

**FORMAL SUBMISSION – OBJECTION TO DEVELOPMENT APPLICATION
RAL/2026/4836**

To:

Chief Executive Officer
Toowoomba Regional Council

Re: Development Application **RAL/2026/4836**

Development: Development Permit for Reconfiguring a Lot

Property: 26 Motley Mt Tyson Road, Motley QLD 4356

Lots: Lot 207 AG3646, Lot 2 RP28327, and Lots 1 and 4 RP94890

Objector:

Resident and adjoining landowner
Lot 2 RP802872, Motley QLD 4356

FORMAL OBJECTION

I wish to lodge a formal objection to Development Application **RAL/2026/4836**, seeking a Development Permit for the reconfiguration of land at **26 Motley Mt Tyson Road, Motley** into four lots.

I am the owner/resident of **Lot 2 RP802872**, which adjoins the subject area. I have a direct and substantial interest in this application because of the proximity of my property to the proposed subdivision, the existing railway corridor running adjacent to my property and the proposed development area, and the natural drainage and flood behaviour of the surrounding Motley and Linthorpe Flat areas.

I respectfully request that Toowoomba Regional Council **refuse the proposed subdivision/boundary realignment** on the grounds outlined below.

1. LOSS AND FRAGMENTATION OF PRIME AGRICULTURAL LAND

The land subject to this application is productive, high-quality agricultural land within an established farming district.

The proposed creation of four separate lots would further fragment an important area of agricultural land and has the potential to progressively change the established agricultural character of the Motley area.

This is not simply a matter of rearranging lines on a cadastral plan. The creation of smaller rural lots can have long-term consequences for the viability and flexibility of agricultural operations.

Smaller holdings can restrict the ability of landowners to undertake efficient cropping, machinery movements, agricultural infrastructure, access arrangements and other normal farming activities.



Toowoomba Regional Council itself recognises that rural land in the Greater Toowoomba Region is already highly fragmented and has stated that it is seeking to **minimise further rural land fragmentation**.

The Council's planning framework also identifies the protection of agricultural land and its productive capacity as an important planning consideration.

I strongly submit that this application should therefore be assessed not merely on whether individual proposed lots can physically be created, but on whether the proposal is consistent with the broader planning objective of retaining productive agricultural land for viable rural production.

2. PROTECTION OF AGRICULTURAL LAND AND RURAL PRODUCTION

The proposed subdivision has the potential to introduce a more residential pattern of land ownership into an established agricultural area.

Once productive agricultural land is divided into smaller holdings, it is extremely difficult to reverse that fragmentation.

There is also a significant risk that smaller lots will gradually become occupied primarily for residential or lifestyle purposes rather than primary production.

This can result in:

- increased residential pressure within an agricultural area;
- complaints regarding normal farming operations;
- conflicts concerning agricultural machinery, dust, noise, spraying, harvesting and working hours;
- pressure to modify established agricultural practices;
- reduced flexibility for future agricultural operations; and
- a gradual loss of the established rural production character of the area.

The Council's Agricultural Land Overlay provisions specifically recognise the importance of preventing subdivision from causing fragmentation of rural lands, loss of land to viable rural production, conflict between farming and residential uses and loss of farming flexibility.

In my view, the proposed four-lot configuration is inconsistent with those objectives.

3. NATURAL DRAINAGE AND FLOODING CONCERNS

I have serious concerns regarding the hydrology and natural drainage characteristics of the site.

The railway line runs immediately adjacent to my property and the proposed subdivision area.

During significant rainfall events, water naturally moves down from the **Linthorpe Flat** and across the surrounding land towards the **Motley Flat**.

There is also a natural waterway/drainage path running through the Motley Flat and through or adjacent to the proposed subdivision area.

This existing drainage pattern is an important natural feature of the locality and must be properly understood before any subdivision is approved.

My concern is that the creation of four separate lots, together with future driveways, access roads, building sites, earthworks, dams, drainage works and other infrastructure, could interfere with the existing flow path and alter the way floodwater moves across the land.

Any alteration to the existing drainage regime has the potential to:

- redirect floodwater onto neighbouring properties;
- increase the velocity or concentration of runoff;
- reduce existing flood storage;
- obstruct or narrow natural flow paths;
- cause localised ponding;
- increase flooding impacts on adjoining agricultural land; and
- create additional risks around the railway corridor.

These matters require careful consideration before any approval is granted.

I respectfully request that Council obtain and consider a **proper site-specific flood and stormwater assessment**, including the existing natural flow paths through the Linthorpe Flat and Motley Flat areas.

Any assessment should consider not merely the proposed cadastral boundaries but the cumulative effect of future development of all four proposed lots.

4. NATURAL WATERWAY AND EXISTING FLOW PATH MUST BE PROTECTED

The natural waterway through the Motley Flat is an important feature of the property and surrounding landscape.

I ask Council to specifically investigate and map the existing natural drainage corridor and determine whether the proposed lot boundaries, access arrangements or future development envelopes could interfere with that waterway.

The subdivision should not be approved on the assumption that drainage can simply be engineered after the lots have been created.

The existing natural drainage system should be protected first.

If the proposed subdivision cannot demonstrate that the natural waterway and flood conveyance areas will remain fully functional without adverse impacts on neighbouring properties, the application should be refused.

5. RAILWAY CORRIDOR AND CUMULATIVE IMPACTS

The railway line immediately adjacent to my property and the proposed development area is another important consideration.

The railway corridor forms part of the existing physical and environmental context of the land.

The interaction between the railway embankment, existing drainage patterns, floodwater and any proposed access or earthworks should be carefully assessed.

