

25 June 2026

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

RECEIVED
25/06/2026
TOOWOOMBA
REGIONAL COUNCIL

Attention: Jun Ong
By Email: Jun.Ong@tr.qld.gov.au

Dear Jun,

RESPONSE TO INFORMATION REQUEST – SECTION 68, PLANNING ACT 2016 & CHAPTER 1, PART 3, SECTION 13, DEVELOPMENT ASSESSMENT RULES – DEVELOPMENT APPLICATION - MATERIAL CHANGE OF USE - MULTIPLE DWELLING (2 X 2 BEDROOM & 1 X 4 BEDROOM UNITS) - 9 & 1-2/9 BENJAMIN STREET, MOUNT LOFTY – LOTS 0, 1 & 2 BUP101164 (Council Ref: MCUI/2026/2933; Our Ref: 2024-361

I act on behalf of the applicant, Dung Thi Le, in respect of the above matter.

I refer to Toowoomba Regional Council's (**Council**) Information Request, dated 13 May 2026, in respect of a Development Application for Material Change of Use for Multiple Dwelling (2 x 2 Bedroom & 1 x 4 Bedroom Units) on land at 9 Benjamin Street Mount Lofty, described as Lots 0, 1 and 2 BUP101164.

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. CARPARKING

1.1. Issue: Quantity of Carparking Spaces

Onsite parking spaces have not been provided in accordance with Table 9.4.6:3 – Vehicle Provision Rates as required by AO_{2.2} of the Transport Access and Parking Code.

Existing Units 1 and 2 are provided with one (1) parking space per unit, plus one (1) or more parking space/s at the front of the site, totaling at least three (3) carparking spaces.

Proposed Unit 3 requires two (2) carparking spaces under Table 9.4.6:3 – Vehicle Provision Rates. A shortfall of parking spaces is not supported.

Information Required:

Provide amended plans and documentation showing compliant car parking including two (2) onsite carparking spaces for proposed Unit 3, with compliant swept path diagrams for Unit 3.

Note: *There appears to be enough space on site for car parking where the existing front parking bay accommodates or is modified to accommodate two (2) spaces.*

Response

In response to the above item, reference is made to the amended Development Plans, Revision B, prepared by SP Building Design, dated 26 June 2026 and attached at **Appendix A**. The Site Plan has been amended to illustrate two (2) carparking spaces at the front of the site. This ensures that Unit 3 is provided with two (2) on-site parking spaces, with the existing three (3) parking spaces for Units 1 and 2 being retained.

2. PRIVATE OPEN SPACE

2.1. Issue: Private Open Space Area

Acceptable Outcome AO_{8.1} of the Medium Density Residential Code requires an area of 16m² as Private Open Space for each unit. Associated Performance Outcome PO₈ requires adequate and suitable private open space to meet the needs of occupants for privacy, relaxation and entertainment and to accommodate visitors. Insufficient information has been provided to determine if each unit is provided with appropriate Private Open Space.

Information Required:

Provide amended plans showing an area of 16m² of Private Open Space for each unit or demonstrate how the development otherwise complies with Performance Outcome PO₈ of the Medium Density Residential Code.

Response

In response to the above item, reference is made to the amended Development Plans, Revision B, prepared by SP Building Design, dated 26 June 2026 and attached at **Appendix A**. The Site Plan has been amended to identify the private open space areas for each of the three (3) units, which all exceed the required 16m². Units 1 and 2 will utilise existing private open space areas at the front of each unit, with additional open space areas also provided at the rear of each of these units.

SUMMARY

Pursuant to Section 68(1) of the *Planning Act 2016* and Chapter 1, 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 0481 127 412 or by email at james@precinctplan.com.au.

Yours sincerely

A handwritten signature in black ink, appearing to read "James Williams", written in a cursive style.

James Williams
Precinct Urban Planning

APPENDIX A – AMENDED DEVELOPMENT PLANS

SP Building Design