



Date: 17 September 2026
Our Reference: J002666
Council Reference: PSW/2026/4855

Attention: Sophie Spencer – Assessment Manager

Toowoomba Regional Council
Development Services
PO Box 3021
TOOWOOMBA QLD 4350

Dear Sophie,

Site Address:	2 Fogarty Street, East Toowoomba QLD 4350
Property Description:	Lot 12, Lot 13 and Lot 14 on RP16707
Method of Distribution:	Email [sophie.spencer@tr.qld.gov.au / development@tr.qld.gov.au]
Correspondence Subject:	Response to Information Request Pursuant to s.13 (Chapter 1) of the Development Assessment Rules (Version 3.0)

We write on behalf of LJM Constructions Pty Ltd (“the Applicant”) regarding the abovementioned development application.

On 17 August 2026, an information request was issued by Toowoomba Regional Council, as assessment manager. Pursuant to s.13.2(b) of the Development Assessment Rules (Version 3.0), please refer below for the applicant’s response to this information request.

This information request response is to be considered in conjunction with the following detailed attachments:

- **Attachment 1** – Information Request issued by Toowoomba Regional Council
- **Attachment 2** – Applicants Response Table prepared by Property Projects Australia
- **Attachment 3** – Amended Site Plan prepared by Elia Architecture

Therefore, under s.13.3 of the Development Assessment Rules (Version 3.0), we request that the assessment manager proceed with assessment of this application.

SUMMARY

In accordance with s.13.2(b) of the Development Assessment Rules (Version 3.0), this correspondence represents part of the information requested by the assessment manager and we hereby request that the assessment of this development application now continues.

Whilst we trust this information is sufficient to enable you to progress with the assessment of this development application, should you have any queries, please do not hesitate to contact the undersigned on 07 4632 0516.

Yours faithfully,
Property Projects Australia



Francisco Lemus

Town Planner

- Enc. **Attachment 1** - Information Request issued by Toowoomba Regional Council
 Attachment 2 - Applicants Response Table prepared by Property Projects Australia
 Attachment 3 - Amended Site Plan prepared by Elia Architecture

ATTACHMENT 1

Information Request

Issued by:

Toowoomba Regional Council

Our Reference: PSW/2026/4855
CS Portal Reference: N/A
Contact Officer: Sophie Spencer
Contact: (07) 4688 6808
Email: development@tr.qld.gov.au

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

LJM Constructions Pty Ltd
C/- Property Projects Australia Pty Ltd
PO Box 3686
TOOWOOMBA QLD 4350

Email: francisco@propertyprojectsaustralia.com.au, james@propertyprojectsaustralia.com.au,
ollie@propertyprojectsaustralia.com.au

17 August 2026

Dear Sir/Madam

Development Application for: Building Works Assessable under the Planning Scheme – Removal / Demolition of, and Additions / Extension to, a Neighbourhood Character Place
Location: 2 Fogarty Street, EAST TOOWOOMBA QLD 4350
Property Description: Lot 12 RP16707, Lot 13 RP16707, Lot 14 RP16707
Relevant Planning Scheme: Toowoomba Regional Planning Scheme 2012

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. NEIGHBOURHOOD CHARACTER

	Issue:
1.1	An extent of the building works is authorised under Approval PSW/2024/5440 and Exemption Certificate EXEM/2024/7663. This current development application consolidates the previously authorised works along with proposed new works into a single development application. The consolidated proposed development is subject to the Neighbourhood Character Overlay PO4 requiring extensions or alternations when viewed from a public place is consistent with the overall character of the existing buildings in the local streetscape, and Overall Outcome (2)(d) that “<i>extensions or modifications to existing buildings do not detract from the particular character values of the premises or the local streetscape</i>”. The submitted plans show differences from the previously authorised works: • The submitted elevation now shows an embellished second door, replacing a window. See figures below. The second door is in the front building line, however not aligned with the stairs. This is not consistent with the established character of the streetscape or with the previous on site character dwelling. Further, it is not consistent with other asymmetrical single gable character dwellings elsewhere.

Architectural drawings of the exterior of the property, including a side elevation and a front elevation. The side elevation shows a house with a gabled roof, timber weatherboard cladding, and a bullnose roof over an enclosed verandah. The front elevation shows a house with a gabled roof, a central entrance, and a verandah. Labels indicate non-original brickwork, ceiling, timber weatherboard cladding, aluminum framed window, floor, and non-original front concrete stair.

[illegible]

- The development proposes double carparks within the site's frontage labelled 'EQ. Access CP' and an extensive ramp/path that would wrap around the front to the rear of the dwelling. Visitor parking is not a requirement for a Dwelling House, and its location within the frontage is inconsistent with the predominant garden setting of the street and of the previous character dwelling on-site. While provision for visitor parking and access for persons with a disability is commendable, visitors parking is generally available on street or in driveways in front of a garage/carport. Parking for a person with disability is available within the garage of the proposed dwelling.
- There is some inconsistency in plans. Proposed Demolition Extents SD10-02 identifies the existing entry door is to be removed and replaced with a new window, whereas elevations show a new secondary door.

(a) Provide amended plans that:

- Show a front door aligned with the stairs, consistent with the character of other dwellings in the streetscape and the previous character dwelling on-site. Consider either returning the second door as a window as per Approval PSW/2024/5440, or

	make the second door as the front entry and shift the stairs to align with the new front door; • Remove the carparking and ramp/path within the site's frontage; and • Are clear and aligned particularly in relation to the new front door. (b) Provide a streetscape elevation showing all character dwellings on the street.
	Issue: Elevations provide detail about gable fretwork, balustrade detail, and Drawing No SD10-08 describes the external fascia as 'colorbond'. Further details is required on the western elevations of the extensions / additions to the character dwelling.
1.2	Information Required: Provide a western elevation (Fogarty Street) showing: (a) the total height in metres of the proposed dwelling and that of the previous character dwellings; (b) the roof pitch; and (c) external materials.

Note on Alternative Solutions

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

Options Available in Response to this Information Request

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

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

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

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

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

Yours faithfully



Matthew Coleman
Principal Planner, Planning Branch

CC Megan Jane Radford
12 Barry Street
MOUNT LOFTY QLD 4350