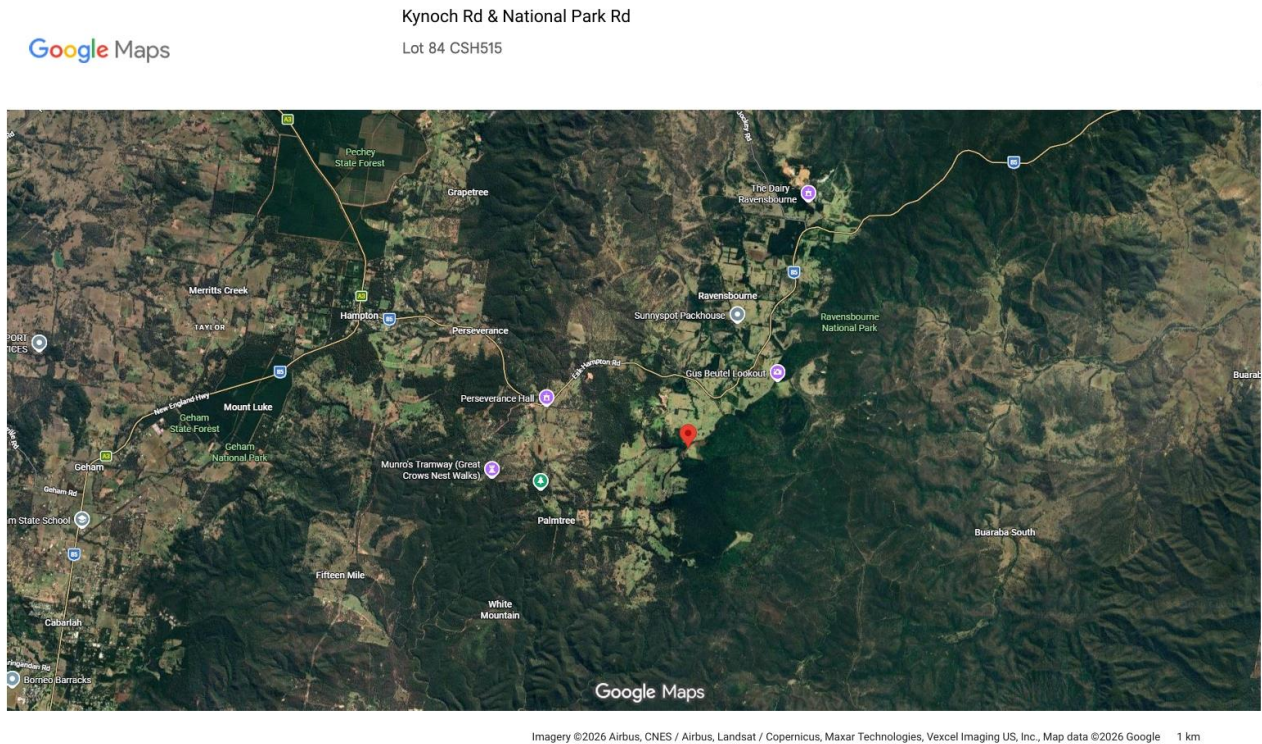


Figure 4: Site Elevation Accommodation



2.2 Surrounding land uses

Surrounding Land uses are rural lifestyle blocks. Some neighbouring properties run a small number of livestock.

Table 2: Surrounding land uses

Surrounding land uses		
North	Rural lifestyle block with house	Due to the dense scrub lining the roads, roadside photographs are not useful.
South	Rural lifestyle block	
East	Rural lifestyle block with house	
West	Rural lifestyle block	

Figure 5: Location of closest dwellings and adjoining properties (Qld Globe)



3.0 Proposed development details

This proposal forms part of the application for council to approve a Material Change of Use to a Nature-based tourism accommodation premises. The property has an existing one bedroom house and a shed/garage. The house and shed are approximately two years old and are in excellent condition and are of a high standard.

The property is in an ideal location for nature-based tourism, giving tourists a perfect base for the appreciation, conservation or interpretation of an area of:

- environmental, cultural or heritage value
- a local ecosystem
- and the natural environment.

The Bicentennial National Trail (BNT) runs adjacent to the subject property, providing immediate access to the Ravensbourne National Park. The National Park offers a variety of walking tracks to suit different age groups and ability levels.

The park will allow guests to discover towering Sydney Blue Gums and Tallwood Trees, Piccabeen Palm groves, vines, fungi, ferns, elkhorns, trickling streams and amazing birdlife in the best remaining example of the rainforest that originally covered that part of the Great Diving Range.

The day-use areas have designated walks through rainforest, longer walks to palm-filled creeks and eucalypt forest. Several marked walking circuits range from 500m to 6.2km.

At least 110 species of birds visit or live in the National Park and 6 species of owls. Visitors might see fruit doves, satin bowerbirds, parrots, lorikeets, cockatoos, kingfishers, thornbills, pigeons or red-backed fairy-wrens.

The beautiful birdsong from the canopy help us appreciate the little natural forest that is left.

Seven frog species have been recorded at Ravensbourne National Park, while twenty-two species of reptiles have been recorded. Of the Thirty-five mammals known from this area, you are most likely to encounter a swamp wallaby or whiptail wallaby.

For thousands of years, the local Aboriginal people welcomed others passing through their country on the way to bunya nut festivals at the Bunya Mountains. Aboriginal people camped and gathered food in the Ravensbourne area for generations. Evidence of an Aboriginal yam digging site can be seen within the park.

The proposed development will operate as visitor accommodation catering primarily to short-stay guests. The accommodation is intended to operate year-round, with flexible check-in and check-out arrangements typical of short-term accommodation, and without fixed operating hours that would generate activity materially different from a standard residential use.

The proposal does not include ancillary uses such as on-site commercial food operations.

Guest numbers will be limited to 2 - appropriate for the size and configuration of the existing dwelling. The existing building consists of one upstairs bedroom & bathroom with a ground level laundry / mud room, open plan kitchen and small living area. The dwelling also benefits from an existing covered patio at the front of the dwelling and manicured lawn area.

No changes to the existing internal layout of the premises are proposed.

Servicing, including cleaning, laundry and emptying of bins will be done by the site manager or owner. The nature of the development is such that the existing residential arrangements are suitable to cater for the demands generated by the change of use.

