



**TOOWOOMBA
REGION**

TOOWOOMBA REGIONAL COUNCIL

ABN: 99 788 305 360

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Toowoomba QLD 4350

Telephone: 131 TRC (131 872)

Receipt of Paper Work

No: A

05463

Received at Toowoomba

Customer Service Centre

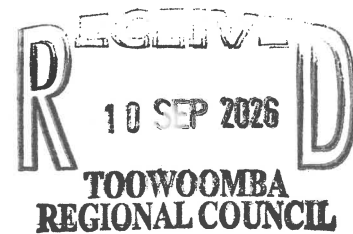
Date 10/9 2026

Receipt of Paperwork

Name of receiving officer	NAOMI ANDREWS
Description of paperwork (e.g. A4 white envelope)	3x SUBMISSIONS ON PUBLICALLY NOTIFIED DEVELOPMENT APPLICATIONS (4 PAGES EACH)
Quantity (Pages or envelopes)	3 x 4 = 12 PAGES TOTAL (IN 3 ENVELOPES)
Insert date stamp	RECEIVED 10 SEP 2026 TOOWOOMBA REGIONAL COUNCIL JP
Time Received	12.52pm

Ray Folker
47 Folker Road
Mt Tyson, Qld, 4356

9th September 2026



The Assessment Manager
Toowoomba Regional Council
PO Box 3021
Toowoomba, Qld, 4350

Regarding: Development Application **RAL/2026/4836**
Development Permit for Reconfiguring A Lot
Boundary Realignment (4 Into 4 Lots)
Property: 26 Motley Mount Tyson Road, Motley, Qld 4356
Lots: Lot 207 AG3646, Lot 1 RP94890, Lot 4 RP94890, Lot 2 RP28327

Submitter: Ray Folker
47 Folker Road
Mt Tyson, Qld, 4356
Landowner – Adjoining property Lot 1 RP28327

I wish to lodge a **formal objection** to Development Application **RAL/2026/4836** Boundary Realignment 4 into 4 Lots – 26 Motley Mount Tyson Road, Motley, Qld, 4356.

I am the owner of Lot 1 RP28327, an adjoining property to the proposed development; owner and resident of Lot 2 RP863187, a property in the vicinity to the proposed development; and undertake cropping and rural activities on Lot 3 RP863187 which is also an adjoining property to the proposed development. The properties Lot 1 RP28327 and Lot 2 RP863187 are also used for cropping and rural activities.

This submission is to respectfully request that the Toowoomba Regional Council refuse the proposed Development Application RAL/2026/4836 Reconfiguring A Lot Boundary Realignment 4 Into 4 Lots on the land at 26 Motley Mount Tyson Road on the following grounds:

1. Loss and Fragmentation of Prime Agricultural Land / Protection of Agricultural Land Issues
2. Natural Drainage and Flooding Concerns
3. The development involves the creation of lots smaller than 100ha
4. Access, Roads and Traffic Impacts
5. Conflicts with the Settlement Pattern Theme of the *Toowoomba Regional Planning Scheme 2012* Strategic Framework.

Grounds for Objection

1. Loss and Fragmentation of Prime Agricultural Land / Protection of Agricultural Land Issues

The land in this development application is productive, high-quality agricultural land within an established farming district in the Darling Downs. This proposal creates four separate lots which would further fragment this farming district, and has the potential to progressively change the established agricultural character of the Motley district.

The proposed Boundary Realignment reduces the amount of land available for agricultural purposes as it establishes three smaller lots that are not viable agricultural lots. Having three smaller lots also increases the potential population density which could impact future agricultural use of the land. One of the risks of smaller lots is they will gradually become occupied primarily for residential or lifestyle purposes rather than for agricultural and primary production purposes. Smaller lot sizes can also impact agricultural machinery movements, agricultural infrastructure, access arrangements and other agricultural operations on surrounding agricultural properties.

The development proposal should be reviewed to how consistent it is with broader planning objective of the Toowoomba Regional Council to protect and retain productive agricultural land and its viability.

2. Natural Drainage and Flooding Concerns

There are serious concerns about the natural drainage characteristics of the site. During significant rainfall events, water naturally moves from the Linthorpe Flat and across surrounding lands towards the Motley Flat. There is also a natural waterway / drainage path through and adjacent to the proposed development site.

