

REPORT TITLE	Reconfiguring a Lot – Impact – One (1) Lot into Three (3) Lots located at 185 Postle Street, MOUNT RASCAL QLD 4350
AUTHOR	Planning Officer (Davis Uhlmann)
Application No.	RAL/2026/514

PURPOSE OF REPORT

To consider a Development Application for Reconfiguring a Lot – Impact – One (1) Lot into Three (3) Lots located at 185 Postle Street, MOUNT RASCAL QLD 4350.

EXECUTIVE SUMMARY

This report considers a Development Application for a Development Permit for Reconfiguring a Lot – Impact – One (1) Lot into Three (3) Lots located at 185 Postle Street, Mount Rascal, described as Lot 15 SP295684.

The site (1.148 hectares in area) is in the Rural Residential Zone (4,000m² Precinct) of the *Toowoomba Regional Planning Scheme 2012*, Version 28 (the Planning Scheme) and currently contains a detached Dwelling House and ancillary structures.

The existing Dwelling House will be retained on proposed Lot 15 and provided with a new on-site wastewater treatment and effluent disposal system. All other buildings and structures on proposed Lot 16 and Lot 17 will be removed, including the transpiration trench for the septic tank of the existing Dwelling House.

The proposal seeks to subdivide the subject site into three (3) lots, resulting in the following lot sizes:

- Proposed Lot 15: 4,000m²
- Proposed Lot 16: 4,000m²
- Proposed Lot 17: 3,484m²

The existing lot has a dual frontage to Postle Street and Melroy Close. All proposed lots will gain access from Postle Street.

Proposed Lot 17 is less than the prescribed minimum lot size of 4,000m² within the Rural Residential Zone (4,000m² minimum precinct), being 3,484m² in size. Notwithstanding this, the proposed lot size represents a minor reduction of 516m² (12.9%), which is capable of accommodating development of very low-density residential character. The applicant provided a building envelope plan which demonstrates Lot 17 is sufficient in size to accommodate a dwelling house, while maintaining adequate open space to protect the residential amenity and landscape character of the surrounding area. Further, Lot 17 provides a generous frontage of 48.33m to Postle Street, consistent with the established rural residential properties in the locality. As such, Lot 17 presents as being commensurate in size to surrounding properties, and there is considered to be consistent with the existing streetscape and density of housing within the locality, maintaining the semi-rural landscape character.

Under the Planning Scheme, the proposed Reconfiguring a Lot is subject to Impact Assessment. As such, public notification was undertaken, however no submissions were received regarding the proposed development.

In accordance with Table 5.6:1 of the Planning Scheme the proposed development is subject to Impact Assessment and has been assessed against all applicable assessment benchmarks as outlined in the report. The proposed development is considered to achieve compliance with the applicable assessment benchmarks. On this basis, the proposed development is recommended for approval subject to the conditions in the recommendation.

RECOMMENDATION

APPROVED – Application No. RAL/2026/514 for a Development Permit for Reconfiguring a Lot – Impact – One (1) Lot into Three (3) Lots, pursuant to the provisions of Section 60 of the *Planning Act 2016* and subject to the conditions listed below.

ASSESSMENT MANAGER CONDITIONS

APPROVED DEVELOPMENT

1. This Development Approval is for Reconfiguring a Lot, being the subdivision of One (1) Lot into Three (3) Lots.

CARRY OUT AND 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 have not been varied by this Development Approval.
3. Unless otherwise stated, all conditions must be complied with prior to Council's approval of the Plan of Subdivision and at all times thereafter.
4. 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

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

Plan No: Drawing No. 15390, Revision A

Description: Site Layout and Dimensions, prepared by Parkinson Surveys and dated 25 March 2025

Amendments: Nil

Plan No: Drawings No. 28465, Amendment A

Description: Potential Driveway Cross Over Plan, prepared by Reid Consulting Engineers and dated 10 March 2026

Amendments: Amended in red as follows:

- New note: "This approval relates to the location and configuration of the driveway crossovers only".

APPROVED DOCUMENTS

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

Document: Bushfire Assessment Report, Version 4

Description: Bushfire Assessment Report prepared by Yarramine Environmental and dated 17 January 2026

Amendments: Nil

LOT NUMBERING

7. The numbering of all approved lots must remain as indicated on the Approved Plan/s (unless otherwise amended/approved by Council).

COUNCIL APPROVAL OF PLANS, DOCUMENTS & WORKS (OPERATIONAL WORK)

8. Prepare and submit applications to Council and obtain a Development Permit for Operational Work for the following:
 - 8.1 Water Infrastructure (if required);
 - 8.2 Roadworks; and
 - 8.3 Driveway Crossover.

COUNCIL APPROVAL OF PLANS, DOCUMENTS & WORKS

9. Prepare and submit for Council's approval a Plan of Subdivision in accordance with Schedule 18 of the *Planning Regulation 2017*. For the purposes of Section 1(4) of Schedule 18, the stated date by which the request must be made is the last date of the currency period of this approval.

AVAILABILITY OF APPROVED DOCUMENTATION DURING WORKS

10. 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 subdivision earthworks and construction.

DEVELOPMENT CONSTRAINTS

REMOVAL OF EXISTING BUILDINGS AND STRUCTURES

11. With the exception of boundary fences, demolish or relocate all buildings and structures which cross the approved common property boundaries prior to Council's approval of the Plan of Subdivision, including the septic transpiration trench for the existing Dwelling House.

DEDICATIONS, AGREEMENT AND CONTRIBUTIONS

FEES AND CHARGES

12. All current and outstanding fees, rates, interest and other charges levied on the property, must be paid in accordance with the rate at the time of payment prior to Council's approval of the Plan of Subdivision.

WORKS

ENGINEER'S CERTIFICATION AND SUPERVISION OF WORKS

13. Plans and specifications for all works associated with roadworks, vehicular access, water, or any other works required on Council infrastructure, must be prepared and certified by a Registered Professional Engineer Queensland – Civil (RPEQ).
14. A RPEQ must submit to Council a copy of the:
 - 14.1 Design Certificate prior to commencement of the works; and
 - 14.2 Construction Supervision Certificate upon completion of the works certifying that works are in accordance with the approved plans and specifications.
15. Any works that have been certified by an RPEQ must be carried out under the supervision of an RPEQ with all executed works being detailed on a Construction Supervision Certificate.
16. Where any condition refers to, or requires, an Engineer to perform a task or function, the Engineer must hold professional indemnity insurance to the value of \$2,000,000. A Certificate of Currency must be submitted to Council with any Design Certificate or Construction Supervision Certificate.

STORMWATER DRAINAGE

17. 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

18. Stormwater from the existing roofed and sealed areas of proposed Lot 15 (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.
19. 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.
20. Stormwater must be dispersed as sheet flow.

