

REPORT TITLE	Material Change of Use - Impact - Winery (Meadery) located at 47 Orchard Road, CROWS NEST QLD 4355
AUTHOR	Planning Officer (Jun Ong)
Application No.	MCUI/2025/8560

PURPOSE OF REPORT

To consider a Development Application for a Material Change of Use - Impact - Winery (Meadery) located at 47 Orchard Road, CROWS NEST QLD 4355.

EXECUTIVE SUMMARY

This report considers a Development Application for a Material Change of Use - Impact - Winery (Meadery) located at 47 Orchard Road, Crows Nest, formally known as Lot 1 RP206031. The subject site is a corner lot 2.037ha in size with road frontages to Local Roads, Orchard Road (South) and Pinnell Road (East). The subject land is identified within the Rural Residential Zone, 4000m² Precinct and subject to the Environmental Significance Overlay, Bushfire Hazard Overlay and the Water Resource Catchment Overlay. The subject site currently operates as a Home Based Business (Meadery) with an existing Dwelling House which is the main residence of the owner-operator. Vehicular access is taken to Orchard Road. The subject land is connected to Council's reticulated water infrastructure, serviced by on-site wastewater infrastructure, and is connected to telecommunications and electricity.

The proposed development seeks to intensify the current Home Based Business (Meadery) operations to a Winery (Meadery) use. A new Cellar Door of 54m² gross floor area is proposed within an existing cleared area, to be used in conjunction with existing mead production sheds of 55m² gross floor area. The applicant seeks to expand the scope of site operations to include the following:

- Cellar Door sales and on-site tastings of wine (mead) produced within the premises;
- Increased annual production of mead to 8,000 litres from 3,500 litres (current);
- Increased maximum capacity of 20 patrons;
- Operational hours of Cellar Door between 11:00 am to 5:00 pm, Friday to Sunday;
- A cumulative eight (8) carparking spaces over the subject site, inclusive of one (1) PWD parking and two (2) staff parking spaces used by the owner-operator of the Meadery; and
- Existing vehicular access to Orchard Road is maintained.

The proposed Winery (Meadery) within the Rural Residential Zone is subject to Impact Assessment against the *Toowoomba Regional Planning Scheme 2012 (v.28)* and requiring public notification. No submissions were received during the public notification period. The proposed non-residential use in a residential zone results in non-compliance with Table 6.6.7:1 - PO15 and Table 6.6.7:2 - PO1 of the Rural Residential Zone Code. The proposed development is assessed and considered to demonstrate broad compliance with the Overall Outcomes 2(g) of the Rural Residential Zone Code. Further details are provided in the body of the assessment report. The proposed development is therefore considered to comply or can be conditioned to comply with the relevant assessment benchmarks. Reasonable and relevant conditions of approval are recommended to address anticipated residential amenity impacts within the Rural Residential locality.

RECOMMENDATION

APPROVED - Application No. MCUI/2025/8560 for a Development Permit for a Material Change of Use - Impact - Winery (Meadery), pursuant to the provisions of Section 60 of the *Planning Act 2016* and subject to the conditions listed below.

ASSESSMENT MANAGER CONDITIONS

APPROVED USE

1. This Development Approval is for a Material Change of Use for a Winery (Meadery) with a maximum gross floor area of 55m² for Mead production activities and 54m² for Cellar Door sales and tastings. The use is subject to the following limitations:
 - 1.1 Maximum capacity of 20 patrons within the site at any one time;

- 1.2 Maximum annual production capacity of 8,000 litres; and
- 1.3 Cellar Door sales of takeaway and on-site tastings are limited only to the mead produced on the premises.

CARRY OUT & 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 are not varied by this Development Approval.
3. Unless otherwise stated, all conditions must be complied with prior to the commencement of use and thereafter.
4. Complete all building work associated with this Development Approval, including work required by any of the conditions of this Development Approval prior to the commencement of use. Such building work is to be carried out generally in accordance with the Approved Plans and Documents and, where the building work is assessable development, in accordance with a current Building Work approval.
5. 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

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

Plan No: Unnumbered

Description: Site Plan – Valknut Meadery, prepared by the Valknut Meadery Pty Ltd, undated and received by Council on 27 January 2026

Amendments: Nil

Plan No: Unnumbered

Description: Valknut Meadery Floor Plan, prepared by Valknut Meadery Pty Ltd, undated and received by Council on 27 January 2026

Amendments: Nil

Plan No: Unnumbered

Description: Valknut Meadery Floor Plan (Tasting Room), prepared by Valknut Meadery Pty Ltd, undated and received by Council on 27 January 2026

Amendments: Nil

Plan No: JB.149583, Page 4 of 6

Description: Shed Floor Plan, prepared by Totalspan Titanium and dated 8 May 2025

Amendments: Nil

Plan No: JB.149583, Page 5 of 6

Description: Elevations (South and East), prepared by Totalspan Titanium and dated 8 May 2025

Amendments: Nil

Plan No: JB.149583, Page 6 of 6

Description: Elevations (North and West), prepared by Totalspan Titanium and dated 8 May 2025

Amendments: Nil

AVAILABILITY OF APPROVED DOCUMENTATION DURING WORKS

7. A legible copy of the Development Approval, including the Approved and Amended Plans and Documents bearing Council's approved stamp must be available on the subject land for inspection at all times during earthworks and construction.

DEVELOPMENT CONSTRAINTS

BUSHFIRE MANAGEMENT - SUPPLY OF WATER

8. The development 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 any domestic use and must be provided in the form of either a dam, swimming pool, or rainwater tank located within 40m of a building.
9. 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:
 - 9.1 The domestic take off from the tank is at or above the 10,000 litre point; and
 - 9.2 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.
10. 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.
11. A hard stand area within 6m of the water storage reservoir must be provided to ensure accessibility for fire fighting vehicles.

