

1 April 2026

Chief Executive Officer
Toowoomba Regional Council
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RECEIVED
01/04/2026
**TOOWOOMBA
REGIONAL COUNCIL**

Attn: Emily Hinchliffe – Lead Senior Planner, Planning Branch - Development Assessment

Dear Emily,

Applicant's Response to Council's Information Request for a Development Application for Reconfiguring a Lot – Boundary Realignment (Two (2) into Two (2) Lots) at 162 Kim Road and Kim Road, Wellcamp QLD 4350 (described as Lot 3 and 5 on RP222288) – RAL/2026/302.

In accordance with the *Planning Act 2016* and on behalf of the applicants, Adam, Michelle & Peter Kim, we hereby respond to Council's Information Request, dated 17 February 2026, in its entirety and request Council to proceed with its assessment of the application. The responses provided herein, and attached supporting plans/documents provided, address all issues raised within Council's Information Request and provides all requested information as relevant/required.

RESPONSE TO INFORMATION REQUEST

1. LOT LAYOUT

1.1 – Issue:

While it is acknowledged that the site's topography and terrain may limit its suitability for agricultural purposes, further information is required regarding the intended purpose or rationale for the proposed boundary realignment. Demonstration is also required that the proposed re-alignment will not compromise the ability to use and maintain the land, particularly with regard to Lot 6 as the existing topography may limit the ability to access and use the northern part of the lot.

1.1 – Information Required:

Provide further information detailing the intention and purpose of the proposed boundary realignment and how both proposed Lots are intended to function and be maintained.

RESPONSE

The proposed boundary realignment will effectively consolidate the existing dwelling house and associated rural infrastructure located within the rear rural lot within a single lot (proposed Lot 5), while creating a second lot (proposed Lot 6) of comparable size. This facilitates the orderly separation of the land into two functional rural holdings capable of operating independently, while maintaining consistency with the established pattern of rural lots in the surrounding locality.

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Proposed Lot 5 will contain the existing dwelling house and continue to function as 'rural residential land', supported by existing access and on-site infrastructure. Proposed Lot 6 will comprise vacant rural land with the potential to support future development and low-intensity rural activities consistent with the Rural Zone, noting that the vacant lot is provided with an already existing frontage and access to Kim Road.

The existing topography of the land does not preclude its ongoing use as two divided lots. The common boundary between proposed Lots 5 and 6 follows an existing fence line, thus the existing rural lot already functions effectively as two separate paddocks, despite the presence of steep and rocky terrain rising towards the centre of the site. Access to the northern parts of the proposed lots is achievable via the low-lying areas along the perimeter of the two lots. Further, it should be noted the proposed lots are both of substantial size (approximately 20 hectares each), providing flexibility to locate buildings/structures and activities within suitable, less constrained areas of each site. In short, access to the rear of the lots will be obtained as per existing arrangements, being along the side boundary lines.

Accordingly, the boundary realignment will not compromise the ongoing use or management of the land, and the proposed lots will remain capable of being accessed, serviced and maintained for rural activities, consistent with the intent of the Rural Zone.

1.2 – Issue:

It is unclear whether the proposed boundary realignment will have any impact on existing Easement A RP205923 as the easement documentation has not been provided.

1.2 – Information Required:

Provide a copy of the easement documentation for Easement A RP205923.

RESPONSE

A copy of the existing survey plan for Lots 3 and 5 on RP222288, which identifies the location and extent of Easement A on RP205923, is provided as Attachment A to this response. A copy of the registered easement documentation for Easement A is provided as Attachment B.

The easement is for the purpose of electricity supply and enables the installation, operation and maintenance of electrical infrastructure within the subject land. The proposed boundary realignment will not alter the location, dimensions or purpose of the easement. As demonstrated on the proposed reconfiguration plan, Easement A will traverse both proposed Lots 5 and 6 as a result of the realignment, rather than being contained within a single lot. The easement will be retained and carried forward on the proposed survey plan and will continue to burden all affected lots in accordance with its current registration. The proposed development does not involve any works within the easement area, nor does it impact access to or the operation and maintenance of the electrical infrastructure it protects. Furthermore, as per the easement documentation attached, the easement does not prohibit access across it.

Accordingly, the proposed boundary realignment will not adversely impact Easement A RP205923 or the ongoing provision and maintenance of electricity infrastructure within the easement area.

Conclusion

It is considered that the applicant has now adequately responded to all of the issues raised within Council's Information Request and has demonstrated that the proposal addresses all relevant issues and achieves compliance with the Planning Scheme's requirements.

It is trusted that the information provided in this information request response (including its attachments) is considered sufficient, and it is requested that Council issue its Decision Notice (Approval) as soon as is possible after completion of the application's Public Notification.

If Council does not agree to any of the responses provided herein, it is respectfully requested that Council advises us in writing (email is sufficient) as soon as possible with a view to arranging a meeting between Council and the applicant to discuss the matter/s further.

If any additional information is required, or if you have any questions, please don't hesitate to contact me on 0439 373 414 or by email at andrew@alphaplanning.com.au.

Yours faithfully



Andrew Hill
Managing Director

Bachelor of Business – RMIT University
Graduate Diploma in Urban and Regional Planning – UNE



Urban and Regional Planning and Development Consultants

Attachments:

Attachment A – Survey Plan

Attachment B – Easement Document

Attachment A

Survey Plan

Attachment B
Easement Document