

Our Reference: RAL/2025/4731
CS Portal Reference: N/A
Officer: James Leader
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Development Application Decision Notice
APPROVAL
Planning Act 2016 Section 63

Glennie Street (Qld) Pty Ltd
C/- Development Directive
884 Logan Road
HOLLAND PARK WEST QLD 4121

Email: samuel@developmentdirective.com.au

6 February 2026

Dear Sir/Madam

Location: 37-59 Harrow Street and 2-22 Devonshire Street, DRAYTON QLD 4350
Property Description: Lot 2 RP118570, Lot 4 RP118570, Lot 2 RP56826, Lot 3 RP56826 & Lot 1 RP51147
Relevant Planning Scheme: *Toowoomba Regional Planning Scheme 2012*

The Development Application for Reconfiguring a Lot – Impact – Five (5) Lots into 71 Lots, for the abovementioned property has been assessed and approved in full with Conditions. It is considered that the approved development generally complies with the relevant assessment benchmarks or can be conditioned to comply. The decision was made on 5 February 2026. The following provides all the relevant details:

Details of Approval

Development Permit – Reconfiguring a Lot – Impact – Five (5) Lots into 71 Lots

Referral Agencies

Concurrence Agencies Name & Address: Department of State Development, Infrastructure and Planning
PO Box 825
TOOWOOMBA QLD 4350

Advice Agencies Name & Address: N/A

Conditions and Advices

Assessment Manager's Conditions: As per attached Schedule 1

Concurrence Agency Conditions: As per attached Schedule 2

Currency Period

In accordance with section 85(1)(b)(ii) of the *Planning Act 2016* (Qld), this Development Approval lapses if a plan for the reconfiguration is not given to Council in accordance with the *Land Title Act 1994* (Qld) within four (4) years of this Development Approval starting to have effect.

Further Development Permits Required

- Operational Work

Further Plans/Documents for Endorsement

The following documents/plans require Endorsement:

- Landscape Plan
- Sewer Access Plan

Submissions

Number of properly made submissions:2 (see attached list of names and addresses)

Rights of Appeal

Attached is an extract from the *Planning Act 2016* which details your appeal rights regarding this decision.

The *Planning Act 2016* is available on the Office of the Queensland Parliamentary Counsel website via:

<https://www.legislation.qld.gov.au/view/pdf/inforce/current/act-2016-025>.

Yours faithfully



Emily Hinchliffe
Lead Senior Planner, Planning Branch



TOOWOOMBA REGIONAL COUNCIL

A.B.N. 997 8830 5360

SCHEDULE 1

DEVELOPMENT PERMIT FOR RECONFIGURING A LOT

APPLICATION NUMBER:	RAL/2025/4731
APPLICANT:	Glennie Street (Qld) Pty Ltd
LOCATION:	37-59 Harrow Street and 2-22 Devonshire Street, DRAYTON QLD 4350
PROPERTY DESCRIPTION:	Lot 2 RP118570, Lot 4 RP118570, Lot 2 RP56826, Lot 3 RP56826 & Lot 1 RP51147
APPROVED USE:	Reconfigure Five (5) Lots into 71 Lots
ZONING / PRECINCT:	Emerging Community Zone and Open Space Zone / Nil

A. ASSESSMENT MANAGER'S CONDITIONS:

PLANNING

APPROVED DEVELOPMENT

1. This Development Approval is for Reconfiguring a Lot, being the subdivision of land for Five (5) Lots into 71 Lots.

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 and at all times thereafter.
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: 29701 – 109, Revision A

Description: Proposed ROL – Overall, prepared by Development Directive and received by Council 6 January 2026.

Amendments: As amended in red as follows:

- Provide a 6m, 3 chord truncation at the northern corner of proposed Lot 57 to mirror the truncation shown for proposed Lot 56;
- Provide 6m, 3 chord truncation at the western corner of proposed Lot 71 to mirror the truncation shown for proposed Lot 43;
- Identify the land dedication areas required in accordance with Condition 16 of this Development Approval; and
- Identify Sewer Access Easements in accordance with Condition 65 of this Development Approval.

Plan No: 29701 – 110, Revision A

Description: Proposed ROL – Stage 1, prepared by Development Directive and received by Council 6 January 2026.

Amendments: As amended in red as follows:

- Provision of a temporary turnaround at the terminus of '18m Wide New Access Street'.

Plan No: 29701 – 111, Revision A

Description: Proposed ROL – Stage 2, prepared by Development Directive and received by Council 6 January 2026.

