

“FORMAL OBJECTION TO PROPOSED SHORT-TERM ACCOMMODATION

Property: 22 Rowbotham Street, Rangeville QLD 4350

Location: Corner of Rowbotham Street and South Street

Application: MCU/2026/5359

Proposal: Short-Term Accommodation – approximately 205 m² GFA

To:

Development Assessment

Toowoomba Regional Council

Re: Formal objection to proposed Material Change of Use – Short-Term
Accommodation at 22 Rowbotham Street, Rangeville

Dear Development Assessment Officer,

We wish to lodge a formal objection to the proposed Material Change of Use for Short-Term Accommodation at **22 Rowbotham Street, Rangeville**, situated on the corner of Rowbotham Street and South Street.

We respectfully request that Toowoomba Regional Council refuse the application on the basis that the proposed use has the potential to adversely affect the established residential amenity, privacy, safety, traffic conditions, pedestrian environment and character of the surrounding neighbourhood.

Our objection is not based on opposition to short-term accommodation generally. It is based on the **specific characteristics of this property and its location**, and the considerable difference between the use of this dwelling as a permanent private residence and its proposed use as an entirely non-hosted short-term accommodation property.

The combination of the property's prominent corner location, proximity to a busy roundabout, significant traffic movements, pedestrian activity, the proposed intensity of visitor occupation and the extensive outdoor entertaining areas immediately adjacent to neighbouring properties creates a level of potential impact that warrants very careful consideration.

1. The proposed use is materially different from ordinary residential occupation

The property is an established residential dwelling in a quiet residential neighbourhood.

The proposed use, however, is not simply the occasional hosting of visitors by a resident household. It is understood that the property will operate as an **entirely non-hosted short-**

term accommodation premises, meaning that the owner/operator will not reside at the property.

Toowoomba Regional Council itself distinguishes between a home-based business, where the operator lives at the premises, and short-term accommodation where the operator does not live at the premises and the property is rented for short periods.

This distinction is important.

An entirely non-hosted property is likely to involve a continual turnover of unrelated occupants who have no established relationship with the surrounding residents and may have different expectations regarding parking, outdoor entertaining, noise and use of the property.

The planning assessment should therefore consider the **actual intensity and operating characteristics of the proposed visitor accommodation**, rather than treating the use as automatically equivalent to an ordinary dwelling house.

2. The scale and intensity of the proposed accommodation requires clarification

The submitted plans indicate a substantial dwelling of approximately **205 m² internal floor area**, with **four bedrooms** and approximately **65 m² of external living areas**.

The plans also identify a double garage and double carport.

While the provision of four on-site parking spaces is acknowledged, this does not by itself establish that the proposed development is appropriately scaled for short-term accommodation.

Council should require the applicant to clearly identify:

- the maximum number of overnight guests;
- the maximum number of adults and children;
- whether all four bedrooms will be available to guests;
- whether additional sleeping arrangements are proposed;
- the maximum number of vehicles anticipated;
- whether visitors are expected to arrive in multiple vehicles; and
- whether the premises may be booked by groups significantly larger than the number of available parking spaces.

The question is not simply whether four vehicles can be parked on the site.

The relevant planning question is whether **all parking needs generated by the proposed use can realistically be met on site without adversely affecting surrounding streets, pedestrian movement or residential amenity**.

The current Toowoomba Regional Planning Scheme specifically identifies that short-term accommodation in residential areas should be of a small scale consistent with the surrounding residential area, that all car-parking needs can be met on site, and that the use should not unduly detract from the amenity of nearby residences.

3. Four parking spaces do not necessarily resolve the parking issue

We acknowledge that the submitted plans show four on-site parking spaces comprising a double garage and double carport.

However, the availability of four spaces should not be interpreted as establishing that the proposal will have no parking impact.

If the property is capable of accommodating a group of, for example, eight or ten guests, four parking spaces may be insufficient to accommodate the vehicles associated with the actual use.

Short-term accommodation is also likely to generate vehicle movements associated with:

- guest arrival and departure;
- luggage loading and unloading;
- rideshare vehicles;
- taxis;
- food and grocery deliveries;
- service providers; and
- visitors associated with guests.

The property is situated at an unusually sensitive corner location where there is limited practical opportunity for additional vehicles to wait or park without interacting with the surrounding road network.

We therefore request that Council require the applicant to provide a clear **maximum occupancy and parking management plan**, rather than relying solely upon the existence of four on-site spaces.

