

31 May 2023

The Assessment Manager
Toowoomba Regional Council
PO Box 3021
TOOWOOMBA QLD 4350

RECEIVED
31/05/2023
TOOWOOMBA
REGIONAL COUNCIL

Attention: Mr Bevan Koelmeyer
By Email: Bevan.Koelmeyer@tr.qld.gov.au

Dear Bevan

RESPONSE TO INFORMATION REQUEST – SECTION 68, PLANNING ACT 2016 & PART 3, SECTION 13, DEVELOPMENT ASSESSMENT RULES – DEVELOPMENT APPLICATION - RECONFIGURING A LOT (2 LOTS INTO 27 RURAL RESIDENTIAL LOTS) – 12452 NEW ENGLAND HIGHWAY, TOP CAMP – LOTS 8 & 9 ON SP199141 (Council Ref: RAL/2022/6330)

I act on behalf of the applicant, Watcon Building Group Pty Ltd, in respect of the above matter.

I refer to Toowoomba Regional Council's Information Request, dated 25 January 2023, in respect of a Development Application for Reconfiguring a Lot - Two (2) Lots into 27 Lots on land at 12452 New England Highway Top Camp, being that land described as Lots 8 and 9 SP199141.

I also refer to Council's agreement to extend the applicant's response period to this Information Request by three (3) months until 25 July 2023. Refer to Council's correspondence dated 20 April 2023.

Meeting with Council Officers and Council Advice

At the outset, reference is made to the meeting with Council officers on 8 February 2023 to clarify Council's requirements with respect to individual items contained in this Information Request. In particular, access design, access arrangements and traffic management.

Following this meeting, Council provided email advice dated 28 April 2023 wherein Council acknowledged that though a second access to the estate is desirable, a second access via the unformed intersection of the New England Highway and Hayden Street East was not a viable option. In their advice, Council also recommended external roadworks requirements for Crebra Crescent and changes to the lot layout and design to ensure the internal road terminated as a cul-de-sac where adjoining the Hayden Street East road reserve. This included installation of bollards to prevent access onto the unformed road reserve. Council also provided advice regarding the internal access off Crebra Crescent including the design of the crossing and associated retaining walls.

Amended Development Plans

In response to matters raised in this Information Request and Council's email advice referred to above, the lot layout and design of the development has been changed. Reference is made in this regard to the amended plans of development prepared by Parkinsons Surveys attached at **Appendix A**.

Response to Information Request

The following advice provides a response to the matters raised in Council's Information Request. For ease of comprehension, each item raised in the Information Request has been reproduced in bold print followed by the associated response.

ISSUES AND RESPONSES

1. CONNECTIVITY AND TRAFFIC IMPACT

1.1. Issue:

The Toowoomba Regional Planning Scheme 2012, Reconfiguration of a Lot Code and Flood Hazard Overlay Code includes Performance Outcomes that ensure the road network provides for safe and convenient movement between local streets and higher order roads; and to ensure that safe, convenient and efficient intersections are provided for vehicles, pedestrians and cyclists.

In this regard, the following Performance Outcomes are identified as being particularly relevant:

Performance Outcome PO₆ in Table 9.4.5:2 of the Reconfiguring a Lot Code:

- **The development is integrated with the surrounding urban or rural environment, having regard to connections to surrounding streets and pedestrian and cycle networks and other infrastructure networks.**

Performance Outcome PO₁₈ in Table 9.4.5:2 of the Reconfiguring a Lot Code:

- **Access arrangements for lots do not affect the function, vehicle speeds, safety, efficiency and capacity of streets and roads.**

Performance Outcome PO₇ in Table 9.4.5:2 of the Flood Hazard Overlay Code:

- **Development in a flood risk area is sited and designed such that:**
 - (a) Road layout avoids isolation in a flood hazard event and does not impede evacuation; and**
 - (b) Vehicular access during a flood hazard event is enabled.**

With respect to the above Performance Outcomes, the following issues are of particular concern for the proposed development:

1. **As previously raised in written advice provided by Council for the Pre-Lodgement Meeting (Council Reference: PREL/2022/4219) held on 26 August 2022 and as referenced in SC 6.2 PSP No. 2 – Engineering Standards – Road and Drainage Infrastructure, cul-de-sac designs should avoid providing access for more than twelve (12) lots. However, the current proposal will result in an additional 26 lots gaining access to the New England Highway via Hayden Street, New Road 1 and New Road 2 through Crebra Crescent, which is a no-through road. Further, it is identified that there are 18 existing lots located on Crebra Crescent which utilise this road to access the New England Highway. The current subdivision proposal, in addition to the existing lots located on Crebra Crescent, will result in a total of 44 lots gaining access via a single access location to the New England Highway. In conjunction, Council also has concerns that the locations of the overland flow paths traversing the proposed new road introduces the possibility that future residents of the development could be cut-off from escaping during a major storm event. The same hazard potential could also apply for bushfire events in the area. The proposed single access arrangement is not an acceptable design outcome, particularly with a risk during an emergency evacuation.**

Therefore, the development is required to provide a secondary through road connection to the surrounding road network with Council's preference for this road connection to be provided via Hayden Street to the New England Highway. This road connection is also considered beneficial with respect to integrating with the surrounding neighbourhood, as it would also facilitate a secondary road connection for future development occurring to the west of the site near Kearney Street. However, should this connection to the New England Highway not be accepted by Department of Transport and Main Roads (DTMR) as a referral agency, a secondary road connection to Kearney Street may be acceptable as an alternative.

Note: Council acknowledges the pre-lodgement advice received from SARA (dated 28 September 2022) in relation to the subdivision proposal and their preference for access to the subdivision from the New England Highway to be obtained via Crebra Court and not via Hayden Street. However, as the current subdivision design only allows for a single road connection, Council requests that further investigation be undertaken to obtain a secondary access location to the New England Highway.

- 2. The submitted Preliminary Engineering Report and Traffic Impact Assessment states that due to grade variation, transmission lines and the land to the north of the site identified as being constrained as a 'Core Koala Habitat Area' that there is a lack of potential demand to warrant a road connection to Kearney Street. Council does not accept this as adequate justification to not consider the western leg of Hayden Street being extended as part of this development, particularly as the submitted longitudinal sections demonstrate a significant grade variation for the internal roads.**

Information Required:

Please provide amended plans / additional information providing for a secondary road connection, preferably via Hayden Street, to the New England Highway.

Response

In response to the above item, reference is made to the follow-up email advice provided by Council on 28 April 2023 referred to above including the following extract:

"...it is still desirable that a secondary connection is provided to the development, however it is generally accepted that a connection from Hayden Street to the New England Highway may not be a viable option.

Should only a single access point for the development be provided from Crebra Crescent (as is currently proposed), Crebra Crescent will need to be upgraded to a 7m local access standard from the proposed internal road to the New England Highway. This arrangement would also require that the lot layout be reconfigured so that the internal road reserve (including the constructed road) would extend up to and adjoin Hayden Street, with a cul-de-sac provided at the termination. Bollards would need to be provided at the terminus of the internal road reserve (adjoining Hayden Street) to prevent vehicular access from the internal road. The number of lots adjoining Hayden Street should be reduced as much as practicable, with access to the lots to be restricted to the internal road network only (no access to Hayden Street)....."

Reference is made to the amended development plans prepared by Parkinsons Surveys attached at **Appendix A** that show changes to the lot layout and design to include provision for a cul-de-sac at the termination of the new internal road where adjoining the unformed Hayden Street road reserve. All proposed lots will take access via the new internal road and no lots will rely on Hayden Street East for access. Reference is also made to the Engineering Response prepared by RMA Engineers, dated 31 May 2023 attached to correspondence at **Appendix B** including their response to this particular item.

1.2. Issue:

It is not clear if a compliant road (constructed in accordance with the Toowoomba Regional Planning Scheme 2012 design standards) can be constructed in the handle between the Crebra Crescent and the first proposed culvert. The slope gradients within this area in conjunction with the existing stormwater drainage, raises concerns that a road constructed within this area may result in either redirection of stormwater discharge into neighbouring properties or the requirement for retaining walls to be established within the future road reserve to achieve a compliant road design.