Amendments: As amended in red as follows:

- Provide a 6m, 3 chord truncation at the northern corner of proposed Lot 57 to mirror the truncation shown for proposed Lot 56;
- Provide 6m, 3 chord truncation at the western corner of proposed Lot 71 to mirror the truncation shown for proposed Lot 43;
- Identify the land dedication areas required in accordance with Condition 16 of this Development Approval; and
- Identify Sewer Access Easements in accordance with Condition 65 of this Development Approval.

Plan No: 24E-0224, P-P0901, Issue B

Description: Concept Plan – Combined Services, prepared by RMA Engineers and dated 5 September 2025.

Amendments: As amended in red as follows:

- This plan only approves the location and layout of wastewater services, and does NOT approve or endorse in any way, earthworks, retaining walls, or anything not related to wastewater infrastructure.

6. Plans to be amended must only incorporate the amendment(s) listed within this Development Approval and must be resubmitted to Council for approval prior to the issue of any Development Permit for Operational Work, Development Permit for Building Work, Development Permit for Plumbing and Drainage Work, or prior to Council's approval of the Plan of Subdivision, whichever occurs first.

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 Stormwater Infrastructure;
 - 8.2 Bulk Earthworks (including retaining walls);
 - 8.3 Wastewater Infrastructure;
 - 8.4 Water Infrastructure; and
 - 8.5 Roadworks.

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; and
 - 9.2 Sewer Access 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*. For the purposes of Section 1(4) of Schedule 18, the stated date by which the request must be made is the last date of the currency period of this approval.

AVAILABILITY OF APPROVED DOCUMENTATION DURING WORKS

11. 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.

STAGED DEVELOPMENT

12. Staging of the development is to occur in accordance with the staging indicated on the Approved Plans listed within this Development Approval, subject to and modified by any conditions of this Development Approval.
13. Stages must be completed in sequential order (i.e. Stage 1 must be completed before Stage 2) as identified on the Approved Plans listed within this Development Approval, or may be combined and carried out at one time, subject to all conditions applicable to the relevant stages being complied with.
14. The development must be carried out in accordance with those conditions applicable to one or more of the stages of development as follows:
 - 14.1 Conditions Applicable to all Stages of development:
1-14, 17, 18, 21-25, 28-55, 60-70, 86-94 and 96-124.
 - 14.2 Additional Conditions Applicable to Stage 1 of development:
15, 26, 27, 56 and 125.
 - 14.3 Additional Conditions Applicable to Stage 2 of development:
16, 19, 20, 57-59, 71-85 and 95.

DEDICATIONS, AGREEMENT AND CONTRIBUTIONS

DEDICATION OF LAND

15. The 6m, 3 chord truncations on the corners of Glennie Street and Devonshire Street, and Glennie Street and Harrow Street as identified on the Approved Plans must be dedicated as road reserve to Council in accordance with the requirements of the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development.

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

16. The land area to the extent of the 1% AEP + 6m located at the eastern corner of the subject land, and 1% AEP + 9.1m located at the southern corner of the subject lot must be dedicated to Council in fee simple on trust for drainage purposes.

Note: This condition is imposed pursuant to Section 128 of the Planning Act 2016.

17. The land area identified as '18m wide new access street' for Stage 1 and Stage 2 on the Approved Plans must be dedicated as road reserve to Council for each stage in accordance with the staging shown on the approved plans and in accordance with the requirements of the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development.

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

18. 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.

19. 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.

20. With the exception of land to be dedicated as road reserve, the 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.

21. All land dedicated for road reserve and drainage purpose 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.

22. All land dedicated for road reserve and drainage purpose must not be financially encumbered (e.g. mortgaged) unless otherwise approved by the conditions of this Development Approval.

FEES AND CHARGES

23. 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.

REMOVAL OF EXISTING BUILDINGS & STRUCTURES

24. Demolish or relocate all buildings and structures on the subject land prior to Council's approval of the Plan of Subdivision.

WORKS

STREET NAMING

25. 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.

PERMANENT SURVEY MARKS

26. A Permanent Survey Mark (PSM) must be supplied and connected to Australian Height Datum and provided in the following location:
 - 26.1 At the corner of Devonshire Street and the new internal access road intersection fronting proposed Lot 26.
27. Documentation detailing placement of the PSM must be lodged with Council at the time of lodgement of the Plan of Subdivision.

ENGINEER'S CERTIFICATION AND SUPERVISION OF WORKS

28. Plans and specifications for all works associated with stormwater drainage, wastewater, earthworks water, roadworks or any other works required on Council infrastructure, must be prepared and certified by a Registered Professional Engineer Queensland – Civil (RPEQ).
29. A RPEQ must submit to Council a copy of the:
 - 29.1 Design Certificate prior to commencement of the works; and
 - 29.2 Construction Supervision Certificate upon completion of the works certifying that works are in accordance with the approved plans and specifications.
30. 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.
31. 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

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. 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.