Vehicle access and car parking within the garage are adjacent to the dwelling and guests will be provided with full access. Small, medium and large sized cars and 4WD vehicles are the most likely type of vehicles accessing the site. Occasionally, a water truck (HRV) may need to access the site, however, due to the high rainfall in the area and a large rainwater tank, this is not likely to be a regular event. Semi-trailers are not expected to need access to the site.

The small amount of additional traffic (if any) that would be generated as a result of the Nature-based Tourism Accommodation is not expected to affect the local network.

Two separate wheelie bins will be provided to guests. One for recyclable waste and one for general waste. These bins will be emptied and sanitized by the property manager or owner at the end of each guest stay or every 3 days, whichever is the lesser. The wheelie bins will be stored in the shed. The wheelie bins will have lids to prevent harborage opportunities for vermin and insects.

An on-site effluent treatment system services the dwelling and is approximately two years old.

No trees or vegetation will be cleared as part of the development. No changes to the Landscape will be occurring. A detailed Landscaping Plan is not considered necessary due to the small scale of the project. The dwelling is located far enough away from the property boundaries that additional buffer landscaping is not required.

Excellent quality stock fencing is established around the whole of the boundary. This is considered adequate for the locality.

The proposed location has a prepared bushfire report addressing the site. This procedure addresses:

- Responsibilities for monitoring of bushfire warnings.
- Activation trigger based on weather conditions, warnings, and any visual observation of an event, together with an associated communication strategy.
- An evacuation protocol.

The site is not subject to flooding.

Roof water runoff will be captured in rainwater tanks. Any overflow will easily be absorbed within the property and not interfere with the buildings. Driveway runoff will be absorbed within the gardens and lawn on the site and will not concentrate or be directed into adjoining properties. Stormwater runoff will be directed away from the property using the existing watercourse running through the northwestern quadrant of the property. A Stormwater Management Plan is not considered necessary.

No Signage will be required for this development.

Communications – There is mobile reception available from Telstra and a number of other carriers. Star Link Wi-Fi will be installed at the property.

Electricity – The existing house & shed are serviced by a comprehensive stand-alone off grid solar system with batteries and generator backup. The system comprises of 11kW of panels, 10.5kWh of battery storage and a 10kVA inverter, ensuring reliable off-grid living.

Water – There is no reticulated water available in this rural area. The existing house has a 60,000 litre water tank used to collect roof rainwater.

PROPOSED DEVELOPMENT PARAMETERS

LIVING = 37 sq.m.
DECK = 17 sq.m.
PORCH = 5 sq.m.

UPPER LIVING = 22 sq.m.

TOTAL BUILDING AREA = 81 sq.m.

WINDOW & DOOR LEGEND

ALL WINDOWS & DOORS TO BE VERIFIED AGAINST FLOOR PLANS AND ELEVATIONS BY CONTRACTOR. DISCREPANCIES ARE TO BE REPORTED TO THE DESIGNER PRIOR TO COMMENCEMENT. BUILDERS TO CONFIRM WITH OWNERS FINAL WINDOW SLIDING DIRECTIONS, TYPE OF GLAZING, AND COLOURS BEFORE FINAL ORDERING AND INSTALLATION TO ENSURE CHANGES.

SW - Sliding Window (OX - fixed/open)
SGD - Sliding Door (stacker noted)
DH - Double Hung
FG - Fixed Glass
LVR - Louvre Window
AW - Awning Window
LFL - Louvre/Fixed/Louvre Combo
BF - Bi-Fold Door
CS - Cavity Slider

CONTRACTOR TO CONFIRM ALL DIMENSIONS AND LEVELS ON SITE PRIOR TO COMMENCEMENT OF ANY WORKS INCLUDING BOUNDARY OFFSET DISTANCES AND COMPLIANCE. ALL CONSTRUCTION TO COMPLY WITH THE RELEVANT AUSTRALIAN BUILDING CODE REQUIREMENTS AND RELEVANT AUSTRALIAN STANDARDS.

GROUND FLOOR PLAN
SCALE 1:100(A3)

UPPER FLOOR PLAN
SCALE 1:100(A3)

Reference: 230107
Date: 30/06/2023

Graham Large
Accredited Certifier
A1073834

This building approval is only for the works listed on the decision notice and conditions of approval and does not include any other structures not identified on the decision notice.

A modern, white, two-story house with a steep gabled roof and large windows, situated on a grassy field. The house has a minimalist design with a prominent white exterior. In the background, there is a dense forest of green trees on a hillside. The sky is blue with some light clouds. A wooden fence runs across the middle ground, separating the house from the foreground. To the right of the house, there is a smaller, grey, rectangular structure, possibly a shed or garage. The overall scene is bright and sunny, suggesting a clear day.

Figure 8 – View towards Northeast showing Manicured Lawns



Figure 9 – Shed & Garage



Figure 10 – Outdoor Patio



Figure 11 – Site Access from Kynoch Road



Figure 12 – View to the South



Figure 13 – Living area & Kitchen of home



Table 3: Summary of development aspects

Material change of use (If your development application does not include a material change of use, please delete this section)	
Building height	The existing house is 7.839 meters high
Gross floor area (GFA)	81 square meters existing house, consisting of 59m ² lower level & 22m ² upper level
Non GFA site use area	84 square meter existing shed/garage
Site coverage	Total site area covered by the proposed development is 143 square meters which is 0.262% of the site.
Car parking	The property has an existing 12m x 7m shed/garage adjoining the house. This will comfortably fit 2 vehicles of any size.
Site access	The existing access to the property is off Kynoch Road, consisting of a gated all-weather gravel driveway leading to the premises.
Proposed lots	N/A
Proposed servicing arrangements	There are no servicing or infrastructure arrangement changes that are involved with the proposed development. Cleaning, laundry and waste removal services are to be provided by owner or property manager.
Operational Occupancy	Maximum of 2 persons – consistent with the current dwelling configuration of one bedroom.
Hours of Operation	As the business model of the proposal involves overnight stays, the operation will be 24/7.

4.0 Development Assessment Benchmarks

Compliance with Assessment Benchmarks

The development application involves assessable development subject to code assessment and, therefore, in accordance with Section 45 of the Planning Act 2016, the assessment of the development application is limited to:-

- the assessment benchmarks included in a categorising instrument; and
- the matters prescribed at Part 4, Division 4 of the Planning Regulation 2017.