I am particularly concerned about the cumulative effect of introducing additional lots and future residences in an area already affected by the railway corridor and natural flooding.

Council should ensure that the proposed subdivision does not create additional risks or conflicts involving:

- floodwater movement around the railway infrastructure;
- access;
- drainage;
- earthworks;
- residential amenity;
- noise;
- vibration;
- agricultural operations; and
- future expectations regarding the operation of the railway and surrounding farming properties.

6. RURAL CHARACTER AND AMENITY

The Motley area has an established rural and agricultural character.

The proposed creation of four smaller lots would represent a significant change from the existing large-scale agricultural landholding pattern.

I am concerned that approval of this application would contribute to the gradual transformation of productive agricultural land into a fragmented rural lifestyle area.

This would fundamentally change the character of the locality.

The value of the Motley area is not simply the number of individual properties that can be created. Its value lies in the combination of productive agricultural land, open rural landscapes, established farming practices and the ability of farmers to continue operating without increasing residential conflicts.

Once this rural character is progressively fragmented, it cannot readily be restored.

7. PRECEDENT AND CUMULATIVE IMPACT

I ask Council to consider the precedent that approval of this application could establish.

If productive agricultural properties in the Motley area can progressively be divided into smaller lots, further applications may follow.

The cumulative effect could be substantial even if each individual subdivision appears manageable when considered in isolation.

The question for Council should therefore be whether the proposed subdivision is consistent with the desired long-term planning outcome for this locality.

I strongly submit that the long-term public interest is better served by retaining the land in larger, viable agricultural holdings rather than encouraging incremental fragmentation.

8. IMPACT ON NEIGHBOURING AGRICULTURAL OPERATIONS

As an adjoining landowner, I am also concerned about the potential for future residential occupants of the proposed lots to experience and object to normal agricultural activities.

Agricultural operations can involve:

- tractors and heavy machinery;
- harvesting;
- grain trucks;
- dust;
- noise;

- early morning and evening operations;
- crop spraying;
- fertiliser application;
- harvesting during weather-dependent periods; and
- other activities that are entirely normal within a productive agricultural area.

Introducing additional residential lots into this environment increases the potential for future land-use conflict.

Council should avoid creating a situation where existing agricultural operators are subsequently pressured to modify or restrict legitimate farming practices because of residential development that has been introduced into the agricultural area.

9. LOT SIZE AND APPROPRIATE LAND USE

The proposed lot sizes and configuration should be considered in the context of the actual productive agricultural capacity of the land.

It is not sufficient for proposed lots to simply satisfy a minimum dimensional requirement if the resulting configuration nevertheless contributes to fragmentation and makes agricultural production less viable.

The relevant question should be whether the resulting lots are of a size and configuration that support the continued sustainable use of the land for agriculture.

Council's own guidance recognises that rural subdivision requirements include minimum lot sizes and that the planning framework seeks to minimise further fragmentation of rural land.

10. REQUEST FOR DETAILED TECHNICAL ASSESSMENT

Before Council makes any determination, I respectfully request that the following matters be properly investigated:

1. A detailed flood and overland-flow assessment of the entire site and adjoining affected land.
2. Identification and protection of the natural waterway and existing drainage corridor through the Motley Flat.
3. Assessment of rainfall runoff from the Linthorpe Flat towards the Motley Flat.
4. Assessment of potential impacts on Lot 2 RP802872 and other adjoining properties.

5. Assessment of the interaction between the natural drainage system and the adjacent railway corridor.
6. Assessment of whether future access roads, driveways, earthworks or building pads could obstruct or redirect existing flood flows.
7. Assessment against the Agricultural Land Overlay, where applicable.
8. Assessment of the proposed lot sizes against the objectives of retaining viable agricultural land.
9. Assessment of cumulative impacts and the precedent created by further fragmentation of agricultural land in the locality.
10. Consideration of whether the proposed subdivision is genuinely required for improved agricultural land management or productive utilisation, rather than simply creating additional smaller rural/lifestyle holdings.

11. REQUEST TO REFUSE THE APPLICATION

For the reasons outlined above, I respectfully request that Toowoomba Regional Council **refuse Development Application RAL/2026/4836**.

In particular, I ask Council to give significant weight to:

- the loss and fragmentation of productive agricultural land;
- the existing agricultural character of the Motley locality;
- the potential conflict between future residential use and ongoing agricultural production;
- the existing natural waterway and overland-flow paths;
- the flooding and drainage behaviour of the Linthorpe Flat and Motley Flat;
- the proximity of the railway corridor;
- the potential impact of future earthworks and infrastructure on floodwater movement;
- the cumulative impact of further rural land fragmentation; and
- the precedent that approval may establish for further subdivision of productive agricultural land.

I am not opposed to responsible development in principle. My objection is specifically to the **fragmentation of this productive agricultural land into smaller holdings in a location where natural drainage, flooding, agricultural production and the railway corridor create important constraints**.

The land is valuable because of its agricultural capability and its contribution to the established rural landscape of the district. Once this land is divided into smaller holdings and progressively developed for rural residential purposes, the resulting fragmentation is effectively permanent.

I therefore respectfully request that Council protect the long-term agricultural and rural character of the Motley area and **refuse the proposed reconfiguration into four lots.**

I also request that this submission be treated as a properly made submission and that I be notified of Council's decision in relation to Development Application **RAL/2026/4836.**

Yours faithfully,

Christine Devine

Owner/Resident – **Lot 2 RP802872**

1726 Oakey Pittsworth Road
Motley QLD 4356

Date: 21/08/2026