34. 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.
35. 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:
 - 35.1 Stormwater is conveyed to a lawful point of discharge in accordance with the stormwater discharge conditions of this Development Approval;
 - 35.2 Appropriate inspection and maintenance of stormwater quality control infrastructure in accordance with a program; and

- 35.3 The achievement of Water Sensitive Urban Design objectives listed in PSP No. 2 and *State Planning Policy July 2017*.

Note: Council will 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 M³ OR OVER 1M CUT OR FILL

36. 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

37. 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 building and operational works.
38. 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:
- 38.1 Dust deposition of 133 milligrams per square metre per day, averaged over 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

39. 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.
40. 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 minimise 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 designed for teaching purposes)	While in use		
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

41. 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*.
42. 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*.
43. Fires are not to be lit to dispose of demolition or construction waste.
44. 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:
 - 44.1 Elsewhere within this Development Approval;
 - 44.2 In accordance with an associated Development Permit for Operational Work;
 - 44.3 In association with and in accordance with an Environmental Authority issued under the *Environmental Protection Act 1994*;
 - 44.4 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
 - 44.5 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.

45. Demolition, excavation and construction waste (including night soil) must not be placed or stored within the road reserve at any time.

CONSTRUCTION NOISE IMPACT MITIGATION

46. Building work (as per the definition of the *Environmental Protection Act 1994*) that creates audible noise must be confined to the hours of 6:30 AM and 6:30 PM Monday to Saturday (excluding Public Holidays) unless otherwise approved by Council in an endorsed Construction Environmental Management Plan.

EROSION & SEDIMENT CONTROL

47. 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.
48. 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.
49. 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.
50. All disturbed areas must be mulched or turfed as soon as possible during construction.
51. Measures such as vehicle baths, wash-down and construction matting together with dust suppressants and wraps, exposed ground and stockpile sprinkling must be put in place to minimise site vehicles tracking sediment onto adjoining streets during the course of the construction period, and to prevent dust nuisance during construction and the ensuing 'on-maintenance' period where applicable.

DAMAGE TO SERVICES & ASSETS

52. Protect Council and public utility services and assets during construction of the development.
53. 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:
- 53.1 Where the damage would cause a hazard to pedestrian or vehicle safety or interrupts a service to the community, immediately; or
- 53.2 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.
54. 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.
55. 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

56. Stage 1 (35 lots) of the proposed development must connect into existing Council sewer pump station TOPS08. An internal sewer network must be constructed to service all lots within Stage 1 of the development and connected to the TOPS08 catchment in accordance with Council's *Waste Water Infrastructure Policy 2.04* at no cost to Council.

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

57. Stage 2 (36 Lots) of the proposed development must be connected generally in accordance with Approved Plan no. 24E-0224 - P-P0901, Issue B (*Concept Plan – Combined Services* prepared by RMA Engineers) to the proposed new trunk gravity sewer main (GS10066) discharging to the proposed new Tristania Street Sewer Pump Station (SPS) SPS10029, in accordance with the Desired Standard of Service (DSS) of Council's *Local Government Infrastructure Plan (LGIP)*, Council's *Waste Water Infrastructure Policy 2.04*, and the requirements of Council's *Planning Scheme Policy No. 2 – Engineering Standards – Roads and Drainage Infrastructure (PSP No.2)*.

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

58. The Plan of Survey for Stage 2 of the development must not be signed until the following infrastructure is constructed and commissioned:

1. Tristania Street Sewer Pump Station (SPS10029);
2. TOPS08 SPS to Tristania Street SPS Gravity Sewer Main (GS10066); and
3. Tristania Street Rising Sewer Main (PM10020).

Note: Council will consider entering into an agreement for the delivery of an alternate sewer servicing strategy for the development through an Infrastructure Agreement for a Sewer Pump Station and associated rising and gravity mains at Cambooya Street, Drayton. A suitably worded agreement would be deemed to satisfy the trunk wastewater infrastructure conditions of this development in favour of an alternate infrastructure arrangement. Please liaise with Council's Development Infrastructure and Growth (DIG) branch regarding any proposed Infrastructure Agreements with Council.

59. The design and construction of the wastewater works required under Condition 58 of this Development Approval must be in accordance with Council's *Waste Water Infrastructure Policy 2.04*, the Desired Standard of Service (DSS) of Council's *Local Government Infrastructure Plan (LGIP)* and Council's *Planning Scheme Policy No. 2 – Engineering Standards – Roads and Drainage Infrastructure (PSP No.2)*.
60. 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, unless agreed by Council.
61. 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.
62. Prior to the commencement of any development works on the subject land, an Operational Works application must be submitted and be approved by Council for wastewater reticulation works. The Operational Works application shall be in accordance with the approved plans and documents of this Development Approval.