WORKS

STORMWATER DRAINAGE

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

STORMWATER DISCHARGE

13. Stormwater from new roofed areas (including overflow pipes from rainwater tanks) is permitted to be discharged within the subject land, a minimum of 3 metres clear of any building foundations and any adjoining property boundary.
14. The act of on-site stormwater discharge must not cause erosion and scouring and must utilise appropriate control devices at outlets to prevent such erosion and scouring.
15. Stormwater must be dispersed as sheet flow.
16. Design and construction of all internal stormwater drainage works must comply with each applicable section of *Australian and New Zealand Standard AS/NZS 3500 - Plumbing and Drainage Code* and the *Queensland Urban Drainage Manual*.

AIR QUALITY IMPACT MITIGATION

17. 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 work.
18. All reasonable and feasible avoidance and mitigation measures are employed so that dust emissions generated during building works do not exceed the following levels when measured at any sensitive place or commercial place:
 - 18.1 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 NOISE IMPACT MITIGATION

19. 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

20. 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.
21. 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.
22. 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.
23. All disturbed areas must be mulched or turfed as soon as possible during construction.

SERVICES & UTILITIES

ON-SITE WASTEWATER TREATMENT & DISPOSAL

24. The development must be provided with an on-site wastewater treatment and effluent disposal system having a capacity and land application area sufficient for the use. The area nominated on the Approved Plans for the wastewater treatment and effluent disposal, including irrigation areas, are maintained for this purpose for the life of the approval.
25. The wastewater treatment and effluent disposal system must comply with *Australian Standard AS3500.2 – National Plumbing and Drainage - Sanitary Plumbing and Drainage*; and *Australian Standard AS1547:2012 - On Site Domestic-Wastewater Management* where system size is not exceeded (ref. Part 1.2.1.2 of AS1547:2012).
26. All reasonable and practicable measures must be undertaken to prevent treated wastewater and effluent from overflowing or seeping onto adjoining properties.

WATER SUPPLY

27. The development must be connected to Council's reticulated water supply in accordance with Council's *Water Infrastructure Policy 2.03* at no cost to Council.

Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.

AMENITY & OPERATION OF USE

VISUAL AMENITY

28. Any graffiti deterrent building design elements and surface treatments are to be maintained at all times.
29. All buildings, structures and fences as well as the subject land must be maintained in a clean and tidy manner at all times.
30. All fixed mechanical plants must be contained within the building or visually screened to all street frontages, public viewing locations and adjoining premises.

31. Open storage areas, loading areas, bin storage areas and other unsightly areas, must be screened from view from all street frontages and public places.

FENCING & WALLS (GENERAL)

32. Fences and walls must be maintained in a good state of repair to ensure that their intended function (i.e. privacy, security, safety, acoustic, livestock, pest exclusion etc.) is maintained.

SAFETY, SECURITY & PUBLICLY ACCESSIBLE FACILITIES

33. The allocation of car parking spaces between employees, residents and visitors as applicable, must be distinctly identified and adequately sign-posted to clearly direct vehicular traffic to these respective areas.

TRANSPORT, VEHICULAR ACCESS & PARKING

PROVISION OF VEHICULAR ACCESS

34. The vehicle access from the subject land to Orchard Road must be sealed from the road edge to the property boundary. The access must be designed, as specifically required below:
- 34.1 The vehicle access must be located as shown on the Approved Plans listed within this Development Approval;
 - 34.2 The vehicle access (crossing the verge) must be constructed generally in accordance with the Institute of Public Works Engineering Australasia *Drawing RS-056 Rural Driveways*, and in accordance with *Australian Standard AS 2890 – Parking Facilities (Part 1 and as relevant Part 2)*;
 - 34.3 The vehicle access (crossing of the verge) must be located a minimum of one (1) metre clear of existing power poles, streetlights or any signage; and
 - 34.4 The relevant service authorities must be contacted and their requirements complied with.

ON-SITE CAR PARKING, SERVICE BAYS & MANOEUVRING

35. The premises must be provided with a minimum eight (8) on-site car parking spaces inclusive of one (1) PWD car parking space. Car parking and manoeuvring areas must be:
- 35.1 Constructed generally as shown on the Approved Plans listed within this Development Approval;
 - 35.2 Provided with a gravel surface and otherwise delineated to the minimum dimensions detailed in the *Toowoomba Regional Planning Scheme 2012 and Australian Standard AS2890 - Parking Facilities*;
 - 35.3 Designed and constructed in accordance with the requirements of AS2890;
 - 35.4 Designed to ensure disabled car parking spaces are located in close proximity to a primary building entrance and meet the requirements of AS2890.1 Clause 2.4.5 (1.3m high bollards), AS1428.1 and AS2890.6:2009;
 - 35.5 Accessible and available to the general public and staff during approved hours of operation;
 - 35.6 Maintained as originally constructed and kept and used exclusively for vehicle parking and manoeuvring; and
 - 35.7 Designed to enable all vehicles to enter and leave the subject land in a forward gear.

ENVIRONMENT & WASTE

ACOUSTIC AMENITY - GENERAL

36. Unless otherwise approved in writing by Council, the approved use must not operate outside the following hours:
- 36.1 Mead production activities: 7:00AM to 6:00PM, Monday to Sunday; and
- 36.2 Cellar Door sales and tastings: 11:00AM to 6:00PM, Friday to Sunday.
37. Service vehicle movements associated with the approved use (including loading and unloading) must occur only between the hours of 7:00AM to 6:00PM, Monday to Sunday.

Note: Service vehicles do not include waste collection vehicles or activities.

ACOUSTIC AMENITY - NOISE LIMITS

38. Noise from activity associated with the use of the subject land must not exceed the Acoustic Quality Objectives listed in the *Environmental Protection (Noise) Policy 2019* when measured at any sensitive receptor.
39. Where considered warranted by Council and when requested in writing to do so, a noise investigation must be undertaken to investigate a complaint of noise nuisance. In such instances, a suitably qualified person must monitor, interpret and record all parameters that are required to be monitored in order to determine whether or not the Noise Emission Limits listed within this Development Approval have been exceeded. The results of the investigation must be provided to Council within 28 days of the request or a longer period if specified in any such request. Measurement of noise emissions (adjusted for tonality and impulse) must be generally in accordance with the most recent version of *Australian Standard AS1055.1 Acoustics - Description and measurement of environmental noise - General procedures*.