Commonwealth Planning Framework

No relevant commonwealth Legislation is triggered. The property is already partially cleared. The remainder of the land will be left in its natural state except for removal of declared pests such as lantana.

State Government Planning Framework

This application is submitted in accordance with the Planning Act 2016. DA Form 1 and the Consent of Owner are submitted with this application.

Under the Planning Regulation 2017 the use is defined as '**Nature-based Tourism**', as follows:

Nature-based tourism means the use of premises for a tourism activity, including accommodation for tourists, for the appreciation, conservation or interpretation of—

- (a) an area of environmental, cultural or heritage value; or
- (b) a local ecosystem; or
- (c) the natural environment.

Examples of nature-based tourism— environmentally responsible accommodation facilities including cabins, huts, lodges and tents.

The development is not prohibited development, as established, giving consideration to all relevant instruments which can provide prohibitions under the Planning Act 2016 and Planning Regulation 2017. Therefore, the applicant has the right to make a development application under Section 50 of the Planning Act 2016.

After a review of Schedule 9 & 10 of the Planning Regulation 2017 the proposal does not require referral to a referral agency.

The subject site is located within the **Darling Downs Regional Plan**.

Extract from the Darling Downs Regional Plan:

The region's scenic, environmental and lifestyle characteristics offer a range of opportunities to diversify and strengthen its tourism sector. The significant natural values of this area will support opportunities that include: eco-tourism in suitable areas, farm-stay and bed and breakfast developments and high quality food, beverage and regional cuisine-based enterprises and festivals.

Queensland ecotourism plan

A **Queensland ecotourism plan** was developed to stimulate appropriate investment in both privately-owned and crown land. This plan was developed to enable greater access to Queensland's national parks and marine parks, including a detailed action plan.

This nature-based tourism proposal involves a use consistent with the Darling Downs Regional Plan and the Queensland Ecotourism Plan.

The subject site is mapped as being affected by the following interests under the State Planning Policy ("SPP"):

- AGRICULTURE
 - Agricultural land classification - class A
- BIODIVERSITY
 - MSES - Regulated vegetation (category B)
 - MSES - Regulated vegetation (category C)
 - MSES - Regulated vegetation (category X)
 - MSES - Regulated vegetation (essential habitat)
- NATURAL HAZARDS RISK AND RESILIENCE
 - Bushfire prone area

The proposal demonstrates compliance with the above interests as follows:

Agriculture

The proposed development is of a limited scale and will not jeopardise the site's existing or future agricultural usage.

Biodiversity

The proposed nature-based tourism accommodation facility will not adversely impact the site's biodiversity values.

Natural Hazards Risk and Resilience

The proposed development is not incompatible with the level of bushfire hazard over the subject site. A bushfire emergency evacuation plan has been developed and forms part of this application.

Local Planning Framework

A response to the Local Government planning scheme is provided in this document below. The response demonstrates that the development application complies with all of the applicable assessment benchmarks.

Key Planning Matters

The detailed assessment demonstrates that the proposed development is consistent with the assessment benchmarks that are relevant to a development application which involves assessable development subject to code assessment.

The following section provides further discussion regarding key aspects of the proposed development and clearly demonstrates that the proposed development is responsive to the sites' context and constraints and, therefore, is an appropriate development outcome.

4.1. Zone

The subject site is within the Rural Zone (R1) of the Planning Scheme. Accordingly, the proposal has been assessed against the provisions of the Rural Areas Code.

The existing dwelling and shed comply with setback requirements, being greater than 50m from an adjoining dwelling and less than 10.5m in height.

The proposal is a very low-intensity use and will have no adverse noise impacts on surrounding rural and residential amenity.

Only low level security lighting will be installed as outdoor lighting. Outdoor lighting will be installed as per the requirements of AS4282 – *Control of the Obtrusive Effects of Outdoor Lighting*.

The zone primarily accommodates rural activities and related ancillary uses or compatible uses consistent with the values and features of the zone including its rural production capacity, natural resources and scenic landscape amenity. The proposal involves a consistent use identified as **(g) nature-based tourism**.

The proposal involves a small-scale nature-based tourism use, involving a maximum of two (2) guests which utilise the property's landscape amenity.

The development will not unduly impact the locality's rural character and will comply through the following:

- (a) Providing a low scale development which are contained within reasonable setbacks from adjoining properties
- (b) The dwelling is appropriately screened by vegetation and set back from public view points
- (c) No earth works will be performed, retaining the natural landform.
- (d) The proposal is not of a nature which will produce adverse noise, odour and other emissions.

