

19 February 2026

The Assessment Manager
Toowoomba Regional Council
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TOOWOOMBA QLD 4350

RECEIVED
19/02/2026
TOOWOOMBA
REGIONAL COUNCIL

Attention: Ms Emily Hinchliffe
By Email: Emily.Hinchliffe@tr.qld.gov.au

Dear Emily

RESPONSE TO FURTHER ADVICE – SECTION 68, PLANNING ACT 2016 & CHAPTER 1, PART 7, SECTION 35, DEVELOPMENT ASSESSMENT RULES – PRELIMINARY APPROVAL FOR MATERIAL CHANGE OF USE (VARIOUS USES) INCLUDING A VARIATION REQUEST– 213-369 GOOMBUNGEE ROAD, 65-103 GRIFFITHS STREET AND 6-14 BACON STREET, HARLAXTON – LOT 12 SP199160, LOT 409 D1020, LOTS 1–7, 10 & 12-16 RP17530 AND LOT 411 RP810590 (Council Ref: MCUI/2025/338)

I act on behalf of the applicant, George Weston Foods Ltd, in respect of the above matter.

I refer to Toowoomba Regional Council's (**Council**) Further Advice correspondence, dated 1 October 2025, in respect of a Development Application for Preliminary Approval for Material Change of Use (Various Uses) including a Variation Request, at 213-369 Goombungee Road, 65-103 Griffiths Street, and 6-14 Bacon Street, Harlaxton, being that land described as Lot 12 SP199160, Lot 409 D1020, Lots 1–7, 10 & 12-16 RP17530 and Lot 411 RP810590.

The following advice provides a response to the matters raised in Council's Further Advice correspondence. 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. ADJOINING HIGH IMPACT INDUSTRY ZONE

1.1. Issue: Interface with adjoining High Impact Industry Zone

It is acknowledged that the adjoining site to the West (Lot 1 on SP116255) has a current application (MCUI/2019/5122) before Council which is within the Information Request Response period.

Despite the application, the site is within the High Impact Industry Zone which substantially impacts the ability of the site to be developed for residential development as proposed. The Planning Scheme is clear in the requirement to protect incompatible uses from establishing in proximity of each other. In particular, the Strategic Framework Land Use Strategy 3.3.12.2 (3)(b) requires a 500m separation distance between High Impact Industry zoned land and areas zoned for sensitive uses to ensure impacts (air, noise, odour

and hazardous materials) are contained within the site, designated area, estate or zoned areas, or are mitigated or avoided (3.3.12 (1) and (2)).

In its current form, the Variation Document does not sufficiently address the issue and instead, relies upon the adjoining site to the West being developed for commercial purposes, without regard to the current zoning of the site as High Impact Industry. This underlying assumption fundamentally affects ability for the site to be developed as intended under the Variation Document and the outcomes sought for the do not address reverse amenity issues, built form outcomes, connections between sites and commercial need.

The applicant suggested several resolutions to overcome this issue as part of the information request response. Upon review, it is Council's position that such options are not supported.

Action Required:

It is Council's preference that the adjoining site is integrated with the current application to avoid reverse amenity issues associated with the adjoining Industrial land uses.

Alternatively, the Variation Document is to be amended to reflect and address the sites current zoning as High Impact Industry with particular regard to reverse amenity issues likely (see specific issues in Item 5).

Should the above issue be resolved, further information is then required in relation to the ultimate development, to inform longer-term infrastructure and strategic planning in respect to adequate open space areas, provision of pedestrian and public transport, key pedestrian linkages as well as built form outcomes.

Response

We acknowledge that the approval of the Willows Residential development gives rise to the potential emergence of land use conflict and adverse amenity impacts due to the present inclusion of land to the west of the subject (the "Willows Crossing site") in the High Impact Industry Zone under the *Toowoomba Regional Planning Scheme 2012*. The Willows Crossing site, is presently subject to a concurrent development application which seeks to convert its use via an application for a Preliminary Approval (including a variation request) to a range of medical, paramedical, commercial, retail and accommodation land uses. If and until this application is approved and acted upon however, an applicant with the consent of the landowner, (be that the current or a future owner) could have recourse to the existing High Impact Industry zoning over the land and potentially seek approval to use and develop the land for industrial purposes. This gives rise to potentially inappropriate establishment of industrial uses on the Willows Crossing site that could be fundamentally incompatible with residential uses approved on the Willows Residential site, and the associated potential for land use conflicts and adverse amenity consequences.

