

FORMAL SUBMISSION – OBJECTION TO PROPOSED DEVELOPMENT

Development Application RAL/2026/4836

To:

Chief Executive Officer
Toowoomba Regional Council

Re: Development Application RAL/2026/4836

Property: 26 Motley Mt Tyson Road, Motley QLD 4356

Proposed Development: Reconfiguration of agricultural land into four lots

Objector: Gary Ruhle

On behalf of: The LinthorpeVale Farming Company

Date: 8 September 2026



FORMAL OBJECTION

I wish to formally lodge my objection to **Development Application RAL/2026/4836** and strongly oppose the proposed reconfiguration of the agricultural land at 26 Motley Mt Tyson Road, Motley, into four separate lots.

I respectfully request that Toowoomba Regional Council refuse this application.

My objection is based on a number of important and interconnected considerations, including:

- the significant agricultural value and productive capability of the land;
- the proposed fragmentation of an established agricultural holding;
- the long-term loss of agricultural flexibility;
- the potential transition of productive farming land to rural lifestyle use;
- the potential for conflict between future residential occupants and established farming operations;
- the natural drainage and flood characteristics of the Motley and Linthorpe Flat areas;
- the relationship between those drainage and overland flow patterns and the existing railway corridor;
- the potential cumulative effects of future development on the four proposed lots;
- the potential impacts on adjoining agricultural properties and infrastructure;

- the importance of protecting the established rural character of the locality; and
- the precedent that approval of this application could establish for further fragmentation of productive agricultural land.

I also respectfully request that Council undertake its own detailed research and investigation into the flood, drainage and railway matters before determining this application.

1. THE RUHLE FAMILY'S 130-YEAR AGRICULTURAL HISTORY

The Ruhle family has a long and proud history of farming and share-farming agricultural land throughout this district, extending over **130 years**.

For generations, our family has worked this country, contributed to the agricultural industry and relied upon productive agricultural land to support our families and the wider rural community.

This is not simply a historical connection. It provides me with a genuine understanding of the importance of retaining productive agricultural land and maintaining the agricultural character of this district.

I want the Ruhle family's farming tradition to continue for the extended Ruhle family and for generations to come.

I also want future generations of farming families in this district to have the opportunity to continue producing food and agricultural commodities from productive land.

Agricultural land is a finite resource. Once productive farming country is divided into smaller holdings and progressively converted to rural lifestyle use, it is extremely difficult to restore that land to a viable agricultural holding.

The Toowoomba Regional Planning Scheme recognises the importance of protecting agricultural land. Council states that the Agricultural Land Overlay is intended to protect the productive capacity of land and ensure subdivision or boundary realignment does not further fragment rural land or create conflicts between farming and residential uses.

I believe those principles are directly relevant to this application.

2. MY DIRECT EXPERIENCE WITH THE SUBJECT LAND

I have personally **farmed and share-farmed this particular parcel of land for many years**.

I therefore have direct knowledge of the land, its agricultural qualities and its productive capability.

From my experience, this is productive and arable agricultural country that is capable of supporting genuine agricultural production.

It is not simply vacant rural land awaiting an alternative use.

It forms part of an established agricultural landscape and has a genuine and ongoing agricultural purpose.

For that reason, I strongly believe this land should be retained as a whole and kept available for productive agricultural use.

The long-term value of this land should be assessed in terms of its ability to continue supporting agriculture, not simply by considering whether four individual lots can technically be created.

3. PRODUCTIVE AGRICULTURAL LAND IS NOT SIMPLY REAL ESTATE

Productive agricultural land is fundamentally different from land whose primary purpose is residential development.

This land has supported agricultural production and farming families over generations.

It has contributed to the production of food and agricultural commodities and has formed part of the economic and social fabric of this district.

There is a responsibility on current landowners, the community and planning authorities to consider the needs of future generations.

Once productive agricultural land is fragmented, its agricultural potential can be progressively reduced.

The creation of smaller lots also makes it more likely that land will eventually be used primarily for rural residential or lifestyle purposes rather than agriculture.

This is a permanent change.

Future generations cannot simply create additional productive agricultural country when existing farming land has been lost to fragmentation.

4. THE PROPOSED SUBDIVISION WOULD FRAGMENT A VIABLE AGRICULTURAL HOLDING

I strongly object to the proposed creation of four separate lots.

The issue is not merely the physical drawing of four new boundaries on a plan.