63. Where it is necessary for any proposed wastewater infrastructure to be constructed through land not part of the development, obtain the written approval of the owner of that land and provide evidence of such written approval to Council prior to endorsement of engineering plans and specifications for the works or prior to any request for Council to prepare a quotation for works.
64. Any gravity sewer main greater than DN225, which traverses through a private property must be provided with minimum 4.0m wide easement in favour of Toowoomba Regional Council.

SEWER EASEMENT/S

65. Prior to the issue of any Operational Works approval, the applicant must submit to Council for endorsement a Sewer Access Plan identifying all required sewer access easements on the detailed design drawings. The easements must:
 - 65.1 be located on all proposed lots equal to or less than 450m² in area and where sewer maintenance holes are constructed in the rear or side boundaries of the proposed lot(s);
 - 65.2 be a minimum of 2 metres in width; and
 - 65.3 provide access from public land (i.e. a road or park etc.) to the sewer maintenance hole.
66. The easements must be registered in favour of Council, at no cost to Council and must be in accordance with the endorsed Sewer Access Plan.
67. The easement documentation must be in accordance with Council's standard easement terms and documents or any other terms and conditions as deemed necessary to fulfil the purpose of the easement.
68. Easement documentation must be prepared and submitted to Council, at no cost to Council, for review against conditions of approval prior to the lodgement of the Plan of Subdivision.
69. The easement and documentation must be registered with the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development at the time of lodgement of the plan of subdivision for registration with Council.
70. Unless consistent with the terms of the easement and authorised under this Development Approval, any permanent works, structures, or substantial landscaping must be kept clear of any existing or proposed easements on the subject land.

WASTEWATER INFRASTRUCTURE (PUMP STATION & TELEMETRY EQUIPMENT)

71. Construct a wastewater pump station (Tristania Street SPS10029 identified in the LGIP) generally in accordance with Council's Network Planning and LGIP. The pump station must provide adequate wet-well capacity to accommodate the ultimate development loading from the planned catchment and unless otherwise agreed by Council, must be located in a minimum 25m x 25m standalone lot. The proposed wastewater pump station must be designed and constructed in accordance with Council's *Waste Water Infrastructure Policy 2.04*, the Desired Standard of Service (DSS) of Council's *Local Government Infrastructure Plan* (LGIP), Council's *Planning Scheme Policy No. 2 – Engineering Standards – Roads and Drainage Infrastructure* (PSP No.2), and the requirements of the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development.

Note: This condition is imposed pursuant to Section 128 of the Planning Act 2016.

72. An Operational Works application must be submitted to and be approved by Council for the wastewater pump station and associated works.

73. A separate water connection fitted with backflow prevention devices must be provided for the wastewater pump station.

74. All telemetry and electrical equipment must be installed for the wastewater pump station in accordance with Council's Specifications.

Note: A quotation may be requested from Council for the supply and installation of telemetry equipment.

75. All weather access track for a Medium Rigid Vehicle (MRV) must be provided to the sewer pump station from nearest sealed public road.

WASTEWATER INFRASTRUCTURE (RISING MAIN)

76. Any wastewater rising main (PM10020) that may be required in carrying out the conditions of this Development Approval must be:

76.1 Located within an easement in Council's favour or alternatively, be constructed within a road reserve on an approved alignment; and

76.2 Connected to the reticulated gravity wastewater system at a point of connection nominated by Council. The point of connection and any required receiving maintenance hole details must be agreed to by Council as part of the detailed engineering design process; and

76.3 Carried out in accordance with the relevant *LGIP* item and its *DSS*, Council's *Waste Water Infrastructure Policy 2.04*, and the requirements of Council's *Planning Scheme Policy No. 2 – Engineering Standards – Roads and Drainage Infrastructure (PSP No.2)*.

Note: This condition is imposed pursuant to Section 128 of the Planning Act 2016.

77. Rising mains constructed through private properties must have 4.0m wide easement(s) registered in favour of Council.

78. The rising main road crossing must be sewer DICL material extending either side at a minimum distance of 1.0m past the back of concrete kerbs.

79. The rising main discharge maintenance hole must incorporate adequate venting and odour management and address hydrogen sulphide (H₂S) gas concentrations within the maintenance hole.

WASTEWATER INFRASTRUCTURE (GRAVITY MAIN)

80. A new sewer gravity main (GS10066) must be constructed from TOPS08 Sewer Pump Station (existing) to the proposed new Tristania Street Sewer Pump Station (SPS10029) in accordance with Council's *Waste Water Infrastructure Policy 2.04* and the *DSS* of the *LGIP*. The new sewer gravity main must be located within an easement in Council's favour or alternatively, be constructed within a road reserve on an approved alignment.