To address and indeed remove the potential for such conflict, it is necessary to ensure zoning and use rights available on the Willows Crossing site are changed to ensure incompatible industrial activities are not established and such uses are actively discouraged.

Both the Willows Residential and Willows Crossing applications for Preliminary Approval are at the same stage of the application assessment process, and this provides an opportunity to coordinate the assessment and approval of both applications in a manner which allows the potential for land use conflicts potentially emanating from the Willows Crossing site to be resolved prior to the assessment and determination of the Willows Residential application being finalised.

The applicant has proposed to Council that following the receipt and assessment of this further advice response, this application for "The Willows" Residential Preliminary Approval could be put on hold and deferred until such time at the "Willows Crossing" Preliminary Approval is assessed and determined.

Should the Willows Crossing Preliminary Approval be approved, a subsequent development application will be made to act on that approval precluding its cancellation.

The practical implication of the steps outlined, would effectively “rezone” the site and replace the provisions of the High Impact Industry Zone, with those under the various precincts of the Willows Crossing Variation Scheme Document(VSD). These precincts foreshadow and provide for the future development of the Willows Crossing site for a mix of medical, paramedical, commercial, retail and accommodation land uses compatible with adjacent residential development, and which don't give rise to issues of land use conflict or adverse amenity/reverse amenity implications.

By email dated 10 February 2026, Joe Kirkwood – Manager Planning (Toowoomba Regional Council) agreed in-principle with the approach outlined subject to any legal advice subsequently obtained by Council.

2. MASTER PLANNING

2.1. Aspect of Development: Master Planning

Additional information is required with respect to the relationship between the Structure Plan and intended development of the site, having regard to broader strategic objectives and existing and proposed development; which has changed since the original development was conceived.

For example:

- i. The Community Precinct is located on the edge of the site on Goombungee Road, a location not readily accessible for all residents of the subdivision, except by car which appears inconsistent with the intent for precincts/residential areas to have a 'high quality streetscape and public open space network that comprises connected public spaces and parks, and links to key community activities'.***
- ii. The Structure Plan identifies a Local Park node, without demonstration of the dimensions and ability to achieve the minimum standards of service above the 1% AEP.***
- iii. The extent of residential development has not been quantified, nor the final densities provided to inform the likely services necessary to support the 'compact and walkable neighbourhoods that are well connected to employment nodes, centres, open space and recreational areas, community services and educational opportunities.'***
- iv. There is no provision for centralised non-residential development to service the residential component, as there is reliance upon the western side being developed.***
- v. Opportunities to provide strategic vehicular and pedestrian connections, having regard to the development of the hospital site and higher order connections to the north are not provided for.***
- vi. The built form of the site is not well understood, with each precinct having similar densities (averaged) and how this relates to adjoining (existing and proposed) development is unclear.***
- vii. There is no consideration of the continued operation of industrial zoning to the south and west of the site, and how that impacts upon the ability of the site to achieve the residential built form intended.***

Information Required:

Provide:

- a) Further information in respect to how the spatial area for each precinct was informed (topography, construction cost, infrastructure provision, views, pedestrian/vehicular connections, amenity etc).**