4. The property's location presents significant traffic and road-safety concerns

The property is located directly at the corner of Rowbotham Street and South Street, immediately associated with a busy roundabout.

This is a particularly important consideration.

The surrounding road environment experiences significant vehicle movements, and there are ongoing local concerns regarding vehicle speeds and near-incidents in the vicinity of the roundabout.

The proposed use would introduce a succession of visitors who may be unfamiliar with the local road network and the particular configuration of this intersection.

Visitor vehicles may be required to:

- locate the property;
- slow or stop near the intersection;
- turn into the driveway;
- reverse or manoeuvre within the property;
- unload luggage;
- collect or drop off passengers; and
- subsequently re-enter the road network.

These movements need to be considered in the context of an existing traffic environment that is already of concern to local residents.

The issue is therefore not merely the number of additional vehicle trips but the **location, timing and nature of those movements**.

We request that Council give particular consideration to the interaction between the proposed use and the existing traffic conditions at the Rowbotham Street/South Street intersection.

5. Pedestrian safety is a significant concern

Pedestrian activity in this locality is substantial.

The location of the property means that visitors will be entering and leaving the premises in an environment where vehicles and pedestrians interact in close proximity to a busy intersection.

Visitors unfamiliar with the locality may be more likely to stop, park, turn or cross roads in locations that are unfamiliar to them.

This is of particular concern given the existing traffic environment and the speed of vehicles approaching the roundabout.

Council should consider whether the increased turnover of vehicles and pedestrians associated with short-term accommodation is compatible with the safety and amenity of the surrounding pedestrian environment.

6. Significant outdoor entertaining areas immediately adjoin neighbouring properties

This is one of our most significant concerns.

The submitted plans indicate approximately **65 m² of external living area**, including substantial deck/outdoor living areas.

The outdoor areas are located in close proximity to neighbouring residential properties.

In particular, the fire-pit/entertaining area is situated immediately adjacent to the boundary of a neighbouring property.

Another raised deck/outdoor living area is open toward both neighbouring properties and is elevated sufficiently to provide direct views toward adjoining residences.

This creates potential impacts in relation to:

- privacy;
- overlooking;
- noise;
- outdoor conversations;
- music;
- gatherings;
- lighting;
- late-night use;
- smoke from the fire pit; and
- visual intrusion.

These impacts are particularly concerning because these outdoor areas would be available to successive groups of short-term visitors.

A permanent household generally develops established patterns of outdoor use and has an ongoing relationship with neighbours. A short-term accommodation property may instead have a different group of occupants every few days, each with different expectations about the use of outdoor entertaining areas.

The planning assessment should therefore consider the **cumulative effect of repeated short-term use of these external areas**, rather than considering the deck and fire-pit area merely as physical features of an ordinary dwelling.

7. Privacy and overlooking

The raised deck is particularly concerning from a privacy perspective.

Because the deck is elevated and visually exposed, occupants using the area can overlook adjoining residential properties.

The potential for overlooking is amplified by the proposed short-term accommodation use because the occupants will continually change.

Neighbouring residents should not be expected to experience repeated and unpredictable overlooking from groups of short-term visitors using an elevated outdoor entertaining area.

We request that Council specifically assess the privacy impacts arising from the raised deck and external living areas and consider whether additional screening or other measures would be required if the development were approved.

8. Noise impacts from outdoor entertaining

The location and configuration of the outdoor areas create a foreseeable risk of noise impacts.

The fire pit and outdoor entertaining area are immediately adjacent to a neighbouring residential boundary.

Noise generated by groups using these areas could include:

- conversation;
- laughter;
- music;
- food preparation;
- movement of furniture;
- use of outdoor equipment;
- children playing;
- vehicle movements; and
- late-night activity.

The absence of a permanent resident or owner at the property is particularly relevant.

A neighbour experiencing a disturbance cannot simply expect a resident owner to intervene immediately. Instead, the matter may require contact with an external manager or operator who is not physically present.

The effectiveness of any proposed complaint procedure should therefore be carefully examined by Council.

9. Fire pit and smoke impacts

The fire-pit area immediately adjacent to the neighbouring property also raises a separate amenity concern. The foundations for and seating have been creating for this to be in place.

Smoke, embers, lighting and gatherings around a fire pit can have impacts beyond ordinary residential use.

Council should establish whether the fire pit / area is an existing lawful feature, whether it forms part of the proposed short-term accommodation use, and what restrictions will apply to its use by guests.