Note: This condition is imposed pursuant to Section 128 of the Planning Act 2016.

81. The design and construction of the wastewater works must be in accordance with Council's *Waste Water Infrastructure Policy 2.04*, the *DSS* of the *LGIP* and Council's *Planning Scheme Policy No. 2 – Engineering Standards – Roads and Drainage Infrastructure (PSP No.2)*.

82. 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.

83. An Operational Works application must be submitted to and be approved by Council for the wastewater gravity main and associated works.
84. Where it is necessary for any proposed wastewater infrastructure to be constructed through land not part of the development, obtain the written approval of the owner of that land and provide evidence of such written approval to Council prior to endorsement of engineering plans and specifications for the works or prior to any request for Council to prepare a quotation for works.
85. Any gravity sewer main greater than DN225, which traverses through a private property must be provided with minimum 4.0m wide easement in favour of Toowoomba Regional Council.

WATER SUPPLY

86. The subdivision must be connected to Council's existing water supply reticulation 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.
87. Enveloper pipes must be installed under Devonshire Street for water service connections at no cost to Council.
88. 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.
89. Prior to the commencement of any works on the subject land, an Operational Works application must be submitted and be approved by Council. This relates to both internal and external water supply works and in accordance with the approved plans and documents of this Development Approval.

TELECOMMUNICATION

90. Install telecommunications infrastructure to service each approved lot which complies with the following:
 - 90.1 The requirements of the *Telecommunications Act 1997* (Cth);
 - 90.2 For a fibre ready facility, the standard specifications current at the time of installation for a carrier under the *Telecommunications Act 1997*; and
 - 90.3 For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line is located underground.
91. 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.
92. 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.

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

93. 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.
94. 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.

AMENITY & OPERATION OF USE

FENCING & WALLS - INTERFACE TO PUBLIC REALM

95. All retaining walls (including footings) along the south-eastern boundaries of proposed lots 57-71 must be fully contained within private property and must not exceed a maximum height of 1.5 m per retaining wall. Where tiered retaining walls are proposed, a minimum horizontal separation of 4m must be provided between each tier.

Retaining walls on proposed lots 57 and 71 where interfacing with Devonshire Street and Harrow Street and where tiered, may feature a minimum horizontal separation of 2 m between each tier.

TRANSPORT & ACCESS

ROADWORKS (EXTERNAL TO SUBDIVISION)

96. Unless otherwise varied by a development permit for Operational works, existing roads must be constructed as follows:

Street: Glennie Street

Classification: Local Street

Construction Standard: Works to be completed as part of Stage 1:

- Road widening is required to achieve a 3.5m pavement width from the nominal centreline, along with kerb and channel for the full frontage of the subject site. A minimum total pavement seal width of 7m must be achieved; and
- Road widening from the northern corner of proposed Lot 1, extending to meet the existing kerb and channel at the intersection of Kaytons Street and Glennie Street. The existing pavement must be widened to achieve a minimum pavement width of 6 m on a 7m formation.

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

Street: Harrow Street

Classification: Local Street

Construction Standard: Works to be completed as part of Stage 2:

- Road construction is required to achieve a 7m total pavement width along with kerb and channel for the full frontage of the subject site from Glennie Street until the western corner of proposed Lot 71; and
- Works must include construction of a complete T-intersection between '18m wide new access street', adjoining proposed lots 38 and 40, and Harrow Street.

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

Street: Devonshire Street

Classification: Local Street

Construction Standard: Works to be completed as part of Stage 1:

- Road construction is required to achieve a 7m total pavement width along with kerb and channel for the full frontage of the subject site from Glennie Street until the northern corner of proposed Lot 54; and
- Works must include construction of a complete T-intersection between '18m wide new access street', adjoining proposed lots 25 and 26, and Devonshire Street.

Works to be completed as part of Stage 2:

- Road construction is required to achieve a 7m total pavement width along with kerb and channel for the full frontage of the subject site from the northern corner of proposed Lot 54 until the northern corner of proposed Lot 57.

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

97. The design and construction of all roads must comply with *Planning Scheme Policy No. 2 – Engineering Standards – Roads and Drainage Infrastructure* (PSP No.2) and must include in particular:
- 97.1 Concrete kerbing and channelling;
 - 97.2 Temporary asphalt kerbing to tapers;
 - 97.3 Underground stormwater drainage;
 - 97.4 Table drain works;
 - 97.5 Relocation of utility and Council services; and
 - 97.6 Street lighting.
98. 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.
99. All street surfacing must be in accordance with the pavement construction standards in PSP No. 2.
100. Verge widths, street reserve widths, intersection treatment, provision of parking and speed control devices must comply with Council's requirements in PSP No. 2.

