

REPORT TITLE	Reconfiguring a Lot - Impact - Boundary Realignment Three (3) Lots into Three (3) Lots located at 156 Middle Road, PIERCES CREEK QLD 4355
AUTHOR	Planning Officer (Jun Ong)
Application No.	RAL/2026/541

**PURPOSE OF REPORT**

To consider a Development Application for Reconfiguring a Lot - Impact - Boundary Realignment Three (3) Lots into Three (3) Lots located at 156 Middle Road, PIERCES CREEK QLD 4355

**EXECUTIVE SUMMARY**

The report considers a Development Application for Reconfiguring a Lot - Impact - Boundary Realignment Three (3) Lots into Three (3) Lots located at 156 Middle Road, Pierces Creek, formally known as Lot 2 RP161075, Lots 5 and 6 RP16018. The subject premises comprises three (3) irregularly shaped lots with a combined land area of 66.58ha within the Rural Zone (100ha minimum Precinct). The land has road frontages to Middle Road, Pogson Road and Austin Road. Lot 2 RP161075 and Lot 5 RP16018 has direct frontage to a sealed road (Middle Road) whereas Lot 6 RP16018 only has frontage to an unsealed and unformed road (Austin Road). Existing electricity infrastructure easement for Powerlink (Emt A AP4616) traverses Lot 2 RP161075 in a north-south direction. The subject land is outside of Council’s Priority Infrastructure Area and unserved by Council’s infrastructure network.

Additionally, site constraints identified over the subject land includes highly undulating terrain, environmental features and waterbodies, Agricultural Land Overlay, Bushfire Hazard Overlay, Environmental Significance Overlay, Landslide Hazard Overlay and Flood Hazard Overlay.

The application seeks to consolidate viable Agricultural Land within a larger Proposed Lot 3. Proposed Lots 1 and 2 maintain lot boundaries similar to existing Lot 2 RP161075 and are relatively unaffected by the natural hazard overlays. Existing lot sizes are less than 100ha combined and no new lots are created by the proposed boundary realignment. The proposed lot sizes are as follows:

- Proposed Lot 1: 1.295ha
- Proposed Lot 2: 7.248ha
- Proposed Lot 3: 58.04ha

The proposed boundary realignment does not comply with the minimum lot size requirements of the Rural Zone (100ha minimum Precinct) and is subject to Impact Assessment against the *Toowoomba Regional Planning Scheme 2012* (v.28) requiring public notification. No submissions were received during the public notification period.

The proposed boundary realignment presents a lot size and dimension significantly different from the rural locality which conflicts with PO13 of the Rural Zone Code. The proposed development is assessed for compliance against the Strategic Framework 3.3.9 Element – Rural Landscape where the proposed development can appropriately maintain the productive capacity of rural land resources without facilitating inappropriate intensification of development or contribute to further fragmentation of Agricultural Land. The proposed development has been assessed for compliance with the relevant assessment benchmarks and therefore is recommended for approval subject to reasonable and relevant conditions.

**RECOMMENDATION**

**APPROVED** - Application No. RAL/2026/541 for a Development Permit for Reconfiguring a Lot - Impact - Boundary Realignment Three (3) Lots 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 a Reconfiguring a Lot, being the Boundary Realignment of Three (3) Lots 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:** 250033P01, Sheet 1 of 1

**Description:** 3 Lots into 3 Lots, involving Lot 2 on RP161705 and Lots 5 & 6 on RP16018, Middle Road Pierces Creek, prepared by Surveyors Co. and dated 18 December 2025.

**Amendments:** Nil

## LOT NUMBERING

6. 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

7. 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.

## FEES AND CHARGES

8. 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.

## GENERAL ADVICES

### INFRASTRUCTURE CHARGES

- 1) Infrastructure charges are now 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](http://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.

## CLEARING OF PROTECTED PLANTS

- 7) In accordance with *Nature Conservation (Animals) Regulation 2020* you must check the flora survey trigger map, prior to the clearing of any native plants found on the subject land to determine if a flora survey must be undertaken and if a clearing permit for clearing endangered, vulnerable and near threatened plants ('EVNT plants') and their supporting habitat is required.

Under the Regulation, if a flora survey identifies that EVNT plants are not present or can be avoided by 100m, the clearing activity may be exempt from a permit, however an exempt clearing notification form must be submitted to the Department of Environment and Science. In an area other than a high risk area, a clearing permit is only required where a person is, or becomes, aware that EVNT plants are present, though a range of exemptions do apply. Clearing of least concern plants is generally exempt from requiring a clearing permit. For further information associated with the clearing of protected plants and to obtain flora survey trigger map for your site please refer to the Departmental website.

## CLEARING OF NATIVE VEGETATION

- 8) The subject land supports regulated vegetation under the *Vegetation Management Act 1999* (VM Act). The clearing of regulated vegetation can only be undertaken where associated with exempt clearing activities established under the VM Act. For further information regarding exempt clearing activities please contact your local office of the Department of Resources.

## EXCAVATION & FILLING

- 9) The *Toowoomba Regional Planning Scheme 2012* (TRPS) declares excavation and filling activity involving less than 50m<sup>3</sup> 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 50m<sup>3</sup> or more of fill is deposited on, or 50m<sup>3</sup> 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.

## BUSHFIRE BUILDING STANDARD

- 10) This Development Approval has not considered any building assessment provisions under the *Building Code of Australia*. Proposed Lots are identified in the *Toowoomba Regional Planning Scheme 2012* as bushfire prone and the bushfire provisions of the *Building Code of Australia* will need to be considered for any building work being undertaken the subject land.

## 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.

## REASONS FOR RECOMMENDATION

The proposed development has been assessed with regard to the applicable assessment framework as identified within this report and the attached Statement of Reasons (refer to Schedule 1). The proposed development is generally acceptable having regard to 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.



Krys den Hertog  
Acting Manager, Planning Branch

Decision Date: 19 May 2026

**BACKGROUND**

<b>SITE DETAILS</b>				
<b>Site Address</b>	156 Middle Road, PIERCES CREEK QLD 4355			
<b>Real Property Description</b>	Lot 5 RP16018, Lot 6 RP16018, Lot 2 RP161075			
<b>Site Area</b>	66.586ha.			
<b>Owner</b>	Ashley Vincent Schefe			
<b>SITE CHARACTERISTICS</b>				
<b>Current Land Use</b>	Vacant Land / Dwelling House			
<b>Site Frontage/s</b>	Middle Road: ~1117m Pogson Road: ~366m Austin Road: ~961m			
<b>Road/s</b>	<b>Order of Road</b>	<b>Width of Road Reserve</b>	<b>Width of Pavement</b>	<b>Road Material</b>
Middle Road	Local	19m-107m	~6m	Bitumen
Pogson Road	Local	20m	N.A.	Unformed
Austin Road	Local	17m-37m	N.A.	Unformed
<b>Easements</b>	Easement A AP4616 over Lot 2 RP161075			
<b>Existing Structures</b>	Dwelling House and ancillary residential structures			
<b>Infrastructure</b>	Subject site is not connected to Council's water and sewer infrastructure networks			
<b>Topography</b>	Highly undulating terrain with varying levels of steepness averaging at around 10% gradient sloping in a general direction towards the north which eases into a subtle valley formation along Pogson Road.			
<b>Street Trees</b>	No street tree identified among existing vegetation along road frontages.			
<b>Other Features</b>	Nothing to note			
<b>PLANNING SCHEME SITE DATA</b>				
<b>Current Planning Scheme</b>	<i>Toowoomba Regional Planning Scheme 2012</i> (Version 28)			Adopted: 28/11/2022
<b>Zone</b>	Rural Zone			
<b>Precinct</b>	100ha minimum Precinct			
<b>Overlays</b>	Agricultural Land Overlay Environmental Significance Overlay <ul style="list-style-type: none"> <li>• Biodiversity Corridors</li> <li>• Areas of Ecological Significance</li> <li>• Areas of Ecological Significance Overlay</li> <li>• Waterways and Wetlands</li> </ul> Bushfire Hazard Overlay <ul style="list-style-type: none"> <li>• Medium Bushfire Risk</li> </ul> Landslide Hazard Overlay Flood Hazard Overlay <ul style="list-style-type: none"> <li>• Balanced-Mixed Flood Risk</li> </ul>			
<b>Infrastructure Charges Resolution</b>	<i>Charges Resolution No. 7</i>			Adopted: 19/08/2025
<b>SURROUNDS:</b>				
<b>Direction</b>	<b>Land Use</b>	<b>Zone/Precinct</b>		
<b>North</b>	Vacant Land / Dwelling House	Rural Zone / 100ha minimum Precinct		
<b>East</b>	Vacant Land / Dwelling House	Rural Zone / 100ha minimum Precinct		
<b>South</b>	Vacant Land / Dwelling House	Rural Zone / 100ha minimum Precinct		
<b>West</b>	Vacant Land / Dwelling House	Rural Zone / 100ha minimum Precinct		