ACOUSTIC AMENITY - COMPLAINTS MANAGEMENT

40. A noise complaints management procedure for the subject land must be prepared and include the following:
- 40.1 A process for communicating to employees and visitors their responsibility to minimise their noise impacts on nearby receptors;
- 40.2 A contact details and name of person with whom complaints can be lodged;
- 40.3 A clearly defined procedure for responding to and investigating complaints; and
- 40.4 A notification protocol to all complainants of the outcome of complaint investigations.
41. A record of all noise complaints and investigation results including corrective actions must be maintained and made available for inspection at any time upon request by Council.

ACOUSTIC AMENITY - MECHANICAL PLANT

42. All "refrigeration equipment", "pumps", "regulated devices", and "air conditioning equipment" as defined by the *Environmental Protection Act 1994* must be designed, installed, operated and maintained to comply with the noise standards as specified within the *Environmental Protection Act 1994*.

AIR QUALITY & AMENITY - AIR RELEASE LIMITS

43. 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 receptor place must not be released to the atmosphere.

44. Where considered warranted by Council and when requested in writing to do so, an air quality investigation must be undertaken to investigate a complaint of air pollution, odour or dust nuisance. In such circumstances, a qualified person must monitor, interpret and record all parameters that are required to be monitored in order to determine whether or not the Air Release Limits listed within this Development Approval have been exceeded. The results of the investigation must be provided to Council within 28 days of the request or a longer period if specified in any such request.

OUTDOOR LIGHTING IMPACT MITIGATION

45. Outdoor lighting associated with the use must be designed, sited, and installed to comply with the relevant parameters of *Australian Standard AS4282-2019 Control of the obtrusive effects of outdoor lighting*.
46. All flood lighting must be of a type that gives no upward component of light when mounted horizontally (i.e. a full cut off luminaire).
47. Where considered warranted by Council and when requested in writing to do so, a lighting impact investigation must be undertaken to investigate a complaint of light nuisance. In such circumstances, a suitably qualified person must monitor, interpret and record all parameters that are required to be monitored in order to determine whether or not the lighting levels listed within this Development Approval have been exceeded. The results of the investigation must be provided to Council within 28 days of the request or a longer period if specified in any such request.

STORMWATER QUALITY

48. Contaminants or contaminated water that may have any potential adverse impacts on the water quality of the water resource catchment must not be directly or indirectly released from the subject land or to the ground or groundwater at the subject land at any time.

WASTE MANAGEMENT (GENERAL)

49. All waste generated on the subject land must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction and Recycling Act 2011*.

WASTE MANAGEMENT (BIN PROVISION & STORAGE)

50. Refuse storage facilities must be provided generally in accordance with the following:
- 50.1 The size, mix and capacity of bins provided must be sufficient to accommodate the type and level of waste likely to be generated from the development having regard to the frequency of disposal or collection;
 - 50.2 Provision of a constructed communal bin store with an impervious hardstand base for the permanent storage location of all wheelie bins, each having minimum dimensions of 1m² per bin, located no closer than 2m to any fresh air intake of a habitable room;
 - 50.3 Refuse storage facilities must be screened from public vantage points; and
 - 50.4 Bins must be kept in a clean state and in good repair and fitted with tight-fitting lid assemblies designed to prevent ingress of pests and water.

WASTE MANAGEMENT (REMOVAL)

51. Unless otherwise endorsed by Council in a waste management plan, arrangements for waste removal are provided in accordance with the following requirements:
- 51.1 Disposal of waste generated must be undertaken in accordance with the *Environmental Protection Regulation 2019*;
 - 51.2 General waste must be collected and removed at periods not exceeding seven days;
 - 51.3 Bins must be stored at their place of permanent storage other than times ahead of or during waste removal; and

- 51.4 The waste collection method must ensure that waste is adequately managed to prevent escape of contamination.

ECOLOGICAL PRESERVATION & MANAGEMENT

52. Unless otherwise approved in writing by Council in writing, no vegetation is to be removed or disturbed as a part of the approved use.
53. All building envelopes, ancillary structures, and effluent disposal areas are to be located within areas clear of vegetation.

GENERAL ADVICES

INFRASTRUCTURE CHARGES

- 1) Infrastructure charges are 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) Carrying out works on a road or interfering with the road or its operation will require a permit under *Subordinate Local Law No. 1.15 (2020)*. The application form can be found on Council's website at www.tr.qld.gov.au. For further information contact the Road Operations Branch through Council's Customer Service Centre on 131 872.
- 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.

CLEARING OF NATIVE VEGETATION

- 7) The subject land supports regulated vegetation under the *Vegetation Management Act 1999 (VMA)*. The clearing of regulated vegetation can only be undertaken where associated with exempt clearing activities established under the VMA. For further information regarding exempt clearing activities please contact your local office of the Department of Resources.

CLEARING OF PROTECTED PLANTS

- 8) In accordance with *Nature Conservation (Animals) Regulation 2020* you must check the flora survey trigger map, prior to the clearing of any native plants found on the subject land to determine if a flora survey must be undertaken and if a clearing permit for clearing endangered, vulnerable and near threatened plants ('EVNT plants') and their supporting habitat is required.

Under the Regulation, if a flora survey identifies that EVNT plants are not present or can be avoided by 100m, the clearing activity may be exempt from a permit, however an exempt clearing notification form must be submitted to the Department of Environment and Science. In an area

other than a high risk area, a clearing permit is only required where a person is, or becomes, aware that EVNT plants are present, though a range of exemptions do apply. Clearing of least concern plants is generally exempt from requiring a clearing permit. For further information associated with the clearing of protected plants and to obtain flora survey trigger map for your site please refer to the Departmental website.

EXCAVATION & FILLING

- 9) The *Toowoomba Regional Planning Scheme 2012* (TRPS) declares excavation and filling activity involving less than 50m³ of material and excavation and filling activity to a depth or height lower than 1m to be accepted development. Any combination of excavation or filling where 50m³ or more of fill is deposited on, or 50m³ or more of excavated material is removed from the premises and excavation or filling is not associated with 'Building Work' as defined under the *Planning Act 2016*, must obtain an Operational Work approval from Council before commencing site works.