101. 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.
102. The design and construction of the works must be certified by a Registered Professional Engineer Queensland (RPEQ) – Civil.

ROADWORKS (INTERNAL TO SUBDIVISION)

103. The internal roads must be constructed to a sealed standard, including kerb and channel on both sides of the new roads. Such kerb and channelling must be an approved residential kerb and channel. The internal roads must be as follows:
 - 103.1 The new internal streets proposed as part of Stage 1 and Stage 2 must have an 18m road reserve width with 7m carriageway width measured between channel inverts.

Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.
104. All street surfacing must consist of an approved asphaltic concrete. Where approved, segmental clay, concrete pavers or patterned reinforced concrete is only to be used on feature areas of internal streets.
105. 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)*.
106. 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.
107. 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.
108. The design and the construction of the works must be certified by a RPEQ – Civil.

EXTERNAL PEDESTRIAN & CYCLE PATHS

109. 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:
 - 109.1 A 1.5m wide concrete pedestrian path for Glennie Street must be provided for the full frontage of the subject site;
 - 109.2 A 1.5m wide asphalt pedestrian path on Glennie Street must be provided connecting the conditioned concrete footpath located on the intersection of Devonshire and Glennie Streets to the existing concrete footpath on Glennie Street to the north-east where it intersects with Kaytons Street;

- 109.3 A 1.5m wide concrete pedestrian path for Devonshire Street must be provided for the full frontage of the subject site as follows:
- 109.3.1 Stage 1: Between Glennie Street footpath and the northern corner of proposed Lot 54; and
 - 109.3.2 Stage 2: Between the northern corner of proposed Lot 54 and '18m wide new access street' delivered as part of Stage 2;
- 109.4 A 1.5m wide concrete pedestrian path for Harrow Street must be provided for the frontage of the subject site as follows:
- 109.4.1 Stage 2: Between Glennie Street footpath and '18m wide new access street' adjoining proposed Lot 71;
- 109.5 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*;
- 109.6 The required work includes any surface earthworks, grinding or saw cutting to ensure the footpath finishes flush with all existing service covers and the like, or alternatively these services are raised or altered, so as not to create a pedestrian safety hazard; and
- 109.7 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.

110. 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 and asphalt 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

111. 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.

112. 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

113. 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

114. 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.
115. The installation or modification of any street signs or line marking must be in accordance with the Manual of Uniform Traffic Control Device (MUTCD).

LANDSCAPE & ECOLOGY

LANDSCAPE PLAN

116. Prior to the commencement of any works on site or the issue of a Development Permit for Operational Work or Building Work (whichever occurs first), submit to Council for endorsement a Landscape Plan prepared by a suitably qualified person (Landscape Architect or Landscape Designer) prepared generally in accordance with *Toowoomba Regional Council's Landscape Work Information Sheet 006* and the conditions of this Development Approval, including the landscaping shown on all Approved Plans listed in this Development Approval, that details in particular:
 - 116.1 Location and species of existing site vegetation to be removed and/or retained in accordance with this Development Approval, including adjacent street trees to be retained and/or removed;
 - 116.2 A detailed Planting Plan and Schedule that include species, stock sizes and quantities and the location;
 - 116.3 The typical planting detail including soil preparation, backfill, staking, mulching, irrigation, drainage and maintenance;
 - 116.4 Dimensions of all planting areas, type and location, taking into account orientation, shading and wind direction;
 - 116.5 Planting to the terraced retaining walls of proposed lots 57-71. Planting to be provided with species and densities capable of screening a minimum 80% of the retaining walls (excluding the first wall located directly adjacent to the open space zoned land) within two (2) years of planting. All planting is to be located within the proposed lot boundaries;
 - 116.6 Provide steps for maintenance access to all sections of terraced retaining walls of proposed lots 57-71 to allow safe and compliant access from within the lots. Steps are to have maximum 300mm risers and be designed to facilitate safe access for maintenance of landscaping to the terraces;
 - 116.7 Fencing to all boundaries adjoining public land for proposed lots 57-71 are required to be a minimum 30% transparent;

116.8 Where street trees are proposed or required as a condition of this Development Approval, the Landscape Plan must include the following additional information:

- i) A detailed planting schedule indicating quantities, species and proposed location(s) of street tree(s);
- ii) Typical cross section through each street typology indicating clearance of street trees from underground and overhead services (eg, back of kerb), footpaths, powerlines, street lighting, etc); and
- iii) Large spreading canopy tree species within verges;

Note: Street tree(s) must be supplied in minimum 45 litre containers or as approved by Council.

Note: Street tree(s) provisions must be in accordance with the requirements of the Planning Scheme Policy No. 8 – Council Controlled Trees, 2.68 Council Controlled Tree Management Policy, Planning Scheme Policy No. 2 – Engineering Standards – Roads and Drainage Infrastructure.