<b>Other Features</b>	Nothing to note
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<b>APPLICATION HISTORY</b>			
<b>Application No.</b>	<b>Description</b>	<b>Decision Date</b>	<b>Decision</b>
No relevant details			

<b>PROPOSED DEVELOPMENT</b>		
<b>Name of Applicant</b>	Ashley Vincent Schefe	
<b>Type of Application</b>	Reconfiguring a Lot	
<b>Proposed Development</b>	Boundary Realignment Three (3) into Three (3) Lots	
<b>Variations Sought</b>	Not Applicable	
<b>Level of Assessment</b>	Impact	
<b>Submissions Received</b>	Objection:	Nil.
	Support:	Nil.
<b>Decision Making Period Ends</b>	19 May 2026	

## CONSULTATION UNDERTAKEN

### Referral Agency

<b>Referral Agency (Technical Agency)</b>	<b>Referral Role</b>	<b>Aspect of Development Requiring Referral</b>	<b>Response</b>
Powerlink	Third Party Advice	Schedule 10, Part 9, Division 2, Table 1, Item 1	Referral Advice Agency Response received by Council on 24 February 2026

### Internal Referrals

<b>Internal Referral Partner</b>	<b>Referral / Response</b>
Development Engineering and Plumbing	Reviewed and recommended conditions of approval.
Place Environmental	Reviewed and recommended conditions of approval.
Water and Waste	Reviewed with no further requirements.
Infrastructure Charges Unit	To prepare an Infrastructure Charges Notice in accordance <i>with Charges Resolution No. 7</i> to accompany an approval of the development.

### Public Notification

The Notice of Compliance was received by Council on 13 April 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 Western Downs Town and Country newspaper on 17 March 2026;
- Placing a notice on the land from 18 March 2026 until 11 April 2026; and
- Notifying owners of all land adjoining the site on 16 March 2026.

No properly made submissions were received during the public notification period.

## 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.  The proposed development is not for Reconfiguring a Lot as defined in Part 1 of Schedule 12A of the Regulation.

#### REGIONAL PLANS

<i>Shaping SEQ – South East Queensland Regional Plan 2023</i>	Not applicable.
<i>Darling Downs Regional Plan October 2013</i>	The <i>Darling Downs Regional Plan 2013</i> (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 a Priority Agricultural Area (PAA). However, the development application does not conflict with the intent for a PAA as the existing land use comprise dwelling house and vacant land use. Despite not currently used as agricultural land, the proposed boundary realignment does not result in lot sizes that would conflict with the land potential for agricultural use within the PAA.

#### STATE PLANNING POLICY (SPP) July 2017

<b>Interests</b>	<b>Assessment Comments</b>
Housing Supply and Diversity	No applicable assessment benchmarks.
Livable Communities	No applicable assessment benchmarks.
Agriculture	No applicable assessment benchmarks. The subject site is not identified as containing Important Agricultural Areas or Agricultural Land Classification (Class A and B).
Development and Construction	No applicable assessment benchmarks.
Mining and Extractive Resources	No applicable assessment benchmarks.
Tourism	No applicable assessment benchmarks.
Biodiversity	The interactive mapping (DAMS) which accompanies the SPP identifies that this interest is applicable to the subject property. However, the state interest policies identified in Part E of the SPP are not considered to be relevant to the proposed development for a boundary realignment.
Cultural Heritage	No applicable assessment benchmarks.
Water Quality	No applicable assessment benchmarks.
Emissions and Hazardous Activities	No applicable assessment benchmarks.
Natural Hazards, Risk and Resilience	The interactive mapping (DAMS) which accompanies the SPP identifies that this interest is applicable to the subject property.  Subject site is identified as a Flood hazard area – local government flood mapping area under the <i>SPP July 2017</i> State interest – natural hazards, risk and resilience, of which the Minister has identified to be appropriately reflected in the Planning Scheme.  Subject site is identified as a bushfire prone area and a small portion of land susceptible to landslide hazard. The proposed boundary realignment development does not undermine the state interest and does not present noncompliance with any of the assessment benchmarks. As such, no further assessment against the assessment benchmarks identified in Part E

	of the SPP is required for the proposed development.
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
- Agricultural Land Overlay Code
- Environmental Significance Overlay Code
- Bushfire Hazard Overlay Code
- Flood Hazard Overlay Code
- Landslide Hazard Overlay Code
- Rural Zone Code
- Reconfiguring a Lot Code

The development was assessed against all of the assessment benchmarks listed above and is considered to comply with the following exceptions:

### STRATEGIC FRAMEWORK:

Theme	Assessment Comments
Settlement Pattern 3.3.9 Element – Rural Landscape	The rural landscapes of the Toowoomba Region are a valued visual and economic asset which are managed through best practice in agricultural and conservation techniques.
3.3.9.1 Specific outcomes	<p>(1) The integrity, viability and productivity of agricultural land and the rural landscape are protected and maintained for agricultural purposes.</p> <p>(2) agricultural land:</p> <p>(a) that is outside of areas designated for urban development is conserved for current and future agricultural purposes (refer Strategic Framework Map SF4 – Natural Resources and Landscape); and</p> <p>(b) is not degraded, alienated or fragmented, providing for its long-term and sustainable agricultural use.</p> <p>(3) Potential for conflict between farming activities and residential development is avoided</p>
<b>Officer comment</b>	
<p>The subject lots are burdened by multiple constraints including natural hazard overlays, the electrical easement of Powerlink traversing Lot 2 RP161075 and the lack of access to a sealed road for Lot 5 RP16018. The subject land is approximately 8.5km away from the Crows Nest Township and the rural locality comprise steep, hilly terrain with substantial vegetation to the north and west of Middle Road.</p> <p><u>Lot size and access</u> The current lot sizes have a combined land area of 66.58ha and is unable to achieve the minimum lot size requirement prescribed in the 100ha min Precinct of the Rural Zone. The proposed boundary realignment presents a lot size and dimension significantly different from the rural locality which conflicts with PO13 of the Rural Zone Code. Existing lots are bounded by a road reserve on the west, north and eastern frontages. Lots 5 and 6 RP16018 have limited to no frontage access to the western sealed road (Middle Road). Existing Dwelling House on Lot 5 RP16018 takes access to Middle Road through Lot 6 RP16018. 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.</p> <p><u>Land use provisions</u> Current Planning Scheme provisions allow each lot to accommodate a dwelling house use as Accepted</p>	

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. Rural landscapes are a valued visual and economic asset per Strategic Framework Element 3.3.9 – Rural Landscape. Proposed Lot 1 size is significantly different from the existing pattern of rural lots in the locality. However, a future dwelling house on Proposed Lot 1 will be setback more than 50m 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).