The real issue is the **long-term consequence of fragmenting productive agricultural land**.

Smaller holdings can reduce the flexibility of agricultural operations and can make it more difficult to:

- undertake cropping;
- move machinery efficiently;
- establish or maintain agricultural infrastructure;
- manage paddocks;
- undertake harvesting;
- transport grain and other commodities;
- undertake spraying and fertiliser application;
- expand or alter agricultural operations; and
- respond to changing agricultural requirements.

The creation of four separate properties also increases the potential for future residential development and associated infrastructure.

Council's current planning information states that the Agricultural Land Overlay is intended to protect productive capacity and prevent subdivision or boundary realignment from further fragmenting rural land and causing conflicts between farming and residential uses.

In my view, this application needs to be assessed against that long-term objective.

5. CONCERN REGARDING RURAL LIFESTYLE DEVELOPMENT

I am particularly concerned that the proposed subdivision could ultimately result in productive agricultural country being transformed into a collection of rural lifestyle properties.

I am not opposed to responsible development in principle.

My objection is specifically to the unnecessary fragmentation of productive agricultural land in an established farming district.

There is a significant difference between maintaining a viable agricultural holding and creating smaller properties that may eventually be occupied primarily for lifestyle purposes.

Once this process begins, it can be very difficult to reverse.

I do not believe productive farming country should be progressively divided simply because smaller rural lifestyle properties may be capable of being created.

6. POTENTIAL CONFLICT WITH ESTABLISHED AGRICULTURAL OPERATIONS

The surrounding area is an established agricultural district.

Farming involves activities that are sometimes incompatible with residential expectations.

These activities include:

- tractors and heavy machinery;
- grain trucks;
- harvesting;
- sowing;
- spraying;
- fertiliser application;
- dust;
- agricultural noise;
- early morning operations;
- evening operations;
- seasonal activities; and
- work undertaken at short notice due to weather conditions.

These are normal and legitimate agricultural activities.

Introducing additional rural residential properties into an established farming environment increases the risk that future occupants may complain about or seek restrictions on these legitimate farming operations.

Council should avoid creating a situation where existing farmers are later pressured to change established agricultural practices because residential development has been introduced into an area where farming already exists.

This is precisely the type of potential conflict that should be considered before additional rural lots are created.

7. MOTLEY AND LINTHORPE FLATS – FLOODING AND NATURAL DRAINAGE

One of my most significant concerns is the **existing flood and natural drainage behaviour of the Motley and Linthorpe Flat areas**.

The subject land forms part of a broader landscape and drainage system.

During significant rainfall events, water naturally moves across the surrounding land, including from the Linthorpe Flat area towards the lower-lying Motley Flat area.

This existing movement of water is an important characteristic of the locality.

It cannot be considered solely by looking at individual property boundaries.

The creation of four separate lots creates the potential for future:

- dwellings;
- driveways;
- accessways;
- sheds;
- building pads;
- dams;
- earthworks;
- retaining structures;
- drainage works; and
- other infrastructure.

Each of these may alter the way water moves across the land.

The cumulative effect of those changes needs to be properly understood before Council approves the subdivision.

Council's planning scheme identifies flood hazard areas and overland flow path areas and states that development must protect people and property and avoid adverse impacts on floodplain functions.

Council also states that it has undertaken flood studies across the region to improve understanding of flood risk and flood behaviour and to assist in regulating development.

I therefore believe Council should use all available flood information and undertake any additional investigation necessary to establish the true flood and drainage implications of this proposal.

8. REQUEST THAT COUNCIL INDEPENDENTLY RESEARCH THE FLOOD AND DRAINAGE ISSUES

Given the importance of these matters, I respectfully request that **Council undertake its own independent research and investigation into the flood and drainage characteristics of the Motley and Linthorpe Flat areas before determining this application.**

I specifically request that Council review all relevant:

- Council flood studies;
- flood modelling;
- flood hazard mapping;
- overland flow mapping;
- historical flood information;
- aerial photography;
- drainage information;
- catchment information;
- available rainfall and runoff information; and
- previous investigations relevant to the locality.

Council should establish how water has historically moved through the Linthorpe Flat and Motley Flat areas and how the proposed subdivision could affect that existing behaviour.

I believe this research is particularly important because local knowledge and historical behaviour can provide valuable information about how the land functions during major rainfall events.