116.9 All plan pages must include a legend or title block that includes: north point, scale, title and drawing number; and

116.10 Where relevant landscaping associated with a multi-stage development must detail a staging plan of works.

Note: Fees and charges are associated with lodging Landscape Plan(s) for endorsement and must be paid prior to Council undertaking assessment of the plans.

117. The Landscape Plan(s) must receive endorsement by Council prior to commencement of any site works or earthworks.

LANDSCAPING WORKS

118. Carry out the landscape work in accordance with the above endorsed detailed Landscape Plan.

119. All landscape works must be installed and established by a suitably qualified person (Landscape Architect, Horticulturalist or equivalent) that ensures healthy, sustained and vigorous plant growth. Where required, plant material should be replaced or enhanced to ensure growth to full form and coverage of all dedicated landscape areas.

120. Landscape planting, within proposed Lots 57-71, is to be retained and maintained for the life of the development in accordance with the conditions of this Development Approval.

121. Certification must be submitted to Council from a suitably qualified person (Landscape Architect or Landscape Designer) that certifies landscaping works comply with the requirements of this Development Approval.

LANDSCAPING WORKS (PROVISION OF STREET TREES)

122. Unless otherwise agreed by Council or varied in an approved landscape plan, plant and maintain for a period of 12 months, one (1) street tree within the verge of all new roads, including roads required to be upgraded, as part of this development approval for every 15 metres of road frontage.

123. The selection and planting of any street tree, including any tree removal and replacement, must be in accordance with the requirements of the *Planning Scheme Policy No. 8 – Council Controlled Trees*, *2.68 Council Controlled Tree Management Policy*, *Planning Scheme Policy No. 2 – Engineering Standards – Roads and Drainage Infrastructure* and the approved Landscape Plan.
124. All tree stock to be supplied in 45 litre or larger containers and be a minimum height of 1.5 metres.

ENVIRONMENT & WASTE

WASTE COLLECTION - TEMPORARY TURNAROUND

125. At the completion of site works for Stage 1, a temporary turnaround within the '18m Wide New Access Street', as shown on the Approved Plans must be provided at the interface of Stage 1 and Stage 2 to facilitate the turnaround of a waste collection vehicle prior to the construction of Stage 2 commencing. The turning diameter is to be a minimum 22 meters.

B. ADVICES:

GENERAL ADVICES

SUBMISSION OF PLANS FOR ENDORSEMENT

- 1) The conditions of this Development Approval require submission of plans to Council for endorsement. Please address the plans for endorsement to Council's Development Services Branch with the Reference No. RAL/2025/4731, and send to 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.
- 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 50m³ 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 50m³ or more of fill is deposited on, or 50m³ 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.

WATER POLLUTION

- 10) 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.

ABORIGINAL CULTURAL HERITAGE ACT 2003

- 11) There may be a requirement to establish a Cultural Heritage Management Plan and/or obtain approvals pursuant to the *Aboriginal Cultural Heritage Act 2003* ("ACH Act").

The ACH Act establishes a cultural heritage duty of care which provides that: "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage." It is an offence to fail to comply with the duty of care. Substantial monetary penalties may apply to individuals or corporations breaching this duty of care. Injunctions may also be issued by the Land Court, and the Minister administering the ACH Act may also issue stop orders for an activity that is harming or is likely to harm Aboriginal cultural heritage or the cultural heritage value of Aboriginal cultural heritage.

You should contact the Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP) Cultural Heritage Unit on 07 3247 6212 to discuss any obligations under the ACH Act.

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 three (3) years current experience in the field of landscape design.

C. ATTACHMENTS:

- Concurrence Agency Conditions Schedule 2
- Approved Development Plans
- Appeal provisions pursuant to the *Planning Act 2016*.

SCHEDULE 2

CONCURRENCE AGENCY (CONDITIONS AND COMMENTS)

DEPARTMENT OF STATE DEVELOPMENT, INFRASTRUCTURE AND PLANNING

SARA reference: 2507-47395 SRA
Council reference: RAL/2025/4731

2 September 2025

Chief Executive Officer
Toowoomba Regional Council
PO Box 3021
TOOWOOMBA QLD 4350
development@tr.qld.gov.au

Attention: James Leader

RECEIVED
02/09/2025
TOOWOOMBA
REGIONAL COUNCIL

Dear Mr Leader

SARA referral agency response—37-59 Harrow Street and 2-22 Devonshire Street, Drayton

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 30 July 2025.