AIR QUALITY IMPACT MITIGATION

21. 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 works.
22. All reasonable and feasible avoidance and mitigation measures are employed so that dust emissions generated during site works do not exceed the following levels when measured at any sensitive place or commercial place:
 - 22.1 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 WASTE MANAGEMENT & STORAGE

23. Waste generated during demolition, excavation and construction must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction and Recycling Act 2011*.
24. The on-site storage and disposal of demolition, excavation and construction waste (including the storage and disposal of night soil) must comply with the *Environmental Protection Regulation 2019*.
25. Fires are not to be lit to dispose of demolition or construction waste.
26. No demolition, excavation or construction waste is to be used as fill or buried on-site (with the exception of cut material recycled from the subject land and used on the subject land), or be used as fill or buried elsewhere, unless otherwise permitted:
 - 26.1 Elsewhere within this Development Approval;
 - 26.2 In accordance with an associated Development Permit for Operational Work;
 - 26.3 In association with and in accordance with an Environmental Authority issued under the *Environmental Protection Act 1994*;
 - 26.4 In accordance with either a general or specific approval of a resource for beneficial use (otherwise known as a beneficial use approval) issued under the *Waste Reduction and Recycling Act 2011*; or
 - 26.5 In accordance with a written approval issued by Council under the *Environmental Protection Regulation 2019* relating to the depositing or disposal of general waste from a premises not serviced by Council.
27. Demolition, excavation and construction waste (including night soil) must not be placed or stored within the road reserve at any time.

CONSTRUCTION NOISE IMPACT MITIGATION

28. 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

29. 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.
30. 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.

31. 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.
32. All disturbed areas must be mulched or turfed as soon as possible during construction.

DAMAGE TO SERVICES & ASSETS

33. Protect Council and public utility services and assets during construction of the development.
34. Any damage caused to existing services and assets as a result of the development works must be repaired at no cost to the asset owner in accordance with the following timing:
 - 34.1 Where the damage would cause a hazard to pedestrian or vehicle safety or interrupts a service to the community, immediately; or
 - 34.2 Where otherwise, as soon as reasonably possible, but no later than completion of the works associated with the development or prior to the commencement of use, whichever is the earlier.
35. Any repair work which includes alteration to the alignment or the level of existing services and assets must first be referred to the relevant service authority for approval.
36. Construction, alterations and any repairs to Council infrastructure is undertaken in accordance with Council's relevant policies and requirements at no cost to Council.

Note: Council must be notified of any damage to water and sewer immediately 131 872.

SERVICES & UTILITIES

WASTEWATER INFRASTRUCTURE (GENERAL)

37. The existing Dwelling House on proposed Lot 15 must be provided with an on-site wastewater treatment and effluent disposal system having a capacity and land application area sufficient for the use and contained entirely within the bounds of proposed Lot 15. The area nominated for the wastewater treatment and effluent disposal, including irrigation areas, are to be maintained for this purpose for the life of the approval.
38. 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).
39. Any existing wastewater pipes, effluent disposal systems, trenches or land application areas traversing more than one approved lot must be disconnected and removed.
40. Where any alterations to the on-site treatment and disposal system are required, a separate plumbing permit must be obtained from Council and the Compliance Certificate submitted to Council prior to Council's approval of the Plan of Subdivision.
41. Certification must be provided to Council by a Licensed Plumber that any required disconnection has been carried out and that the effluent disposal system and land application area for proposed Lot 15 are fully contained within the proposed lot. Certification must state that the effluent disposal system for proposed Lot 15 complies with Conditions 37 – 40 of this Development Approval.
42. All reasonable and practicable measures must be undertaken to prevent treated wastewater and effluent from overflowing or seeping onto adjoining properties.

WATER SUPPLY INFRASTRUCTURE

43. The subdivision must be connected to Council's existing water supply reticulation 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.*

Note: *The size of any new service connection is to be determined during Plumbing approval.*

44. All live connections to the existing water supply networks and water meter installations must be carried out by Council at no cost to Council.

Note: *For a private works quotation for the required works Council's Water & Wastewater Department can be contacted on Ph: 131 872. Subject to payment of the quotation, a suitable time for this work to be carried out must be agreed with Council.*

45. Where property service connections are required to cross the road, enveloping conduits must be installed fully extending from the water main across to the opposing front property boundary without any bends. The enveloping conduit installation must be installed in accordance with Council's Standard Drawing Number 101214-001. The service connection must be done by Council at no cost to the Council.
46. Unless able to be used as part of the development, any existing connection must be compliantly disconnected and meters recovered by Council at no cost to Council.
47. Any existing water supply connection traversing more than one approved lot must be compliantly disconnected and removed.
48. Certification must be provided to Council by Licensed Plumber that any necessary disconnections have been carried out.
49. Where works have been carried out to disconnect or remove traversing pipes, certification must state that a separate water supply has been provided for all lots containing buildings which previously had a metered water supply, and that new water meters have been provided where necessary.
50. Unless otherwise agreed by Council, prior to the commencement of any works on the subject land, an Operational Works application must be submitted and be approved by Council. This relates to both internal and external water supply works and in accordance with the approved plans and documents of this Development Approval.

TELECOMMUNICATION

51. Install telecommunications infrastructure to service each approved lot which complies with the following:
- 51.1 The requirements of the *Telecommunications Act 1997* (Cth);
- 51.2 For a fibre ready facility, the standard specifications current at the time of installation for a carrier under the *Telecommunications Act 1997*; and
- 51.3 For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line is located underground.
52. Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary pits and pipes, and conduits to accommodate the future connection of optic fibre technology telecommunications.
53. Provide to Council written evidence from all relevant service providers that the telecommunications infrastructure is installed in accordance with the conditions of this Development Approval and all applicable legislation at the time of construction.

Note: *The Telecommunications Act 1997 (Cth) specifies where the deployment of optical fibre and the installation of fibre-ready facilities is required. For further information visit www.infrastructure.gov.au/tind.*

Note: For telecommunication services, written evidence must be in the form of either a “Telecommunications Infrastructure Provisioning Confirmation” where such services are provided by Telstra, or a “Notice of Practical Completion”, “Confirmation of Payment” or “Post Execution of Development” Letter where such services are provided by NBN Co.

ELECTRICITY

54. An electricity supply must be made available to service each approved lot within the subdivision. This supply must be in accordance with the relevant standards of the electricity distributor.
55. Written evidence must be submitted to Council from the electricity distributor advising that provision has been made for connection of reticulated electricity service for each approved lot in accordance with all applicable legislation at the time of construction.

Note: In relation to reticulated electricity, written evidence must be in the form of a “Certificate of Supply” or “Supply is Available” supplied by the relevant service provider.