- b) **Ultimate densities and mix of attached and detached dwellings in respect to each precinct (low/medium/high scenarios);**
- c) **A potential staging plan having regard to infrastructure provision and land dedications;**
- d) **A Structure Plan which details dimensions/areas for each precinct. In particular,**
 - i. **Show an area of 40m x 50m above 1% AEP within the Open Space precinct and maximum grade of 1:30 and an active transport corridor above the 1% AEP.**
 - ii. **Clarify that the open space area along Griffith Street is in fact a drainage reserve/buffer area primarily as it does not meet the requirements for open space.**
- e) **Provide further information with respect to the potential need for a commercial precinct to service the ultimate population, without reliance upon the adjoining site to the west being developed for commercial purposes. Consider providing further flexibility for the establishment of a Local Centre within the site and provide justification of the location of any Local Centre with respect to the wider Structure Plan (i.e. walkability and accessibility).**
- f) **Consideration of minimum densities within the Medium Density Precinct to achieve overall outcomes sought for the precinct.**
- g) **Consideration of the expansion of Medium Density Precinct along the northern section of the site.**
- h) **Consideration of intended heights within each precinct relative to the density sought;**
- i) **Provide a cross section sketch or built form outcomes 'intended' for the area to better illustrate the design outcomes across each precinct, particularly for the Medium Density Precinct and the interface with adjoining precincts.**
- j) **Consideration of how the management of potential reverse amenity impacts are addressed in the VSD without impacting upon the use rights of the industrial development to the south and west of the site (see item 4 for further details)**
- k) **Further consideration of the proposed pedestrian access between the site to Mort Street. It is suggested that section 3.2.5B of the VSD is amended to specifically reference the connection and to take into account the TCATL link.**

Response

In response to the above items, we note the following:

- (a) The three residential precincts include the following:
 - a. Low Density Residential Precinct
 - b. Mixed residential Precinct; and
 - c. Medium Density Residential Precinct.

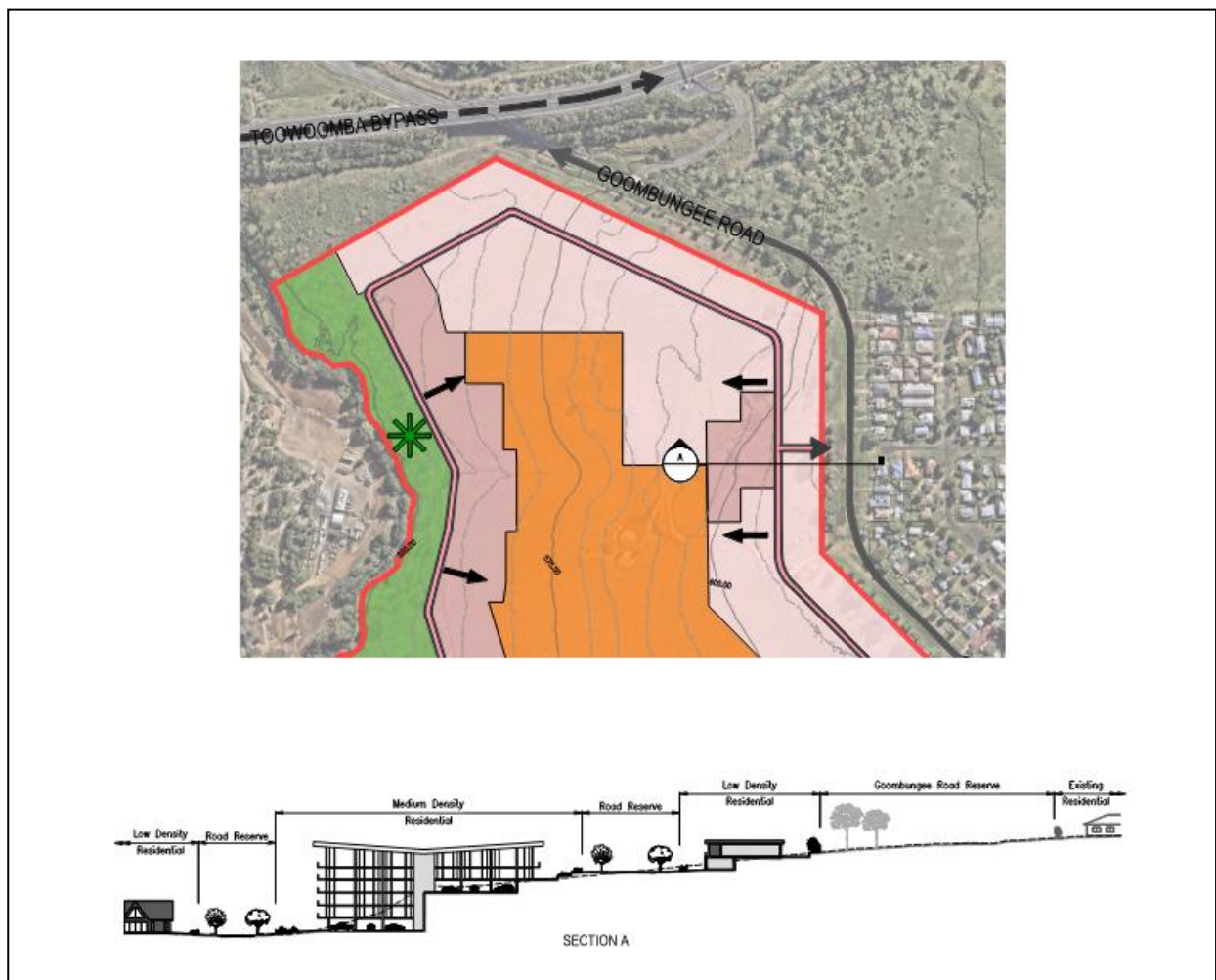
The allocation of preferred land use precincts across the site are illustrated on revised Structure Plan attached as **Appendix A**.