The assessment should not be limited to whether a particular proposed dwelling site appears suitable under normal conditions.

The assessment should consider the land and surrounding catchment during the conditions when the drainage system is actually tested — **significant rainfall and major runoff events**.

9. THE RAILWAY CORRIDOR MUST BE CONSIDERED AS PART OF THE DRAINAGE SYSTEM

A further significant concern is the **existing railway line and railway corridor adjoining the locality**.

The railway corridor is an established physical feature of the landscape.

Its embankment, formation, drainage structures and associated infrastructure may influence how water moves through the surrounding area.

For this reason, the railway cannot reasonably be considered separately from the flood and drainage characteristics of the locality.

I respectfully request that Council specifically investigate the relationship between:

the Linthorpe Flat → natural overland flow → Motley Flat → proposed subdivision → existing railway corridor.

This relationship should be clearly understood before Council determines whether the subdivision is appropriate.

Council should establish whether existing floodwater currently moves towards, along, through or around the railway corridor and whether the proposed subdivision could alter that behaviour.

10. REQUEST FOR COUNCIL TO INVESTIGATE THE RAILWAY/FLOODING INTERACTION

I specifically request that Council research and assess whether future development of the four proposed lots could:

- redirect floodwater towards the railway corridor;
- concentrate existing overland flows;
- obstruct established flow paths;
- alter the velocity of floodwater;

- reduce flood storage;
- change drainage discharge points;
- require additional culverts or drainage infrastructure;
- alter existing ground levels;
- affect drainage around the railway formation;
- increase water pressure or concentration around railway infrastructure; or
- create additional risks for railway infrastructure or adjoining land.

This assessment should consider the **cumulative development of all four lots**, rather than treating each future property as an isolated development.

11. NATURAL FLOW PATHS SHOULD BE IDENTIFIED BEFORE APPROVAL

I respectfully submit that the existing natural drainage system should be identified and protected **before** the subdivision is approved.

It should not be assumed that any future drainage issues can simply be engineered away after four lots have been created.

Once the lots exist, there is likely to be pressure for each owner to establish their own dwelling, driveway, shed, dam, access and other improvements.

The cumulative effect could significantly alter the existing drainage characteristics of the area.

Council should therefore first determine:

1. Where the existing natural flow paths are;
2. Where floodwater is stored;
3. How water moves from Linthorpe Flat towards Motley Flat;
4. How the railway corridor interacts with that water movement;
5. Whether the proposed lot boundaries affect natural drainage;
6. Whether future building envelopes can avoid these areas; and
7. Whether development of all four lots can occur without adversely changing flood behaviour.

If these matters cannot be satisfactorily demonstrated, I believe the subdivision should be refused.

12. CUMULATIVE FLOOD AND DRAINAGE IMPACTS

The potential cumulative impact of the four proposed lots is particularly important.

The subdivision itself may not involve the construction of four houses immediately.

However, approval of the subdivision creates the potential for four separate future development sites.

Council should therefore assess the likely **ultimate development scenario**, including the potential for:

- four dwellings;
- multiple driveways;
- access tracks;
- sheds;
- earthworks;
- dams;
- building pads;
- stormwater infrastructure; and
- other associated development.

The question should not simply be whether the initial subdivision changes drainage.

Council should ask whether the **subdivision and foreseeable future development of the resulting lots could collectively alter flood behaviour**.

13. PROTECTION OF ADJOINING AGRICULTURAL LAND

Any alteration to natural drainage has the potential to affect neighbouring agricultural properties.

Agricultural land depends upon appropriate drainage and access to remain productive.

Changes to water movement could potentially result in:

- increased ponding;
- redirection of water onto neighbouring properties;
- erosion;

- loss of productive cropping areas;
- damage to crops;
- disruption of access;
- changes to paddock conditions; and
- increased difficulty undertaking agricultural operations.

The existing agricultural community should not be exposed to increased flood or drainage risks as a consequence of creating additional rural lifestyle properties.

14. COUNCIL SHOULD REVIEW THE CURRENT FLOOD HAZARD MAPPING

I respectfully request that Council confirm and independently verify the precise relationship between the subject land and the current **Flood Hazard Overlay, flood risk areas and overland flow path mapping** under the current Toowoomba Regional Planning Scheme.

Council's planning scheme identifies different flood risk and overland flow categories, including flood risk areas and overland flow path areas.

Council's current information also confirms that where the Flood Hazard Overlay Code applies to a development application, a **flood hazard assessment** is required.