TRANSPORT & ACCESS

ROADWORKS (EXTERNAL TO SUBDIVISION)

56. Existing roads must be widened to enable safe manoeuvring to the development site, as follows:

Street:	Postle Street
Classification:	Modified Rural Distributor Road
Construction Standard:	One half of the full width of the road from the centreline of road, sealed modified Rural Distributor Road Standard (4.25 metre pavement width), for the entire frontage of the development land to Postle Street and subject to Operational Works approval requirements.

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

57. The design and construction of the road must comply with *Planning Scheme Policy No. 2 – Engineering Standards – Roads and Drainage Infrastructure* (PSP No.2) and must include in particular:
 - 57.1 Concrete kerbing and channelling;
 - 57.2 Underground stormwater drainage;
 - 57.3 Relocation of utility and Council services where applicable; and
 - 57.4 Street lighting.
58. Any pavement widening must join neatly to the existing pavement so that there are no specific irregularities in line or level resulting at or adjacent to the join for the length of the construction. Where necessary the existing pavement must be brought to a satisfactory standard in accordance with *Planning Scheme Policy No. 2 – Engineering Standards – Roads and Drainage Infrastructure* to allow for the above.
59. All street surfacing must be in accordance with the pavement construction standards in *Planning Scheme Policy No. 2 – Engineering Standards – Roads and Drainage Infrastructure*.
60. Verge widths, street reserve widths, intersection treatment, provision of parking and speed control devices must comply with Council's requirements in *Planning Scheme Policy No. 2 – Engineering Standards – Roads and Drainage Infrastructure*.
61. Prior to the commencement of any works on the subject land, a Development Application for a Development Permit for Operational Work must be submitted to and approved by Council for the road works external to the subject land and in accordance with the approved plans and documents of this Development Approval. All approved road works must be completed and accepted on-maintenance prior to the endorsement of any Plan of Subdivision.

62. The design and construction of the works must be certified by a Registered Professional Engineer Queensland (RPEQ) – Civil.

ROADWORKS SIGNAGE AND PEDESTRIAN SAFETY

63. All works carried out on or near roadways must be adequately signed in accordance with the *Manual for Uniform Traffic Control Devices – Part 3, Works on Roads*.

Note: Road or lane closures require approval from Council's Principal Engineer Road Operations, and all conditions of that approval complied with during construction of the works.

64. Safe pedestrian access along Council's footpaths must be maintained at all times.

Note: Should access to footpaths need to be restricted, a separate 'Temporary road or footpath closure' must be obtained from Council's Principal Engineer Road Operations, prior to the commencement of the works.

STREET LIGHTING

65. Provide street lighting in accordance with *PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure* and *Australian Standard AS/NZS 1158 – Lighting for roads and public spaces*.

ACCESS (FOOTPATH CROSSOVERS)

66. Vehicle crossovers (crossing of the verge) from the road edge to the property boundary must be constructed for proposed Lots 16 and 17 in accordance with the following requirements:

66.1 The vehicle accesses must be located as shown on the Approved Plans listed within this Development Approval;

66.2 The Institute of Public Works Engineering Australasia *Drawing RSD-100 Residential Driveway Plan 1 of 2* and *RSD-101 Residential Driveway Plan 2 of 2*, and in accordance with *Australian Standard AS 2890 – Parking Facilities (Part 1 and as relevant Part 2)*;

66.3 Council's standards;

66.4 The vehicle crossover must be constructed to a maximum width of 3 metres;

66.5 The vehicle accesses must be constructed so as not to concentrate stormwater runoff onto neighbouring properties; and

66.6 Underground service conduits for water supply, electricity, house drainage and any other services must be provided as part of the access driveway.

67. Prior to the commencement of any works on the subject land, a Development Application for a Development Permit for Operational Work must be submitted to and approved by Council for the driveway crossover works and in accordance with the approved plans and documents of this Development Approval.

LANDSCAPE & ECOLOGY

PROTECTION OF STREET TREES

68. Street tree(s) protection within the 'Precautionary Area' (a protection and/or exclusion zone around tree(s) to prevent damage from heavy machinery and construction activities) as defined in *Planning Scheme Policy No.8 – Street Trees*, must be adhered to for the duration of all construction and development works, in accordance with the relevant Australian Standards in *Planning Scheme Policy No.8 – Council Controlled Trees* and must include:

68.1 Prior to commencement of any site works (including earthworks and construction) a work exclusion area must be established around the street tree(s) to be protected as determined by either TPZ (tree protection zone) or SRZ (structural root zone).

- 68.2 The 'Precautionary Area' including protective barriers must be sufficient to prevent damage and/or soil compaction from all construction works including vehicle and machinery access, storage of building materials and supplies, etc;
- 68.3 Root disturbance is not permitted within the SRZ (Structural Root Zone) of a Council controlled tree unless supervised by a Project Arborist (minimum AQF Level 5) or unless approved in writing by Council;
- 68.4 Where roots greater than 50mm diameter are uncovered during excavation works, an approved cutting device must be used for severing roots, ripping devices are not permitted;
- 68.5 Council's Arborist is required to supervise works within the 'Precautionary Area' of the street tree(s) to be protected. The applicant must advise Council of intended works and confirm Arborist availability to attend site prior to any works commencing; and
- 68.6 Street tree protection measures within the 'Precautionary Area' must be maintained until all construction and development works are completed or accepted by Council.

BUSHFIRE MANAGEMENT – GENERAL

- 69. Subdivision works must be carried out in accordance with Section 7 of the approved Bushfire Assessment Report listed within this Development Approval.

BUSHFIRE MANAGEMENT – FUTURE DWELLING REQUIREMENTS

- 70. All future dwellings on proposed Lot 16 and Lot 17 must be wholly constructed within the Building Envelopes shown in Figure 12 of the approved Bushfire Assessment Report listed within this Development Approval.

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) Any works impacting outside the property boundary will require a permit under Subordinate Local Law No. 1.15 (2020) (Carrying Out Works on a Road or Interfering with a Road or its Operation). Please contact Council's Road Operations Branch through our Customer Service Centre on 131 872. The application can be found on Council's website at www.tr.qld.gov.au.
- 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.

EXCAVATION & FILLING

- 7) 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.

DEMOLITION OF BUILDING

- 8) Any structures located on the subject land that are to be removed require the obtaining of any necessary building approvals, and certification by a Building Certifier that the resulting setbacks and/or fire rating of any remaining buildings comply with the Standard Building Regulations.

ENVIRONMENTAL HARM

- 9) 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

- 10) 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

- 11) 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.

WASTEWATER TREATMENT & DISPOSAL SYSTEM

- 12) The establishment of a wastewater treatment and disposal system for the site requires a Compliance Permit to be obtained from Council under the *Plumbing and Drainage Act 2018*. The system must be designed in accordance with the *Queensland Plumbing and Wastewater Code* (Department of State Development and Infrastructure & Planning, 2007) and the Australian & New Zealand Standard AS/NZS1547 On-site Domestic Wastewater Management.