The precincts recognise the sloping nature of the site which involves a significant reduction in land elevation between its eastern frontage to Goombungee Road and its western perimeter defined by the riparian corridor of Gowrie Creek. The provide for a progressive increase in both residential mix and density with proximity to Gowrie Creek. The significant linear open space corridor along Gowrie Creek comprises the key high amenity area of the site, and this attribute is enhanced by the significant recreational and active transport role envisaged for this linear corridor. The reduced elevation of the land as proximity to the Gowrie Creek linear open space corridor increases, means that adjacent areas are best placed to accommodate areas of higher residential density and building height.

The eastern areas of the site are elevated and relative level such that these areas of the site lend themselves to more conventional forms low density subdivision and are included in the Low Density Residential Precinct. The central areas of the site are included in the Mixed Residential Precinct and purposefully provide for a greater mix of housing types including dwelling houses, dual occupancies, multiple dwellings (in the form of units, apartments and townhouses) and retirement and residential care facilities.

The Medium Density Residential Precinct is ostensibly situated on lands adjacent to the Gowrie Creek linear parkland and open space corridor, in addition to land adjacent to the Goombungee Road and Griffiths Street intersection. A small area of land is also included in this precinct in the north east of the site. This Medium Density Residential area relates to an area of the site significantly constrained by slope. As discussed with Council a site-specific development solution is proposed in this area which is compatible with the scale of development in the adjoining Low Density Residential Precinct (to the east) and the Mixed Residential Precinct (to the west). A potential development solution for this part of the subject land is illustrated in the Built Form Example Plan attached as **Appendix B**. An excerpt of the plan is illustrated in **Figure 1 - Built Form Example Plan**

Figure 1 - Built Form Example Plan



The Community Precinct is located to service both the Willows Residential development and the existing residential development to the east. The location of the Community Precinct results in a walkable catchment (10 minutes) for more than 90% of the Willows site and all the residential development to the east that is located between Goombungee Road, Griffiths Street and the New England Highway. This precinct will likely be occupied by a Child Care Centre. In addition to the spatial accessibility comments above, the location of the precinct on Goombungee Road provides the opportunity to create a consolidate node of non-residential community activity by co-locating this precinct with the adjacent "Reg Veacock Park, and potentially a future local commercial centre.

