

REPORT TITLE	Reconfiguring a Lot – Code – Subdivision of Two (2) Lots into 45 Residential Lots, One (1) Utility Lot and Balance Lot located at Reis Road, HIGHFIELDS QLD 4352
AUTHOR	Planning Officer (Jayden Forbes-Mitchell)
Application No.	RAL/2021/6904

### PURPOSE OF REPORT

To consider a Development Application for Reconfiguring a Lot – Code – Subdivision of Two (2) Lots into 45 Residential Lots, One (1) Utility Lot and Balance Lot located at Reis Road, HIGHFIELDS QLD 4352.

### EXECUTIVE SUMMARY

The application seeks a development permit for Reconfiguring a Lot – Code – Two (2) Lots into 45 Residential Lots, One (1) Utility Lot and Balance Lot over land located at Lot 1 RP177108 and Lot 2 SP274504 Reis Road, Highfields.

The site (28.69 hectares in area) is zoned Low Density Residential (General Precinct) and is bounded by Reis Road to the south-west, Kuhls Road to the south-east and Barracks Road to the north. The site is currently vacant and characterised by open grassland with scattered native trees.

The proposal forms part of an informal 'Stage 3' of residential development over this land and follows approval of a subdivision of two (2) lots into 49 lots in two (2) stages under Development Permit RAL/2017/4108/A. Proposed residential lots vary in size from 653m<sup>2</sup> to 1,753m<sup>2</sup>, with lot sizes typically between 800m<sup>2</sup> and 900m<sup>2</sup> in area. 480 metres of new roads are proposed, including a new road linking Stages 1 and 2 approved under RAL/2017/4108/A to Barracks Road. A pedestrian and cycle pathway is also proposed linking the eastern extent of Stage 3 to Barracks Road.

Proposed residential lots will front newly created internal roads and Barracks Road only, except for proposed Lot 49 fronting Reis Road in the south-west.

A proposed 'Utility Lot' 301 is intended to accommodate a sewer pump station. This pump station is intended to service the development and will be delivered as part of Stage 2 of RAL/2017/4108/A. As the exact sizing of the lot required to accommodate the sewer pump station had not been resolved under RAL/2017/4108/A, this lot has been applied for as part of this development application.

In accordance with Table 5.6 of the Planning Scheme the proposed development is subject to Code Assessment and has been assessed against all applicable assessment benchmarks as outlined in the report. The proposed development complies with or can be conditioned to comply with the relevant assessment benchmarks. On this basis, the proposed development is recommended for approval subject to the conditions in the recommendation.

### RECOMMENDATION

**APPROVED** – Application No. RAL/2021/6904 for a Development Permit for Reconfiguring a Lot – Code – Subdivision of Two (2) Lots into 45 Residential Lots, One (1) Utility Lot and Balance Lot, pursuant to the provisions of Section 60 of the *Planning Act 2016* and subject to the conditions listed below.

### ASSESSMENT MANAGER CONDITIONS

#### PLANNING

#### APPROVED DEVELOPMENT

1. This Development Approval is for Reconfiguring a Lot, being the subdivision of Two (2) Lots into 45 Residential Lots, One (1) Utility Lot and Balance Lot.

#### CARRY OUT AND MAINTAIN DEVELOPMENT

2. The development must comply with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they have not been varied by this Development Approval.

3. Unless otherwise stated, all conditions must be complied with prior to Council's approval of the Plan of Subdivision prior to registration with the Department of Resources.
4. The development must be maintained generally in accordance with the Approved and Amended Plans and Documents subject to or modified by any conditions of this Development Approval.

### APPROVED PLANS

5. The development must be carried out generally in accordance with the Approved Plans listed below, subject to the conditions of this Development Approval and the amendments listed below:

**Plan No:** 16/174 PP930, Revision E

**Description:** Proposal Plan – Site Dimensions, Sheet 1 of 3, prepared by Byrne Surveyors, dated 23 April 2022 and received by Council 10 May 2022

**Amendments:** Nil

**Plan No:** 16/174 PP931, Revision E

**Description:** Proposal Plan – Site Dimensions, Sheet 2 of 3, prepared by Byrne Surveyors, dated 23 April 2022 and received by Council 10 May 2022

**Amendments:** Nil

**Plan No:** 16/174 PP932, Revision E

**Description:** Proposal Plan – Site Dimensions, Sheet 3 of 3, prepared by Byrne Surveyors, dated 23 April 2022 and received by Council 10 May 2022

**Amendments:** Nil

### APPROVED DOCUMENTS

6. The development must be carried out generally in accordance with the Approved Document listed below, subject to the conditions of this Development Approval:

**Document:** BMR: 220315, Bushfire Management Report, Issue 2

**Description:** Bushfire Management Report, prepared by Aquila NRM, dated 8 May 2022 and received by Council 10 May 2022

**Amendments:** Nil

### LOT NUMBERING

7. The numbering of all approved lots must remain as indicated on the Approved Plan/s (unless otherwise amended/approved by Council).

### COUNCIL APPROVAL OF PLANS, DOCUMENTS & WORKS (OPERATIONAL WORK)

8. Prepare and submit applications to Council and obtain a Development Permit for Operational Work for the following:
  - 8.1 Roadworks;
  - 8.2 Bulk Earthworks;
  - 8.3 Wastewater Infrastructure;
  - 8.4 Water Infrastructure;
  - 8.5 Stormwater Infrastructure; and
  - 8.6 Vehicular Access to proposed Lot 301.

### COUNCIL APPROVAL OF PLANS, DOCUMENTS & WORKS (FOR ENDORSEMENT)

9. Prepare and submit the following documents in accordance with the conditions of this Development Approval and obtain Council's endorsement:
  - 9.1 Landscape Plan.

## COUNCIL APPROVAL OF PLANS, DOCUMENTS & WORKS

10. Prepare and submit for Council's approval a Plan of Subdivision in accordance with Schedule 18 of the *Planning Regulation 2017*.

## STAGED DEVELOPMENT

11. Unless otherwise approved in writing by Council, all requirements and conditions of Stages 1 and 2 of the preceding development approval (RAL/2017/4108/A) must be complied with prior to Council's approval of the Plan of Subdivision.

## AVAILABILITY OF APPROVED DOCUMENTATION DURING WORKS

12. A legible copy of the Development Approval, including the Approved and Amended Plans and Documents bearing Council's approved stamp must be available on the subject land for inspection at all times during subdivision earthworks and construction.

## DEDICATIONS, AGREEMENT AND CONTRIBUTIONS

### DEDICATION OF LAND

13. The land area identified as proposed Lot 301 on the Approved Plans listed within this Development Approval must be dedicated to Council in fee simple on trust for sewerage (pump station) purposes.
14. Submit to Council a Solicitor's Undertaking to register the transfer of proposed Lot 301 to Council at the same time as the registration of the Survey Plan.

*Note:* This condition is imposed pursuant to Section 145 of the Planning Act 2016.

*Note:* Where proposed Lot 301 has been dedicated to Council as part of Development Permit RAL/2017/4108/A, Conditions 13 and 14 of this Development Approval are deemed to have been met.

15. The land area identified as 'New Road' and 'Pathway' on the Approved Plans listed within this Development Approval must be dedicated as road reserve in accordance with the requirements of the Department of Resources.

*Note:* This condition is imposed pursuant to Section 145 of the Planning Act 2016.

16. The transfer of land dedicated to Council must be at no cost to Council. All transfer documentation is to be prepared and submitted to Council, at no cost to Council.
17. With the exception of land to be dedicated as road reserve, obtain a valuation of the land from a registered land property valuer to determine payment of any applicable stamp duty payable upon registration of the transfer of the land to Council.
18. With the exception of land to be dedicated as road reserve, land to be dedicated to Council must be identified as a lot on survey plan and must be submitted to Council with one original signed and 'stamped' *Queensland Land Registry Transfer of Ownership* and relevant forms for each lot dedicated, together with a copy of the land valuation. No other annotation of the purpose of the lot is to be made on the original survey plan submitted to Council for approval.
19. All land dedicated must not be encumbered by permanent structures, services such as pump stations, services easements or similar operational uses, unless otherwise approved by the conditions of this Development Approval.
20. All land dedicated must not be financially encumbered (e.g. mortgaged) unless otherwise approved by the conditions of this Development Approval.

## EASEMENTS

21. Easements for Right of Way purposes must be registered in favour of Toowoomba Regional Council against the title of proposed Lot 300 (Balance Lot). The easements must be located over the area identified as 'Emt B', 'Emt C' and 'Emt D' on the Approved Plans listed within this Development Approval and included on the Plan of Subdivision for Council's approval.

22. Where the Grantee is Council or a service authority, the easement documentation must be in accordance with the Grantee's standard easement terms and documents or any other terms and conditions as deemed necessary to fulfil the purpose of the easement.
23. Easement documentation must be prepared and submitted to Council, at no cost to Council, for endorsement where Council is the Grantee or review against conditions of approval otherwise.
24. Unless consistent with the terms of the easement and authorised under this Development Approval, any permanent works or structures must be kept clear of any existing or proposed easements on the subject land.

