

Our Reference: RAL/2026/4480  
 CS Portal Reference: N/A  
 Contact Officer: James Leader  
 Contact: (07) 4688 6664  
 Email: [development@tr.qld.gov.au](mailto:development@tr.qld.gov.au)

**INFORMATION REQUEST**  
*Planning Act 2016 Section 68(1)*  
*Development Assessment Rules Chapter 1 Part 3*

Marinya Farming Co  
 C/- Precinct Urban Planning  
 PO Box 3038  
 TOOWOOMBA QLD 4350

Email: [jess@precinctplan.com.au](mailto:jess@precinctplan.com.au)

18 June 2026

Dear Jess

**Development Application for:** Reconfiguring a Lot – Impact – Boundary Realignment – Two (2) Lots into Two (2) Lots  
**Location:** 1921 Toowoomba-Karara Road, CAMBOOYA QLD 4358  
**Property Description:** Lot 4 RP857761, Lot 58 RP13830  
**Relevant Planning Scheme:** *Toowoomba Regional Planning Scheme 2012 (Version 28)*

Upon review of the abovementioned Development Application and supporting information, Council requires further information which demonstrates compliance with the Planning Scheme. Please provide the information requested below:-

**1. LOT SIZE**

<b>Issue:</b>	
<b>1.1</b>	<p>The proposed lot layout and sizes are inconsistent with the intended character of the Zone and Precinct in which the land is located. The development is not consistent with the intent of the Rural Zone, Reconfiguring a Lot Code, or Strategic Framework of the Toowoomba Regional Planning Scheme 2012.</p> <p>The Strategic Framework of the Toowoomba Regional Planning Scheme 2012 includes the following sections:</p> <ul style="list-style-type: none"> <li>• Specific Outcome 3.3.9.1(1) states that “the integrity, viability and productivity of agricultural land and the rural landscape are protected and maintained for agricultural purposes.”;</li> <li>• Specific Outcome 3.3.9.1(2) seeks to ensure that “agricultural land that is outside of areas designated for urban development is conserved for current and future agricultural purposes” and “is not degraded, alienated or fragmented, providing for its long-term and sustainable agricultural use.”; and</li> <li>• Element 3.6.4(2) seeks to “ensure agricultural land is protected from development that leads to its alienation or diminished productivity” and is supported by Specific Outcomes 3.6.4.1 (1) and (2).</li> </ul>

	<p>The Rural Zone Code of the Toowoomba Regional Planning Scheme 2012 includes the following sections:</p> <ul style="list-style-type: none"> <li>• Overall Outcome 2(a) states that “<i>areas used or suitable for primary production are conserved and are not further fragmented.</i>”; and</li> <li>• Overall Outcome 3 seeks requires that development within the 100 Hectare Precinct ensures that “<i>the productive, natural and landscape values of highly fragmented rural land are preserved by the prevention of further fragmentation by reconfiguring a lot creating inappropriate lot sizes that do not support these outcomes</i>”, which is further supported by Performance Outcome PO13 (Table 6.6.6:2) of the Rural Zone Code.</li> </ul> <p>The Reconfiguring a Lot Code of the Toowoomba Regional Council Planning Scheme 2012 includes the following sections:</p> <ul style="list-style-type: none"> <li>• The purpose of the Reconfiguring a Lot Code (1)(a) requires development to “<i>provide for good neighbourhood design, consistent with the character and environmental values of the overlay, zone and precinct, and local plan area in which the land is located</i>”.</li> <li>• Overall Outcomes (2)(e) and (h) seek to protect the sustainable use of rural land resources and ensure lot size is suited to the intended use of land. The development fails to demonstrate that Proposed Lot 58 is a sustainable use of rural land and that the lot sizes are suited to the intended rural use of the land.</li> </ul> <p>While it is acknowledged the proposal generally retains existing lot sizes, this is not sufficient justification for Council to support the proposed development. Specific Outcome 3.6.4.1(3) of the Strategic Framework specifically seeks to amalgamate titles to facilitate viable farming units. This is supported by Performance Outcome PO1 (Table 9.4.5:1) of the Reconfiguring a Lot Code which states that realignment of boundaries does not contribute to the proliferation of land fragmentation.</p> <p>Further, the submitted justification relates to the consolidation of constructed irrigation infrastructure in existing Lot 58 but fails to address the impacts of productive areas of Proposed Lot 58 being alienated from the larger rural parcel.</p> <p>The proposed layout remains inconsistent with the Overall Outcomes of the Rural Zone Code and Reconfiguring a Lot Code as it contributes to further fragmentation of agricultural land. The identified minimum lot size for the precinct intends to encourage larger lots to facilitate viable agricultural activities. No information has been provided to demonstrate that Proposed Lot 58 is a productive land parcel, noting the proposed new boundary intersects with established contour banks and productive areas of the site.</p> <p><b>Information Required:</b></p> <p>Provide an amended lot layout and configuration which results in both lots complying with the minimum lot size requirements of the Rural Zone 100ha Minimum Precinct.</p> <p>Alternatively, demonstrate that Proposed Lot 58 is also a productive land parcel that is consistent with the character of the zone, and will not be impacted by the proposed new lot boundaries.</p>
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## 2. SOIL CONSERVATION

2.1	<p><b>Issue:</b></p> <p>The purpose of the Rural Zone Code is to protect the productive capacity of all rural land for rural use (1)(a), supported by Performance Outcome PO12 (Table 6.6.6:2) of the Rural Zone Code which states:</p> <p><i>“The site layout responds sensitively to onsite and surrounding topography, drainage patterns, utility services, access, vegetation and adjoining land use...”</i></p> <p>Further, Overall Outcome 2(d) of the Reconfiguring a Lot Code states that lot reconfiguration is responsive to the local environment, including its topography and natural drainage systems.</p> <p>The subject site is located within a Soil Conservation plan (SC305043). Soil Conservation</p>
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Plans are used to coordinate runoff flow between adjoining properties to protect the productive capacity of land. As stated in the Soil Conservation Guidelines, the location of infrastructure such as access tracks and fences can have a significant effect on run-off patterns.
<b>Information Required:</b>
Please provide information in relation to how the proposed development will affect the approved flow characteristics within the Soil Conservation Plan, including any future accepted development that may occur.

### Note on Alternative Solutions

Where an alternative solution to the Acceptable Outcome is proposed, justification demonstrating how the correlating Performance Outcome has been met must be provided. Requesting an alternative solution without demonstrating how the Performance Outcome has been satisfied, does not oblige Council to favourably consider the alternative solution.

### Options Available in Response to this Information Request

In accordance with section 13.2 of the *Development Assessment Rules*, you may respond to this request for information by providing Council with:

- 1) all of the information requested; or
- 2) part of the information requested; or
- 3) a notice stating that none of the information will be provided.

In your response, advise Council which option you are supplying. If you choose 2) or 3), you may also advise Council to proceed with its assessment of the application.

Provide one electronic copy of the response to Council, including any plans or supporting information.

In accordance with section 13.1 of the *Development Assessment Rules*, you must respond to this information request within **three months** of the date the information request was made, or a further period agreed between the applicant and Council. If there is no response to the information request within the period described, Council will proceed with the assessment of the application based on the information currently available.

Yours faithfully



James Leader  
A/Lead Senior Planner, Planning Branch