ENVIRONMENTAL HARM

- 10) 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.

WATER POLLUTION

- 11) In accordance with the *Environmental Protection Act 1994*, all sand, silt, mud, paint, cement, concrete, construction material and demolition material, and other such waste material must not be deposited or placed where it could reasonably be expected to travel into a roadside gutter, stormwater drain or watercourse. On the spot fines apply for such offences.

FIRE ANTS

- 12) 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 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.

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.



Jayden Forbes-Mitchell
Lead Senior Planner, Planning Branch

Decision Date: 8 May 2026

BACKGROUND

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			
SITE CHARACTERISTICS				
Current Land Use	Dwelling House and Home Based Business (Meadery)			
Site Frontage/s	Orchard Road: 129.5m Pinnell Road: 142.5m 125 + 9 + 4.5			
Road/s	Order of Road	Width of Road Reserve	Width of Pavement	Road Material
Orchard Road	Local	20m	6m	Bitumen
Pinnell Road	Local	20m	6m	Bitumen
Easements	Nil.			
Existing Structures	Dwelling House with ancillary structures; and Structures associated Home Based Business (Meadery)			
Infrastructure	Council's water infrastructure located external of subject site frontages			
Topography	General fall towards the north-east with a gentle average gradient of 3%.			
Street Trees	Nil.			
Other Features	Nil.			
PLANNING SCHEME SITE DATA				
Current Planning Scheme	Toowoomba Regional Planning Scheme 2012 (Version 28)			Adopted: 28/11/2022
Zone	Rural Residential Zone			
Precinct	Precinct 1 (4000m2 min) Precinct			
Overlays	Environmental Significance Overlay - Biodiversity Corridors - Areas of Ecological significance - Areas of Ecological significance buffer Bushfire Hazard Overlay - Medium Fire risk - High Fire Risk Water Resource Catchment Overlay			
Infrastructure Charges Resolution	Charges Resolution No. 7			Adopted: 19/08/2025
SURROUNDS:				
Direction	Land Use	Zone/Precinct		
North	Vacant Land	Rural Residential Zone / Precinct 1 (4000m min) Precinct		
East	Dwelling House	Rural Residential Zone / Precinct 1 (4000m min) Precinct		
South	Dwelling House / Rural uses	Rural Zone / 100ha minimum Precinct		
West	Vacant	Rural Residential Zone / Precinct 1 (4000m min) Precinct		
Other Features	Nothing to note			
APPLICATION HISTORY				
Other	Existing Dwelling House and Home Based Business (Meadery) buildings and structures associated with the proposed Winery use.			

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

CONSULTATION UNDERTAKEN

Referral Agency

Not Applicable.

Internal Referrals

Internal Referral Partner	Referral / Response
Development Engineering and Plumbing	Reviewed and recommended conditions of approval.
Place Environmental	Reviewed and recommended conditions of approval.
Water and Waste	Reviewed with no further requirements.
Plumbing	Reviewed with no further requirements.
Infrastructure Charges Unit	Prepared an Infrastructure Charges Notice in accordance with <i>Charges Resolution No. 7</i> to accompany an approval of the development.

Public Notification

The Notice of Compliance was received by Council on 23 March 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 20 February 2026;
- Placing a notice on the land from 22 February 2026 until 16 March 2026; and
- Notifying owners of all land adjoining the site on 20 February 2026.

No submissions opposing or supporting the development were received.

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.

	Schedules 9 and 10 does not have any relevant assessment benchmarks applicable to the proposed development.
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REGIONAL PLANS	
<i>Shaping SEQ – South East Queensland Regional Plan 2023</i>	Not applicable
<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 DDRP identifies that the subject site is mapped within a Priority Agricultural Area (PAA) and Priority Living Area (PLA). The proposed development seeks to formalise the expansion of the Home Based Business use as a Winery use to accommodate increased production volumes for the Meadery. Existing structures and vegetation are retained. The proposed shed (cellar door) is minimal in development footprint and visually unobtrusive. The existing land use does not involve agricultural activities. The proposed development scale and nature of use supports the local community of Crows Nest and does not conflict with the regional policies included within the DDRP.

STATE PLANNING POLICY (SPP) July 2017	
Interests	Assessment Comments
Housing Supply and Diversity	No applicable assessment benchmarks.
Livable Communities	No applicable assessment benchmarks.
Agriculture	No applicable assessment benchmarks.
Development and Construction	No applicable assessment benchmarks.
Mining and Extractive Resources	No applicable assessment benchmarks.
Tourism	No applicable assessment benchmarks.
Biodiversity	The interactive mapping (DAMS) which accompanies the SPP identifies that this interest is applicable to the subject property. The proposed shed (cellar door) is located outside of the Matters of State Environmental Significance (MSES) overlay mapped areas and therefore does not conflict with the state interest policies for Biodiversity.
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	The interactive mapping (DAMS) which accompanies the SPP identifies that this interest is applicable to the subject property. A portion of the subject site is identified within the Very High Potential Bushfire Intensity bushfire prone area. Proposed area of development is pre-cleared area and remaining vegetation is managed. BAL level is deemed to be low. A 27,000L rainwater tank storage is located within 10m of the proposed development. The proposed development is considered to mitigate bushfire hazard risks and does not conflict with state interests for natural hazards (bushfire).
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	No applicable assessment benchmarks.
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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
- 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

The development was assessed against all of the assessment benchmarks listed above and is considered to comply with exception as follows:

STRATEGIC FRAMEWORK:

Theme	Assessment Comments
Economic Development 3.9.5 Element – Tourism	This Strategic Framework element seeks to develop (1) the Toowoomba Region with a diverse range of tourist attractions and a broad range of local food and wine products; and (3) The regions distinct seasons which offer a unique opportunity in the Queensland tourism market. The proposed Winery (Meadery) presents a unique beverage destination which will contribute to the commercial diversity and tourism value of Crows Nest. The small-scale nature of development presents a unique experience that services the local community and attracts tourists to the regional centre of Crows Nest. The proposed siting of structures, retention of existing vegetation, operational frequency and capacity maintains an unobtrusive visual from the site frontages that integrate well with the Rural Residential local amenity. The proposed development is thus considered to present a use consistent with Strategic Framework 3.9.5 Element – Tourism which is sympathetic to the site context and local residential amenity.