Please contact Council's Plumbing and Drainage team via the Customer Service Centre for further information in respect of a Compliance Permit. Where a development exceeds the accommodation or use of 21 or more equivalent persons an Environmental Authority from the Department of Environment & Science will also be required.

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.



Richard Green
Lead Senior Planner, Planning Branch

Decision Date: 31 July 2026

CORPORATE PLAN REFERENCE

Strategic Action 2.3.3

Ensure development aligns with community sentiment, through effective and efficient assessment, with the planning scheme, planning instruments, codes and legislation.

BACKGROUND

SITE DETAILS				
Site Address	185 Postle Street, MOUNT RASCAL QLD 4350			
Real Property Description	Lot 15 SP295684			
Site Area	1.148 hectares			
Owner	Steinmuller Property Pty Ltd			
SITE CHARACTERISTICS				
Current Land Use	Dwelling House			
Site Frontage/s	Postle Street (133m) and Melroy Close (95m)			
Road/s	Order of Road	Width of Road Reserve	Width of Pavement	Road Material
Postle Street	Collector Road	31m	7m	Asphalt
Melroy Close	Local Road	20m	6.5m	Asphalt
Easements	Nil.			
Existing Structures	Dwelling House and ancillary sheds and structures.			
Infrastructure	The site has access to Council's reticulated water supply. The site is not within Council's reticulated sewer network area.			
Topography	The site generally falls from approximately 675 m AHD at the northern extent to 665 m AHD at the southern extent, representing an overall fall of approximately 10m across the site.			
Street Trees	The Postle Street road reserve contains existing street trees. All existing street trees to be retained.			
Other Features	Nil.			
PLANNING SCHEME SITE DATA				
Current Planning Scheme	Toowoomba Regional Planning Scheme 2012 (Version 28)			Adopted: 28 November 2022
Zone	Rural Residential			
Precinct	4,000m² Minimum Precinct			
Overlays	Airport Environs Overlay - 13km Wildlife Hazard Buffer Zone Environmental Significance Overlay - Areas of Ecological Significance - Areas of Ecological Significance Buffer Bushfire Hazard - Medium Fire Risk			
Infrastructure Charges Resolution	Charges Resolution No. 7			Adopted: 19 August 2025
SURROUNDS:				
Direction	Land Use	Zone/Precinct		
North	Residential	Rural Residential Zone (4,000m Minimum)		
East	Residential	Rural Residential Zone (4,000m Minimum)		
South	Residential	Rural Residential Zone (4,000m Minimum)		
West	Residential	Rural Residential Zone (4,000m Minimum)		

PROPOSED DEVELOPMENT		
Name of Applicant	Steinmuller Property Pty Ltd	
Type of Application	Development Permit for Reconfiguring a Lot	
Proposed Development	One (1) Lot into Three (3) Lots	
Variations Sought	Not Applicable	
Level of Assessment	Impact	
Submissions Received	Objection:	Nil.
	Support:	Nil.
Decision Making Period Ends	31 July 2026	

CONSULTATION UNDERTAKEN

Referral Agency/ies

Not Applicable.

Internal Referrals

Internal Referral Partner	Referral / Response
Development Engineering and Plumbing	No objection subject to conditions to attach to any approval of the development.
Place Environmental	No objection subject to conditions to attach to any approval of the development.
Water and Waste	No objection subject to conditions to attach to any approval of the development.
Parks and Recreation	No objection subject to conditions to attach to any approval of the development.
Infrastructure Charges Unit	Prepared an Infrastructure Charges Notice in accordance with <i>Charges Resolution No. 7</i> to accompany any approval of the development.

Public Notification

The Notice of Compliance was received by Council on 26 June 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 3 June 2026;
- Placing a notice on the land from 3 June 2026 until 25 June 2026; and
- Notifying owners of all land adjoining the site on 2 June 2026.

No submissions were received opposing the development.

No submissions were received supporting the development.

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. Schedule 10, Part 14 of the <i>Planning Regulation 2017</i> prescribes that Reconfiguring a Lot as defined in Part 1 of Schedule 12A (Walkable

	Neighbourhoods) of the Regulation is assessable development and must be assessed against the Assessment Benchmarks prescribed in Part 2 of Schedule 12A. The proposed development is not associated with the construction or extension of a road and as such, Schedule 12A of the Regulation is not applicable
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REGIONAL PLANS	
<i>Shaping SEQ – South East Queensland Regional Plan 2023</i>	The subject site is mapped within the bounds of the <i>Shaping SEQ – South East Queensland Regional Plan 2023</i> (Shaping SEQ). The SEQRP identifies that the subject site is within the Urban Footprint which is intended to identify the land required for the region's urban development needs up to 2046. The development application is consistent with the intent for the Urban Footprint as it provides for and does not restrict the future development of land within the bounds of the urban footprint for urban purposes.
<i>Darling Downs Regional Plan October 2013</i>	The Darling Downs Regional Plan (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 Restricted Area (RA) 384 under Appendix 2 of the Regional Plan, reflecting the boundaries of the SEQ Regional Plan. Therefore, the DDRP is not applicable in this instance.

STATE PLANNING POLICY (SPP) July 2017	
Interests	Assessment Comments
Housing Supply and Diversity	No applicable assessment benchmarks.
Livable Communities	The Department of State Development, Infrastructure, Local Government and Planning interactive mapping (DAMS) which accompanies the SPP identifies that this interest is applicable to the subject property. The subject site is mapped as containing 'Agricultural Land Classification (Class A and B)'. However, the State interest policies identified in Part E of the SPP are not considered to be relevant or applicable as the proposed development is on land that is not currently used for agricultural purposes and it is not considered that the site would support agricultural pursuits into the future due to its location within the urban extent of Toowoomba City and likely future growth of residential development in the area. These constraints on the use of the land for agricultural purposes are further reflected in the zoning of the land by Council as Rural Residential and inclusion of the land within the 'urban footprint' under <i>Shaping SEQ – South East Queensland Regional Plan 2023</i>.
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	No applicable assessment benchmarks.
Cultural Heritage	No applicable assessment benchmarks.
Water Quality	Complies with applicable assessment benchmarks.
Emissions and Hazardous Activities	No applicable assessment benchmarks.

Natural Hazards, Risk and Resilience	The interactive mapping which accompanies the SPP identifies that this interest is applicable to the subject property ('Flood hazard area – Local Government flood mapping area' and 'Bushfire Prone Area'). <u>Flood Hazard Area:</u> In accordance with Part 2, Table 2.1:2 in the Planning Scheme, the Minister has identified that the SPP July 2017 State interest – natural hazards, risk and resilience (those parts related to flooding) have been appropriately reflected in the Planning Scheme and no further assessment against the SPP is required. The development is located entirely outside of Council's Flood Hazard Overlay mapping. <u>Bushfire Prone Area:</u> The SPP identifies that this State interest is applicable to the subject property being mapped in Bushfire prone area. Council's Environmental Officers have reviewed the proposed development and the submitted Bushfire Assessment Report and advised that the bushfire hazard associated with the Reconfiguring a Lot has been sufficiently addressed. To ensure continued management of potential bushfire risks, the Bushfire Management Report has been included as an approved document of this Development Approval. Accordingly, the development is considered to comply with this State Interest.
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.