I therefore request that Council establish:

- whether any part of the subject land is affected by the Flood Hazard Overlay;
- whether any proposed development envelopes are affected;
- whether any overland flow paths cross or adjoin the land;
- whether any proposed access arrangements intersect with flow paths;
- whether future earthworks could affect flood behaviour; and
- whether the subdivision can comply with the applicable flood planning requirements without adversely affecting adjoining land or infrastructure.

I ask that Council not rely solely upon the applicant's interpretation of these matters where independent Council mapping, modelling or technical information is available.

15. AGRICULTURAL LAND OVERLAY AND LAND RESOURCE VALUE

I also respectfully request that Council establish whether the Agricultural Land Overlay applies to the subject land and, if so, ensure the application is properly assessed against the relevant requirements.

Council states that the Agricultural Land Overlay protects the productive capacity of agricultural land and seeks to prevent subdivision or boundary realignment from further fragmenting rural land and causing conflict between farming and residential uses.

Council's development application requirements also identify a **land resource assessment** where the Agricultural Land Overlay Code applies.

Given my direct experience farming this land, I believe its agricultural productivity and land resource value should receive significant weight in Council's assessment.

16. IMPACT ON THE RURAL CHARACTER OF THE LOCALITY

The Motley and Linthorpe areas have an established rural and agricultural character.

That character is based upon:

- productive agricultural land;
- larger rural holdings;
- established farming businesses;
- cropping and agricultural production;
- open rural landscapes; and
- the ability of farmers to conduct normal agricultural operations.

The proposed creation of four smaller lots would represent a further move towards a fragmented rural lifestyle pattern.

If this process continues over time, the agricultural character of the district could be progressively eroded.

Once that change occurs, it is extremely difficult to reverse.

The long-term planning question should therefore be whether Council wishes to retain this locality as productive agricultural country or facilitate its gradual conversion to fragmented rural lifestyle properties.

I strongly believe the former is the better outcome.

17. PRECEDENT FOR FURTHER SUBDIVISION

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

If productive agricultural land in this locality can be divided into smaller rural lifestyle holdings, other landowners may seek similar outcomes.

One subdivision may appear relatively minor.

However, the cumulative effect of multiple subdivisions could be substantial.

Over time, this could result in:

- loss of agricultural land;
- fragmentation of viable farms;
- increased residential pressure;
- increased traffic;
- increased infrastructure requirements;
- increased flood and drainage risks;
- increased land-use conflict; and
- permanent changes to the rural character of the locality.

Council should consider the **cumulative impact and long-term planning outcome**, rather than considering this application entirely in isolation.

18. THIS IS NOT AN OBJECTION TO RESPONSIBLE DEVELOPMENT

I wish to make clear that my objection is not based upon an opposition to development generally.

My concern is specifically with the proposed fragmentation of productive agricultural land in a location where there are significant agricultural, flood, drainage and infrastructure considerations.

I support sensible and responsible development where it is appropriately located and does not compromise the long-term interests of established agricultural areas.

However, I do not believe that productive agricultural land should be divided into smaller rural lifestyle holdings where doing so has the potential to permanently reduce agricultural capacity and create future land-use conflicts.

19. REQUEST FOR COMPREHENSIVE COUNCIL INVESTIGATION

Before making a determination, I respectfully request that Council independently investigate and satisfy itself regarding the following matters:

Agricultural matters

1. The productive agricultural capability of the land.
2. The existing and potential future agricultural use of the land.
3. The effect of the proposed subdivision on agricultural productivity.
4. The effect of fragmentation on future agricultural operations.
5. The applicability of the Agricultural Land Overlay.
6. Whether the proposal is consistent with Council's objective of protecting productive agricultural land.

Flood and drainage matters

7. Existing flood behaviour across the Motley and Linthorpe Flat areas.
8. Existing natural overland flow paths.
9. Historical flood information.
10. Existing flood storage areas.
11. Council flood studies and available flood modelling.
12. Current Flood Hazard Overlay mapping.
13. Current overland flow path mapping.
14. The effect of the proposed four-lot subdivision on existing drainage.
15. The cumulative effect of future development across all four lots.

Railway matters

16. The relationship between existing drainage and the railway corridor.
17. The effect of the railway formation on floodwater movement.
18. The potential impact of future access, earthworks and drainage infrastructure on the railway corridor.
19. Whether development could increase flood risk to railway infrastructure.
20. Whether the proposed subdivision could create additional infrastructure or drainage conflicts involving the railway.