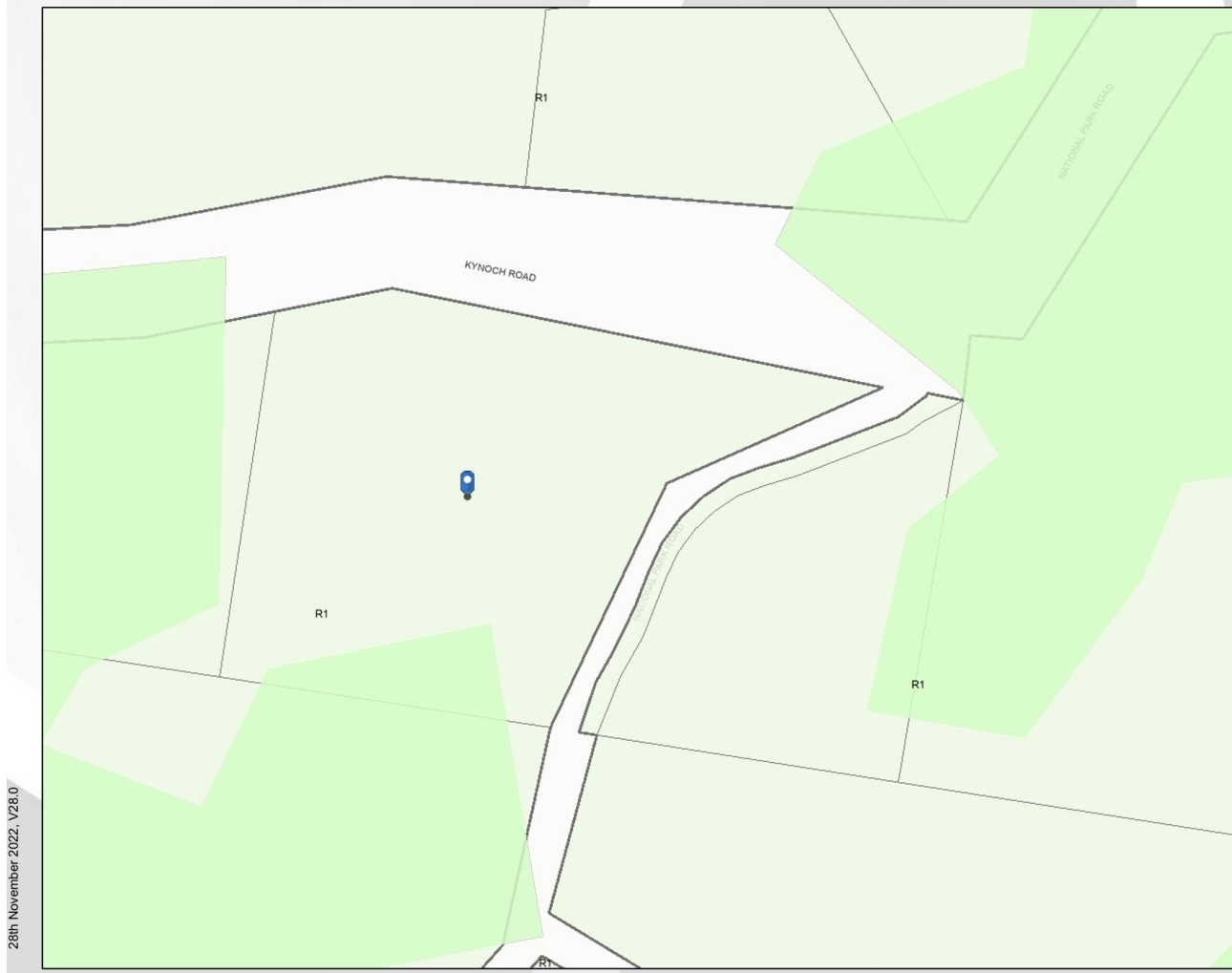
4.2. Agricultural Land

The subject site is located on Class A2 agricultural land.

There are no proposed changes to the existing dwelling & shed and no proposed additional buildings or structures that will cause a land use conflict that would threaten the ongoing productive use of the Agricultural Land Classification Class A2 or an established farming enterprise.

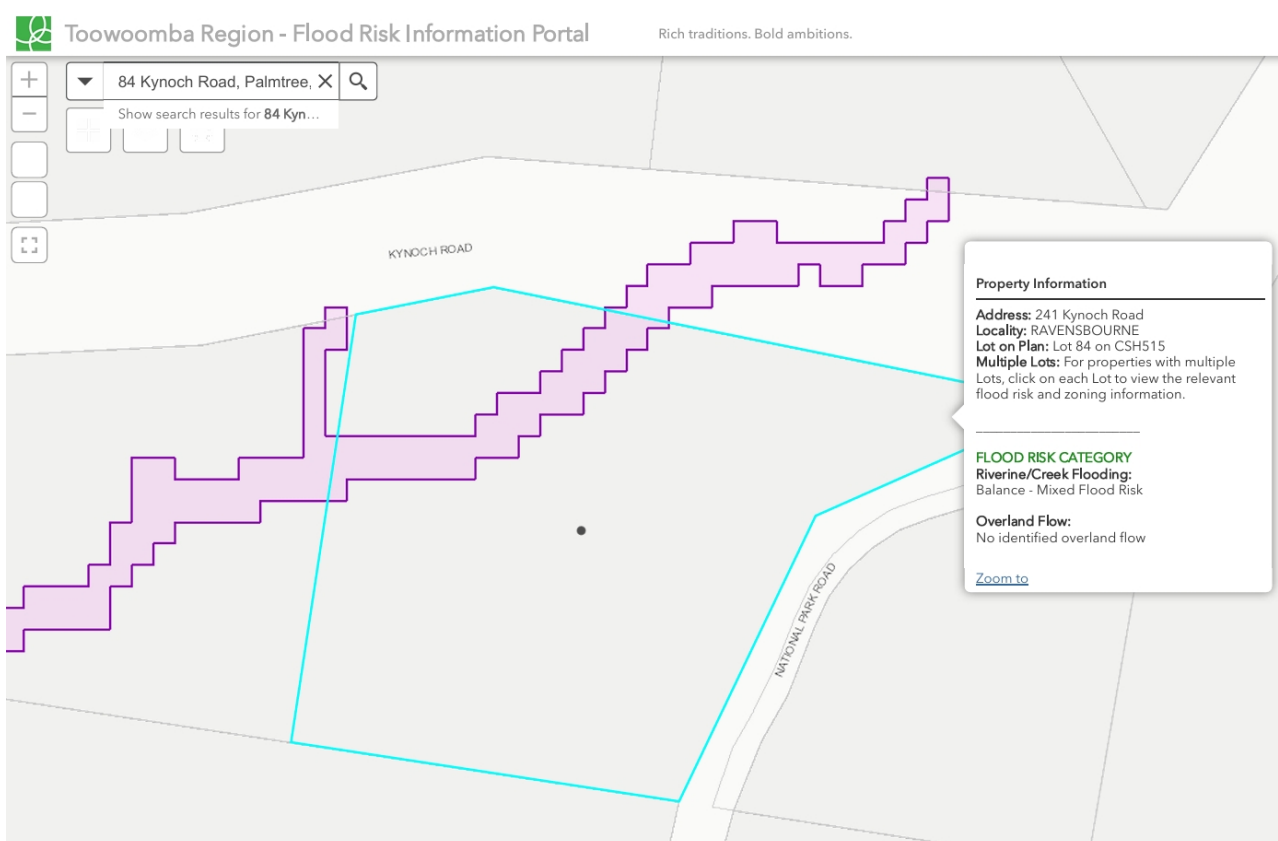
The development will not reduce the productive capacity of the land or result in conflict with nearby rural uses.

The proposed use conserves the productive characteristics of Agricultural Land Classification of Class A2 soils.



4.3. Flood Hazard

The subject site is mapped as containing areas mapped as being within the Balance Mixed sub category of the Flood Hazard Overlay.