Information Required:

Please provide additional concept plans (including longitudinal and cross sections) for the internal road from Crebra Crescent to the first proposed culvert which demonstrates how a compliant road design may be achieved in this area.

Response

In response to the above item, reference is made to the Engineering Response prepared by RMA Engineers, dated 31 May 2023 attached to correspondence at **Appendix B**. As part of their response, RMA Engineers have referenced the email issued by Council on 28 April 2023 including the following extract:

"Regarding the internal road intersection with Crebra Crescent, Council is willing to consider the proposed design requiring the retaining wall provided that sufficient space is provided for the wall to be maintained wholly from within the road reserve."

In response to Council's advice, RMA Engineers have advised the following:

"Following correspondence, including emails and meetings, Council have advised they are willing to consider a retaining wall at the internal road intersection with Crebra Crescent. Refer to the attached concept sketches C-SK0101a-B and C-SK0107-A, previously issued to Council.

We recommend conditioning this development with Council's preferred types of retaining walls. Detailed design at operational works phase will ensure that adequate space will be allocated at retaining wall, allowing it to be fully maintained within the road reserve."

A copy of the engineering drawings referenced above are attached at **Appendix B**.

1.3. Issue:

The submitted Traffic Impact Assessment identifies existing deficiencies with the approximate 5m pavement width of Crebra Crescent and recommends that Council investigate potential mitigation measures, including potential widening of this road. Council requires this road to be widened from the intersection of the New England Highway to the development access to provide for safe road access and traffic movement, particularly as the current arrangement for the proposed development is for all access to the New England Highway via Crebra Crescent.

Information Required:

Please provide an updated Traffic Impact Assessment, identifying recommended upgrades required for Crebra Crescent to facilitate the safe movement of vehicles from the development to the New England Highway.

Response

In response to the above item, reference is also made to the Engineering Response prepared by RMA Engineers, dated 31 May 2023 attached to correspondence at **Appendix B**. As part of their response, RMA Engineers have referenced extracts from the email issued by Council on 28 April 2023 reproduced above under the response to Item 1.1.

In response to Council's advice, RMA Engineers have advised the following:

"No amendments are necessary for the Traffic Impact Assessment Report. This matter has been addressed through correspondence, including emails and meetings, with Council. The report's findings correspond to the Council's request, highlighting the necessity for road widening and the implementation of centre linemarking at the horizontal curve. The only unresolved matter in previous correspondence pertains to determining ultimate responsibility for the cost of this upgrade, considering that the widening is necessitated by an existing issue.

Council has requested that an upgrade is required for Crebra Crescent, extending from the proposed internal road to the New England Highway. Suggesting that a 7m local access standard profile be utilised. The existing topography of the road is not suitable for an urban road profile. It should be emphasised that this road is located within a rural residential zoned area. We propose that the road widening should suit a modified road profile of the Rural Local Access Bitumen Sealed standard, as depicted in Toowoomba Regional Council Standard Drawing 101386-001. Modification required only to the design interface batters slope due to the natural terrain. The proposed solution aims to ensure minimal impact to the existing property driveways and power poles. Please refer to sketch C-SK0008-A, which illustrates some cross sections of Crebra Crescent.

A copy of the engineering drawing referenced above is attached at **Appendix B**.

2. STORMWATER

2.1. Issue:

The Toowoomba Regional Planning Scheme 2012, Flood Hazard Overlay Code includes Performance Outcomes to ensure that development within identified flood hazard areas protect the safety of people and property and do not adversely affect the functions of floodplains. Performance Outcomes of particular relevance to the development are identified below:

Performance Outcome PO₆ in Table 8.2.3:2 of the Flood Hazard Overlay Code:

- **Development siting and layout in an overland flow path area accommodates the flow path characteristics and minimises the risk to persons, property and infrastructure both on site and external to the site.**

Performance Outcome PO₇ in Table 8.2.3:2 of the Flood Hazard Overlay Code:

- **Development in a flood risk area is sited and designed such that:**
 - (a) Road layout avoids isolation in a flood hazard event and does not impede evacuation; and**
 - (b) Vehicular access during a flood hazard event is enabled.**

With respect to the above Performance Outcomes, the following issues are of particular concern for the proposed development:

1. Council provided written advice for the Pre-Lodgement Meeting (Council Reference: PREL/2022/4219) held on 26 August 2022, stating that shared property boundaries located within the Q₁₀₀ flood extent of the drainage corridors are to be realigned outside of the drainage corridors. However, Figure 2.3 in the submitted Stormwater Management Plan indicates that the proposed site layout still has numerous lots with shared property boundaries located within the Q₁₀₀ flood extents, such as but not limited to proposed lots 10, 11, 13, 14, 15, 17, 18, 19 and 20.
2. As raised as part of the concerns for the development's proposed access and road layout above (refer to Item 1.1), the submitted application materials have not demonstrated that the proposed layout has been provided with an evacuation route that meets the requirements identified in the Flood Hazard Overlay Code during a Defined Flood Event.

Information Required:

1. Please amend the site layout to demonstrate that all shared property boundaries are located outside of the Q₁₀₀ flood extent.
2. Please provide additional information to demonstrate how the proposed culvert crossings will meet all the requirements for evacuation routes as identified in Table 8.2.3:6 of the Flood Hazard Overlay Code.

Response

In response to the above item, reference is made to the following documents included with this correspondence:

- **Appendix A** – Amended Development Plans: these plans illustrate changes recommended by RMA Engineers in their advice referenced below and ensure common boundaries between lots are located outside the Q₁₀₀ flood event.
- **Appendix B** - Engineering Response: this advice from RMA Engineers confirms the lot layout has been amended to ensure common boundaries between lots are located outside the Q₁₀₀ flood event and includes more detailed advice on proposed emergency access arrangements during a flood event.

3. WATER SUPPLY INFRASTRUCTURE

3.1. Issue:

The submitted preliminary engineering assessment report investigates water demand within the development site and identifies connection points to the existing DN100 reticulated water main in Crebra Crescent. The water main in Crebra Crescent is in the Top Camp water supply pressure zone and comes from the Top Camp Reservoir, which has a bottom water level of 650.000 Australian Height Datum (AHD) and a top water level of 653.400 AHD. However, the elevations within the development site vary from 642.000 AHD to 592.000 AHD.

The proposed development is required to meet the requirements for water supply outlined in the Toowoomba Regional Planning Scheme 2012, Schedule 6 Planning Scheme Policies (PSP), SC6.3 PSP No. 3 – Engineering Standards – Water and Waste Water Infrastructure. In this regard, the application materials submitted have not demonstrated how the development will be provided with a water supply system that complies with Councils Water Infrastructure Policy 2.03 and is adequate to both the current and future needs of the intended use of the development.

Information Required:

Please provide a detailed Water Supply Report in accordance with Council's Water Infrastructure Policy 2.03, to demonstrate that a compliant water supply system can be achieved to service all of the proposed development lots.

The Water Supply Report is required to demonstrate, at a minimum:

- **Modelling hydraulic results demonstrating pressure and flows with required pipe sizing;**
- **The different pressure zones required (if any);**
- **The proposed connection points; and**
- **All external augmentations required to service the development.**

Note: The applicant can, for a fee, obtain the boundary conditions for this report from Council's Network Planning Section.

Response

In response to the above item, reference is made to the Engineering Response prepared by RMA Engineers, dated 31 May 2023 attached at **Appendix B**.

In their advice, RMA Engineers have determined from data provided by Council's Network Planning Water Project Services Department, that no external augmentation to the reticulated water supply is required for this development. RMA Engineers have also requested that the requirement for internal hydraulic modelling/analysis be conditioned to be provided as part of a future Operational Works application for the development where confirmation on the internal network sizing can be provided.

SUMMARY

Pursuant to Section 68(1) of the *Planning Act 2016* and Part 3, Section 13 of the *Development Assessment Rules*, we hereby confirm that this response provides a response to all of the items included in the Information Request. Having regard to the information provided, we request that Council proceed with the assessment of the application.

Should you require any additional information or clarification please do not hesitate to contact the undersigned on phone 07 4632 2535, mobile 0488 772 991 or by email at paul@precinctplan.com.au.

Yours sincerely

A handwritten signature in black ink, appearing to read "Paul Kelly", is written in a cursive style.

Paul Kelly
Precinct Urban Planning