OVERLAY CODE/S:

Bushfire Hazard Overlay Code	
Purpose	Assessment Comments
The purpose of the Bushfire Hazard Overlay Code is to protect the safety of people and property in bushfire risk areas.	The purpose of the code will be achieved through the following overall outcomes: (a) development does not increase the exposure of people and property to an unacceptable bushfire hazard risk; (b) development located in a bushfire risk area is designed to mitigate the bushfire risk through siting, design and management measures; (e) public health and safety and the environment are not put at risk by development involving the manufacture and/or storage of hazardous goods in a bushfire hazard area; and (g) development provides access to an adequate water supply for fire fighting purposes.
Performance Outcome	Acceptable Outcome
PO2 <i>Development provides for the safety of people and property by avoiding areas of</i>	AO2.2 <i>Where development is located in a High or Medium bushfire risk area (except for single dwellings on existing</i>

<i>High or Medium bushfire risk.</i>	<i>lots), it complies with a Bushfire Management Plan for the premises.</i>
Alternate Outcome	
The applicant did not submit a response.	
Officer Comment	
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).	

RURAL RESIDENTIAL ZONE CODE:

Overall Outcome 2(g)
<i>non-residential uses may be appropriate where such uses meet the day to day convenience needs of the residential catchment in the zone or have a direct relationship and rely on the endemic characteristics of the land in which they are located. Non-residential uses are compatible with the semi-rural and low intensity residential character of the zone and are consistent with the following outcomes;</i> <i>i) non-residential uses are not located in areas with limited infrastructure and services necessary to meet the needs of the development;</i> <i>ii) low-impact activities such as small-scale eco-tourism and outdoor recreation are encouraged within the zone where the impacts of such uses can be minimised;</i> <i>iii) uses such as a shop, community use, health care services and veterinary services may be appropriate where the building form is of a scale consistent with the surrounding rural residential locality, and the use does not undermine the viability of other centres or services/facilities within the rural residential catchment of the use;</i> <i>iv) low intensity rural activities are appropriate where they do not adversely impact on the amenity of the surrounding locality and are consistent with the intended character of the zone; and</i>
Assessment Comments
Overall Outcome 2(g) seeks non-residential uses to be appropriately located where such uses meet the day to day convenience needs of the residential catchment in the zone or have a direct relationship and rely on the endemic characteristics of the land in which they are located. In doing so, the non-residential use must demonstrate compatibility with the semi-rural and low intensity residential character of the zone. The proposed Winery demonstrates broad compliance with the Overall Outcomes for a non-residential use against the following assessment benchmarks: - The subject site is connected to reticulated water supply and is assessed to have appropriate wastewater capacity to service the existing Dwelling House and the proposed Winery activities. There is sufficient available land for capacity upgrades if required. The development is accessible via appropriately formed roads to service the anticipated traffic to the site. The proposed development thus complies with Overall Outcome 2(g)(i); - The proposed Winery (Meadery) presents a unique beverage destination which will contribute to the commercial diversity and tourism value of Crows Nest. 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. Despite not explicitly nominated as one of the non-residential uses within Overall Outcomes 2(g)(ii) and (iii), the proposed 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 2(g)(ii) and (iii); - Notably, the subject lot is the first residential lot located 500m from Perseverance Dam Road and on the southern fringe of Crows Nest's Rural Residential Zone. 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 2(g)(iv) and (v).	
Performance Outcome	Acceptable Outcome
PO₉ <i>The non-residential use is of a scale and intensity that:</i> <i>(a) is compatible with the character of the streetscape and the residential appearance of the locality; and</i> <i>(b) does not undermine the viability of other centres or services/facilities.</i>	AO_{9.1} <i>The use:</i> <i>(a) is carried out in an existing building;</i> <i>(b) only increases the Gross Floor Area of the building by a maximum of 25m²;</i> <i>(c) is a single tenancy only; and (d) does not involve outdoor dining</i>
Alternate Outcome	
The applicant submits: <i>“Complies - use is carried out in an existing building (shed conversion), single tenancy, and does not involve outdoor dining. (Floor Plan)...Complies - comparable with character/appearance due to small scale and existing rural outbuilding form. (Site/Floor Plans)”</i>	
Officer Comment	
The proposed cellar door component will involve a new shed on the premises. Non-compliance with AO9.1 will require assessment against PO9. The proposed development is for a Winery (Meadery) which involves a new shed (cellar door) of 54m² that is setback at least 20m from Pinnell Road frontage. The proposal seeks to formalise the expansion of the current Home Based Business use to a Winery use to accommodate increased production volumes for the Meadery and allow for on-site tastings. Existing vegetation is retained between the proposed shed and the frontage to Pinnell Road. The proposed small-scale development is unobtrusive to the streetscape and maintains a residential appearance along both road frontages. The subject site is approximately 2.5km away from the centre of Crows Nest township. As a township of 2,212 population (2021 Census), most commercial development within Crows Nest are anticipated only in the Major Centre Zones. The proposed development presents a unique non-residential use that would service the local community and contribute to commercial diversity encouraging visitors into Crows Nest. 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 frequency and capacity of site activities is considered small-scale and does not undermine the viability of services or facilities within the Crows Nest township. Therefore, the proposed development complies with PO9.	
Performance Outcome	Acceptable Outcome
PO₁₅ <i>Non-residential uses are located on major roads and do not introduce non-residential traffic into local streets.</i>	AO_{15.1} <i>Non-residential uses have frontage and vehicle access to a Regional Arterial, Sub-Arterial or Distributor Road and vehicle access to the development does not occur from a local street.</i>
Alternate Outcome	
The applicant submits: <i>“Complies with PO15. Site access is via Orchard Road (existing local road). However, PO15 is met due to very low traffic generation (max 20 patrons; 6 visitor bays; Fri–Sun only) (Parking Plan / Management Notes). Low patron numbers and limited hours/days avoid introducing significant non-residential traffic into local streets. (Management Notes).”</i>	
Officer Comment	
The subject site is bounded by Local Roads on both frontages, namely Pinnell Road and Orchard Road. The proposed development is unable to achieve compliance with AO15.1 and PO15 as the proposed Winery (Meadery) is not located on a major road category and has to be assessed against Overall Outcomes of the Rural Residential Zone Code. Assessment of the proposed non-residential use intensity and scale is made against Overall Outcomes 2(g). The proposed traffic generation, frequency and capacity of site activities are considered low-scale and would not unduly impact upon the residential amenity of the Rural Residential locality and presents a scale of development that demonstrates broad compliance with Overall Outcomes 2(g).	