4.4. Transport and Access

4.4.1. Suitability of the existing road network

The proposed use represents a very low intensity development, having a maximum capacity of two (2) guests. Given that the home will be occupied by a single person or couple arriving in a single car, it is anticipated that a single trip may be generated to enter and exit the site.

Accounting for guest arrival, guest departure, and the potential for a day trip from the site by guests, the probable maximum number of vehicle movements per day would be 4, having minimal impact on the surrounding road network. The majority of traffic will originate from the urban part of Toowoomba, accessing the site via New England Highway (bitumen sealed)/ Esk Hampton Rd (bitumen sealed)/ Shearer Rd (gravel sealed) / National Park Rd (gravel sealed), and ultimately Kynoch Rd (also gravel sealed). All roads are in reasonable condition. The impact on the surrounding road network, having regard to its construction standard and the very limited volume of traffic generated by the development, is neither significant nor inappropriate.

4.4.2. Site Access and Car Parking

Access to the home is provided by a gravel driveway typical of rural properties. This driveway is maintained to a good standard capable of accommodating all types of guest vehicle access. Given the very limited volume of vehicle movements (as outlined in Section 4.4.1), this network is sufficient to accommodate the likely vehicle movements. Car parking will be provided in the shed/garage. There is space for two large vehicles.

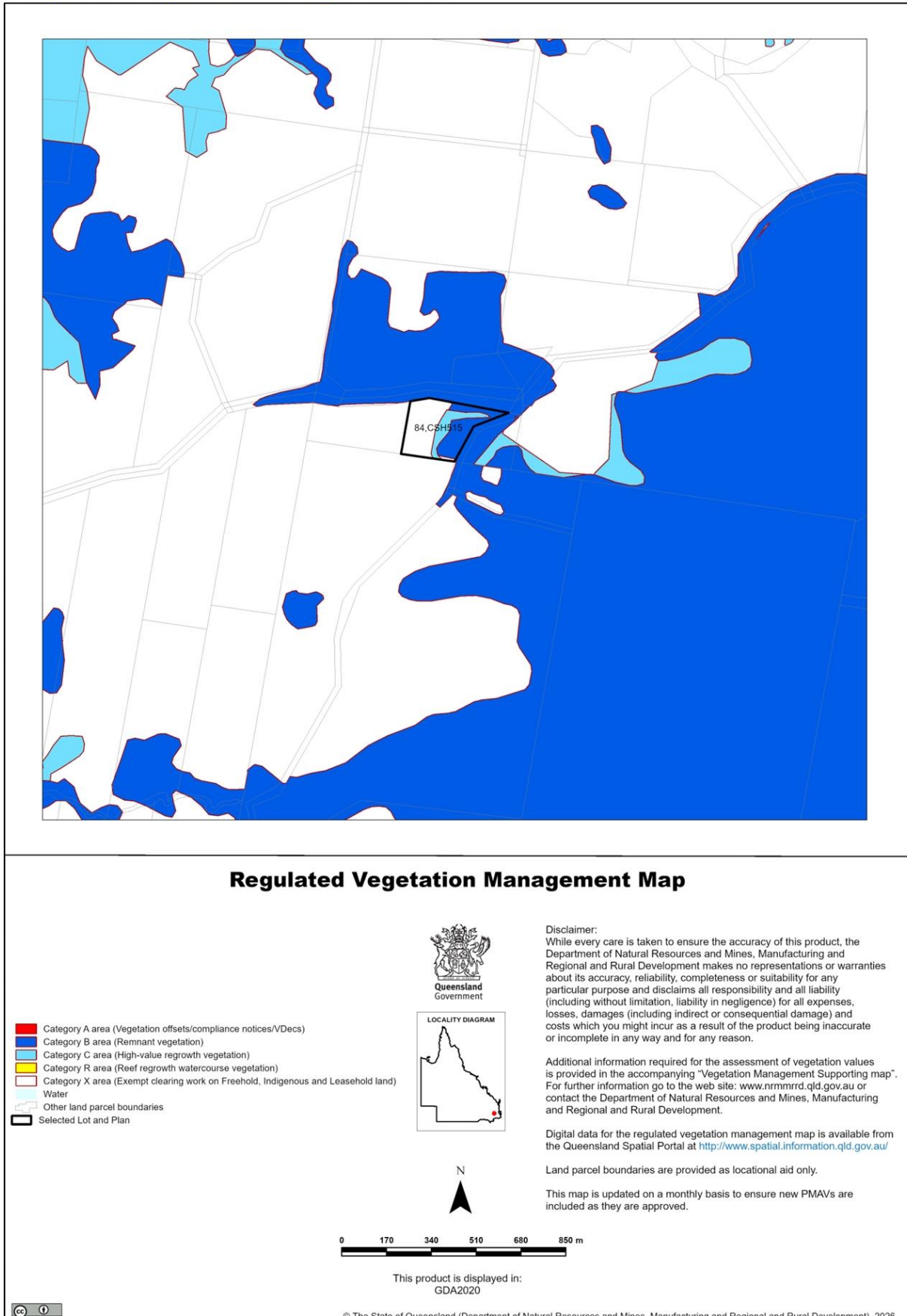
4.5. Regulated Vegetation

Category B, Remnant vegetation and Category C, High-value regrowth vegetation make up approximately 51% of the property. The remaining 49% is categorized as X.