#### Lot relationship with mapped overlay areas

Pockets of Regulated Vegetation (Category C) are identified over Lot 5 and 6 RP16018. Pockets of Agricultural Land mapped overlay areas are identified within Lot 5 RP16018 and Lot 2 RP161075 where terrain is less steep and could be viable for agricultural activities. 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. Bushfire and Landslide Hazard mapped overlay areas are largely consolidated within Proposed Lot 3. 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).

#### OVERLAY CODE/S:

Bushfire Hazard Overlay code	
Performance Outcome	Acceptable Outcome
<p>PO2 Development provides for the safety of people and property by avoiding areas of High or Medium bushfire risk.</p>	<p>AO2.1 Development is not located on land that is subject to High or Medium bushfire risk.</p> <p>OR</p> <p>AO2.2 Where development is located in a High or Medium bushfire risk area (except for single dwellings on existing lots), it complies with a Bushfire Management Plan for the premises</p>
Alternate Outcome	
<p>The applicant submits:</p> <p><i>“The proposed development is for a boundary realignment and does not involve additional lots within areas of Medium Fire Risk.”</i></p>	
Officer Comment	
<p>The subject lots are located within the Medium Bushfire Risk area and the applicant has not provided a Bushfire Management Plan for compliance with AO2.2.</p> <p>The proposed boundary realignment consolidates Bushfire Hazard within Proposed Lot 3. Proposed Lots 1 and 2 encroach into the fringes of the Bushfire Hazard Overlay mapped areas to the east. No buildings are proposed as part of this application that would encroach into the Bushfire Hazard Overlay mapped areas. The proposed development does not conflict with PO2.</p>	

#### RURAL ZONE CODE:

Performance Outcome	Acceptable Outcome
<p>PO13 Development in the 100ha Precinct:</p> <ul style="list-style-type: none"> <li>(a) does not involve the creation of additional lots smaller than 100ha;</li> <li>(b) maintains the productive capacity of the land; and</li> <li>(c) maintains the natural and scenic landscape values of the land.</li> </ul>	<p>No acceptable outcome is nominated.</p>
Alternate Outcome	
<p>The applicant submits:</p>	

*“The boundary realignment does not create additional lots smaller than 100ha. The existing lots are already less than the minimum lot size for the zone/precinct. The realignment will allow for the more efficient utilisation and effective management of the land. The proposed development is respectful of and positively integrates with the rural character of the surrounding locality.”*

**Officer Comment**

Proposed lot sizes are unable to achieve the 100ha minimum requirement of the Rural Zone Precinct as the existing lot sizes are less than 100ha combined. No new lots are created and does not conflict with PO13(a). Lot 5 RP16018 does not have access to a formed road and the proposed boundary realignment reconfiguration provides each lot with vehicular access to a sealed road (Middle Road). Further assessment of the proposed boundary realignment on the rural landscape and productive capacity of identified Agricultural Land is undertaken against Strategic Framework Element 3.3.9 for compliance with PO13(b) and (c).

**DEVELOPMENT CODES:**

<b>Reconfiguring a Lot Code</b>	
<b>Performance Outcome</b>	<b>Acceptable Outcome</b>
<p><b>PO4</b>  <i>All new lots provide sufficient area, frontage and dimensions, and road access that enable their future development to achieve relevant outcomes in applicable Use, Zone, Overlay, and Other Development Codes in relation to:</i></p> <ul style="list-style-type: none"> <li><i>(a) dwellings, buildings and/or other structures</i></li> <li><i>(b) setbacks;</i></li> <li><i>(c) landscaping;</i></li> <li><i>(d) on site car parking and vehicle access;</i></li> <li><i>(e) recreation areas (private open space);</i></li> <li><i>(f) cultural heritage and character streetscape values;</i></li> <li><i>(g) other design criteria.</i></li> </ul>	<p><b>AO4.1</b>  <i>All lots are rectangular and have minimum width to depth ratios, areas, dimensions and frontages as prescribed in Table 9.4.5:4.</i></p>
<b>Alternate Outcome</b>	
<p>The applicant submits:</p> <p><i>“The development is for a Reconfiguring a Lot for Boundary Realignment in the Rural Zone. The current lot sizes are already less than the prescribed 100ha for this Precinct. No additional lots will be created as part of this development. The proposed lots align with the current full or part allotment boundaries.”</i></p>	
<b>Officer Comment</b>	
<p>Existing lots within the 100ha Precinct are smaller than 100ha lot size. Non-compliance with the lot dimensions prescribed in AO4.1 elevates assessment to PO4.</p> <p>Existing Lot 5 RP16018 do not have access to a sealed road. The proposed boundary realignment reconfigures lot boundaries to provide all proposed lots with direct road frontage to a sealed road, Middle Road for vehicular access. The proposed irregular lot size and dimensions are different from the rural locality which conflicts with PO13 of the Rural Zone Code. Further assessment of the proposed boundary realignment on the rural landscape and productive capacity of identified Agricultural Land is undertaken against Strategic Framework Element 3.3.9 for compliance with PO4.</p>	
<b>Performance Outcome</b>	<b>Acceptable Outcome</b>
<p><b>PO13</b>  <i>In the Rural Zone, the productive capacity of rural land resources is protected from the reconfiguration of lots that facilitates inappropriate intensification of development in the zone.</i></p>	<p><b>AO13.1</b>  <i>Lots have a minimum area as shown in Table 9.4.5:4.</i></p>
<b>Alternate Outcome</b>	
<p>The applicant submits:</p>	

*“The development is for a Reconfiguring a Lot for Boundary Realignment. The current lot sizes are already less than the prescribed 100ha for this Precinct. No additional lots will be created as part of this development.”*

**Officer Comment**

The proposed lots do not meet the 100ha minimum precinct lot size requirement and do not comply with AO13.1.

The productive capacity of rural land resources is identified by the viability and productivity of agricultural land identified within the Agricultural Land Overlay. Agricultural Land is identified over Proposed Lots 2 and 3. Proposed Lot 2 retain the general scale of existing Lot 2 RP161075 and does not further fragment identified Agricultural Land. Proposed Lot 3 consolidates Agricultural Land within the larger lot and is significantly setback from Proposed Lot 1 should a dwelling house be proposed. The proposed irregular lot size and dimensions are different from the rural locality which conflicts with PO13 of the Rural Zone Code. However, no new lots are created over the subject land that may facilitate inappropriate intensification of development. Further assessment of the proposed boundary realignment on the rural landscape and productive capacity of identified Agricultural Land is undertaken against Strategic Framework Element 3.3.9 for broad compliance with PO13.

**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 (LGIP):**

Subject site is located outside of the LGIP Priority Infrastructure Area.

**Other Relevant Matters**

No relevant matters considered.