Neighbouring properties

21. The potential impact on adjoining agricultural properties.
 22. The potential for altered water flows to affect neighbouring land.
 23. The potential for future rural residential occupants to conflict with established farming operations.
 24. The cumulative impact of further subdivision in the locality.
-

20. REQUEST THAT COUNCIL UNDERTAKE ITS OWN RESEARCH

I respectfully request that Council **undertake its own research and investigation into these matters rather than relying solely upon information provided in support of the development application.**

In particular, I ask Council to review its own records, flood studies, mapping, aerial imagery and other available information concerning the Motley and Linthorpe Flat areas.

Council states that its regional flood studies are intended to improve understanding of flood risk, inform mitigation measures and assist in regulating development.

I believe that information should be considered carefully in determining whether this particular subdivision is appropriate.

I also request that Council obtain any additional specialist engineering, hydrological, planning or infrastructure advice it considers necessary to properly understand the consequences of the proposed subdivision.

21. WHY I BELIEVE THE APPLICATION SHOULD BE REFUSED

Having personally farmed and share-farmed this land for many years, I believe there are compelling reasons why this application should not proceed.

The land is productive agricultural country.

It has an established agricultural purpose.

It forms part of a wider farming landscape.

It is located within a locality where natural drainage and flood behaviour are important considerations.

The surrounding Motley and Linthorpe Flats have existing drainage characteristics that need to be properly understood.

The railway corridor adds another significant physical feature that needs to be considered in conjunction with the movement of floodwater.

The creation of four separate lots creates the potential for multiple future development sites, with associated driveways, buildings, earthworks and drainage infrastructure.

The cumulative consequences of those changes need to be considered before the land is permanently fragmented.

In my view, the application does not demonstrate a sufficiently compelling reason to justify permanently changing this productive agricultural holding into four separate properties.

22. FINAL REQUEST TO TOOWOOMBA REGIONAL COUNCIL

For all of the reasons outlined in this submission, I respectfully but firmly request that **Toowoomba Regional Council refuse Development Application RAL/2026/4836.**

I ask Council to give substantial weight to:

- the productive agricultural value of the land;
- my direct experience of farming and share-farming the property;
- the Ruhle family's 130-year agricultural history in the district;
- the importance of retaining productive agricultural land for future generations;
- the risk of permanent agricultural fragmentation;
- the potential transition to rural lifestyle development;
- the potential conflict between future residents and existing agricultural operations;
- the natural drainage characteristics of the Motley and Linthorpe Flat areas;
- the potential flood and overland flow issues;
- the relationship between the drainage system and the existing railway corridor;
- the cumulative impact of future development across the four proposed lots;
- the potential effects on adjoining agricultural properties;
- the current planning scheme provisions relating to agricultural land and flood hazards; and
- the precedent that approval could establish for further subdivision of productive agricultural land in the district.

I further request that Council **undertake its own independent research and investigation into the flood, drainage, overland flow and railway matters before making a determination.**

In particular, I ask Council to establish the actual relationship between the proposed subdivision, the natural drainage of the Linthorpe and Motley Flat areas and the existing railway corridor.

I believe these matters are sufficiently important that they should be independently verified and properly understood before Council makes an irreversible decision about the future use of this land.

CONCLUSION

The Ruhle family has been part of the agricultural history of this district for more than **130 years.**

We have farmed this country, worked this land and relied upon productive agriculture to support our families and contribute to the local community.

I have personally share-farmed the subject land for many years and know its agricultural value.

I strongly believe it would be a serious mistake to allow productive agricultural country of this quality to be permanently fragmented into smaller rural lifestyle holdings.

Once this land is divided, the loss of agricultural flexibility and the change in land-use pattern may be effectively permanent.

I believe we have a responsibility to protect productive agricultural land wherever possible so that it remains available to support agriculture and farming families in the future.

I therefore respectfully ask Toowoomba Regional Council to **refuse Development Application RAL/2026/4836** and retain this land as a viable agricultural holding.

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

Yours faithfully,

Gary Ruhle

On behalf of The LinthorpeVale Farming Company

Lot 149, 151, 154 Parish of Aubigny

Warrawee

104 Ruhles Road

Pittsworth QLD 4356

Date: 8 September 2026