

Our Reference: MCUI/2026/5939
CS Portal Reference: N/A
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INFORMATION REQUEST
Planning Act 2016 Section 68(1)
Development Assessment Rules Part 3

Broadacres Super Pty Ltd
C/- Precinct Urban Planning
PO Box 3038
TOOWOOMBA QLD 4350

Email: jess@precinctplan.com.au

27 July 2026

Dear Sir/Madam

Development Application for: Material Change of Use - Impact - Dual Occupancy
Location: 50 Railway Street, PITTSWORTH QLD 4356
Property Description: Lot 1 RP906054
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. LAND USE

	Issue:
	The subject site is located within the Major Centre Zone and forms part of the Pittsworth town centre, an area characterised by a mix of land use comprising of commercial, community and civic activities. The Settlement Pattern of the Strategic Framework identifies that: <i>"(11) ...The major activity centres of ...Pittsworth, ... will provide substantial retail, office and community functions..."</i> The Overall Outcomes for Pittsworth in Major Centre Zone code which requires any residential development within the centre to ensure that it occurs at a scale that does not compromise the ability of the centre to operate as a concentrated and vibrant commercial and community activity node. This is further reflected in the Strategic Framework at Element 3.3.6 which identifies that Centres of Activity are intended provide goods and services to surrounding residential areas and are the focus for higher density urban residential living. While they can provide housing in a variety of forms, the constructed character of these centres are intended to have a built form, mix and intensity of uses that are more varied in character than suburban and urban neighbourhoods (Specific outcome 3.3.6.1 (2)(b) of the Strategic Framework) where dual occupancy development is intended. The subject site is located in proximity to a number of existing commercial, community and service uses and is highly accessible. It is unclear why this particular land is chosen for residential development with a reduced yield than what is expected for the zone.
1.1	

	Information Required:
	Provide further justification as to how the proposed use meets the relevant requirements of the Major Centre Zone Code and the Strategic Framework.

2. TRANSPORT, ACCESS AND PARKING

	Issue:
	On-street car parking is highly valued in this location due to the site's proximity to the CBD and nearby community facilities, including the police station, bus stop and public toilets opposite the development. The proposed access arrangement would result in the loss of five on-street car parking spaces, which is not supported by Council officers. It is acknowledged that access from Railway Street is constrained by the existing street trees. However, alternative access arrangements should be explored, including relocating the access to minimise the loss of on-street parking.
2.1	Information Required:
	Provide amended plans and RPEQ recommendations demonstrating how the access can be relocated to reduce impacts on on-street car parking. The amended plans must also identify any changes to on-street parking arrangements that would minimise the loss of car parking spaces.
	<i>Note: Relocating the access and internal car parking may also assist in resolving the building-over-sewer issue.</i>

3. WASTEWATER INFRASTRUCTURE

	Issue:
	The submitted plans indicate that Unit 1 (two-storey building) is proposed to be built over Council's existing sewer main that traverses through the northern portion of the subject site. This may add additional loading to the sewer and restrict access for maintenance and replacement in conflict with Performance Outcome PO ₆ of the Works and Services Code.
	<i>Note: Council does not allow multi-storey constructions to build over sewer, as per clause 4.2.4 of Council's Wastewater Infrastructure Policy 2.04.</i>
3.1	Information Required:
	Provide amended plans which: (a) Demonstrate that proposed new buildings can achieve appropriate clearances to the existing sewer main; or (b) Demonstrate how the sewer line can be relocated to avoid any build over.
	<i>Note: Any relocation of the existing sewer infrastructure will be at the developer's cost.</i>
	<i>Note: Refer to Section 4.2.3 of Council's Wastewater Infrastructure Policy 2.04 for further details</i>

4. REVERSE AMENITY – NOISE IMPACTS

	Issue:
	The proposed development is adjacent to several commercial uses as well as a State Controlled Rail Corridor. The proposal will introduce sensitive receptors subject to these noise emissions. It is unclear how the development will manage the noise from these uses to ensure that the acoustic amenity of future residents of the dual occupancy is achieved in accordance with Performance Outcomes PO ₁₀ and PO ₁₂ of the Environmental Standards Code.
4.1	Information Required:
	Provide an Acoustic Impact Assessment, completed by a suitably qualified person. The report must assess reverse amenity impacts from both surrounding commercial uses and the rail transport corridor. The report should include at a minimum; • Description of surrounding noisy activities that includes:

	○ Operational activities, ○ Vehicle movements; ○ Regulated noise devices integral to site operations. • Location of proposed sensitive receptors relative to the noise sources; • Monitoring of background noise from surrounding land uses; • Assessment criteria for compliance including day, evening and nighttime limits for clearly defined normal operating hours; • Modelling of reverse amenity impacts on the proposed new receptors; • Description of specific mitigation measures and building treatments that may be required to ensure future residences are not deleteriously impacted by the existing lawful uses.
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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



Emily Hinchliffe
Acting Principal Planner, Planning Branch