**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 21 – Freedom of expression  
 Section 24 – Property rights

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 framework as identified within this report and the attached Statement of Reasons (refer to Schedule 1). The proposed development

is generally acceptable having regard to 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	4	Aerial Map
Attachment	2	of	4	Zone Map
Attachment	3	of	4	Infrastructure and Overlay Map
Attachment	4	of	4	Proposed Development

## **SCHEDULES**

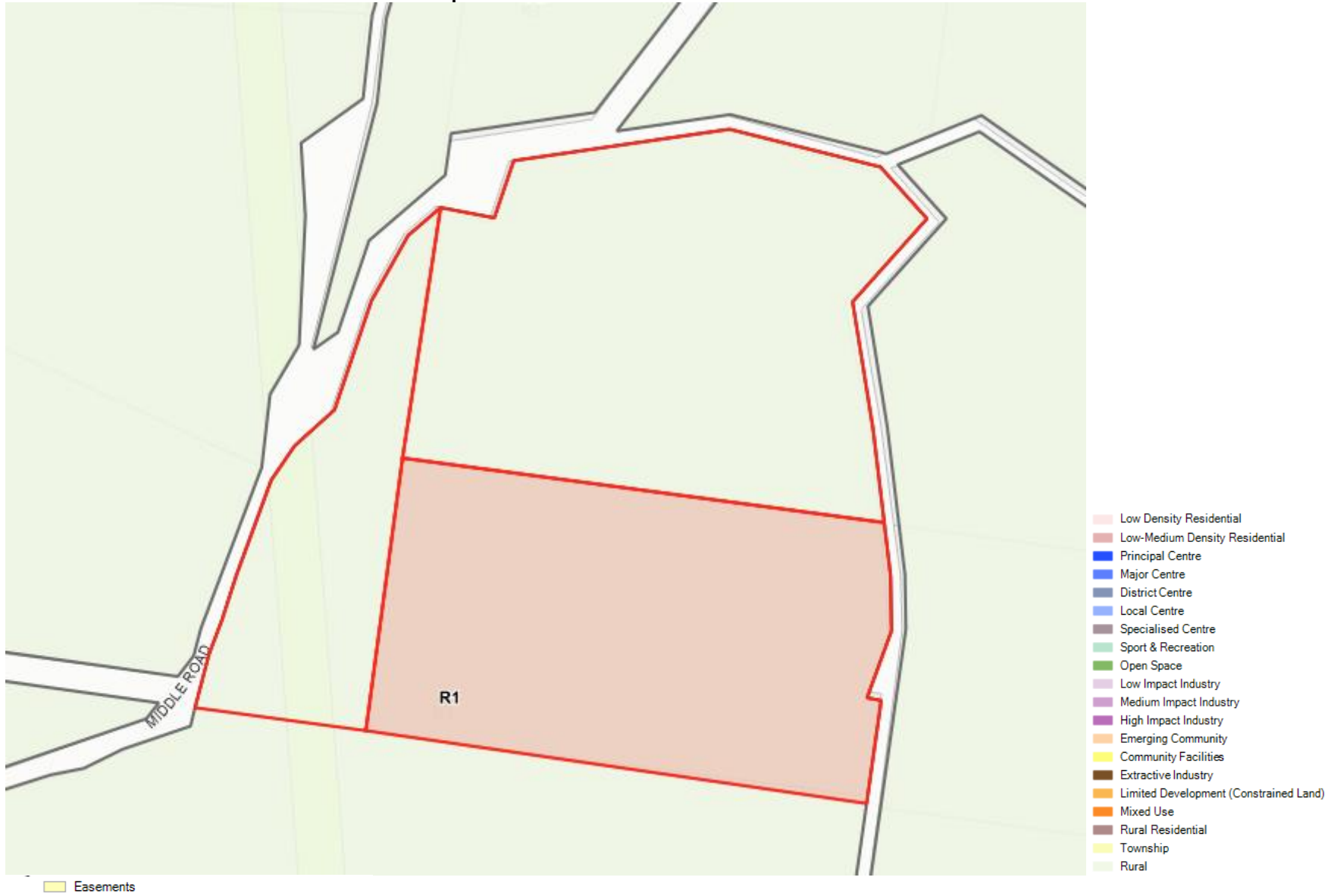
Schedule	1	Advice Agency Response
Schedule	2	Statement of Reasons