Local Categorising Instrument – *Toowoomba Regional Planning Scheme 2012:*

The proposed development was assessed against the following assessment benchmarks:

- Strategic Framework
- Rural Residential Zone Code
- Airport Environs Overlay Code
- Ecological Significance Overlay Code
- Bushfire Hazard Overlay Code
- Reconfiguring a Lot Code
- Works and Services Code
- Transport, Access and Parking Code

The development was assessed against all of the assessment benchmarks listed above and is considered to comply or can be conditioned to comply. Further comment is made with regard to the following:

STRATEGIC FRAMEWORK:

Theme	Assessment Comments
Settlement Pattern	The following Strategic Outcomes of the Settlement Pattern Theme identified in the Strategic Framework of the Planning Scheme are relevant to the proposed development: • Strategic Outcome 3.3.1 (3) aims to ensure that population growth in the Toowoomba Regional Council area is directed towards the existing network of urban areas and towns rather than disbursed through rural areas; • Strategic Outcome 3.3.9.1 (4) identifies rural residential development is restricted to the identified Rural Residential areas; • Strategic Outcome 3.6.4.1 (4) identifies that rural residential development is located in areas that do not compromise future urban growth and is serviced by infrastructure that is efficient and cost effective; and

	Strategic Outcome 3.5.8.1 (1)(f) aims to ensure that increased housing diversity is provided whilst maintaining the existing character and identity of individual communities. The site is located within a Rural Residential Area as identified in the Strategic Framework Mapping, and within 3 kilometers of a Local Centre in Toowoomba City. The proposed development is appropriately located to avoid compromising the function of existing rural areas or constraining future urban growth, while remaining in close proximity to established urban areas and associated services and infrastructure. Proposed Lot 17 is less than the prescribed minimum lot size of 4,000m² within the Rural Residential Zone (4,000m² minimum precinct), being 3,484m² in size. Notwithstanding this, the proposed lot size represents a minor reduction of 516m² (12.9%) and is capable of accommodating development of very low density residential character. The applicant provided a building envelope plan which illustrates the relationship of potential built form to open space on proposed Lot 17. The plan demonstrates that Lot 17 is sufficient in size to accommodate a dwelling house, while maintaining adequate open space to protect the residential amenity and landscape character of the surrounding area. Proposed Lot 17 comprises a generous frontage of 48.33m to Postle Street, consistent with the lot frontage widths of proposed Lots 15 and 16 and the established rural residential properties along Postle Street. As such, Lot 17 presents as being commensurate in size to surrounding properties, and therefore is considered to be consistent with the existing streetscape and density of housing within the locality, maintaining the semi-rural landscape character. The development is considered to comply with all applicable relevant Strategic Outcomes of the Settlement Pattern theme.
Natural Environment	The Natural Environment theme recognises the connection between ecosystem health and human health and aims to ensure the condition, extent, diversity and connectivity of the region's natural assets are protected. No interference with any mapped natural assets is proposed, therefore the development complies with all the strategic and specific outcomes.
Community Identity and Diversity	The Community Identity and Diversity theme seeks to plan for a diverse and vibrant community that is planned, designed and managed so that it is sustainable, safe and able to respond to the changing environment and community landscape. The development has been demonstrated to comply with all applicable strategic and specific outcomes.
Natural Resources and Landscaping	The Natural Resources and Landscape theme aims to ensure scenic landscapes are valued and protected and natural resources are well managed. This includes ensuring that use of land does not cause an adverse impact on the environment The development has been demonstrated to comply with all applicable strategic and specific outcomes.
Access and Mobility	The Access and Mobility theme of the Strategic Framework seeks to ensure that the local government area is provided with a sustainable, mixed mode integrated transport system that is protected from the encroachment of incompatible land uses through future planning. The development has been demonstrated to comply with all applicable strategic and specific outcomes.
Infrastructure and Services	The Infrastructure and Services theme ensures infrastructure and services are well planned, managed and integrated in a manner to promote efficient development.

	The development has been demonstrated to comply with all applicable strategic and specific outcomes.
Economic Development	The Economic development theme is focused on ensuring the region has a strong, prosperous and progressive economy that contributes to the health and wellbeing of both rural and urban communities and contributes to the character and liveability of the Region. The development has been demonstrated to comply with all applicable strategic and specific outcomes.

RURAL RESIDENTIAL ZONE CODE:

Assessment Criteria	Assessment Comments
<u>Purpose and Overall Outcomes</u> (1) <i>The purpose of the zone is to provide for residential development on large lots where Local Government infrastructure and services may not be provided and where the intensity of residential development is generally dispersed. Development for large residential lots provides for a range of residential housing styles to meet the needs of the community. Development maintains a semi-rural landscape character and expansion of these localities does not occur.</i> (2) <i>The overall outcomes sought for the zone code, identified as particularly relevant to the development, are as follows:</i> (a) <i>the development of large residential lots with limited provision of infrastructure and services is facilitated within this zone only;</i> (b) <i>development within the zone preserves the environmental and topographical features of the land by integrating an appropriate scale of residential activities amongst these features;</i> (e) <i>natural features such as creeks, gullies, waterways, wetlands and vegetation and bushland are retained, enhanced and buffered from the impacts of development. Any unavoidable impacts are minimised through location, design, operation and management of the development;</i> (f) <i>development provides a high level of residential amenity.</i>	The proposed development for Reconfiguring a Lot for one (1) lot into three (3) lots, facilitates future housing being provided at a density appropriate for the locality. Two (2) of the proposed lots meet the minimum lot size being 4,000m² in size. Proposed Lot 17 is less than the prescribed minimum lot size of 4,000m² within the Rural Residential Zone (4,000m² minimum precinct), being 3,484m² in size. Proposed Lot 17 comprises a total area of 3,484m², which represents a minor lot size reduction of 516m² (12.9%) less than the minimum lot size requirement. Lot 17 provides a frontage of 48.33m to Postle Street, consistent with the lot frontage widths of proposed Lots 15 and 16 and the established properties along Postle Street. As such, Lot 17 presents as being commensurate in size to surrounding properties, and there is considered to be consistent with the existing streetscape and density of housing within the locality, maintaining the semi-rural landscape character. The applicant submitted a 'Conceptual Effluent Disposal Plan' and building envelope plan which demonstrates that a future dwelling on proposed Lot 17 can be provided with suitable onsite wastewater treatment and disposal system within the proposed lot boundaries. The size and configuration of Lot 17 is therefore considered sufficient to accommodate future development of a rural residential nature. The applicant also submitted a building envelope plan for proposed Lot 17 which illustrates the relationship of potential built form to open space on the property. The plan demonstrates that Lot 17 is sufficient in size to accommodate a dwelling house, while maintaining adequate open space, building setbacks and separation distances to protect the residential amenity of the surrounding area. Further, the built form to open space ratio is considered sufficient to reduce the perceived apparent intensity of development and maintain the spacious local character of the surrounding area. Therefore, the development complies with the purpose and overall outcomes of the Rural Residential Zone Code.
<u>Overall Outcomes of the 4,000m² Precinct</u> (3) <i>The overall outcomes for this precinct are:</i> (a) <i>provide for a very low density residential character located</i>	As noted above, proposed Lot 17 is less than the prescribed minimum lot size of 4,000m² within the Rural Residential Zone (4,000m² minimum precinct), being 3,484m² in size. Notwithstanding this, the proposed lot size represents a minor reduction of 516m² (12.9%), which is capable of