Table 6.6.7:2

Performance Outcome	Acceptable Outcome
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<i>PO₁</i> 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>AO_{1.1}</i> Uses which are consistent with the intent of the zone include: (a) animal husbandry; (b) child care centre; (c) community residence; (d) cropping; (e) dwelling house; (f) emergency services; (g) health care services; (h) home based business; (i) major electricity infrastructure; (j) roadside stall; (k) rural works' accommodation; (l) shop; (m) substation; (n) veterinary services; and (o) recreation activities where for small scale outdoor sport and recreation uses. <i>AO_{1.2}</i> Uses which are inconsistent with the intent of the zone include: (a) business activities (other than those listed in AO1.1); (b) rural activities (other than animal husbandry, cropping and roadside stalls); (c) entertainment activities; (d) industry activities; and (e) recreation activities (other than small scale outdoor sport and recreation).
Alternate Outcome	
The applicant submits: <i>"Complies - separation to nearest dwelling on surrounding land is 150 m. (Site Plan). Existing building is setback approx. 30 m from property boundary, limiting nuisance impacts. (Site Plan) "</i>	
Officer Comment	
The proposed Winery (Meadery) use does not strictly fit within the uses prescribed in AO4.1 and AO4.2. The nature of a Winery is anticipated to attract tourists into the region and does not comply strictly with PO1 to service only the day to day needs of local residents. The proposed development seeks to intensify the operations of the existing Meadery beyond the acceptable outcomes for a Home Based Business. Specifically: - Proposed increase in traffic capacity to a maximum capacity of 20 patrons within the operational hours of 11:00 am to 5:00 pm, Friday to Sunday. Home Based Business limits the use to no more than 10 vehicle trips per day; - A liquor license (Office of Liquor and Gaming Regulation Reference: 1096939 / LAB06) was lodged for an increase in production of mead to 8,000 litres per year from the previously allowable production threshold of 3,500 litres per year; and - Allowance for on-site consumption of the licensee's wine products, in addition to existing license provisions for consumption away from the premises (takeaway). The proposed cellar door structure will be located within an existing cleared area next to existing structures associated with the Meadery. Proposed cellar door sales and tastings are fully contained within the subject site. Proposed shed (cellar door) of 54m² is setback at least 20m from Pinnell Road frontage. Existing vegetation is retained which presents substantial vegetation cover of at least 15m from the road frontage and side boundaries. The proposed development will be owner-operated. Visitor car parking spaces are distinctly separated from the homeowner's private parking spaces. Assessment of the proposed non-residential use intensity and scale is made against Overall Outcomes 2(g). The proposed traffic generation, frequency and capacity of site activities are considered small-scale in nature and would not unduly impact upon the residential amenity of the Rural Residential locality and presents a scale of development that demonstrates broad compliance with Overall Outcomes 2(g).	

Performance Outcome	Acceptable Outcome
PO ₉ <i>Effluent generated by a development is capable of being treated and disposed of on site.</i>	<i>No acceptable outcome is nominated.</i>
Alternate Outcome	
The applicant submits: <i>"Complies - stormwater/wastewater are managed to avoid discharge to land/waterways (existing drainage; sealed holding tank pump-out). (Services Notes)"</i>	
Officer Comment	
Existing Home Based Business for mead production is serviced by a 3,200L underground grey water tank. Council plumbing officers' acknowledges that the proposed development can be adequately serviced by existing wastewater disposal infrastructure and has sufficient available land for capacity upgrades if required. The proposed development complies with PO9.	

DEVELOPMENT CODES:

Rural Uses Code
Assessment Comments
The proposed development is for a Winery (Meadery) which involves a new shed (cellar door) of 54m ² that is setback at least 20m from Pinnell Road frontage. The proposal seeks to formalise the expansion of the current Home Based Business use to a Winery use to accommodate increased production volumes for the Meadery and allow for on-site tastings. 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 small-scale in nature and is appropriately serviced by on-site infrastructure. Therefore, the proposed development generally complies with the relevant assessment benchmarks (PO1 – PO5) of the Rural Uses Code.

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:

No relevant assessments matters.

Other Relevant Matters

No relevant matters were considered in this assessment.

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

Section 25 – Privacy and reputation

It is the opinion of the decision maker that no human rights have been limited.