ATTACHMENTS

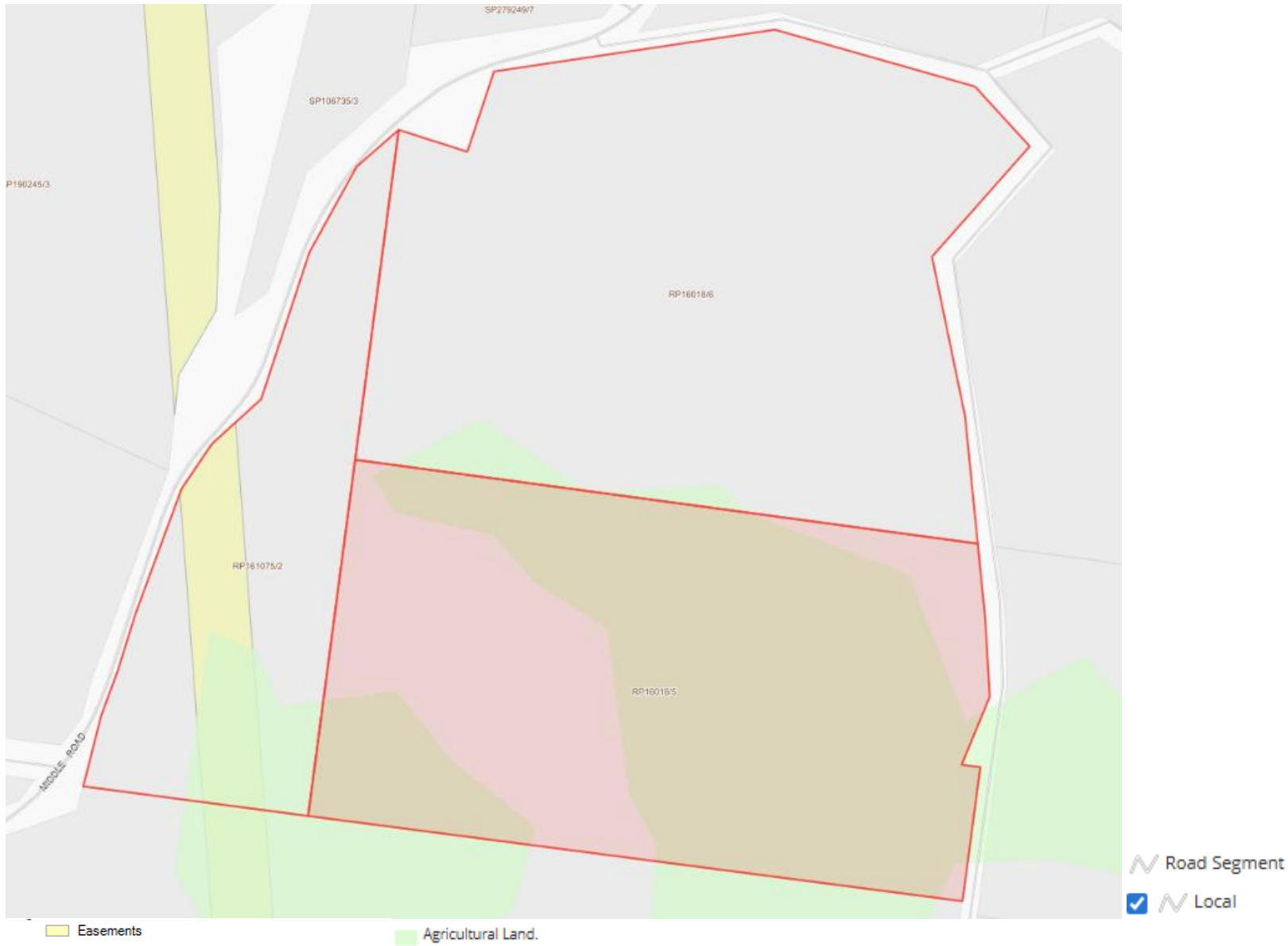
Attachment 1 of 4 Aerial Map

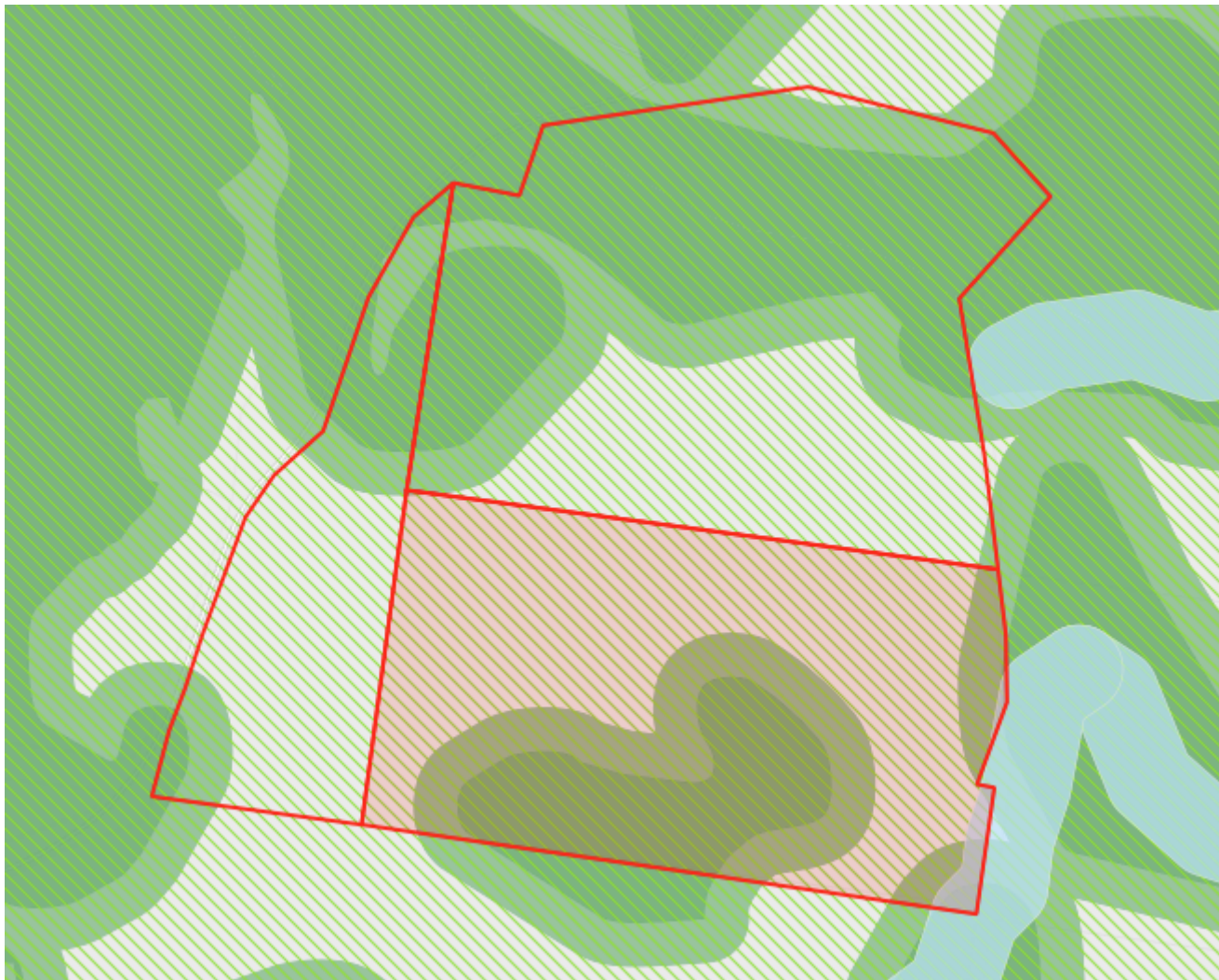


Attachment 2 of 4 Zone Map

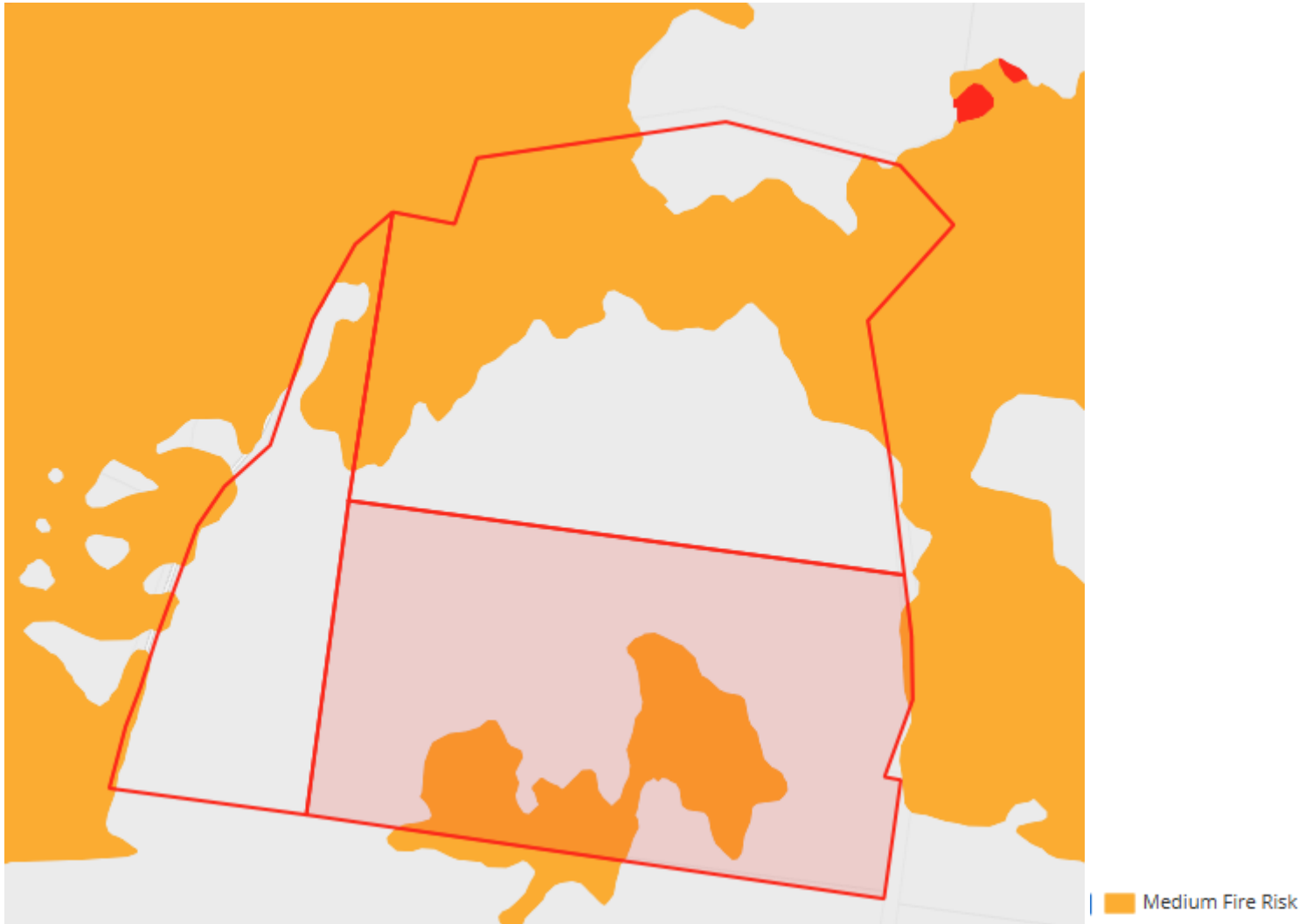


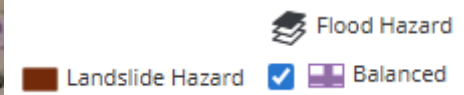
**Attachment 3 of 4 Infrastructure and Overlay Map**