## FEES AND CHARGES

25. All current and outstanding fees, rates, interest and other charges levied on the property, must be paid in accordance with the rate at the time of payment prior to Council's approval of the Plan of Subdivision.

## WORKS

### STREET NAMING

26. Forward a letter of Request for Street Naming to Council providing three alternative names for each new street.

*Note: Street names must be in accordance with AS4819:2011 - Rural and Urban Addressing, and are subject to Council's requirements and payment of the applicable fees in accordance the Fees and Charges Schedule.*

### ENGINEER'S CERTIFICATION AND SUPERVISION OF WORKS

27. Plans and specifications for all works associated with stormwater drainage, wastewater, water, earthworks, roadworks or any other works required on Council infrastructure, must be prepared and certified by a Registered Professional Engineer Queensland - Civil (RPEQ).
28. A RPEQ must submit to Council a copy of the:
  - 28.1 Design Certificate prior to commencement of the works; and
  - 28.2 Construction Supervision Certificate upon completion of the works certifying that works are in accordance with the approved plans and specifications.
29. Any works that have been certified by an RPEQ must be carried out under the supervision of an RPEQ with all executed works being detailed on a Construction Supervision Certificate.
30. Where any condition refers to, or requires, an Engineer to perform a task or function, the Engineer must hold professional indemnity insurance to the value of \$2,000,000. A Certificate of Currency must be submitted to Council with any Design Certificate or Construction Supervision Certificate.

### STORMWATER DRAINAGE

31. All stormwater infrastructure necessary to convey run-off from roof and developed surface areas, and any run-off onto the subject land from adjacent areas, must be provided in accordance with a Development Permit for Operational Work.

*Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.*
32. All land adjoining the development must be protected from ponding or nuisance from stormwater resulting from the development for the life of the development.
33. Prior to the commencement of any works on the subject land, a Development Application for a Development Permit for Operational Work must be submitted to and be approved by Council for the internal and any external stormwater infrastructure. The design and the construction of the works must be certified by a RPEQ – Civil.

34. Submit to Council for approval, as part of the Development Application for a Development Permit for Operational Work, a Detailed Stormwater Management Plan prepared by a Registered Professional Engineer Queensland - Civil (RPEQ) in accordance with the relevant standards in *Planning Scheme Policy No. 2 - Engineering Standards - Roads and Drainage Infrastructure* (PSP No.2) and *State Planning Policy July 2017* demonstrating the following:

- 34.1 Stormwater is conveyed to a lawful point of discharge in accordance with the stormwater discharge conditions of this Development Approval; and
- 34.2 The achievement of Water Sensitive Urban Design objectives listed in PSP No. 2 and *State Planning Policy July 2017*.

*Note: Council may consider entering into an Infrastructure Agreement for contribution in lieu of constructing the required stormwater quality works. This will require a separate request to be made to Council.*

### **BULK EARTHWORKS OVER 50 M<sup>3</sup> OR OVER 1M CUT OR FILL**

35. All cut, fill and associated batters must be undertaken in accordance with a Development Permit for Operational Work and contained entirely within the subject land.

### **AIR QUALITY IMPACT MITIGATION**

36. Odours or airborne contaminants which are noxious or offensive to public amenity or safety, likely to cause environmental harm or environmental nuisance or exceed the *Air Quality Objectives* listed in the *Environmental Protection (Air) Policy 2019* as measured at any sensitive place or commercial place must not be released to the atmosphere during site works and throughout the life of this Development Approval.
37. All reasonable and feasible avoidance and mitigation measures are employed so that dust emissions generated during site works do not exceed the following levels when measured at any sensitive place or commercial place:
- 37.1 Dust deposition of 120 milligrams per square metre per day, averaged over one (1) month, when monitored in accordance with the most recent version of *Australian Standard AS3580.10.1 Methods for sampling and analysis of ambient air - Determination of particulate matter - Deposited matter - Gravimetric method*.

### **VIBRATION IMPACT**

38. Construction activities and equipment that produce vibrations must not impact upon the amenity of adjacent commercial and residential receptors or cause impacts to the structural integrity of the existing buildings/improvements, including foundations, on adjoining properties.
39. Where considered warranted by Council and when requested in writing to do so, a vibration impact investigation must be undertaken to determine what level of vibration impact is occurring. In such circumstances, a suitably qualified person must monitor, interpret and record all parameters in order to determine whether or not vibration impacts are below those stated in Table 1. The results of the investigation must be provided to Council within 14 days of the request or a longer period if specified in any such request.

**Table 1 - Human comfort vibration limits to minimize nuisance**

Building	Work Period	Resultant PPV (mm/s)	
		Lower Limit	Upper Limit
Dwellings	Standard Hours	1.0	2.0
	Non-standard hours – evening (6pm to 10pm)	0.3	1.0
	Non-standard hours – night (10pm to 7am)		
Medical / health buildings (wards, surgeries, operating theatres, consulting rooms)	All	0.3	1.0
Educational facilities (rooms)	While in use		

designed for teaching purposes)			
Court of Law (Court Rooms)			
Court of Law (Court reporting and transcription areas, Judges' chambers)			
Community Buildings (libraries, places of worship)	While in use	1.0	2.0
Commercial (offices) and retail areas			

Source: Table 3.3.1.1(a) of TMR Transport Noise Management Code of Practice Volume 2 – Construction Noise and Vibration (Code of Practice – Construction)

## CONSTRUCTION WASTE MANAGEMENT & STORAGE

40. Waste generated during demolition, excavation and construction must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction and Recycling Act 2011*.
41. The on-site storage and disposal of demolition, excavation and construction waste (including the storage and disposal of night soil) must comply with the *Environmental Protection Regulation 2019*.
42. Fires are not to be lit to dispose of demolition or construction waste.
43. No demolition, excavation or construction waste is to be used as fill or buried on-site (with the exception of cut material recycled from the subject land and used on the subject land), or be used as fill or buried elsewhere, unless otherwise permitted:
  - 43.1 Elsewhere within this Development Approval;
  - 43.2 In accordance with an associated Development Permit for Operational Work;
  - 43.3 In association with and in accordance with an Environmental Authority issued under the *Environmental Protection Act 1994*;
  - 43.4 In accordance with either a general or specific approval of a resource for beneficial use (otherwise known as a beneficial use approval) issued under the *Waste Reduction and Recycling Act 2011*; or
  - 43.5 In accordance with a written approval issued by Council under the *Environmental Protection Regulation 2019* relating to the depositing or disposal of general waste from a premises not serviced by Council.
44. Demolition, excavation and construction waste (including night soil) must not be placed or stored within the road reserve at any time.

## EROSION & SEDIMENT CONTROL

45. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by the action of wind or running water must be stored clear of drainage paths and not within the road reserve at any time.
46. Measures such as sediment fences, earth berms, temporary drainage, temporary sediment basins, dewatering or stormwater filtering devices to prevent eroded material, sediment or sediment laden water from being transported to adjoining properties, roads or stormwater drainage systems must be provided.
47. Where erosion and sediment control measures have been damaged, fail or are inadequate and erosion or the release of sediment or sediment laden stormwater has occurred from the subject land or associated works, any resultant property or environmental damage or interference caused must be repaired or cleaned up within 24 hours or upon the direction of Council, at no cost to the affected parties.
48. All disturbed areas must be mulched or turfed as soon as possible during construction.

## REMOVAL OF EXISTING STREET TREES

49. The removal or modification (including any disturbance of the root system within the drip line) of a street tree must not be undertaken unless otherwise approved in writing by Council and in accordance with any conditions of this Development Approval.

## PROTECTION OF STREET TREES

50. Street trees affected by works within the 'Precautionary Area', must be protected for the duration of construction. All works must be carried out in accordance with the relevant standards in *Planning Scheme Policy No.8 - Street Trees* and must include in particular:
- 50.1 Establishment of a work exclusion area around the street tree to be retained prior to commencement of construction to avoid damage and soil compaction from plant and machinery;
  - 50.2 Provision of one (1) weeks' notice to Council of any excavation works affecting the 'Precautionary Area' of a street tree so that a Council Arborist may be present during excavation works;
  - 50.3 During excavation works, where roots greater than 50mm diameter are uncovered that need to be severed, obtaining approval from a Council Arborist to sever the root, and if granted, to do so with a cutting device and not a ripping device; and
  - 50.4 Maintenance of street tree protection until works are completed or accepted on-maintenance.