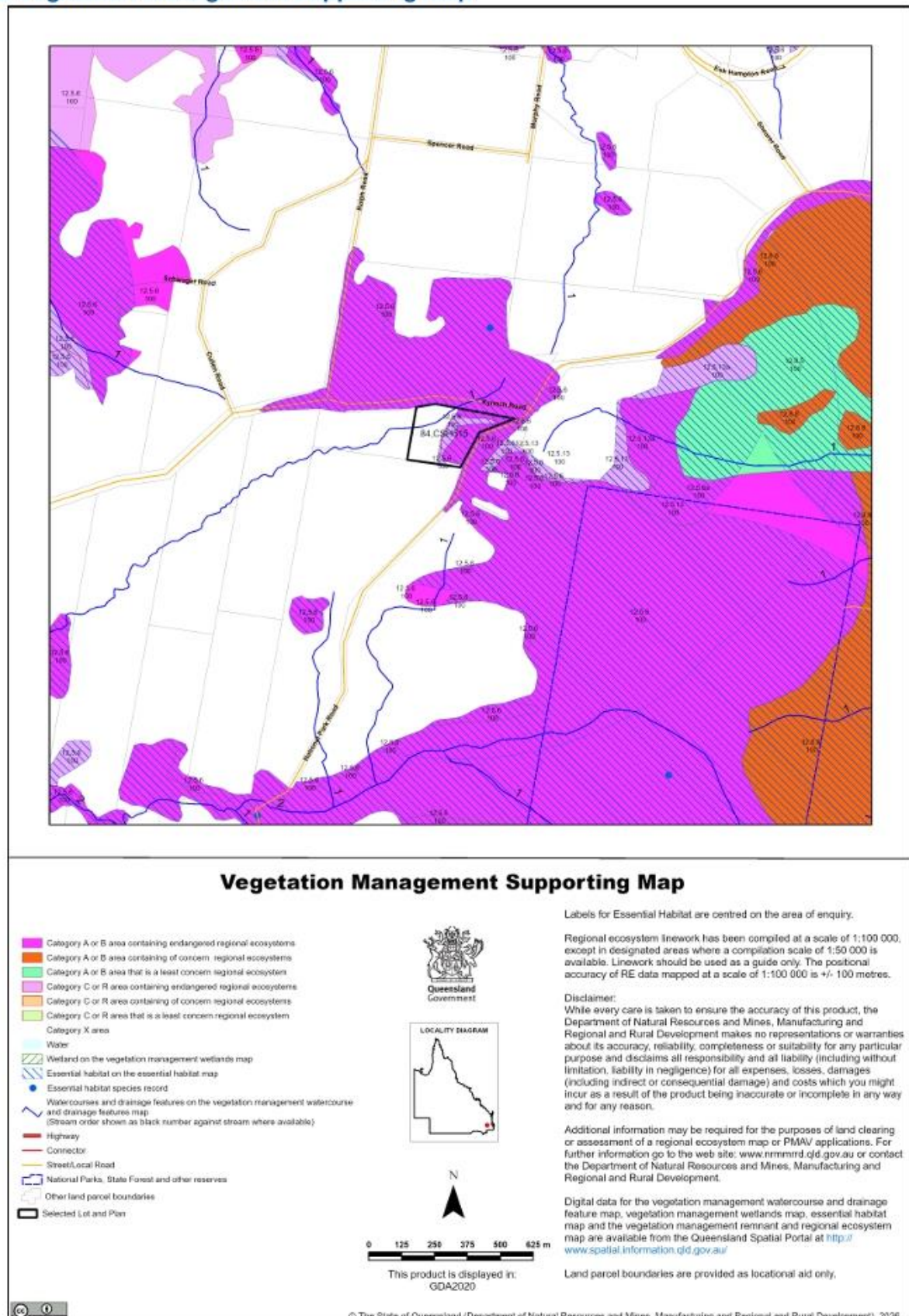
No clearing of vegetation is required to be undertaken for this development.

Clearing of declared weed pests such as lantana and fireweed, and other similar maintenance activities is all that will be required. This will be carried out by the owners

4.1 Regulated vegetation management map



4.2 Vegetation management supporting map



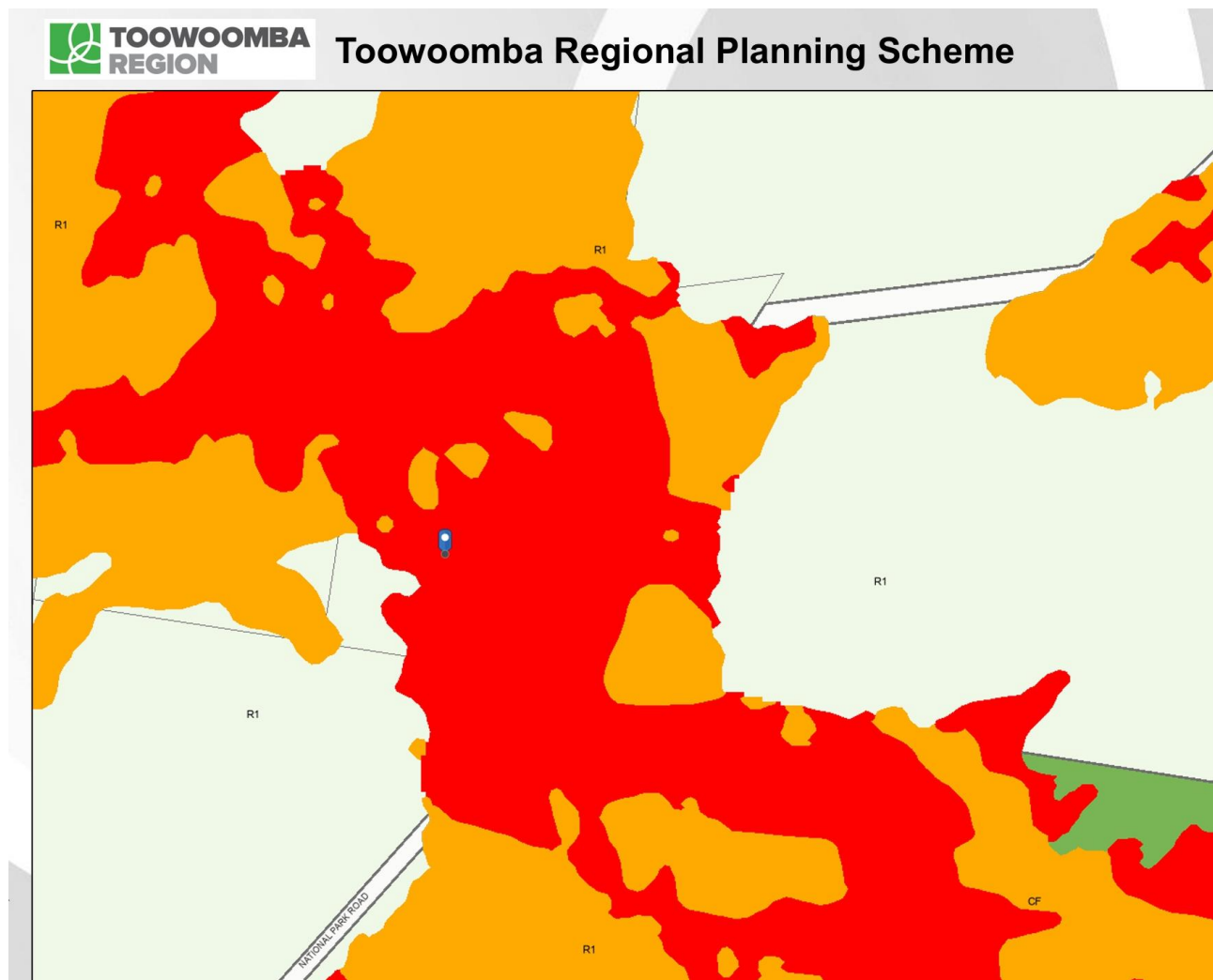
4.6. Bushfire Hazard

The development does not increase the exposure of people and property to an unacceptable bushfire hazard risk. The existing home is situated outside of the high & medium fire risk area.