<i>accessible and near to urban areas; and</i> <i>(b) facilitate lots with a minimum lot size of 4,000m².</i>	accommodating development of very low density residential character. The applicant provided a building envelope plan which illustrates the relationship of potential built form to open space on the property, demonstrating lot 17 is sufficient in size to accommodate a dwelling house, while maintaining adequate open space to protect the residential amenity and landscape character of the surrounding area. Further, Lot 17 provides a generous frontage of 48.33m to Postle Street, consistent with the lot frontage widths of proposed Lots 15 and 16 and the established rural residential properties along Postle Street. As such, Lot 17 presents as being commensurate in size to surrounding properties, and is therefore considered to be consistent with the existing streetscape and density of housing within the locality, maintaining the semi-rural landscape character. The site is located within the Urban Extent identified in the Strategic Framework of the Planning Scheme, and within 3 kilometers of a Local Centre in Toowoomba City. The proposed development is therefore considered to be in an accessible location, near urban areas. Therefore, the development complies with Overall Outcome 3 (a) of the Rural Residential Zone Code.
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DEVELOPMENT CODES:

Reconfiguring a Lot Code	
Performance Outcome	Acceptable Outcome
PO₁ Except where in the Rural Zone (other than where in the Heinemann Road Transport Precinct) Limited Development (Constrained Land) Zone, Community Facilities Zone, Open Space Zone or Recreation Zone, development: (a) occurs in a logical pattern and sequence; (b) is of a scale and density that facilitates an efficient land use pattern and facilitates a mix of lot sizes that provide for a range of residential dwelling choices; (c) is designed to create compact and walkable neighbourhoods that are well connected to employment nodes, centres, open space and recreational areas, community services and educational opportunities; (d) creates a high quality streetscape and public open space network with connected public spaces and parks; (e) appropriately responds to constraints and natural values and mitigates any adverse impacts on areas of ecological significance;	AO_{1.1} A Master Plan is prepared in accordance with SC6.4 PSP No. 4 Master Planning.

(f) is provided with all necessary infrastructure networks and is well serviced by community facilities; and (g) creates lots which are suitable for their intended use without requiring significant earthworks.	
Alternate Outcome	
The applicant submits: <i>"Complies with PO"</i>	
Officer Comment	
As the proposed development is not occurring within a greenfield area, a master plan is not required to be prepared in accordance with SC6.4 PSP No. 4 Master Planning. Further, the proposed development is of a scale and density that facilitates an efficient land use pattern and is anticipated to create a high-quality streetscape along Postle Street.	

Works and Services Code/ Transport, Access and Parking Code	
Officer Comment	
The proposed development requires vehicle access to proposed Lot 16 and Lot 17 from Postle Street, which contains multiple existing Council Controlled Trees within the verge. The Works and Services Code, and Transport, Access and Parking Code requires that residential vehicular access and driveway crossovers are not within the Tree Protection Zone, and minimise impacts on the appearance of the streetscape by retaining existing vegetation.	
In response to Council's Information Request, the applicant submitted an Arboricultural Assessment Report which demonstrated, in principle, that driveway crossovers could be achieved to proposed Lots 16 and 17, without impacting on the existing street trees.	
Conditions of approval have been included to identify the location and configuration of the future driveway crossovers for proposed Lots 16 and 17 to Postle Street to ensure the existing Council Controlled Trees are retained and not harmed by the proposed works. As such, the development has been conditioned to achieve compliance with the Works and Services Code, and Transport, Access and Parking 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:

The site is located within Council's identified Priority Infrastructure Area. The proposed development is consistent with the planning assumptions in the LGIP.

Other Relevant Matters

Not Applicable

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 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