## DAMAGE TO SERVICES & ASSETS

51. Protect Council and public utility services and assets during construction of the development.
52. Any damage caused to existing services and assets as a result of the development works must be repaired at no cost to the asset owner in accordance with the following timing:
- 52.1 Where the damage would cause a hazard to pedestrian or vehicle safety or interrupts a service to the community, immediately; or
  - 52.2 Where otherwise, as soon as reasonably possible, but no later than completion of the works associated with the development or prior to the commencement of use, whichever is the earlier.
53. Any repair work which includes alteration to the alignment or the level of existing services and assets must first be referred to the relevant service authority for approval.
54. Construction, alterations and any repairs to Council infrastructure is undertaken in accordance with Council's relevant policies and requirements at no cost to Council.

Note: Council must be notified of any damage to water and sewer immediately on Ph: 131 872.

## SERVICES & UTILITIES

### WASTEWATER INFRASTRUCTURE (GENERAL)

55. The subdivision must be connected to Council's existing wastewater reticulation system in accordance with Council's *Wastewater Infrastructure Policy 2.04* at no cost to Council.
- Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.
56. Prior to the commencement of any works on the subject land, a Development Application for a Development Permit for Operational Work must be submitted and be approved by Council for internal and external wastewater reticulation works and in accordance with the approved plans and documents of this Development Approval.
57. Any compensation or costs associated with obtaining agreement from owners or trustees of properties affected by the construction of the works must be at no cost to Council.

58. Any works on Council's 'live' wastewater infrastructure must be carried out by Council. A Private Works Quotation must be requested from Council, payment made for the works, and the works completed by Council.

## WATER SUPPLY

59. The subdivision must be provided with a water supply system capable of servicing each lot in accordance with Council's *Water Infrastructure Policy 2.03* at no cost to Council.

*Note:* This condition is imposed pursuant to Section 145 of the Planning Act 2016.

60. Unless able to be used as part of the development, any existing connection must be disconnected at no cost to Council.
61. Any existing water supply connection traversing more than one approved lot must be disconnected and removed.
62. Certification must be provided to Council by RPEQ that the disconnection has been carried out.
63. Where works have been carried out to disconnect or remove traversing pipes, certification must state that a separate water supply has been provided for all lots containing buildings which previously had a metered water supply, and that new water meters have been provided where necessary.
64. Any works on Council's 'live' water supply must be carried out by Council. A Private Works Quotation must be requested from Council, payment made for the works, and the works completed by Council.
65. Prior to the commencement of any works on the subject land, a Development Application for a Development Permit for Operational Work must be submitted and be approved by Council for internal and external water supply works and in accordance with the approved plans and documents of this Development Approval.

## TELECOMMUNICATION

66. Install telecommunications infrastructure to service each approved lot which complies with the following:
- 66.1 The requirements of the *Telecommunications Act 1997* (Cth);
- 66.2 For a fibre ready facility, the NBN Co's standard specifications current at the time of installation; and
- 66.3 For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line is located underground.
67. Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary pits and pipes, and conduits to accommodate the future connection of optic fibre technology telecommunications.
68. Provide to Council written evidence from all relevant service providers that the telecommunications infrastructure is installed in accordance with the conditions of this Development Approval and all applicable legislation at the time of construction.

*Note:* The *Telecommunications Act 1997* (Cth) specifies where the deployment of optical fibre and the installation of fibre-ready facilities is required. For further information visit [www.infrastructure.gov.au/tind](http://www.infrastructure.gov.au/tind).

*Note:* For telecommunication services, written evidence must be in the form of either a "Telecommunications Infrastructure Provisioning Confirmation" where such services are provided by Telstra, or a "Notice of Practical Completion", "Confirmation of Payment" or "Post Execution of Development" Letter where such services are provided by NBN Co.



## ELECTRICITY

69. An electricity supply must be made available to service each approved lot within the subdivision. This supply must be in accordance with the relevant standards of the electricity distributor.
70. Written evidence must be submitted to Council from the electricity distributor advising that provision has been made for connection of reticulated electricity service for each approved lot in accordance with all applicable legislation at the time of construction.

*Note: In relation to reticulated electricity, written evidence must be in the form of a "Certificate of Supply" or "Supply is Available" supplied by the relevant service provider.*

## TRANSPORT & ACCESS

### ROADWORKS (EXTERNAL TO SUBDIVISION)

71. Existing roads must be constructed for the frontage of the development of this stage, as follows:

<b>Street:</b>	Barracks Road
<b>Classification:</b>	Local Access
<b>Construction Standard:</b>	Sealed pavement width of 6.5m with kerb and channel along the development frontage, based on the ultimate design alignment (subject to detailed design).

*Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.*

*Note: Barracks Road will become part of the Principal Cycle Network. Detailed design of the construction of Barracks Road should not compromise the ability for this network to be implemented. The developer is encouraged to coordinate with Council to achieve the ultimate Principal Cycle Network Design intent along Barracks Road.*

72. The design and construction of the road must comply with *Planning Scheme Policy No. 2 - Engineering Standards - Roads and Drainage Infrastructure* (PSP No.2) and must include in particular:
  - 72.1 Concrete kerbing and channelling;
  - 72.2 Temporary asphalt kerbing to tapers (where required);
  - 72.3 Underground stormwater drainage;
  - 72.4 Table drain works;
  - 72.5 Relocation of utility and Council services; and
  - 72.6 Street lighting.
73. Any pavement widening must join neatly to the existing pavement so that there are no specific irregularities in line or level resulting at or adjacent to the join for the length of the construction. Where necessary the existing pavement must be brought to a satisfactory standard in accordance with PSP No. 2 to allow for the above.
74. All street surfacing must be in accordance with the pavement construction standards in PSP No. 2.
75. Verge widths, street reserve widths, intersection treatment, provision of parking and speed control devices must comply with Council's requirements in PSP No. 2.
76. Prior to the commencement of any works on the subject land, a Development Application for a Development Permit for Operational Work must be submitted to and approved by Council for the road works external to the subject land and in accordance with the approved plans and documents of this Development Approval. All approved road works must be completed and accepted on-maintenance prior to the endorsement of any Plan of Subdivision.
77. The design and construction of the works must be certified by a Registered Professional Engineer Queensland (RPEQ) - Civil.

**ROADWORKS (INTERNAL TO SUBDIVISION)**

78. Internal roads must generally be constructed as shown on the Approved Plans listed within this Development Approval.
79. The internal roads must be constructed to a sealed standard, including kerb and channel on both sides of the new roads. Such kerb and channeling must be an approved residential kerb and channel. The internal roads must be as follows:
- 79.1 Roads 2 & 3 must have an 18 metre road reserve width with a 7 metre carriageway width measured between channel inverts; and
- 79.2 Road 1 must have a 19 metre road reserve width with 7 metre carriageway width measured between channel inverts; and
- Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.*
80. All street surfacing must consist of an approved asphaltic concrete
81. Verge widths, street reserve widths, intersection treatment, provision of parking, footpaths and speed control devices must comply with Council's requirements, as set out in *Planning Scheme Policy No. 2 - Engineering Standards - Roads and Drainage Infrastructure (PSP No.2)*.
82. Prior to the commencement of any works on the subject land, a Development Application for a Development Permit for Operational Work must be submitted to and be approved by Council for the road works and in accordance with the approved plans and documents of this Development Approval. All approved road works must be completed and accepted on-maintenance prior to Council's approval of the Plan of Subdivision.
83. Where temporary dead ends are provided at stage boundaries, with a length greater than a single lot frontage, a temporary gravel surfaced turnaround area must be constructed to the geometry of Council's standard cul-de-sac turning areas.
84. The design and the construction of the works must be certified by a RPEQ - Civil.

**EXTERNAL PEDESTRIAN & CYCLE PATHS**

85. The following works must be constructed in accordance with *Planning Scheme Policy No. 2 - Engineering Standards - Roads and Drainage Infrastructure (PSP No.2)* and any current pedestrian and cycleway plans:
- 85.1 A 1.5m wide concrete pedestrian path for the length of the proposed Pathway, from Road 3 to Barracks Road;
- 85.2 Provision must be made for wheelchair and pram access at all kerb crossings associated with pathways, in accordance with *IPWEA Standard Drawing RS-090 – Ramped Pedestrian Crossings*; and
- 85.3 Any concrete footpath or cycleway must comply with *IPWEA Standard Drawing RS-065 – Concrete Pathway*. Where necessary, reprofiling of the verge area must be undertaken to enable the construction of concrete pathways with a maximum cross fall of 2.5%.
- Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.*
86. Prior to the commencement of any works on the subject land, a Development Application for a Development Permit for Operational Work must be submitted to and be approved by Council for the construction of the concrete footpaths in accordance with the approved plans and documents of this Development Approval. The design and the construction of the works must be certified by a RPEQ - Civil.

**ROADWORKS SIGNAGE AND PEDESTRIAN SAFETY**

87. All works carried out on or near roadways must be adequately signed in accordance with the *Manual for Uniform Traffic Control Devices - Part 3, Works on Roads*.