A Bushfire Emergency Evacuation Plan, has been provided to council as a separate document.

The home has an adequate water supply for fire fighting purposes that is safely located and freely accessible.

Having regard to the nature of the development and where appropriate procedures are applied, and therefore the low risk to people and property associated with the development, compliance is achieved with the Bushfire Hazard Overlay Code.

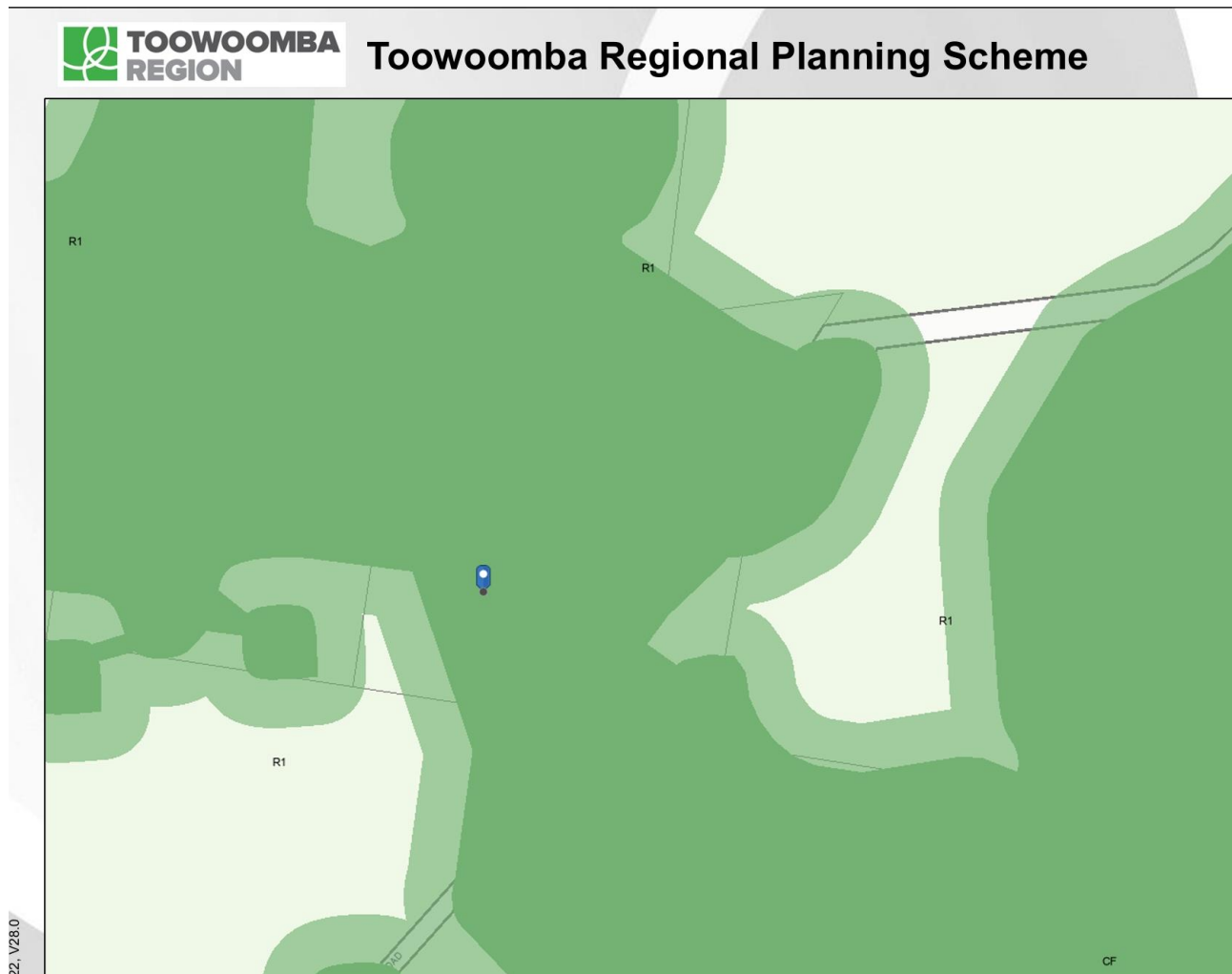


4.7. Areas of Ecological Significance

The property is mapped as containing Areas of Ecological Significance under the planning scheme.