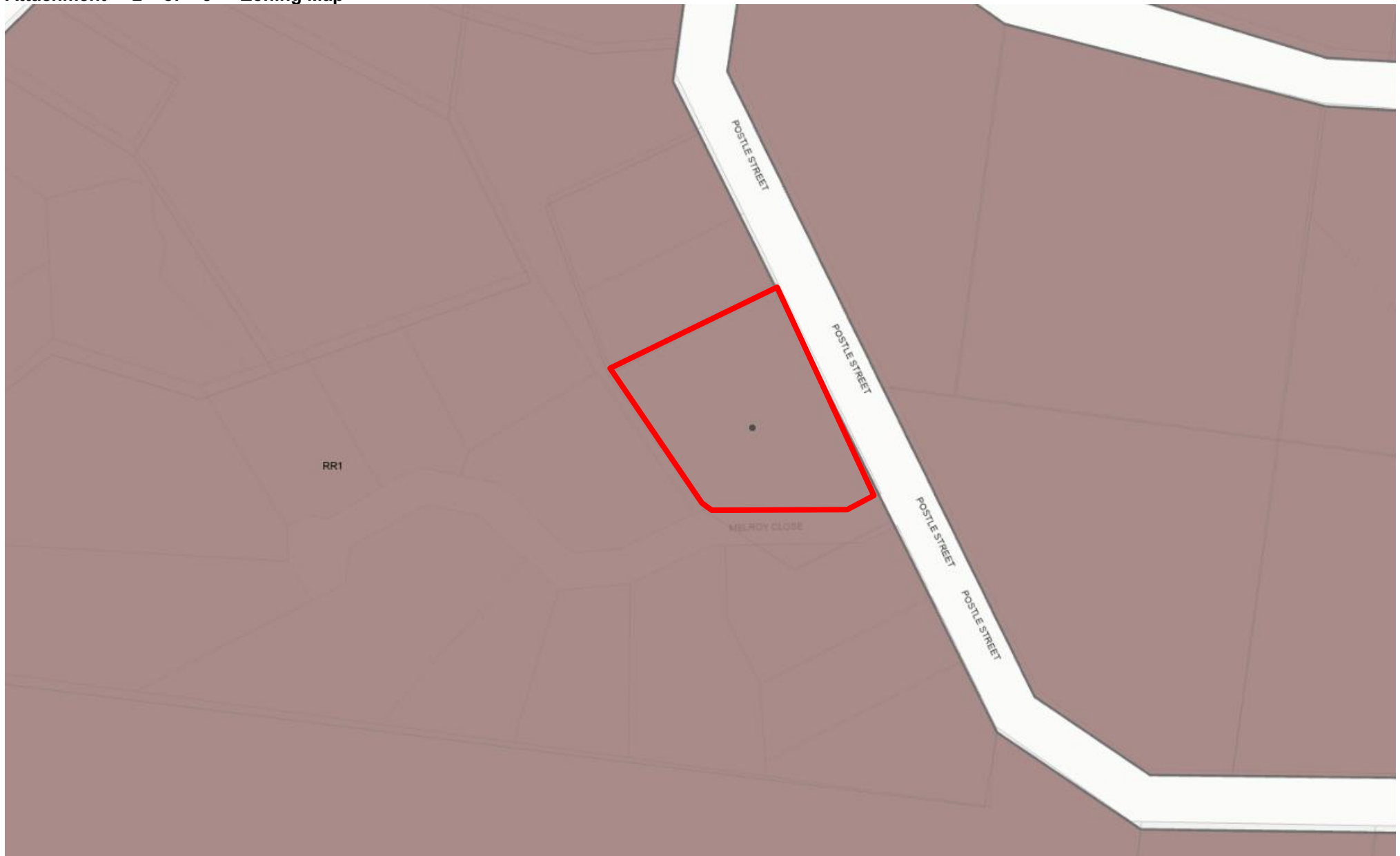
Attachment	1	of	5	Aerial Imagery
Attachment	2	of	5	Planning Scheme Zoning Map
Attachment	3	of	5	Planning Scheme Bushfire Hazard Overlay Map
Attachment	4	of	5	Planning Scheme Environmental Significance Overlay Map
Attachment	5	of	5	Proposed Plans

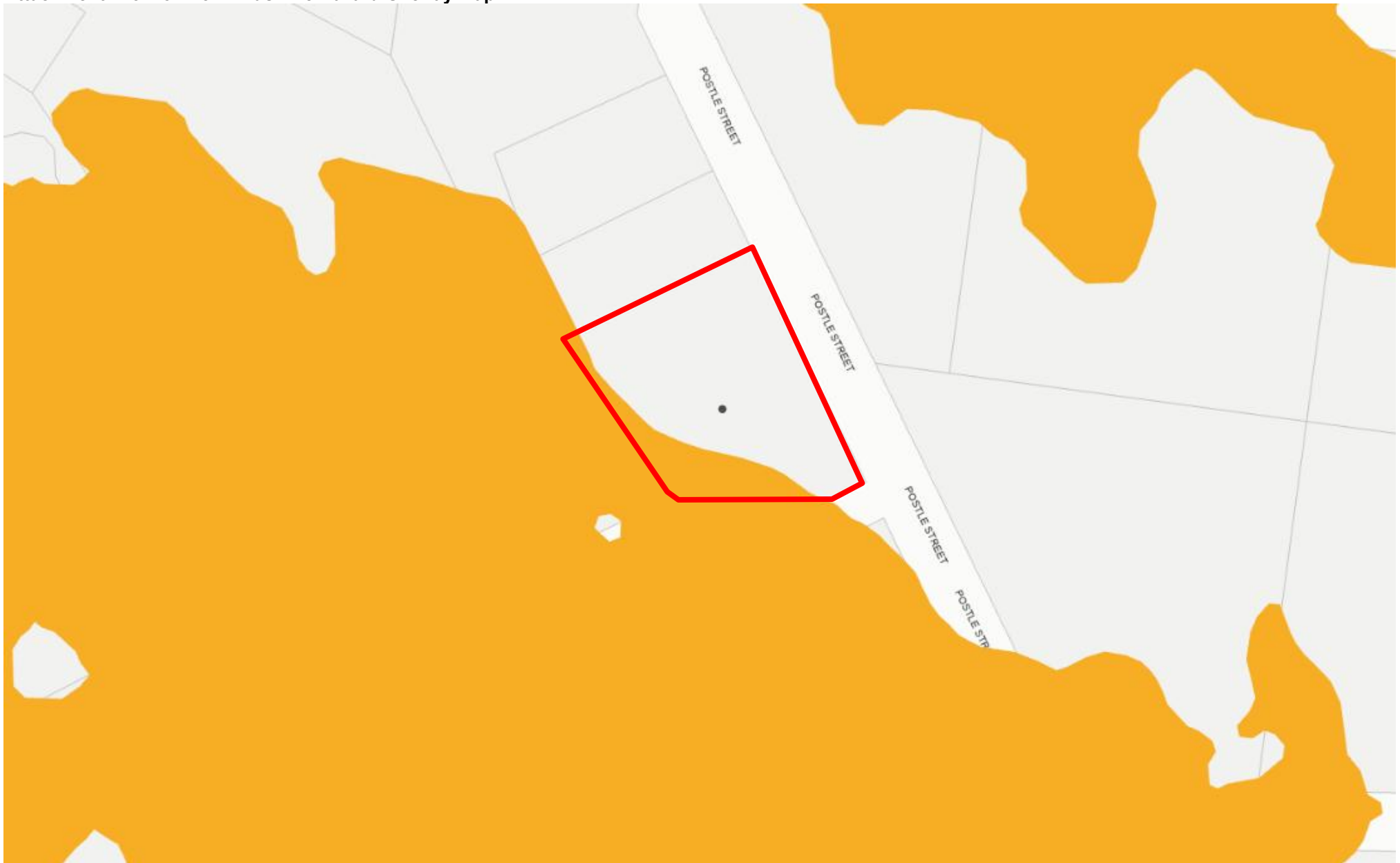
SCHEDULES

Schedule	1	Statement of Reasons
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ATTACHMENTS**Attachment 1 of 5 Aerial Imagery**