***Note:** Road or lane closures require approval from Council's Principal Engineer Road Operations, and all conditions of that approval complied with during construction of the works.*

88. Safe pedestrian access along Council's footpaths must be maintained at all times.

***Note:** Should access to footpaths need to be restricted, a separate 'Temporary road or footpath closure' must be obtained from Council's Principal Engineer Road Operations, prior to the commencement of the works.*

## **STREET LIGHTING**

89. Provide street lighting in accordance with *PSP No. 2 - Engineering Standards - Roads and Drainage Infrastructure* and *Australian Standard AS/NZS 1158 - Lighting for roads and public spaces*.

## **REMOVAL OR MODIFICATION OF COUNCIL TRAFFIC SIGNS OR PARKING BAYS**

90. Obtain the written approval of Council's Coordinator Traffic Management for any works involving the removal or modification of existing Council traffic signs or parking bays prior to the works commencing. Where approved by Council such works are to be undertaken at no cost to Council.
91. The installation or modification of any street signs or line marking must be in accordance with the Manual of Uniform Traffic Control Device (MUTCD).

## **ACCESS (FOOTPATH CROSSOVERS AND DRIVEWAYS)**

92. A vehicle crossover (crossing of the verge) and a suitable sealed driveway must be constructed from the kerb and channel to the property boundary for proposed Lot 301, Lot 1 RP198144 and Lot 1 RP151831 in accordance with the following requirements:
- 92.1 The Institute of Public Works Engineering Australasia *Drawing RS-051 Heavy Duty Vehicle Crossing*, and in accordance with *Australian Standard AS 2890 – Parking Facilities (Part 1 and as relevant Part 2)*, as follows:
- 92.1.1 The vehicle crossover to proposed Lot 301 is to be constructed in accordance with *RS-051 Heavy Duty Vehicle Crossing*; and
- 92.1.2 The vehicle crossovers to Lot 1 RP198144 and Lot 1 RP151831, beyond the extent of the crossover required for proposed Lot 301, are to be constructed in accordance with *RS-049 Residential Driveways Plan 1 of 2* and *RS-050 Residential Driveways Plan 2 of 2*;
- 92.2 Council's standards;
- 92.3 The driveway surfacing must consist of an approved hot mixed asphaltic concrete or plain concrete; and
- 92.4 The driveway must be constructed so as not to concentrate stormwater runoff onto neighbouring properties.
93. A Development Application for a Development Permit for Operational Work must be submitted to and be approved by Council for the vehicular crossovers (crossing of the verge).

## **LANDSCAPE & ECOLOGY**

### **LANDSCAPING WORKS (GENERAL)**

94. Submit to Council for endorsement, a Landscape Plan prepared by a suitably qualified person that details in particular:
- 94.1 The species to be planted and their location (including street trees);
- 94.2 The number and container size of plants;

- 94.3 The typical planting detail including preparation, backfill, staking and mulching;
  - 94.4 Internal dimensions of all planting areas;
  - 94.5 Location and height of fencing in the property frontage;
  - 94.6 Location and species of existing site vegetation including adjacent street trees; and
  - 94.7 North point, scale and drawing number.
95. The Landscape Plan must receive endorsement by Council prior to lodgement of any Development Application for a Development Permit for Operational Work or commencement of any site works or earthworks, whichever occurs first.

#### **LANDSCAPING WORKS (PROVISION OF STREET TREES)**

96. Plant and maintain for a period of twelve (12) months, one (1) street tree within the road reserve for every 15 metres of road frontage, capable of reaching ten (10) metres in height at maturity. An increase in the number and/or variation to the location of street trees may be agreed by Council or varied in an approved landscape plan.
97. The selection and planting of any street tree, including any street tree required to replace a removed street tree must be in accordance with the requirements of *Planning Scheme Policy No.8 - Street Trees*, *Planning Scheme Policy No. 2 - Engineering Standards - Roads and Drainage Infrastructure*, the Toowoomba Regional Council Street Tree Master Plan, and the approved Landscape Plan.
98. All landscape works must be established by a suitably qualified person and maintained in accordance with the conditions of this Development Approval for the life of the development, and in a manner that ensures healthy, sustained and vigorous plant growth. All plant material must be allowed to grow to full form and be replaced when its life expectancy is reached.
99. Certification must be submitted to Council from a suitably qualified person who certifies that landscaping established complies with the requirements of this Development Approval.

#### **REMOVAL OF EXISTING TREES AND VEGETATION**

100. Clearing, including felling, pushing, lopping and grubbing of existing trees and vegetation not identified for retention must be undertaken by a suitably qualified person and must include:
- 100.1 Stump grinding to below finished surface level;
  - 100.2 Rectification to the finished surface levels and materials;
  - 100.3 No damage to other vegetation to be retained;
  - 100.4 No burning of removed vegetation and debris; and
  - 100.5 Conclude with the area being stabilised against erosion and vegetated.

#### **FAUNA MANAGEMENT DURING REMOVAL OF EXISTING TREES AND VEGETATION**

101. A legislative compliant Fauna Spotter Catcher must be engaged to manage fauna prior and during clearing to:
- 101.1 Ensure works are carried out in accordance with the *Nature Conservation Act 1992*;
  - 101.2 Undertake pre-clearing inspections including fauna relocation and removal or blocking of all vacant hollows;
  - 101.3 Ensure clearing works avoids nesting times of animals and birds;
  - 101.4 Co-ordinate staging and sequence of clearing with fauna protection;
  - 101.5 Protect and recover fauna during clearing operations (not previously removed); and

- 101.6 Manage the translocation of animals and recovery procedures in accordance with relevant legislation.

## **BUSHFIRE MANAGEMENT – GENERAL**

102. Subdivision works must be carried out in accordance with Section 4 and Appendix 2 of the Approved Bushfire Management Report listed within this Development Approval.
103. A copy of the Approved Bushfire Management Report must be provided to the nearest fire authority.

## **GENERAL ADVICES**

### **SUBMISSION OF PLANS/DOCUMENTS FOR ENDORSEMENT**

- 1) The conditions of this Development Approval require submission of plans/documents to Council for endorsement. Please address the plans/documents for endorsement to Council's Development Services Branch with the Reference No. RAL/2021/6904 and send to [development@tr.qld.gov.au](mailto:development@tr.qld.gov.au).

### **INFRASTRUCTURE CHARGES**

- 2) Infrastructure charges are now levied by way of an Infrastructure Charges Notice, issued pursuant to Section 119 of the *Planning Act 2016*.

### **OTHER LAWS & REQUIREMENTS**

- 3) This Development Approval relates to development requiring approval under the *Planning Act 2016* only. It is the approval holder's responsibility to obtain any other necessary approvals, licenses or permits required under State and Federal legislation or Council local law, prior to carrying out the development. Information with respect to other Council approvals, licenses or permits may be found on the Toowoomba Regional Council website. For information about State and Federal requirements please consult with these agencies directly.
- 4) Any works impacting outside the property boundary will require a permit under Subordinate Local Law No. 1.15 (2020) (Carrying Out Works on a Road or Interfering with a Road or its Operation). Please contact Council's Road Operations Branch through our Customer Service Centre on 131 872. The application can be found on Council's website at [www.tr.qld.gov.au](http://www.tr.qld.gov.au).
- 5) The development has only been assessed in accordance with the provisions of the *Toowoomba Regional Planning Scheme 2012*. No assessment has been made in respect of the provisions of the *Building Code of Australia* and/or the *Queensland Development Code*.

### **WHEN APPROVAL STARTS TO HAVE EFFECT**

- 6) This Development Approval starts to have effect in accordance with the provisions of Section 71 of the *Planning Act 2016*.

### **WHEN APPROVAL LAPSES**

- 7) This Development Approval will lapse in accordance with the provisions contained in Sections 85 and 88 of the *Planning Act 2016*, unless otherwise stated elsewhere within this Development Approval.

### **EXCAVATION & FILLING**

- 8) The *Toowoomba Regional Planning Scheme 2012* (TRPS) declares excavation and filling activity involving less than 50m<sup>3</sup> of material and excavation and filling activity to a depth or height lower than 1m to be accepted development. Any combination of excavation or filling where 50m<sup>3</sup> or more of fill is deposited on, or 50m<sup>3</sup> or more of excavated material is removed from the premises and excavation or filling is not associated with 'Building Work' as defined under the *Planning Act 2016*, must obtain an Operational Work approval from Council before commencing site works.

## ENVIRONMENTAL HARM

- 9) The *Environmental Protection Act 1994* (EP Act) states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm.

Environmental harm includes environmental nuisance. In this regard persons and entities involved in the civil, earthworks, construction and operational phases of this development are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm. Environmental harm is defined by the EP Act as any adverse effect, or potential adverse effect (whether temporary or permanent and of whatever magnitude, duration or frequency) on an environmental value and includes environmental nuisance.

Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the Administering Authority to cause undue disturbance or annoyance to persons or affect property not connected with the use.