CONCLUSION

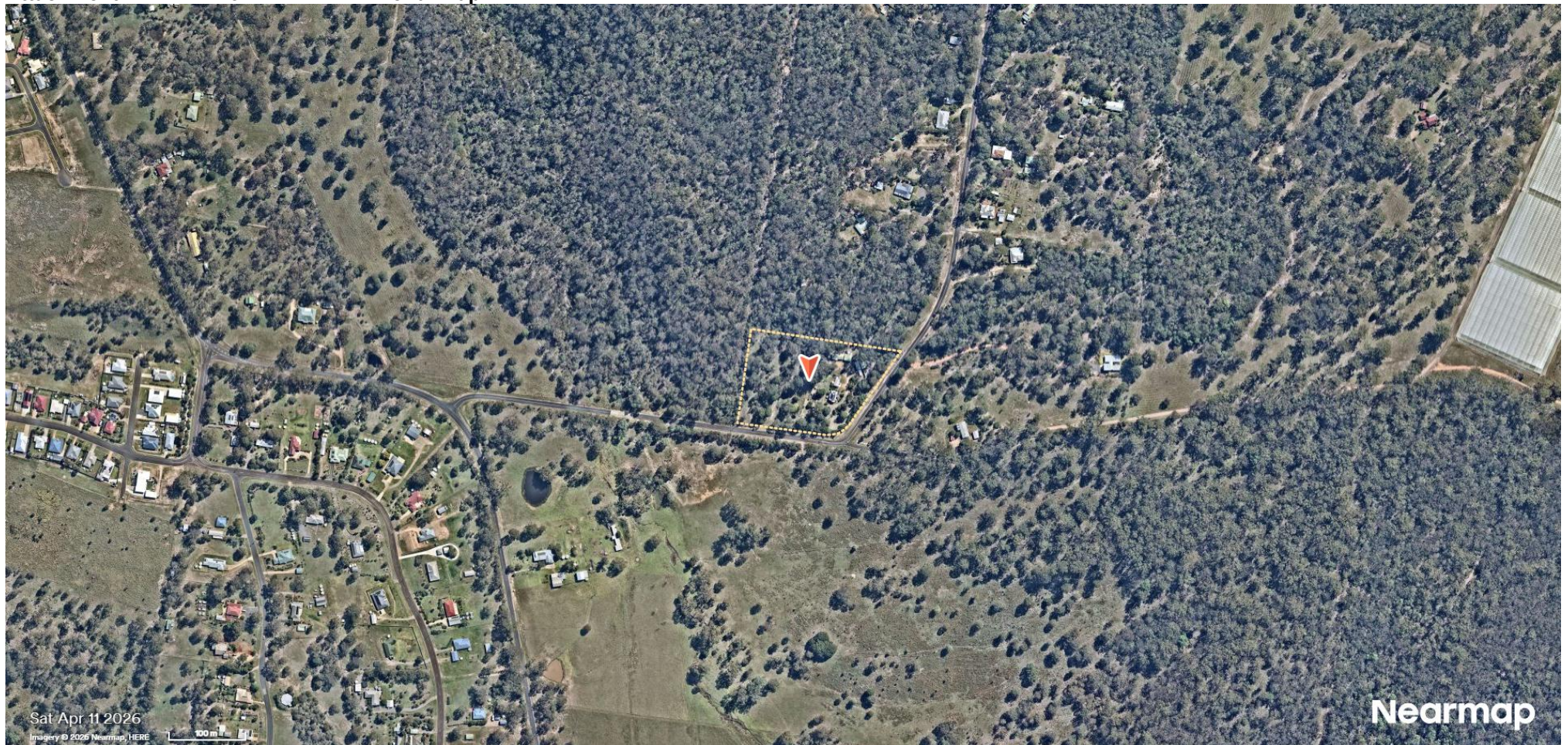
The development has been assessed with regard to the applicable assessment benchmarks as identified within this report and the attached Statement of Reasons (refer to Schedule 1). The proposed development generally complies with the assessment benchmarks or it can be conditioned to comply. Where the 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	Zone Map
Attachment	3	of	4	Infrastructure and Overlay Map
Attachment	4	of	4	Proposed Development

SCHEDULES

Schedule	1	Statement of Reasons
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ATTACHMENTS**Attachment 1 of 4 Aerial Map**