If the proposal is approved, consideration should be given to whether the use of the fire pit should be prohibited or subject to strict conditions, particularly given its proximity to the adjoining residential boundary.

10. The absence of an on-site host increases management concerns

The proposed property is entirely non-hosted.

This means there will be no permanent resident present to:

- monitor guest behaviour;
- control outdoor gatherings;
- manage noise;
- supervise the fire pit;
- address parking problems;
- respond immediately to complaints; or
- prevent inappropriate use of the external living areas.

We request that Council require full details of the proposed management arrangements, including:

- the name and location of the local manager;
- the maximum response time for complaints;
- 24-hour contact arrangements;
- procedures for dealing with noise complaints;
- procedures for dealing with excess vehicles;
- procedures for dealing with parties or gatherings;
- restrictions on outdoor entertaining;
- restrictions on use of the fire pit/area; and
- procedures for terminating a guest's stay if serious breaches occur.

11. The established character of the neighbourhood should be protected

The surrounding neighbourhood is a quiet and established residential area.

It contains a significant number of older and elderly residents as well as established families.

Residents have chosen to live in this environment with a reasonable expectation of residential stability and amenity.

The introduction of a commercially operated, entirely non-hosted short-term accommodation property has the potential to introduce a substantially different pattern of occupation into the locality.

This does not mean that short-term accommodation is inherently incompatible with residential areas.

Rather, the issue is whether **this particular proposal, on this particular site, with this particular configuration and operating model**, is compatible with the established character and amenity of the neighbourhood.

We submit that the combination of the site's location, traffic environment, outdoor entertaining areas and non-hosted operating model creates significant incompatibility.

12. Cumulative impacts and precedent

Council should also consider the cumulative consequences of permitting short-term accommodation within established residential streets.

The approval of individual properties can gradually alter the character of a neighbourhood if an increasing number of permanent dwellings transition to visitor accommodation.

The resulting impacts may include:

- increased visitor traffic;
- increased vehicle turnover;
- increased noise;
- reduced residential stability;
- greater pressure on parking;
- increased use of outdoor entertaining areas; and
- changes in neighbourhood character.

The decision on this application therefore has implications beyond the individual property.

13. Council should require clear evidence regarding maximum occupancy

Given that the dwelling contains four bedrooms and four on-site vehicle spaces, we consider it particularly important that the applicant disclose the intended maximum occupancy.

We respectfully request that Council not approve the application without establishing:

What is the maximum number of guests that may stay at the property at any one time?

This should be clearly stated in the approval and should not be left to the discretion of the future accommodation operator.

If the proposed occupancy is substantially greater than the number of on-site parking spaces, Council should require a detailed assessment demonstrating how all associated vehicle demand will be accommodated without reliance upon surrounding streets.

14. Requested assessment of the external living areas

We further request that Council assess the external living areas as part of the proposed use rather than treating them simply as existing residential features.

The approximately 65 m² of external living space provides a substantial capacity for outdoor occupation and entertaining.

In conjunction with the four-bedroom configuration, the fire-pit area and elevated deck, this creates the potential for significant external activity.

Council should therefore assess:

- expected number of occupants using the outdoor areas;
- hours of permitted outdoor use;
- noise generated by those activities;
- privacy and overlooking;
- lighting;
- fire-pit use;
- smoke impacts;
- proximity to adjoining boundaries; and
- whether acoustic or visual screening is required.

15. Planning considerations

We understand that the current Toowoomba Regional Planning Scheme provides specific assessment considerations for short-term accommodation in residential areas.

In particular, the planning framework requires consideration of whether the use:

- is of a small scale consistent with the intensity of development in the surrounding residential area;
- has appropriate relationships with existing development;
- can accommodate all parking needs on site;
- has appropriate vehicle access; and
- does not unduly detract from the amenity of nearby residences.

These considerations are highly relevant to this application.

The question for Council is not simply whether the building is physically capable of being used as accommodation.

The question is whether the **proposed intensity and manner of use** is appropriate for this particular residential location.

We respectfully submit that the combination of the site's traffic environment, pedestrian activity, outdoor entertaining areas, privacy implications, fire-pit location, raised deck and entirely non-hosted operating model raises substantial concerns under these assessment considerations.

16. The property's marketing material demonstrates the importance of its outdoor entertaining areas

We also ask Council to consider the property's recent marketing material as relevant contextual evidence when assessing the likely amenity impacts of the proposed use.