## STREET TREE DISTURBANCE & REMOVAL APPROVAL

- 10) This Development Approval does not infer or give approval to the owners or occupiers of the subject land to disturb or remove street trees. A separate Street Tree Disturbance or Removal Approval is required where a street tree is expected to be disturbed or removed. Please contact Council's Parks and Recreation Services Branch via Council's Customer Service Centre for further information in respect of street trees.

## WATER POLLUTION

- 11) In accordance with the *Environmental Protection Act 1994*, all sand, silt, mud, paint, cement, concrete, construction material and demolition material, and other such waste material must not be deposited or placed where it could reasonably be expected to travel into a roadside gutter, stormwater drain or watercourse. On the spot fines apply for such offences.

## FIRE ANTS

- 12) The State of Queensland has been declared a quarantine area for the Red Imported Fire Ant. Should this approval involve the movement of restricted items from areas of known infestation the provisions of the *Biosecurity Act 2014* apply, compliance with statutory provisions must be achieved.

## QUALIFIED PERSON

- 13) For the purpose of preparing a Landscape Plan, a suitably qualified person is considered to be a Registered Landscape Architect or Landscape Designer with a minimum of 3 years current experience in the field of landscape design.

## REASONS FOR RECOMMENDATION

The proposed development has been assessed with regard to the applicable assessment benchmarks as identified within this report and the attached Statement of Reasons (refer to Schedule 1). The proposed development generally complies with the assessment benchmarks or it can be conditioned to comply. Where the applicant has not provided sufficient information, conditions have been imposed to ensure compliance.

**DELEGATE'S DECISION:**

I have reviewed the report for this application in accordance with the Relevant Instruments, Statutory and Non-Statutory Provisions and in accordance with Council's process and procedures. I agree with the responsible officer's recommendation that the application be approved subject to the conditions contained in the recommendation. I exercise delegation in accordance with the delegations adopted by the Toowoomba Regional Council.



Richard Green  
Senior Planner, Development Services

Decision Date: 22 June 2022

## CORPORATE PLAN REFERENCE

**Strategic Action 2.3.3** Ensure development aligns with community sentiment, through effective and efficient assessment, with the planning scheme, planning instruments, codes and legislation.

## BACKGROUND

SITE DETAILS				
Site Address	Reis Road, HIGHFIELDS QLD 4352			
Real Property Description	Lot 1 RP177108, Lot 2 SP274504, Emt C SP304253, Emt D SP304253, Emt E SP304253			
Site Area	28.69 hectares			
Owner	Jeteld Pty Ltd			
SITE CHARACTERISTICS				
Current Land Use	Nil – vacant site.			
Site Frontage/s	Approximately 890 metres to Barracks Road, 630 metres to Reis Road and 640 metres to Kuhls Road.			
Road/s	Order of Road	Width of Road Reserve	Width of Pavement	Road Material
Reis Road	Distributor	20 metres	7.5 metres	Asphalt
Kuhls Road	Local	27 metres	11 metres	Asphalt
Barracks Road	Local	18.5 metres	5 metres	Dirt
Easements	Emt C SP304253, Emt D SP304253 and Emt E SP304253 (sewerage easements).			
Existing Structures	Nil – vacant site. Dwelling House on Lot 1 RP177108 recently removed.			
Infrastructure	Sewer gravity main runs through site from Barracks Road to Kuhls Road via Emt C SP304253, Emt D SP304253 and Emt E SP304253. Water reticulation mains located along Kuhls Road and Reis Road.			
Topography	Site falls gently to the west, from 648 metres at the east to 614 metres in the west.			
Street Trees	Numerous trees within road reserves fronting site.			
Other Features	Lot 2 SP274504 bisected by Kuhls Road. Site vegetation characterised by open grassland with scattered native trees. No formal vehicular access to site, other than gravel crossover from Reis Road into Lot 1 servicing former Dwelling House.			
PLANNING SCHEME SITE DATA				
Current Planning Scheme	Toowoomba Regional Planning Scheme 2012 (Version 26)			Adopted: 30/04/2021
Zone	Low Density Residential Zone			
Precinct	General Precinct			
Local Plan Area	Highfields, Meringandan and Meringandan West Local Plan Area			
Overlays	Airport Environs Overlay <ul style="list-style-type: none"><li>- 13km Wildlife Hazard Buffer Zone</li></ul> Environmental Significance Overlay <ul style="list-style-type: none"><li>- Areas of Ecological Significance</li><li>- Areas of Ecological Significance Buffer</li></ul> Bushfire Hazard Overlay <ul style="list-style-type: none"><li>- Bushfire Hazard – Medium Fire Risk</li></ul> Flood Hazard Overlay <ul style="list-style-type: none"><li>- Overland Flow Low</li><li>- Overland Flow High</li><li>- Vulnerable Uses Restriction Area</li></ul> Water Resources Catchment Overlay <ul style="list-style-type: none"><li>- Water Resource Catchment</li></ul>			
Infrastructure Charges Resolution	Charges Resolution No. 5			Adopted: 01/03/2022



<b>SURROUNDS:</b>		
<b>Direction</b>	<b>Land Use</b>	<b>Zone/Precinct</b>
<b>North</b>	Rural Residential Dwelling Houses / Outdoor Sport and Recreation (Highfields Sport and Recreation Park)	Low Density Residential Zone / General Precinct and Sport & Recreation Zone
<b>East</b>	Rural uses / Animal Husbandry and Dwelling Houses ('Avenues of Highfields' residential estate)	Low Density Residential Zone / General Precinct
<b>South</b>	Dwelling Houses	Low Density Residential Zone / Park Residential Precinct
<b>West</b>	Dwelling Houses / Waterway (Klein Creek)	Low Density Residential Zone / Park Residential Precinct and Open Space Zone / No Precinct
<b>Other Features</b>	Nothing to note.	

<b>APPLICATION HISTORY</b>			
<b>Application No.</b>	<b>Description</b>	<b>Decision Date</b>	<b>Decision</b>
RAL/2017/4108	Reconfigure 2 into 49 Lots	24/04/2018	Approved
RAL/2017/4108/A	Request to Change Approval Reconfigure 2 into 49 Lots	15/03/2022	Approved
OW/2018/646	Sewage Infrastructure	17/05/2018	Approved
OW/2021/6803	Roadwork Stormwater Water Infrastructure Earthworks Sewage Infrastructure Landscaping Signage Linemarking and Retaining walls	10/05/2022	Approved
PREL/2021/4190	Meeting held 17 August 2021.		
<b>Other</b>	No further relevant details.		

<b>PROPOSED DEVELOPMENT</b>		
<b>Name of Applicant</b>	Jeteld Pty Ltd	
<b>Type of Application</b>	Development Permit for Reconfiguring a Lot	
<b>Proposed Development</b>	Subdivision of Two (2) Lots into 45 Residential Lots, One (1) Utility Lot and Balance Lot	
<b>Variations Sought</b>	Not Applicable	
<b>Level of Assessment</b>	Code Assessment	
<b>Gross Floor Area</b>	N/A	
<b>Impervious Area</b>	N/A	
<b>Site Cover</b>	N/A	
<b>Car Parking Spaces</b>	N/A	
<b>Service Vehicle Provision</b>	N/A	
<b>Submissions Received</b>	Objection:	N/A
	Support:	N/A
<b>Decision Making Period Ends</b>	22 June 2022	

## CONSULTATION UNDERTAKEN

### Referral Agency/ies

Not Applicable.

## Internal Referrals

Internal Referral Partner	Referral / Response
Development Engineering and Plumbing	Provided input for an Information Request. Provided advice regarding conditions of approval.
Development Services Environmental	Provided input for an Information Request. Provided advice regarding conditions of approval.
Water and Waste	Provided input for an Information Request. Provided advice regarding conditions of approval.
Parks	Provided input for an Information Request. Provided advice regarding conditions of approval.
Infrastructure Charges Unit	Provided input for an Information Request. Prepared an Infrastructure Charges Notice in accordance with <i>Charges Resolution No. 5</i> to accompany an approval of the development.
Transport and Drainage Planning	Provided input regarding proposed future works on Barracks Road.

