

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

SITE DETAILS	
Site Address	156 Middle Road, PIERCES CREEK QLD 4355
Real Property Description	Lot 5 RP16018, Lot 6 RP16018, Lot 2 RP161075
Site Area	66.586ha.
Owner	Ashley Vincent Schefe

PROPOSED DEVELOPMENT	
Name of Applicant	Ashley Vincent Schefe
Type of Application	Reconfiguring a Lot
Proposed Development	Boundary Realignment Three (3) into Three (3) Lots
Level of Assessment	Impact
Submissions Received	Objection: Nil
	Support: Nil
Decision	Approval
Decision Date	19 May 2026

ASSESSMENT MATTERS				
Assessment benchmarks	<p>The proposed development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none"> <li>• Schedules 9 and 10 of the <i>Planning Regulation 2017</i> (as relevant);</li> <li>• <i>State Planning Policy July 2017</i> (as relevant);</li> <li>• Darling Downs Regional Plan (as relevant)];</li> <li>• The Local Government Infrastructure Plan; and</li> <li>• <i>Toowoomba Regional Planning Scheme 2012</i> (Version 28) <ul style="list-style-type: none"> <li>○ Strategic Framework</li> <li>○ Agricultural Land Overlay Code</li> <li>○ Environmental Significance Overlay Code</li> <li>○ Bushfire Hazard Overlay Code</li> <li>○ Flood Hazard Overlay Code</li> <li>○ Landslide Hazard Overlay Code</li> <li>○ Rural Zone Code</li> <li>○ Reconfiguring a Lot Code</li> </ul> </li> </ul>			
Relevant matters	No relevant matters were considered in this assessment.			
Matters raised in submissions	No properly made submissions were received during the public notification period.			
Reasons for decision	The development was assessed against all of the assessment benchmarks listed above and complies with the following exceptions.			
	<table border="1"> <thead> <tr> <th>Non-compliant Assessment Benchmark</th> <th>Assessment comments</th> </tr> </thead> <tbody> <tr> <td>PO<sub>13</sub> of the Rural Zone Code</td> <td><u>Lot size and access</u> The proposed boundary realignment for presents a lot size and dimension significantly different from the rural locality which conflicts with PO13 of the Rural Zone Code. Proposed boundary realignment wholly contains the existing Dwelling House and driveway access within Proposed Lot 3 and provides direct vehicular access to a formed road for all lots. Despite the conflict with the lot sizes, the proposed development improves the usability of subject land and access.</td> </tr> </tbody> </table>	Non-compliant Assessment Benchmark	Assessment comments	PO <sub>13</sub> of the Rural Zone Code
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		<p><u>Land use provisions</u>  Current Planning Scheme provisions allow each lot to accommodate a dwelling house use as Accepted Development subject to the Rural Zone Code requirements. As no new lots are created over the subject land, the maximum use capacity of three (3) dwelling houses over the subject land is maintained and does not increase the number of residential uses without triggering a development application for assessment. Proposed Lot 1 size is significantly different from the existing pattern of rural lots in the locality. A future dwelling house on Proposed Lot 1 will maintain significant setback from Proposed Lot 3 and avoid conflicting with agricultural use activities conducted on Agricultural Land mapped overlay areas within Proposed Lot 3. The rural landscape is not anticipated to be detrimentally impacted by the proposed development and thereby not conflicting with Strategic Framework Element 3.3.9(1) and (3).</p> <p><u>Lot relationship with mapped overlay areas</u>  Pockets of Regulated Vegetation (Category C) and Agricultural Land mapped overlay areas are identified over subject land. Proposed Lot 3 amalgamates existing land which consolidates Agricultural Land available for agricultural use and purposes wholly within a larger site area of 58.04ha. Proposed Lots 1 and 2 retain the general scale of existing Lot 2 RP161075 and does not alienate or further fragment identified Agricultural Land. The proposed lots do not detrimentally impact long-term and sustainable agricultural uses on balance and therefore does not conflict with Strategic Framework Element 3.3.9(2) and (3).</p>
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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/2026/541.