The property was recently marketed for sale by McGrath and the marketing material places considerable emphasis on the home's outdoor entertaining and lifestyle attributes. The property is described as having an elevated front deck, an outdoor entertaining area connected to the kitchen, a covered rear patio and a private fire-pit area.

Of particular relevance is a McGrath marketing video titled "**The Sounds of Rowbotham St Rangeville**", which presents the property through the sounds and atmosphere of people socialising and entertaining on the deck, including the sounds of conversation and glasses being used while people are enjoying the outdoor area.

We do not suggest that the future short-term accommodation operator will necessarily reproduce the exact activities depicted in the marketing material.

Rather, the marketing material provides useful evidence of the **intended lifestyle character, design and capacity of the property**, and demonstrates that outdoor entertaining is a significant feature of the dwelling.

This is relevant to the present application because the property is proposed to become an entirely non-hosted short-term accommodation premises.

The concern is therefore not merely that the property contains an outdoor deck or fire pit. The concern is that these substantial outdoor entertaining facilities will potentially be made available to a succession of unrelated short-term visitor groups.

The distinction between those two forms of occupation is significant.

A permanent household has an established relationship with its neighbours and generally develops predictable patterns of outdoor use. Short-term accommodation may result in a different group of occupants using the same outdoor areas every few days, with each group potentially having different expectations regarding socialising, entertaining, music, conversation and the duration of outdoor activity.

The elevated deck is also visually exposed to adjoining residential properties, while the fire-pit/entertaining area is located immediately adjacent to a neighbouring boundary.

Accordingly, the potential for repeated outdoor entertaining creates legitimate concerns regarding:

- noise;
- privacy and overlooking;
- late-night activity;
- outdoor lighting;
- smoke and fire-pit use;
- visual intrusion;
- vehicle movements associated with entertaining and visitors; and
- the cumulative effect of repeated short-term occupation on neighbouring residential amenity.

The property's marketing material is therefore relevant not because it establishes what future guests will necessarily do, but because it demonstrates that **outdoor entertaining is a prominent feature of the property and an important component of the lifestyle for which the property has recently been marketed.**

Council should assess the implications of making these facilities available to successive short-term accommodation groups when considering whether the proposed use will unduly detract from the amenity of nearby residences.

17. Request for refusal

For the reasons outlined above, we respectfully request that Toowoomba Regional Council **refuse Application MCU/2026/5359.**

In particular, we ask Council to give substantial weight to:

1. the prominent corner location;
2. the proximity to the Rowbotham Street/South Street roundabout;
3. existing concerns regarding traffic speed and near-incidents;
4. significant pedestrian activity;
5. the four-bedroom capacity of the dwelling;
6. the need to establish the proposed maximum guest occupancy;
7. the four available on-site vehicle spaces and whether these are genuinely sufficient for the proposed intensity of use;
8. the substantial approximately 65 m² of external living space;
9. the elevated deck and resulting overlooking/privacy impacts;
10. the location of the fire-pit/entertaining area immediately adjacent to a neighbouring boundary;
11. the potential for noise and late-night outdoor activity;
12. the entirely non-hosted nature of the accommodation;

13. the absence of an owner or permanent occupant on site to manage disturbances;
and
14. the potential cumulative impact on the established residential character of the neighbourhood.

We believe these matters warrant a careful and site-specific assessment and that the proposed use, in its current form, is not appropriate for this location.

Alternative request if Council is minded to approve

If Council is nevertheless minded to approve the application, we respectfully request that stringent and enforceable conditions be imposed, including:

- a clearly defined maximum number of overnight guests;
- a maximum number of vehicles associated with the premises;
- a requirement that all guest vehicles be accommodated on site;
- no reliance upon surrounding residential street parking;
- strict restrictions on outdoor entertaining hours;
- strict controls on amplified music and outdoor noise;
- appropriate privacy screening to the raised deck;
- restrictions or prohibition of the fire pit/area;
- 24-hour contact details for a local property manager;
- a maximum response time for complaints;
- a formal noise and complaint management procedure;
- prohibition of parties, functions and events;
- appropriate waste-management requirements; and
- regular review/enforcement mechanisms where complaints occur.

However, given the combination of site-specific constraints and potential amenity impacts, we respectfully submit that **refusal of the application is the most appropriate planning outcome**.

Thank you for considering our submission.

Yours faithfully,

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