## ISSUES, RISKS AND RESPONSES – ASSESSMENT

### Categorising Instrument – *Planning Regulation 2017*:

PLANNING REGULATION 2017	
Prohibited Development	The proposed development is not prohibited development in accordance with the <i>Planning Regulation 2017</i> .
Infrastructure Charges	The <i>Planning Regulation 2017</i> provides for the levying of infrastructure charges on development approvals.
Schedules 9 and 10	<p>Schedules 9 and 10 categorises particular development and details the relevant assessment benchmarks for development as relevant.</p> <p>Schedule 10, Part 14 of the <i>Planning Regulation 2017</i> prescribes that Reconfiguring a Lot as defined in Part 1 of Schedule 12A (Walkable Neighbourhoods) of the Regulation is assessable development and must be assessed against the Assessment Benchmarks prescribed in Part 2 of Schedule 12A.</p> <p>The proposed development is a Reconfiguring a Lot as defined in Schedule 12A of the Regulation and has been assessed against the relevant Assessment Benchmarks. The proposed reconfiguring a Lot is considered to comply with the relevant Assessment Benchmarks.</p>

REGIONAL PLANS	
<i>Shaping SEQ – South East Queensland Regional Plan 2017</i>	<p>The subject site is mapped within the bounds of the <i>South East Queensland Regional Plan 2017</i> (SEQRP). The SEQRP identifies that the subject site is within the Urban Footprint, which is intended to identify the land required for the region's urban development needs up to 2041.</p> <p>The development application is consistent with the intent for the Urban Footprint as it promotes a compact settlement pattern and consolidates urban development within established communities.</p>
<i>Darling Downs Regional Plan October 2013</i>	<p>The Darling Downs Regional Plan (DDRP) is a statutory regional plan that is intended to provide planning policy to address planning matters that are of State interest and specific to the Darling Downs region.</p> <p>The DDRP identifies that the subject site is mapped within Restricted Area (RA) 384 under Appendix 2 of the Regional Plan, reflecting the boundaries of the SEQ Regional Plan. Therefore, the DDRP is not applicable in this instance.</p>

STATE PLANNING POLICY (SPP) July 2017	
Interests	Assessment Comments
Housing Supply and Diversity	Complies – the proposed development provides for additional land for housing in an area that is accessible and well-connected to services, employment and infrastructure. The proposed subdivision provides for an appropriate mix of lot sizes consistent with the zoning of the land.
Livable Communities	<p>While the assessment benchmarks are not applicable, the State interest policies identified in Part E of the SPP are considered to be relevant to the proposed development. Therefore, the policies have been given due regard as follows:</p> <p>Complies – the proposed development consolidates urban development in and around existing settlements and represents the efficient use of established infrastructure and services. The proposed subdivision layout values and nurtures the local landscape character and natural environment and provides for connected pedestrian, cycling and public transport infrastructure networks.</p>
Agriculture	<p>The interactive mapping which accompanies the SPP identifies that this interest is applicable to the subject property.</p> <p>The subject site is mapped as containing 'Important Agricultural Areas' and 'Agricultural Land Classification (Class A and B)'. However, the State interest policies identified in Part E of the SPP are not considered to be relevant or applicable as the proposal is for the reconfiguration of land within an entirely residential environment within the urban extent of Toowoomba (Highfields).</p> <p>Further, the subject premises has been identified for future residential development under both local and State planning instruments. It is noted that the land is zoned Low Density Residential under the <i>Toowoomba Regional Planning Scheme 2012</i> and the land is included within the 'Urban Footprint' under the <i>South East Queensland Regional Plan 2017 (SEQRP)</i>.</p>
Development and Construction	Complies – the proposed development contributes to a sufficient supply of suitable land for residential development on appropriately zoned land that considers the physical constraints of the land and availability of and proximity to existing essential infrastructure.
Mining and Extractive Resources	No applicable assessment benchmarks or State interest policies.
Tourism	No applicable assessment benchmarks or State interest policies.
Biodiversity	No applicable assessment benchmarks or State interest policies.
Cultural Heritage	No applicable assessment benchmarks or State interest policies.
Water Quality	<p>The assessment benchmarks identified in Part E of the SPP apply to the proposed development and have been given due regard as follows:</p> <p>The proposed development involves Reconfiguring a Lot for an urban purpose and involves premises 2,500m<sup>2</sup> or greater in size and results in six (6) or more lots. Accordingly, the proposed development has been assessed against the requirements detailed in Appendix 2 of the SPP – 'Stormwater management design objectives'.</p> <p>Complies – a Stormwater Management Plan was submitted with the application. This report demonstrates that the proposed development will not result in an actionable nuisance to downstream properties or road infrastructure or Klein Creek. A voluntary contribution is proposed by the applicant in lieu of specific on-site stormwater quality treatment. The proposed voluntary contribution provides for the equivalent stormwater quality treatments to achieve the minimum pollutant load reductions outlined in the SPP.</p> <p>Conditions of approval have been recommended, requiring a Development Application for a Development Permit for Operational Work to be submitted to and approved by Council for stormwater infrastructure. As part of this permit, a Detailed Stormwater Management Plan must be provided. Any monetary contribution provided in lieu of stormwater quality works would be most appropriately resolved through an Infrastructure Agreement prior to plan sealing.</p>

Emissions and Hazardous Activities	No applicable assessment benchmarks or State interest policies.
Natural Hazards, Risk and Resilience	<p>The interactive mapping which accompanies the SPP identifies that this interest is applicable to the subject property ('Bushfire Prone Area').</p> <p>Complies – a Bushfire Management Report was provided with the application that addresses the assessment benchmarks contained within the SPP. This included a site-specific hazard assessment that identified that bushfire hazards were considerably less than those mapped due to the nature of vegetation present being open grassland areas with scattered trees with no potentially hazardous shrubby understorey vegetation present.</p> <p>Compliance with the assessment benchmarks has been demonstrated, subject to the recommendations provided within the Bushfire Management Report. Conditions of approval are recommended requiring that the subdivision be carried out in accordance with the approved Bushfire Management Report.</p>
Energy and Water Supply	No applicable assessment benchmarks or State interest policies.
Infrastructure Integration	No applicable assessment benchmarks. Complies with all relevant State interest policies.
Transport Infrastructure	<p>The interactive mapping which accompanies the SPP identifies that this interest is applicable to the subject property ('Active Transport Corridor').</p> <p>The proposed development will involve future works to the Barracks Road frontage. Barracks Road is identified as part of a Principal Cycle Route in TMR's Priority Route Maps Addendum to the Principal Cycle Network Plan (2017) for Downs South West. Council is currently looking into options for a Principal Cycle Network connecting Highfields Road to the Highfields Sports Park, with a section of the preferred route being along Barracks Road. This section includes options including a shared cycle street as well as a separated cycle path.</p> <p>Complies – Barracks Road has sufficient width in the road reserve to accommodate future works. The proposed development would not prejudice these future works and no further land dedication is required along Barracks Road.</p>
Strategic Airports and Aviation Facilities	<p>This State interest applies to all local government areas that contain or are impacted by a strategic airport in Table 2: strategic airports and therefore the State interest policies and assessment benchmarks identified in Part E of the SPP are considered to be relevant to the proposed development.</p> <p>The proposed development is considered to comply with, or relevant conditions have been recommended to ensure compliance with the assessment benchmarks in Part E of the SPP.</p>

#### **Local Categorising Instrument – Toowoomba Regional Planning Scheme 2012:**

The proposed development was assessed against the following assessment benchmarks:

- 6.2.1 Low Density Residential Code
- 7.2.1 Highfields, Meringandan and Meringandan West Local Plan Code
- 8.2.1 Airport Environs Overlay Code
- 8.2.2 Bushfire Hazard Overlay Code
- 8.2.3 Flood Hazard Overlay Code
- 8.5.1 Environmental Significance Overlay Code
- 8.6.3 Water Resources Catchment Overlay Code
- 9.4.5 Reconfiguring a Lot Code

The development was assessed against all of the assessment benchmarks listed above and is considered to comply except as follows:

**DEVELOPMENT CODES:**

<b>RECONFIGURING A LOT CODE</b>	
<b>Performance Outcome</b>	<b>Acceptable Outcome</b>
<p>PO<sub>4</sub> All new lots provide sufficient area, frontage and dimensions, and road access that enable their future development to achieve relevant outcomes in applicable Use, Zone, Overlay, and Other Development Codes in relation to:</p> <ul style="list-style-type: none"> <li>(a) dwellings, buildings and/or other structures;</li> <li>(b) setbacks;</li> <li>(c) landscaping;</li> <li>(d) on site car parking and vehicle access;</li> <li>(e) recreation areas (private open space);</li> <li>(f) cultural heritage and character streetscape values;</li> <li>(g) other design criteria.</li> </ul>	<p>AO<sub>4.1</sub> All lots are rectangular and have minimum width to depth ratios, areas, dimensions and frontages as prescribed in Table 9.4.5:4.</p>
<b>Alternate Outcome</b>	
<p>The applicant submits:</p> <p><i>"Complies: Proposed lots are generally rectangular and have minimum width to depth ratios, areas, and frontages that generally comply with those prescribed in Table 9.4.5:4".</i></p>	
<b>Officer Comment</b>	
<p>Full compliance with AO<sub>4.1</sub> has not been satisfied. All proposed residential lots achieve the minimum lot size prescribed in Table 9.4.5:4 for lots in the Low Density Residential Zone – General Precinct (500m<sup>2</sup>), however owing to the irregular shape of the existing lot boundaries of the subject premises and the geometry of existing approved Stages 1 and 2 under RAL/2017/4108/A, not all of the created lots will be rectangular or achieve the minimum lot frontages prescribed (15 metres).</p> <p>The proposed development is considered to comply with corresponding Performance Outcome PO<sub>4</sub> as all new lots provide sufficient area, frontage and dimensions and road access that enable their future development (primarily for Dwelling Houses) to achieve the outcomes listed under PO<sub>4</sub>.</p>	

**Local Categorising Instrument – Variation Approval:**

Not Applicable

**Local Categorising Instrument – Temporary Local Planning Instrument:**

Not Applicable

**Local Categorising Instrument – Preliminary Approval:**

Not Applicable

**Local Categorising Instrument – Local Government Infrastructure Plan:**

The site is located within Council's identified Priority Infrastructure Area. The proposed development is consistent with the planning assumptions in the LGIP.