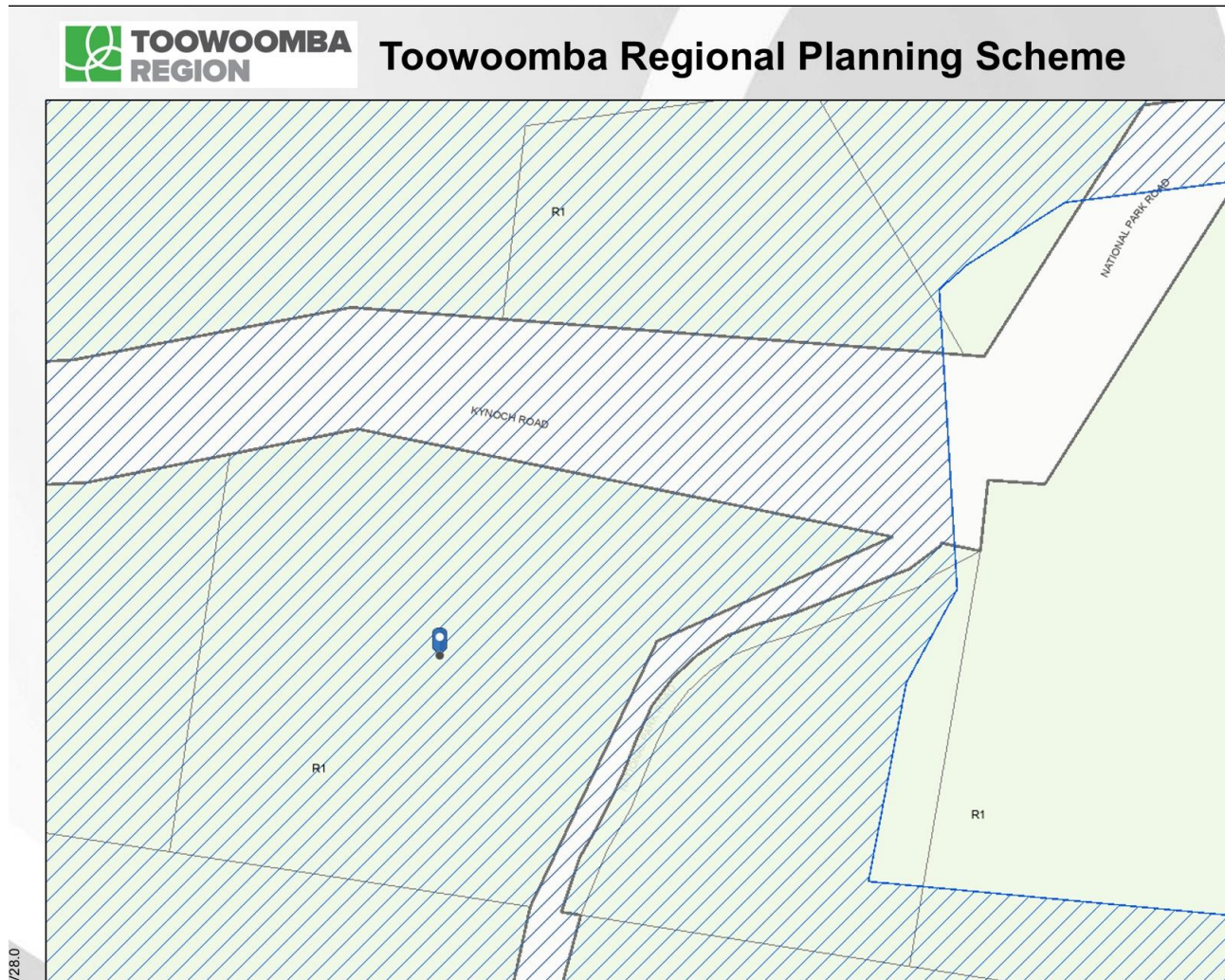
This development does not require any additional land clearing or structures.

Having regard to the fact that no land clearing is required for this development and the low intensity nature of the activity, it is clear that the proposal ensures that the loss or reduction of ecological values is nil.



4.8. Water Resources Catchment Overlay Code

The proposed development will not increase impervious areas of the subject site. As such the proposed development will have no impacts of the stormwater quality and will not adversely impact water resource catchments.



4.9. Medium Density Residential Code

The proposed development is not of a medium density and is not residential development.

4.10. Environmental Standards Code

The proposal does not involve a use likely to generate adverse impacts and is not positioned in proximity to an incompatible land use.

4.11. Integrated Water Cycle Management Code

The proposal does not involve any additional constructions of any kind, therefore, no technical reports are warranted.

Groundwater, stormwater and wastewater have been addressed in other areas of this proposal.

4.12 Works and Services Code

The home is connected to an existing wastewater treatment and disposal system which complies with *SC6.3 PSP No. 3 Engineering Standards – Water and Wastewater Infrastructure*.

Waste water systems and connections are designed and constructed in accordance with *SC6.3 PSP No. 3 Engineering Standards – Water and Wastewater Infrastructure*.

A 60,000 litre water tank is installed to harvest potable rainwater from the dwelling roof in accordance with *SC6.3 PSP No. 3 Engineering Standards – Water and Wastewater Infrastructure*.

Water supply systems and connections are designed and constructed in accordance with *SC6.3 PSP No. 3 Engineering Standards – Water and Wastewater Infrastructure*.

The development is equipped with an adequate energy supply via an off grid stand alone solar system with batteries and a generator backup. The system comprises of 11kW of panels, 10.5kWh of battery storage and a 10kVA inverter, ensuring reliable off-grid living.

Communications – There is mobile reception available from Telstra and a number of other carriers. Star Link Wi-Fi will be installed at the property.

The subject site is currently serviced by a local rural road network, which is sufficient to accommodate the very limited number of vehicle movements associated with the development.

No upgrades or alterations to the movement network are propped or warranted.

Vehicle parking for at least two (2) vehicles will be available in the shed/garage.

Two separate bins will be provided to guests. One for recyclable waste and one for general waste. These bins will be emptied and cleaned by the property manager or owner at the end of each guest stay or on a weekly basis, whichever is the lesser.

The site is situated in a rural area, and no works are planned within the overland flow paths that cross the property. Where stormwater is dispersed via sheet flow, and due to the very low intensity of the development, it is highly unlikely that any adverse impacts will be caused as a result of stormwater quantity discharge. The provision of a stormwater management plan is not warranted in this instance.

4.13. Landscaping Code

The subject site is naturally landscaped in a manner typical of rural properties. No landscaping modifications or enhancements are warranted for the proposed development.

5.0 Conclusion

This proposed nature and rural based tourism accommodation is appropriately located and designed in a manner which meets visitor needs, protects environmental and landscape values and protects the amenity of surrounding premises.

It is located and designed in a manner which sensitively responds to site characteristics, it provides high quality amenities and facilities commensurate with its setting.

The type of accommodation supplied and the length of stay accommodated is of a scale and intensity that is compatible with, and subservient to, its rural or natural setting and the preferred character of the local area.

The proposed use does not adversely impact on the amenity of rural and residential areas or the viable operation of rural activities.

Specifically, this development application seeks a development approval for the following aspect:

- *Development Permit for Material Change of Use for Nature Based Tourism*

This town planning report demonstrates that the development application complies with the relevant acceptable outcomes or performance outcomes of the assessment benchmarks or achieves compliance with the purpose and overall outcomes of the assessment benchmarks. Therefore, pursuant to Section 60 of the Planning Act 2006, the Assessment Manager must decide to approve the development application.