Response

Outcome:	Referral agency response - No requirements Under section 56(1)(a) of the <i>Planning Act 2016</i> , SARA advises it has no requirements relating to the application.
Date of response:	2 September 2025
Advice:	Advice to the applicant is in Attachment 1
Reasons:	The reasons for the referral agency response are in Attachment 2

Development details

Description:	Development permit	Reconfiguring a Lot – Five (5) Lots into 71 Lots
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 - Development impacting on state transport infrastructure (Planning Regulation 2017)	
SARA reference:	2507-47395 SRA	
Assessment manager:	Toowoomba Regional Council	
Street address:	37-59 Harrow Street and 2-22 Devonshire Street, Drayton	
Real property	Lot 2 RP118570, Lot 4 RP118570, Lot 2 RP56826, Lot 3 RP56826	

description: and Lot 1 RP51147
Applicant name: Glennie Street (Qld) Pty Ltd
Applicant contact details: C/- Development Directive
884 Logan Road
Holland Park West QLD 4121
townplanning@developmentdirective.com.au

Human Rights Act 2019 considerations: A consideration of the 23 fundamental human rights protected under the *Human Rights Act 2019* has been undertaken as part of this decision. It has been determined that this decision does not limit human rights.

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s. 30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 3**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Danica Clark, Senior Planner, on 4616 7307 or via email ToowoombaSARA@dsgi.qld.gov.au who will be pleased to assist.

Yours sincerely



Paul Gleeson
A/Manager

cc Glennie Street (Qld) Pty Ltd C/- Development Directive, townplanning@developmentdirective.com.au

enc Attachment 1 - Advice to the applicant
Attachment 2 - Reasons for referral agency response
Attachment 3 - Representations about a referral agency response provisions

Attachment 1—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP), (version 3.2). If a word remains undefined it has its ordinary meaning.

Attachment 2—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for SARA's decision are:

The development complies with the assessment benchmarks of State code 6 of SDAP in that the development:

- does not create a safety hazard for users of a state-controlled road
- does not result in a worsening of the physical condition or operating performance of state-controlled roads and the surrounding road network
- does not compromise the state's ability to construct, or significantly increase the cost to construct state-controlled roads and future state-controlled roads
- does not compromise the state's ability to maintain and operate state-controlled roads, or significantly increase the cost to maintain and operate state-controlled roads.

Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP, version 3.2, as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- Section 58 of the *Human Rights Act 2019*

Attachment 3—Representations about a referral agency response provisions

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Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules¹ regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

¹ Pursuant to Section 68 of the *Planning Act 2016*

² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

Part 7: Miscellaneous

30 Representations about a referral agency response

30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.³

³ An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

List of Submitters:-

Bruce Alan Steele
164 Long Street
SOUTH TOOWOOMBA QLD 4350

Leanne Monangle
15 Devonshire Street
DRAYTON QLD 4350

Chapter 6, Part 1 of the Planning Act 2016 Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
- (a) matters that may be appealed to—
- either a tribunal or the P&E Court; or
 - only a tribunal; or
 - only the P&E Court; and
- (b) the person—
- who may appeal a matter (the **appellant**); and
 - who is a respondent in an appeal of the matter; and
 - who is a co-respondent in an appeal of the matter; and
 - who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The **appeal period** is—
- (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
- (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
- (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
- (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
- (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
- (f) for an appeal relating to the *Plumbing and Drainage Act 2018*—
- for an appeal against an enforcement notice given because of a belief mentioned in the *Plumbing and Drainage Act 2018*, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or
 - for an appeal against a decision of a local government or an inspector to give an action notice under the *Plumbing and Drainage Act 2018*—5 business days after the notice is given; or
 - for an appeal against a failure to make a decision about an application or other matter under the *Plumbing and Drainage Act 2018*—at anytime after the period within which the application or matter was required to be decided ends; or
 - otherwise—20 business days after the day the notice is given; or
- (g) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.
- Note— See the P&E Court Act for the court's power to extend the appeal period.
- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
- (a) the adopted charge itself; or
- (b) for a decision about an offset or refund—
- the establishment cost of trunk infrastructure identified in a LGIP; or
 - the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
- is in the approved form; and
 - succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to—
- (a) the respondent for the appeal; and

- (b) each co-respondent for the appeal; and
- (c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
- (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and
- (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
- (f) for an appeal to the P&E Court—the chief executive; and
- (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.

(4) The **service period** is—

- (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
- (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
- (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
- (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.
- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

231 Non-appealable decisions and matters

- (1) Subject to this chapter, section 316(2) schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section—
- decision** includes—
- conduct engaged in for the purpose of making a decision; and
 - other conduct that relates to the making of a decision; and
 - the making of a decision or the failure to make a decision; and
 - a purported decision; and
 - a deemed refusal.

non-appealable, for a decision or matter, means the decision or matter—

- is final and conclusive; and
- may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, any tribunal or another entity; and
- is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.