**Other Relevant Matters**

Not Applicable

**FINANCIAL / RESOURCE IMPLICATIONS**

Infrastructure charges will be applied in accordance with Council's *Charges Resolution No. 5*.

**CONCLUSION**

The development has been assessed with regard to the applicable assessment benchmarks as identified within this report and the attached Statement of Reasons (refer to Schedule 1). The proposed development generally complies with the assessment benchmarks or it can be conditioned to comply. Where the applicant has not provided sufficient information, conditions have been imposed to ensure compliance. It is therefore recommended that the development application be approved subject to the conditions identified above.

**ATTACHMENT/S**

Attachment	1	of	6	Aerial Imagery of Subject Site
Attachment	2	of	6	Zoning, Infrastructure and Terrain
Attachment	3	of	6	Proposed Lot Reconfiguration - Overall
Attachment	4	of	6	Proposed Lot Reconfiguration – Detailed (North)
Attachment	5	of	6	Proposed Lot Reconfiguration – Detailed (South)
Attachment	6	of	6	Masterplan of Future Lots

**SCHEDULES**

Schedule	1	Statement of Reasons
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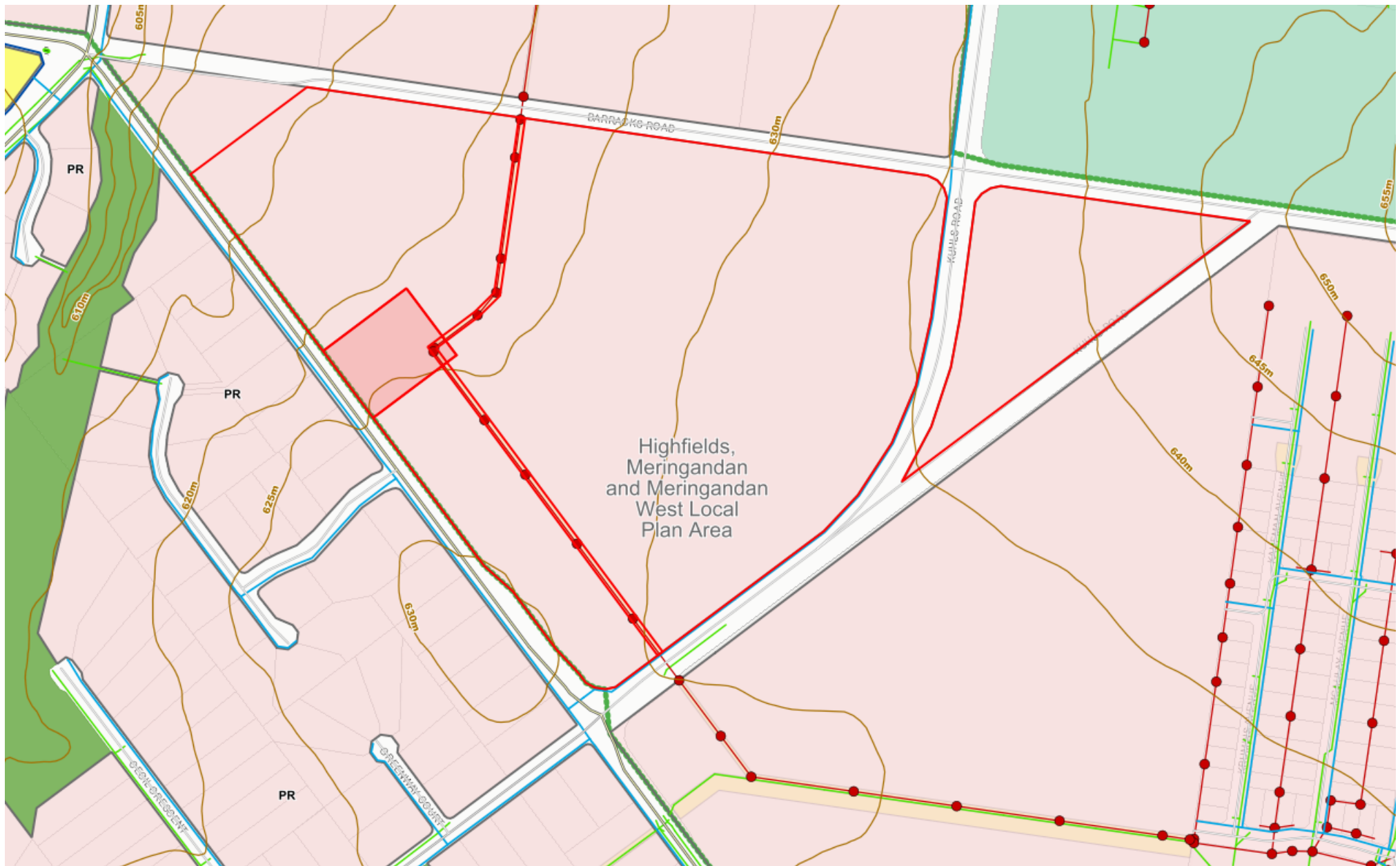


## ATTACHMENTS



Attachment 1 of 6 Aerial Imagery of Subject Site

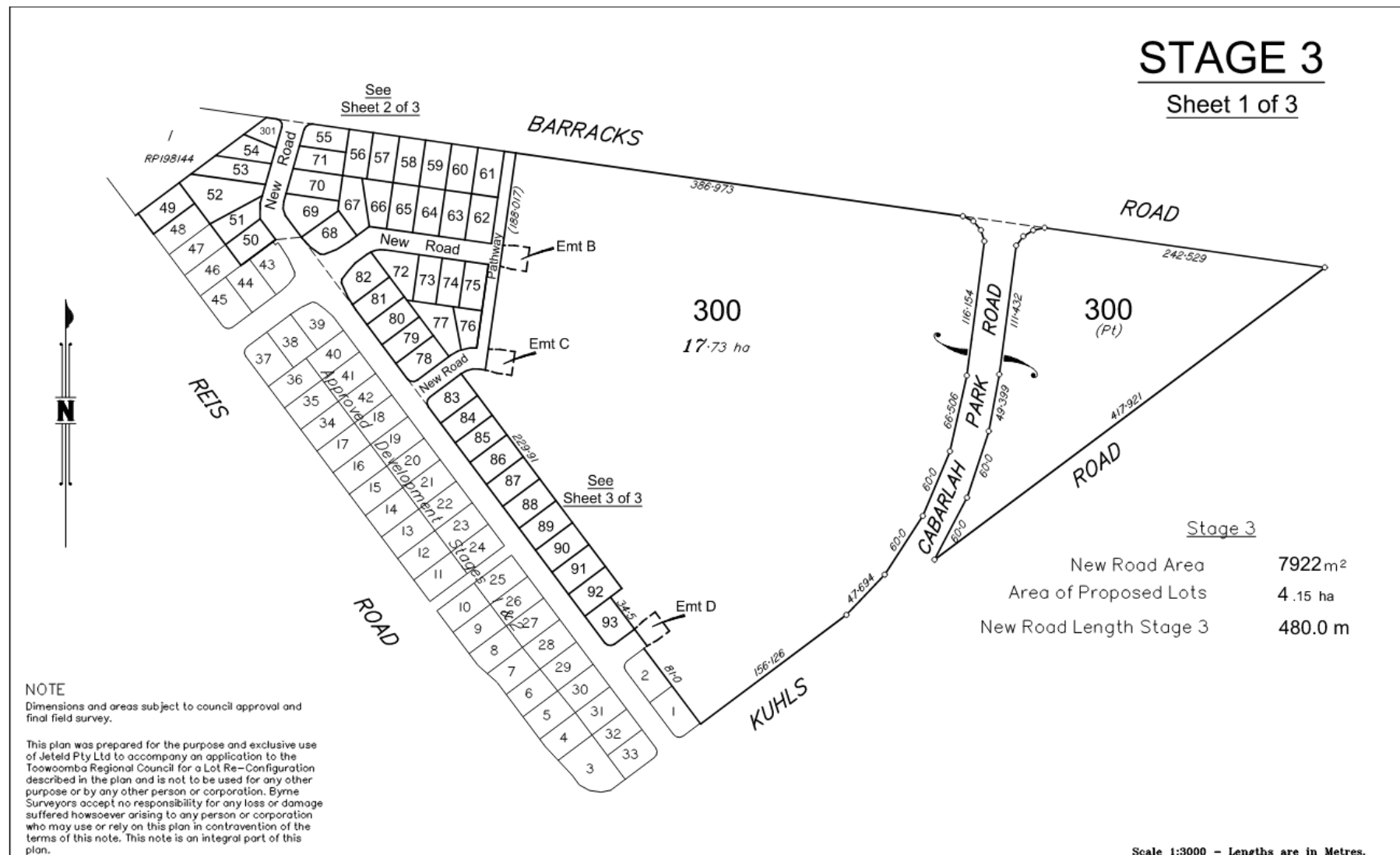






# STAGE 3

Sheet 1 of 3



NOTE  
Dimensions and areas subject to council approval and final field survey.