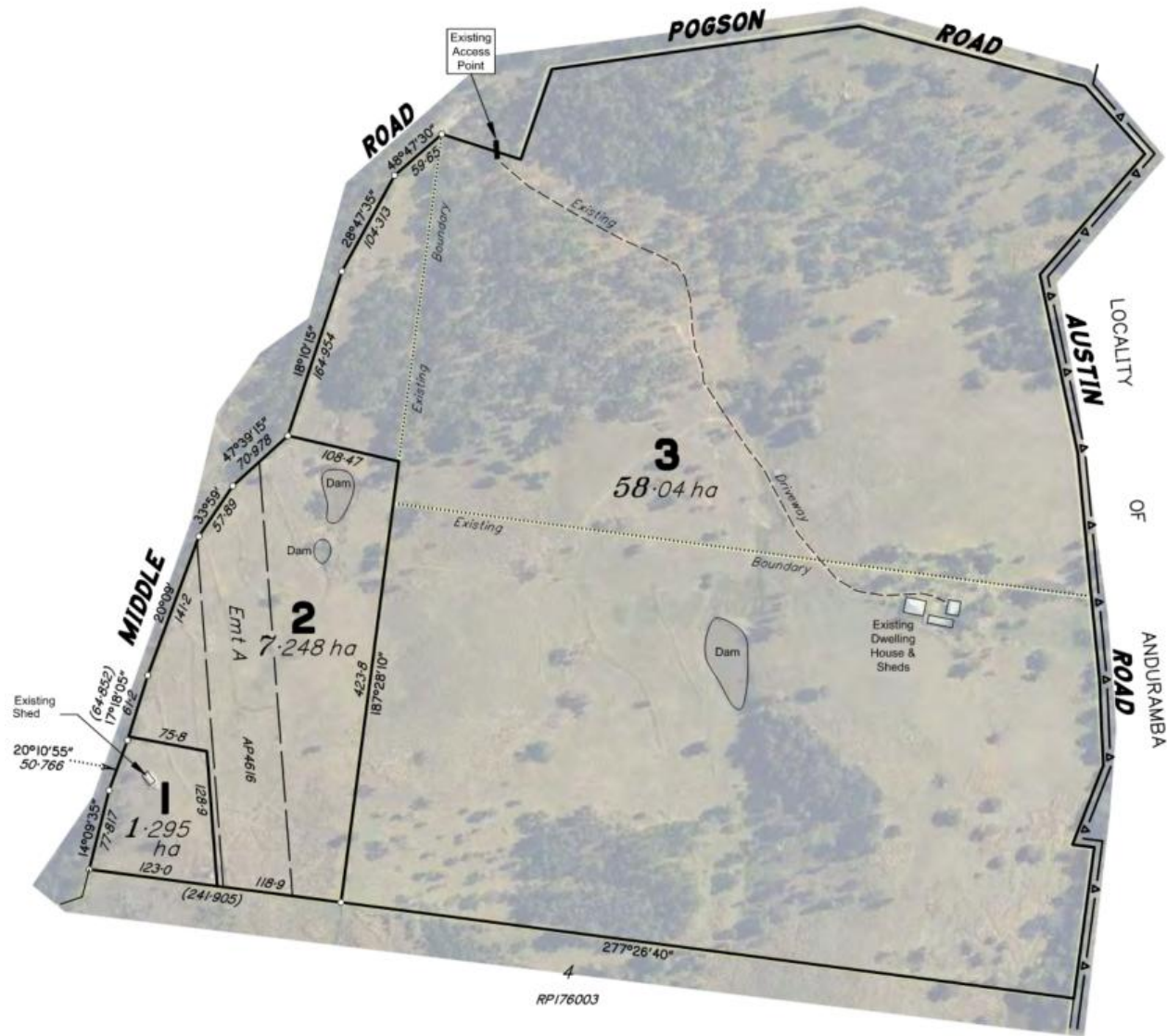


- Waterways and Wetlands .
- Waterways and Wetlands Buffer
- Biodiversity Corridors
- Areas of Ecological Significance.
- Areas of Ecological Significance Buffer





Attachment 4 of 4 Proposed Development



**SCHEDULE 1**

**Advice Agency Response**



**RECEIVED**  
24/02/2026  
**TOOWOOMBA**  
**REGIONAL COUNCIL**

Our Ref: DA6657  
MSLink/s: 12533  
Council Ref: RAL/2026/541

24 February 2026

Toowoomba Regional Council  
PO Box 3021  
TOOWOOMBA QLD 4350

Ashley Vincent Scheffe  
C/- Yarramine Environmental  
PO Box 163  
CROWS NEST QLD 4355

Attention: Jun Ong  
Via Email: [development@tr.qld.gov.au](mailto:development@tr.qld.gov.au)

Attention: Amanda Kimball  
Via Email: [amanda@yarramine.com.au](mailto:amanda@yarramine.com.au)

Dear Jun,

**Referral Agency Response (Advice)**

(Given under Section 9.2 of the Development Assessment Rules)

Transmission Infrastructure Impacted	
Transmission Corridor	Tarong – Middle Ridge (275 kV) Transmission Line Corridor
Easement ID	A on AP4616 (Dealing No. 601536011)
Location Details	
Street address	156 Middle Road, PIERCES CREEK QLD 4355
Real property description	Lot 5 RP16018, Lot 6 RP16018, Lot 2 RP161075
Local government area	Toowoomba Regional Council
Application Details	
Proposed development:	Development Permit
Approval sought	Reconfiguring a lot

We refer to the above referenced development application which has been referred to Powerlink Queensland in accordance with Section 54 of the *Planning Act 2016*.

In accordance with its jurisdiction under Schedule 10 Part 9 Division 1&2 of the *Planning Regulation 2017*, Powerlink Queensland is a **Referral Agency (Advice)** for the above development application.

Specifically, the application has been triggered for assessment by Powerlink Queensland because:

1. For **reconfiguring a lot** – all or part of the lot is subject to a transmission entity easement which is part of the transmission supply network (Division 2, Table 1 1a)

## PLANS AND REPORTS ASSESSED

The following plans and reports have been reviewed by Powerlink Queensland and form the basis of our assessment. Any variation to these plans and reports may require amendment of our advice.

**Table 1: Plans and Reports upon which the assessment is based**

Drawing / Report Title	Prepared by	Dated	Reference No.	Version / Issue
Plan of Development	Surveyors Co	18/12/2026	250033P01	-

Powerlink Queensland, acting as a Referral Agency (Advice) under the *Planning Regulation 2017* provides its response to the application as attached (**Attachment 1**).

Please treat this response as a properly made submission for the purposes of Powerlink being an eligible advice agency in accordance with the *Planning Act 2016*.

For further information please contact the Property Management Team on (07) 3898 4090 or via email [property@powerlink.com.au](mailto:property@powerlink.com.au) who will be pleased to assist.

Yours sincerely,



for:  
Laura Donaldson  
**Property Management Team Leader**

## ATTACHMENT 1 – REFERRAL AGENCY (ADVICE) RESPONSE

Powerlink Queensland **supports** this application subject to the inclusion of the following conditions in the Assessment Manager's Decision Notice.

No.	Condition	Timing	Reason
1	The development must be carried out generally in accordance with the reviewed plans detailed in Table 1.	At all times.	To ensure that the development is carried out generally in accordance with the plans of development submitted with the application.
2	The statutory clearances set out in the <i>Electrical Safety Regulation 2013</i> must be maintained during construction and operation. No encroachment within the statutory clearances is permitted.	At all times.	To ensure that the purpose of the <i>Electrical Safety Act 2002</i> is achieved, and electrical safety requirements are met.
3	Compliance with the terms and conditions of the easement dealing no. shown in the heading of this letter.	At all times.	To ensure that the existing rights contained in the registered easement dealings are maintained.
4	Compliance with the generic requirements in respect to proposed works in the vicinity of Powerlink Queensland infrastructure as detailed in the enclosed Annexure "A".	At all times.	To ensure that the purpose of the <i>Electrical Safety Act 2002</i> is achieved and electrical safety requirements are met.  To ensure the integrity of the easement is maintained.
5	Owners or future lot owners of proposed lots 1 & 2 are to be notified of the existing Easement A on AP4616 (Dealing No. 601536011) and the relevant terms and conditions of this easement.  Further development of proposed lot 1 should ensure that the current access track (providing access to Transmission Tower Structure 1030-STR-9110) is maintained, or an alternative 3.0m wide access track is provided.	Prior to the sealing of the survey plan and/or prior to the transfer of ownership.	To ensure that the existing rights contained in the registered easement dealings are maintained.