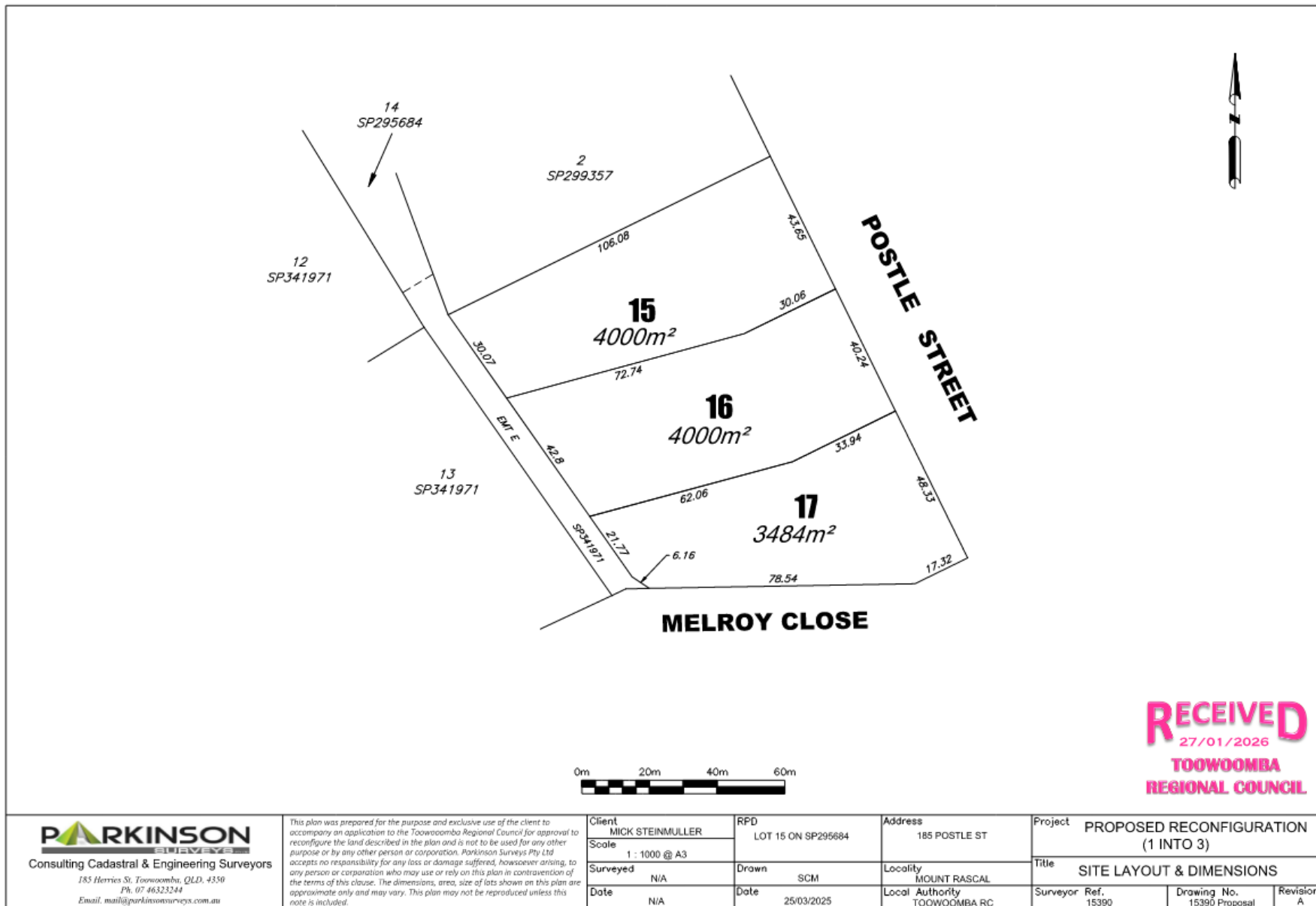
Attachment 2 of 5 Zoning Map



Attachment 3 of 5 Bushfire Hazard Overlay Map

Attachment 4 of 5 Environmental Significance Overlay Map

Attachment 5 of 5 Proposed Plans





SCHEDULE 1

Statement of Reasons

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

SITE DETAILS	
Site Address	185 Postle Street, MOUNT RASCAL QLD 4350
Real Property Description	Lot 15 SP295684
Site Area	11,480m ²
Owner	Steinmuller Property Pty Ltd

PROPOSED DEVELOPMENT		
Name of Applicant	Steinmuller Property Pty Ltd	
Type of Application	Development Permit for Reconfiguring a Lot	
Proposed Development	One (1) Lot into Three (3) Lots	
Level of Assessment	Impact	
Submissions Received	Objection:	Nil.
	Support:	Nil.
Decision	Approval	
Decision Date	31 July 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); • South-east Queensland Regional Plan – ShapingSEQ 2023 (as relevant); • The Local Government Infrastructure Plan; and • <i>Toowoomba Regional Planning Scheme 2012</i> (Version 28): ○ Strategic Framework; ○ 6.6.7 Rural Residential Zone Code; ○ 8.2.1 Airport Environs Overlay Code; ○ 8.5.1 Ecological Significance Overlay Code; ○ 8.2.2 Bushfire Hazard Overlay Code; ○ 9.4.5 Reconfiguring a Lot Code; ○ 9.4.6 Transport, Access and Parking Code; and ○ 9.4.7 Works and Services Code	
Matters raised in submissions	No submissions were received supporting or opposing the development.	
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
	Overall Outcome (3) (b) of the Rural Residential Zone Code.	The proposed development for Reconfiguring a Lot for one (1) lot into three (3) lots, facilitates future housing being provided at a density appropriate for the locality. Two (2) of the proposed lots meet the minimum lot size being 4,000m² in size. Proposed Lot 17 is less than the prescribed minimum lot size of 4,000m² within the Rural Residential Zone (4,000m² minimum precinct), being 3,484m² in size. Proposed Lot 17 comprises a total area of 3,484m², which represents a minor lot size reduction of 516m² (12.9%) less than the minimum lot size requirement. Lot

	17 provides a frontage of 48.33m to Postle Street, consistent with the lot frontage widths of proposed Lots 15 and 16 and the established properties along Postle Street. As such, Lot 17 presents as being commensurate in size to surrounding properties, and therefore is considered to be consistent with the existing streetscape and density of housing within the locality, maintaining the semi-rural landscape character. The applicant submitted a 'Conceptual Effluent Disposal Plan' and building envelope plan which demonstrates that a future dwelling on proposed Lot 17 can be provided with suitable onsite wastewater treatment and disposal system within the proposed lot boundaries. The size and configuration of Lot 17 is therefore considered sufficient to accommodate future development of a rural residential nature. The applicant also submitted a building envelope plan for proposed Lot 17 which illustrates the relationship of potential built form to open space on the property. The plan demonstrates that Lot 17 is sufficient in size to accommodate a dwelling house, while maintaining adequate open space, building setbacks and separation distances to protect the residential amenity of the surrounding area. Further, the built form to open space ratio is considered sufficient to reduce the perceived apparent intensity of development and maintain the spacious local character of the surrounding area.
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For further details on the assessment of this development application, please see the Delegated Report available for public viewing on the Toowoomba Regional Council Planning and Development Online website at: <https://developmenti.tr.qld.gov.au/>. When accessing Council's website please use the following Application Number: RAL/2026/514.