This plan was prepared for the purpose and exclusive use of Jeteld Pty Ltd to accompany an application to the Toowoomba Regional Council for a Lot Re-Configuration described in the plan and is not to be used for any other purpose or by any other person or corporation. Byrne Surveyors accept no responsibility for any loss or damage suffered howsoever arising to any person or corporation who may use or rely on this plan in contravention of the terms of this note. This note is an integral part of this plan.

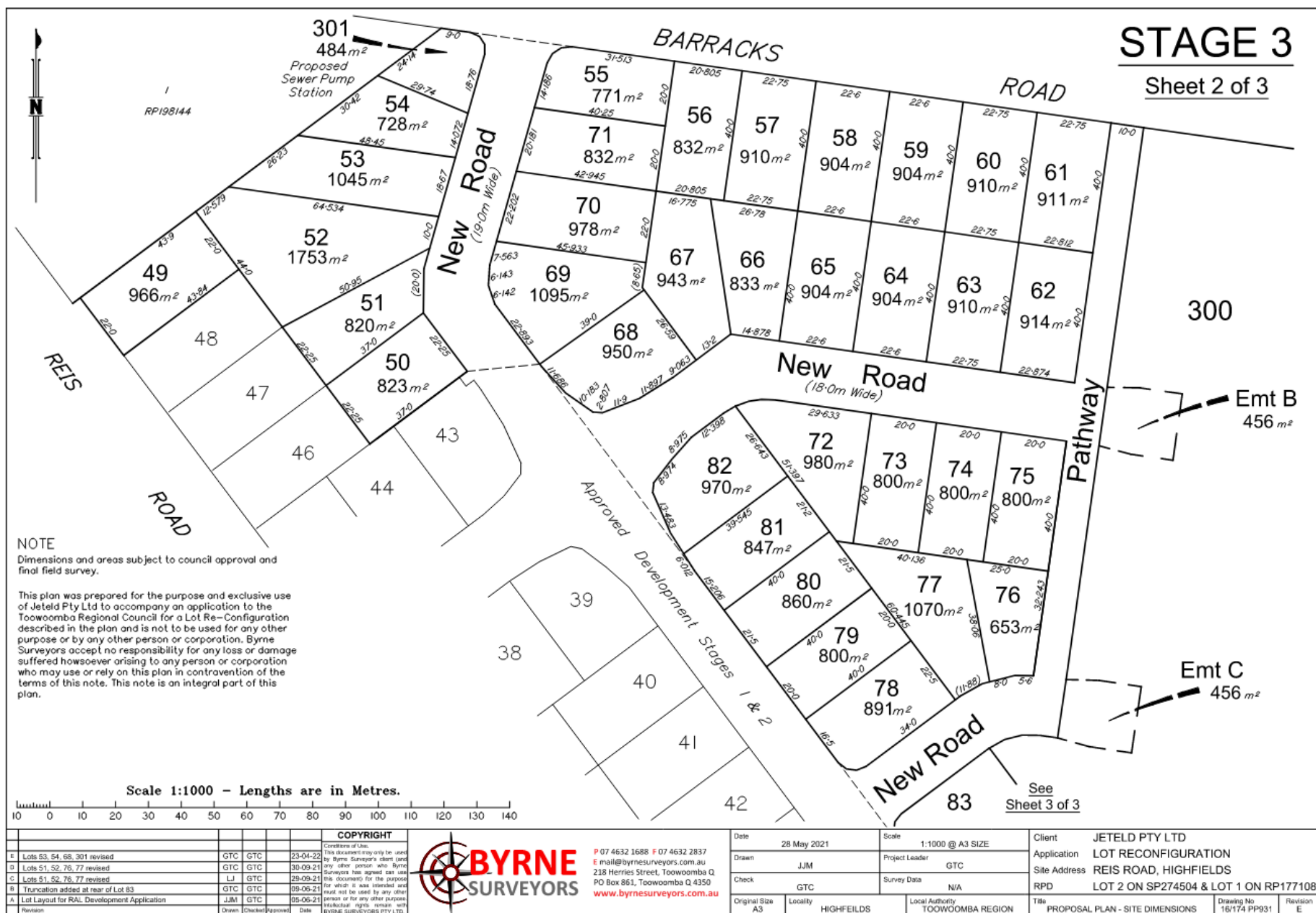
COPYRIGHT			
E	Lots 53, 54, 68, 301 revised	GTC	GTC
D	Lots 51, 52, 75, 77 revised	GTC	GTC
C	Lots 51, 52, 75, 77 revised	LJ	GTC
B	Truncation added at rear of Lot 83	GTC	GTC
A	Lot Layout for RAL Development Application	JJM	GTC
Revision		Drawn	Checked/Approved



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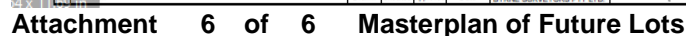
Date	28 May 2021	Scale	1:3000 @ A3 SIZE	Client	JETELD PTY LTD
Drawn	JJM	Project Leader	GTC	Application	LOT RECONFIGURATION
Check	GTC	Survey Data	N/A	Site Address	REIS ROAD, HIGHFIELDS
Original Size	A3	Local Authority	TOOWOOMBA REGION	RPD	LOT 2 ON SP274504 & LOT 1 ON RP177108
Locality	HIGHFIELDS	Title	PROPOSAL PLAN - SITE DIMENSIONS	Drawing No	16/174 PP930
				Revision	E

Attachment 3 of 6 Proposed Lot Reconfiguration - Overall



Attachment 4 of 6 Proposed Lot Reconfiguration - Detailed (North)





## **SCHEDULE 1**

### **Statement of Reasons**

**Statement of Reasons**  
Section 63(4) and (5) of the *Planning Act 2016*

SITE DETAILS	
Site Address	Reis Road, HIGHFIELDS QLD 4352
Real Property Description	Lot 1 RP177108, Lot 2 SP274504, Emt C SP304253, Emt D SP304253, Emt E SP304253
Site Area	28.69 hectares
Owner	Jeteld Pty Ltd

PROPOSED DEVELOPMENT		
Name of Applicant	Jeteld Pty Ltd	
Type of Application	Development Permit for Reconfiguring a Lot	
Proposed Development	Subdivision of Two (2) Lots into 45 Residential Lots, One (1) Utility Lot and Balance Lot	
Level of Assessment	Code Assessment	
Gross Floor Area	N/A	
Impervious Area	N/A	
Site Cover	N/A	
Car Parking Spaces	N/A	
Service Vehicle Provision	N/A	
Submissions Received	Objection:	N/A
	Support:	N/A
Decision	Approval	
Decision Date	22 June 2022	

ASSESSMENT MATTERS	
Assessment benchmarks	<p>The proposed development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none"> <li>• Schedules 9 and 10 of the <i>Planning Regulation 2017</i> (as relevant);</li> <li>• <i>State Planning Policy July 2017</i> (as relevant);</li> <li>• <i>Shaping SEQ – South East Queensland Regional Plan 2017</i>;</li> <li>• The Local Government Infrastructure Plan (LGIP); and</li> <li>• <i>Toowoomba Regional Planning Scheme 2012</i> (Version 26) <ul style="list-style-type: none"> <li>▪ 6.2.1 Low Density Residential Code</li> <li>▪ 7.2.1 Highfields, Meringandan and Meringandan West Local Plan Code</li> <li>▪ 8.2.1 Airport Environs Overlay Code</li> <li>▪ 8.2.2 Bushfire Hazard Overlay Code</li> <li>▪ 8.2.3 Flood Hazard Overlay Code</li> <li>▪ 8.5.1 Environmental Significance Overlay Code</li> <li>▪ 8.6.3 Water Resources Catchment Overlay Code</li> <li>▪ 9.4.5 Reconfiguring a Lot Code</li> </ul> </li> </ul>
Reasons for decision	The development was assessed against all of the assessment benchmarks listed above and complies with all of these without exception.

For further details on the assessment of this development application, please see the Delegated Report available for public viewing on the Toowoomba Regional Council Planning and Development Online website at: <http://www.tr.qld.gov.au/payments-self-service-laws/web-apps/pdonline/8892-planning-and-development-online>. When accessing Council's website please use the following Application Number: RAL/2021/6904.