### Advice to Council and the Applicant

1. Should any doubt exist in maintaining the prescribed clearance to electrical infrastructure the applicant is obliged under the *Electrical Safety Act 2002* to seek advice from Powerlink.
2. This response **does not constitute an approval to commence any works within the easement**. Prior written approval is required from Powerlink Queensland before any work is undertaken within the easement areas. All works on easement (including but not limited to earthworks, drainage and detention basins; road construction; underground and overhead service installation) require detailed submissions, assessments and consent (or otherwise) by Powerlink. If referral of a formal Development Application –

Operational Works is not applicable, please complete a Co-Use Form, available at <https://www.powerlink.com.au/co-use-form>, to lodge your submission.

3. In order for Powerlink to maintain and operate a safe and reliable supply of electricity, we require unrestricted 24-hour access to our corridors and infrastructure.

We will require practical access (typically by 4WD vehicle – but to standard no less than existing) to the Powerlink structures.

If it is envisaged that there will be any interference or alteration to our current access arrangements prior, during or after the completion of your works, we require that the applicant contacts our Easement Maintenance Service Provider Works Control Manager Easements – Mr Ehren Wittmer – Ph: 0418 233 916) to formalise unrestricted 24-hour access arrangements.

4. Compliance with the *Electrical Safety Act 2002* including any Code of Practice under the Act and the *Electrical Safety Regulation 2013* including any safety exclusion zones defined in the Regulation.

In respect of this application, the exclusion zone for untrained persons and for operating plant operated by untrained persons is **six (6) metres** from the **275,000-volt** wires and exposed electrical parts.

If works have the potential to come within the prescribed clearance to the conductors and electrical infrastructure, then the applicant must seek advice from Powerlink by completing the attached Application for Safety Advice – Form and submitting to [property@powerlink.com.au](mailto:property@powerlink.com.au)

**ATTACHMENT 2 – ASSESSED PLANS**

**ANNEXURE A – GENERIC REQUIREMENTS**

The conditions contained in this Annexure have been compiled to assist persons (the applicant) intending to undertake work within the vicinity of high-voltage electrical installations and infrastructure owned or operated by Powerlink. The conditions are supplementary to the provisions of the Electrical Safety Act 2002, Electrical Safety Regulation 2013 and the Terms and Conditions of Registered Easements and other forms of Occupational Agreements hereinafter collectively referred to as the “Easement”. Where any inconsistency exists between this Annexure and the Easement, the Easement shall take precedence.

**1. POWERLINK INFRASTRUCTURE**

You may not do any act or thing which jeopardises the foundations, ground anchorages, supports, towers or poles, including (without limitation) inundate or place, excavate or remove any soil, sand or gravel within a distance of twenty (20) metres surrounding the base of any tower, pole, foundation, ground anchorage or support.

**2. STRUCTURES**

No structures should be placed within twenty (20) metres of any part of a tower or structure foundation or within 5m of the conductor shadow area. Any structures on the easement require prior written consent from Powerlink.

**3. EXCLUSION ZONES**

Exclusion zones for operating plant are defined in Schedule 2 of the Electrical Safety Regulation 2013 for Untrained Persons. All Powerlink infrastructure should be regarded as “electrically live” and therefore potentially dangerous at all times.

In particular your attention is drawn to Schedule 2 of the *Electrical Safety Regulation 2013* which defines exclusion zones for untrained persons in charge of operating plant or equipment in the vicinity of electrical facilities. If any doubt exists in meeting the prescribed clearance distances from the conductors, the applicant is obliged under this Act to seek advice from Powerlink.

**4. ACCESS AND EGRESS**

Powerlink shall at all times retain the right to unobstructed access to and egress from its infrastructure. Typically, access shall be by 4WD vehicle.

**5. APPROVALS (ADDITIONAL)**

Powerlink's consent to the proposal does not relieve the applicant from obtaining statutory, landowner or shire/local authority approvals.

**6. MACHINERY**

All mechanical equipment proposed for use within the easement must not infringe the exclusion zones prescribed in Schedule 2 of the Electrical Safety Regulation 2013. All operators of machinery, plant or equipment within the easement must be made aware of the presence of live high-voltage overhead wires. It is recommended that all persons entering the Easement be advised of the presence of the conductors as part of on site workplace safety inductions. The use of warning signs is also recommended.

**7. EASEMENTS**

All terms and conditions of the easement are to be observed. Note that the easement takes precedence over all subsequent registered easement documents. Copies of the easement together with the plan of the Easement can be purchased from the Department of Environment & Resource Management.

**8. EXPENDITURE AND COST RECOVERY**

Should Powerlink incur costs as a result of the applicant's proposal, all costs shall be recovered from the applicant.

Where Powerlink expects such costs to be in excess of \$10 000.00, advanced payments may be requested.

**9. EXPLOSIVES**

Blasting within the vicinity (500 metres) of Powerlink infrastructure must comply with AS 2187. Proposed blasting within 100 metres of Powerlink infrastructure must be referred to Powerlink for a detailed assessment.

**10. BURNING OFF OR THE LIGHTING OF FIRES**

We strongly recommend that fires not be lit or permitted to burn within the transmission line corridor and in the vicinity of any electrical infrastructure placed on the land. Due to safety risks Powerlink's written approval should be sought.

**11. GROUND LEVEL VARIATIONS****Overhead Conductors**

Changes in ground level must not reduce statutory ground to conductor clearance distances as prescribed by the Electrical Safety Act 2002 and the Electrical Safety Regulation 2013.

**Underground Cables**

Any change to the ground level above installed underground cable is not permitted without express written agreement of Powerlink.

**12. VEGETATION**

Vegetation planted within an easement must not exceed 3.5 metres in height when fully matured. Powerlink reserves the right to remove vegetation to ensure the safe operation of the transmission line and, where necessary, to maintain access to infrastructure.

**13. INDEMNITY**

Any use of the Easement by the applicant in a way which is not permitted under the easement and which is not strictly in accordance with Powerlink's prior written approval is an unauthorised use. Powerlink is not liable for personal injury or death or for property loss or damage resulting from unauthorised use. If other parties make damage claims against Powerlink as a result of unauthorised use then Powerlink reserves the right to recover those damages from the applicant.

## ATTACHMENT 3

### 14. INTERFERENCE

The applicant's attention is drawn to s.230 of the Electricity Act 1994 (the "Act"), which provides that a person must not wilfully, and unlawfully interfere with an electricity entity's works. "Works" are defined in s.12 (1) of the Act. The maximum penalty for breach of s.230 of the Act is a fine equal to 40 penalty units or up to 6 months imprisonment.

### 15. REMEDIAL ACTION

Should remedial action be necessary by Powerlink as a result of the proposal, the applicant will be liable for all costs incurred.

### 16. OWNERS USE OF LAND

The owner may use the easement land for any lawful purpose consistent with the terms of the registered easement; the conditions contained herein, the *Electrical Safety Act 2002* and the *Electrical Safety Regulation 2013*.

### 17. ELECTRIC AND MAGNETIC FIELDS

Electric and Magnetic Fields (EMF) occur everywhere electricity is used (e.g. in homes and offices) as well as where electricity is transported (electricity networks).

