

Our Reference: RAL/2022/6330
 CS Portal Reference: N/A
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INFORMATION REQUEST
Planning Act 2016 Section 68(1)
Development Assessment Rules Part 3

Watcon Building Group Pty Ltd
 C/- Precinct Urban Planning
 PO Box 3038
 TOOWOOMBA QLD 4350

Email: paul@precinctplan.com.au

25 January 2023

Dear Sir/Madam

Development Application for: Reconfiguring a Lot – Code – Two (2) Lots into 27 Lots
Location: 12452 New England Highway, TOP CAMP QLD 4350
Property Description: Lot 8 SP199141 and Lot 9 SP199141
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. CONNECTIVITY AND TRAFFIC IMPACT

1.1	<p>Issue: The <i>Toowoomba Regional Planning Scheme 2012, Reconfiguration of a Lot Code and Flood Hazard Overlay Code</i> 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.</p> <p>In this regard, the following Performance Outcomes are identified as being particularly relevant:</p> <p><u>Performance Outcome PO₆ in Table 9.4.5:2 of the <i>Reconfiguring a Lot Code</i>:</u></p> <ul style="list-style-type: none"> 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. <p><u>Performance Outcome PO₁₈ in Table 9.4.5:2 of the <i>Reconfiguring a Lot Code</i>:</u></p> <ul style="list-style-type: none"> Access arrangements for lots do not affect the function, vehicle speeds, safety, efficiency and capacity of streets and roads. <p><u>Performance Outcome PO₇ in Table 9.4.5:2 of the <i>Flood Hazard Overlay Code</i>:</u></p> <ul style="list-style-type: none"> Development in a flood risk area is sited and designed such that:
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- (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.

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.

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.

2. STORMWATER

2.1	Issue:
	<p>The <i>Toowoomba Regional Planning Scheme 2012, Flood Hazard Overlay Code</i> 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:</p> <p><u>Performance Outcome PO₆ in Table 8.2.3:2 of the <i>Flood Hazard Overlay Code</i>:</u></p> <ul style="list-style-type: none"> • 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. <p><u>Performance Outcome PO₇ in Table 8.2.3:2 of the <i>Flood Hazard Overlay Code</i>:</u></p> <ul style="list-style-type: none"> • Development in a flood risk area is sited and designed such that: <ul style="list-style-type: none"> (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. <p>With respect to the above Performance Outcomes, the following issues are of particular concern for the proposed development:</p> <ol style="list-style-type: none"> 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 <i>Flood Hazard Overlay Code</i> during a Defined Flood Event.
	Information Required:
	<ol style="list-style-type: none"> 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 <i>Flood Hazard Overlay Code</i>.

3. WATER SUPPLY INFRASTRUCTURE

3.1	<p>Issue:</p> <p>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.</p> <p>The proposed development is required to meet the requirements for water supply outlined in the <i>Toowoomba Regional Planning Scheme 2012, Schedule 6 Planning Scheme Policies (PSP), SC6.3 PSP No. 3 – Engineering Standards – Water and Waste Water Infrastructure</i>. In this regard, the application materials submitted have not demonstrated how the development will be provided with a water supply system that complies with Council's <i>Water Infrastructure Policy 2.03</i> and is adequate to both the current and future needs of the intended use of the development.</p>
	<p>Information Required:</p> <p>Please provide a detailed Water Supply Report in accordance with Council's <i>Water Infrastructure Policy 2.03</i>, to demonstrate that a compliant water supply system can be achieved to service all of the proposed development lots.</p> <p>The Water Supply Report is required to demonstrate, at a minimum:</p> <ul style="list-style-type: none">• 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. <p><i>Note: The applicant can, for a fee, obtain the boundary conditions for this report from Council's Network Planning Section.</i></p>

Note on Alternative Solutions

Where alternative solutions to the Acceptable Outcomes are proposed, it must be demonstrated that the respective Performance Outcomes of the Code are satisfied. Simply requesting an alternative solution does not demonstrate the Performance Outcomes are satisfied or oblige Council to favourably consider the alternative solution. Detailed material (potentially in the form of amended plans and a written report) identifying planning grounds justifying the alternative solution should be submitted. Without such representations, Council may not favourably consider the application.

Options Available in Response to this Information Request

Under the provisions of the *Planning Act 2016* and *Development Assessment Rules*, you have three (3) options available in response to this information request. You must give Council:

1. all of the information requested; or
2. part of the information requested together with a written notice asking Council to proceed with the assessment of the application; or
3. a notice –
 - a. stating that you do not intend to supply any of the information requested; and
 - b. asking Council to proceed with the assessment of the application.

Please provide one (1) electronic (preferred) or hard copy of the response to the information request to Council, including any submitted plans and supporting information. **In your response, please complete and include the attached notice advising which of the above three (3) options you are supplying.**

You must respond to this information request within a period of three (3) months in accordance with Section 13.1 of the *Development Assessment Rules* under Section 68(1) of the *Planning Act 2016* or Council will proceed with the assessment of the application based on the information currently available.

Yours faithfully

A handwritten signature in black ink, appearing to read 'R Green', written in a cursive style.

Richard Green
Senior Planner, Development Services



TOOWOOMBA REGIONAL COUNCIL
A.B.N. 997 8830 5360

APPLICANT NOTICE FORM
Response to Information Request
Planning Act 2016 Section 68(1)
Development Assessment Rules Part 3

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In response to Council's Information Request dated 25 January 2023, I/We advise the following:

- All of the information requested.
- Part of the information requested. Please proceed with the assessment of the application.
- Do not intend to supply any of the information requested. Please proceed with the assessment of the application.

Applicant Name: _____

Applicant Signature: _____

Date: _____