Sat Apr 11 2026
Imagery © 2026 Nearmap, HERE

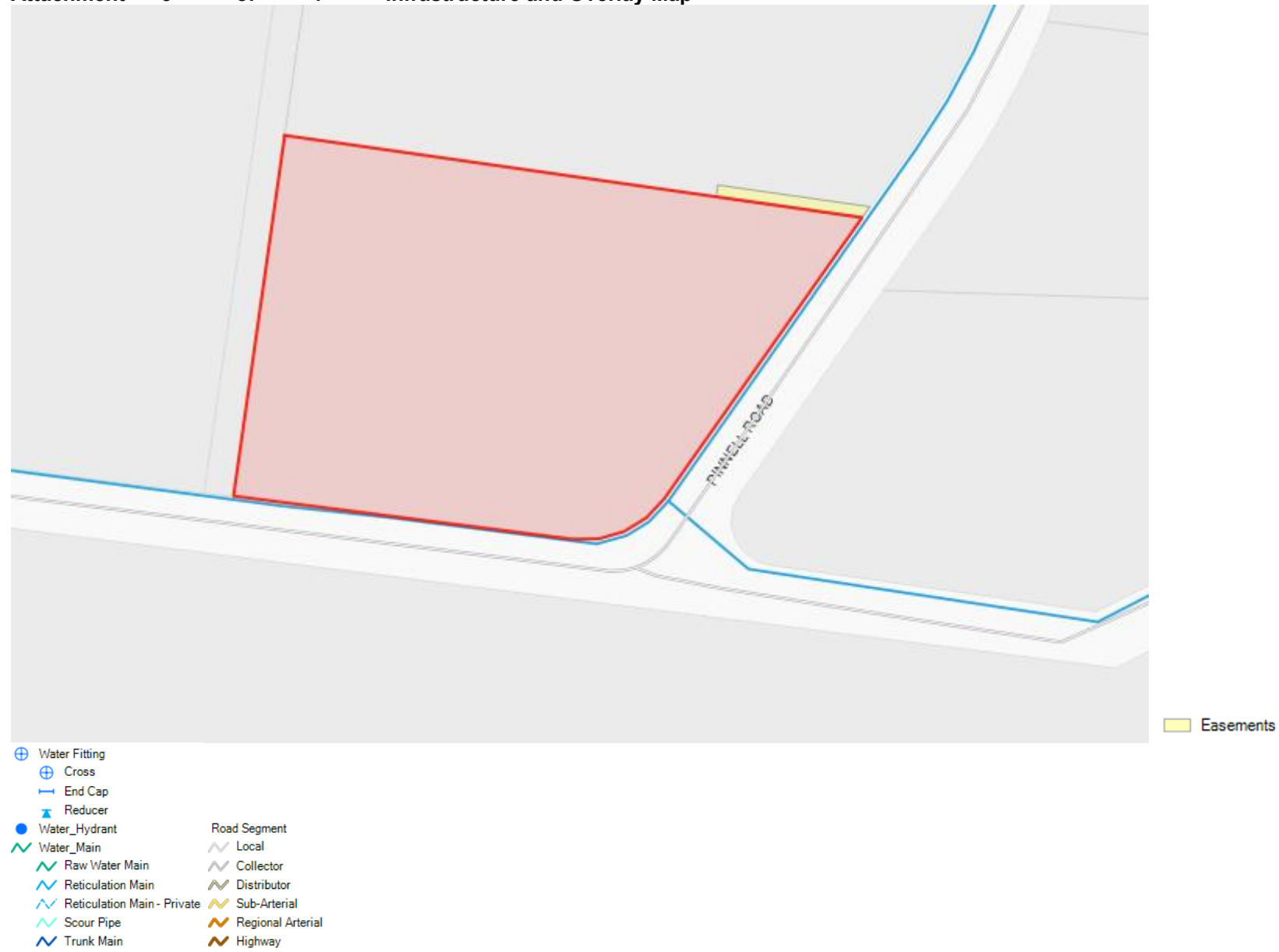
100 m

Nearmap

Attachment 2 of 4 Zone Map



Attachment 3 of 4 Infrastructure and Overlay Map









 Water Resource Catchment

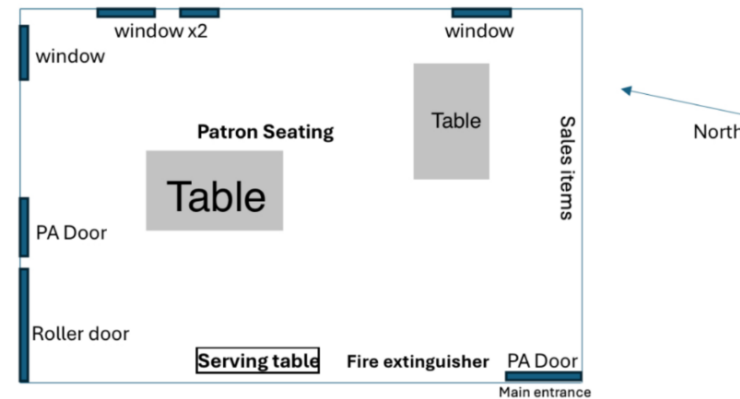
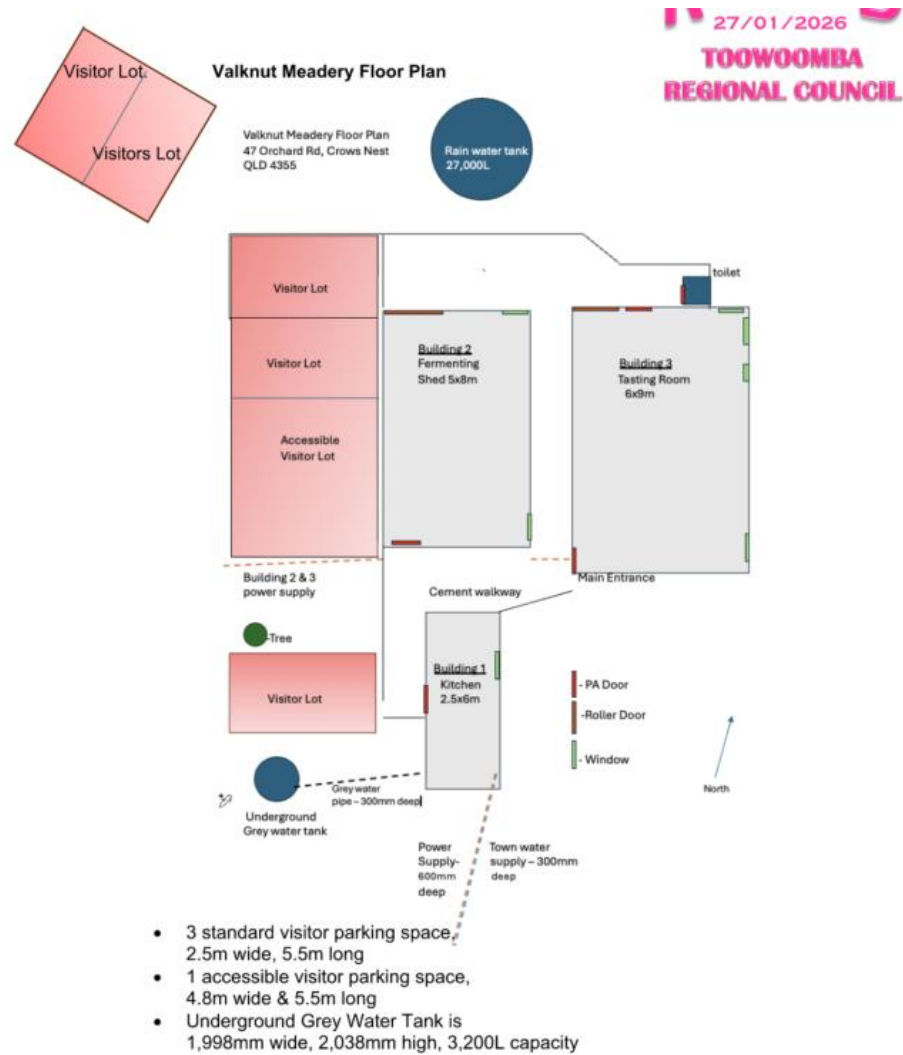
Attachment 4 of 4 Proposed Development



- Staff parking. 2 spaces at 2.5m x 5.5m
- 5 standard visitor parking space, 2.5m wide, 5.5m long.
1 accessible visitor parking space, 4.8m wide & 5.5m long.
- Underground Grey Water Tank 1,998mm wide, 2,038mm high, 3,200L capacity
- Building A- Kitchen – 2.5m x 6m
- Building B- Fermenting room – 5m x 8m
- Building C- New building; cellar door – 6m x 9m
- Building D- Staff shed/personal – 6m x 9m

NORTH

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SCHEDULE 1

Statement of Reasons

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 (Meadery)	
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 (Meadery) 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