Powerlink recognises that there is community interest about Electric and Magnetic Fields. We rely on expert advice on this matter from recognised health authorities in Australia and around the world. In Australia, the Federal Government agency charged with responsibility for regulation of EMFs is the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA). ARPANSA's *Fact Sheet – Magnetic and Electric Fields from Power Lines*, concludes:

*"On balance, the scientific evidence does not indicate that exposure to 50Hz EMF's found around the home, the office or near powerlines is a hazard to human health."*

Whilst there is no scientifically proven causal link between EMF and human health, Powerlink nevertheless follows an approach of "*prudent avoidance*" in the design and siting of new powerlines. This includes seeking to locate new powerline easements away from houses, schools and other buildings, where it is practical to do so and the added cost is modest.

The level of EMF decreases rapidly with distance from the source. EMF readings at the edge of a typical Powerlink easement are generally similar to those encountered by people in their daily activities at home or at work. And in the case of most Powerlink lines, at about 100 metres from the line, the EMF level is so small that it cannot be measured.

Powerlink is a member of the ENA's EMF Committee that monitors and compiles up-to-date information about EMF on behalf of all electricity network businesses in Australia. This includes subscribing to an international monitoring service that keeps the industry informed about any new developments regarding EMF such as new research studies, literature and research reviews, publications, and conferences.

We encourage community members with an interest in EMF to visit ARPANSA's website:

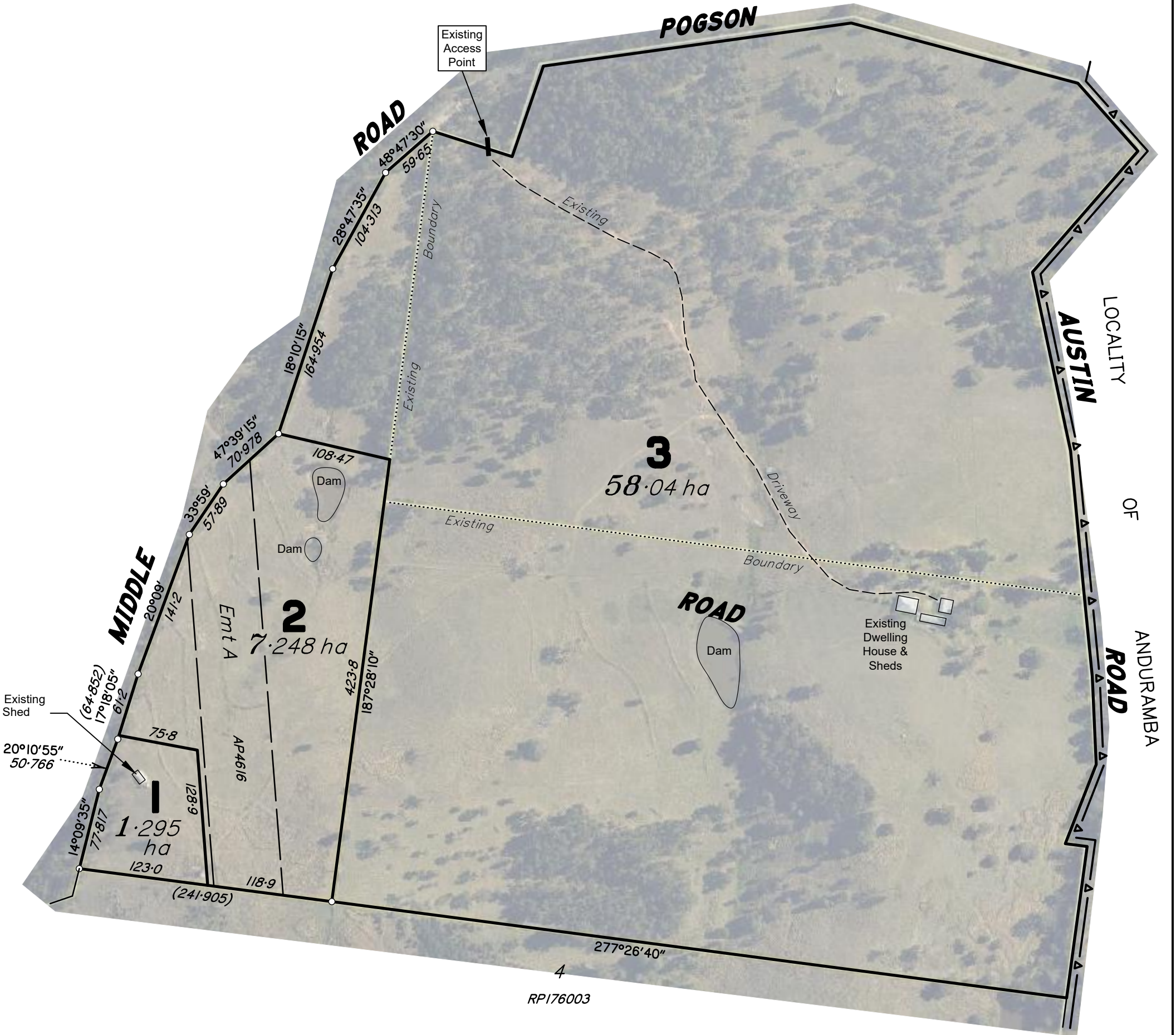
[www.arpansa.gov.au](http://www.arpansa.gov.au) Information on EMF is also available on the ENA's website: [www.ena.asn.au](http://www.ena.asn.au)

**IMPORTANT NOTES:**

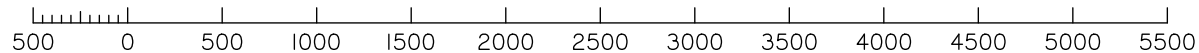
- This plan has been prepared for Yarramine Environmental from a combination of field survey and existing records for the purpose of assisting design of new development within the subject land, and should not be used for any other purpose.
- This plot is not an identification plan and boundaries have not been marked.
- The subject property boundaries as shown on the plan face have been plotted from deed dimensions of plan RP16018, RP161075 & AP616 and minimal cadastral survey connections. They are subject to cadastral survey.
- Critical proposed dimensions are subject to survey. They may change depending on the results of cadastral re-instatement.
- In particular, no reliance should be placed on the information provided on this plot for any financial dealings involving the land.
- Plan Azimuth is MGA94 Zone 56 vide GNSS, planar scale 1:1 For GDA94 Zone56 multiply by 0.99968419 about OSPKT  
1009A being 408468.066 E, 69993408.946 N
- These notes are an integral part of the subject plan.


AERIAL IMAGE SUPPLIED BY Qld Globe

**DATE ASSESSED:**  
**24/02/2026**

Scale 1:40000 – Lengths are in metres.



PROJECT : <b>PLAN OF DEVELOPMENT</b> <b>Proposed Boundary Realignment</b>		CLIENT : <b>Yarramine Environmental</b>		 <b>SURVEYORS CO.</b> Surveyors – Planners – Development Consultants Sunshine Coast * Toowoomba * Western Downs www.surveyorsco.com A.C.N. 010 841 639	Plan Reference <b>250033P01</b>	Sheet 1 of 1
12d File Ref : 250033 SCL1	Date Drafted : 18/12/2025	(3 Lots into 3 Lots) involving Lot 2 on RP161705 and Lots 5 & 6 on RP16018 Middle Road Pierces Creek				
Level Datum : N/A	Drafted By : LJF					
Origin : N/A	Surveyed : BRH					
	Checked By : TRV					
	DWG Name : 250033P01.dwg					
	Scale : 1:4000@A3	A3	Local Authority : Toowoomba Regional Council			

© COPYRIGHT PROTECTS THIS PLAN  
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not permitted. Please contact the author.

## **SCHEDULE 2**

### **Statement of Reasons**

**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.