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

A concern is that the creation of four separate lots, together with future improvements such as driveways, road access, buildings, earthworks and other infrastructures could interfere with the existing flow path and alter the way waters move across the land.

Any alterations to existing drainage regime has the potential to:

- Redirect floodwaters into neighbouring properties
- Increase the intensity of runoff
- Reduce existing flood storage
- Obstruct or narrow natural flow paths
- Cause localised pooling or ponding
- Increase flooding impacts on adjoining agricultural land

It is respectfully requested that Council considers a proper site-specific flood and stormwater assessment, including the existing natural flow paths through the Linthorpe Flat and Motley Flat areas. This assessment should also consider the cumulative effect of future development on the proposed lots.

The development proposal needs to specifically investigate how the proposed lot boundaries, access arrangements or future improvements and infrastructure could affect the natural waterways.

3. The development involves the creation of lots smaller than 100ha

The development application is in a 100 hectare precinct, but proposes to change two lots that match the criteria and two lots that are less than that criteria to three lots that are substantially less than the minimum requirement and only one lot that meets the minimum 100 hectare.

4. Access, Roads and Traffic Impacts

The development application indicates that *"the proposed lots, and any existing/future uses upon them, will retain their existing lawful gravel accesses/crossovers and road frontages."*

Whilst in theory this statement is accurate, practically this statement is not completely accurate. The road access to proposed Lot 1 is not a formalised driveway or crossover and is currently overgrown due to lack of use. If the development application is approved, works would have to be undertaken to provide access to Lot 1. The access to the proposed Lot 1 is from the Toowoomba Cecil Plains Road, which is a state-controlled road, and should trigger referral to State Transport. The Toowoomba Cecil Plains Road also has a Table Drain which impacts access to the proposed Lot 1.

The development proposal increases the number of lots requiring road access, as one of the existing lots is land-locked and does not have any road access. In addition, the proposal also increases the number of lots that could have future dwelling houses, which could therefore alter or increase traffic volume and/or access implications.

It is my opinion, that this development proposal does have access and traffic impacts and that as a minimum, a formal Traffic Impact Assessment (TIA) should be required as part of the application.

5. Conflicts with the Settlement Pattern Theme of the Toowoomba Regional Planning Scheme 2012 Strategic Framework

The development application conflicts with the Settlement Pattern Theme of the *Toowoomba Regional Planning Scheme 2012 Strategic Framework* as it increases the number of available properties which residential dwellings could be built or which other non-rural activities may be conducted. The current Settlement Pattern Theme is that the land is an established farming and agricultural district within the Darling Downs. This proposal creates four lots, three which are quite small for the district, which has the potential to progressively change the established agricultural character of the Motley district.

Other Application Documentation Misrepresentations or Concerns:

On the **DA Form 1 Development Application Details**

Question 9.1 What is the total number of existing lots making up the premises?

The DA Form 1 indicates One (1), but the Development Application is in relation to Four (4) lots.

Question 23.14 Does this development application involve new or changed access to a state-controlled road?

The DA Form 1 answer is No, but the Planning Report submitted indicates that *"Existing Lot 1 RP94890 is accessible via its Toowoomba Cecil Plains frontage. The site does not contain a formalised driveway or crossover and is currently overgrown due to lack of use."* As Lot 1 RP94890 does not have a formalised driveway or crossover to Toowoomba Cecil Plains Road, this development application would involve changed access to the state-controlled road of Toowoomba Cecil Plains Road.

Planning Report prepared by Alpha Planning Applications

Site Description page 8

"The site consists of four (4) lots ranging in size between 10.24 to 242.19 Hectares, each within the Rural Zone." The largest existing lot is 129.52 hectares (242.19 hectares is the largest proposed lot size).

Existing Lot Sizes and Proposed Lot Sizes page 23

The existing lot sizes are: 129.52, 22.03, 10.24 and 109.66 hectares, totalling approximately 271.45 hectares.

The proposed lot sizes are: 5.9, 11.26, 16.9 and 242.19 hectares, totalling approximately 276.25 hectares.

The proposed lot sizes are approximately 4.8 hectares more than the existing lot sizes. Where does the increase in hectares come from?

For the reasons outlined above, I am submitting this formal objection to the Development Application RAL/2026/4836 Boundary Realignment 4 into 4 Lots – 26 Motley Mount Tyson Road, Motley, Qld, 4356 and respectfully request that Toowoomba Regional Council refuses the proposal.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'R Folker'.

Ray Folker