- (b) In response to Council's stated preference the density and building height standards have been increased to improve the utilisation of respective precinct areas. The density and building height standards for each precinct have been amended as follows:

Table 1: Density and Building Height Standards

Precinct	Former Density	Former Building Height	Amended Density	Amended Building Height
Low Density Residential	10-15 dwellings/hectare	2 storeys	10-15 dwellings/hectare	2 storeys
Mixed Residential	15-40 dwellings/hectare	3 storeys	15-60 dwellings/hectare	4 storeys
Medium Density Residential	15-60 dwellings/hectare	4 storeys	40-80 dwellings/hectare	6 storeys

As the precincts propose a range of densities, the ultimate dwelling capacity will be dependent on the ultimate mix of housing styles and density of housing constructed in each precinct.

- (c) The proposed staging of the development will be derived in more detail as part of subsequent applications for reconfiguring a lot and considering the detailed design process undertaken in respect operational works approvals required over the site. The existing configuration of infrastructure networks in the locality suggests however that the development will commence either in the south west corner adjacent to Griffith Street and progress east or alternatively commence adjacent to Goombungee Road frontage and progress toward the south west. Detailed staging is to be derived as part of the detailed design process.
- (d) A Precinct Context Plan is attached as **Appendix C**. This illustrates that the width of the open space is sufficient to accommodate one or more areas of 40m x 50m above 1% AEP. This corridor will accommodate an active transport corridor above 1% AEP. The width of linear park above the Q100 level of Gowrie Creek has been added to Precinct Context Plan is attached as **Appendix C**. The Gowrie Creek linear park corridor is generally as per Council's Open Space Strategy and includes local park nodes as per the strategy. The extent of park land above the Q100 level of the creek exceeds the requirements of the desired standards of service in the Open Space Strategy for both Liner Park and Local Park. The conceptual movement network included in **Appendix D**

includes pedestrian pathways. A pedestrian can traverse from one extremity of site to the other in 15 minutes. The Gowrie Creek frontage of the development is a 10-minute walk (800m).

- (e) Without assuming land to the west is developed for commercial purposes (as requested by Council), a planning need exists and can be demonstrated for a local centre to service the day to day convenience needs of the proposed development. The revised Structure Plan included in **Appendix A**, illustrates two potential locations for the establishment of a future Local Centre, being adjacent to the southern access from Griffith Street, or adjacent to the community precinct on Goombungee Road. Each option presented for the proposed Local Centre has a walkable catchment (10 minute walk) for 95% of the development site. The eastern option's walkable catchment would also include all of the existing residential development to the east that is located between Goombungee Road, Griffiths Street and the New England Hwy.
- (f) The minimum density in the Medium Density precinct has been increased from 15 dwellings per hectare to 40 dwellings per hectare. Refer Table 1: Density and Building Height Standards.
- (g) It is not proposed to extend the Medium Density Precinct along the northern boundary of the site. The physical characteristics of the site including but not limited to slope suggest this is best developed at a conventional density.
- (h) The height limits proposed for each precinct have been reviewed to align with the revised increase densities to be encouraged in each precinct. Refer Table 1: Density and Building Height Standards.
- (i) The overall intention is that a progressive increase in residential mix, density and building height from east to west. As land elevation decreases with proximity to the Gowrie Creek open space corridor, building height is able to increase. Cross sections across each precinct have not been provided as these will vary depending on the final mix of housing forms in each precinct. The differences in building height and density while suitable between alternative precincts are not so pronounced that they would be likely to result in incompatibility in building scale and bulk at the interface of alternative precincts.
- (j) Reference is made to the revised Environmental Noise Impact Report, Revision 6, prepared by CRG Acoustics Pty Ltd, dated 30 May 2025 and attached as Appendix D to the information request response previously submitted to Council.

The revised report was prepared to respond to Item 4 of Council's previous information request and replaced the previous assessment dated 28 October 2024. The recommendations and conclusions in the revised Environmental Noise Impact Report did not change substantially, only noting that there is reduced industrial activity to the west of the subject site due the adjacent industrial site now intended to be utilised for commercial development (i.e. Willows Crossing). The revised report finds the proposed development will generally be within acceptable levels of the adopted criterion, subject to the recommended acoustic treatment options detailed in Section 6 of the report.

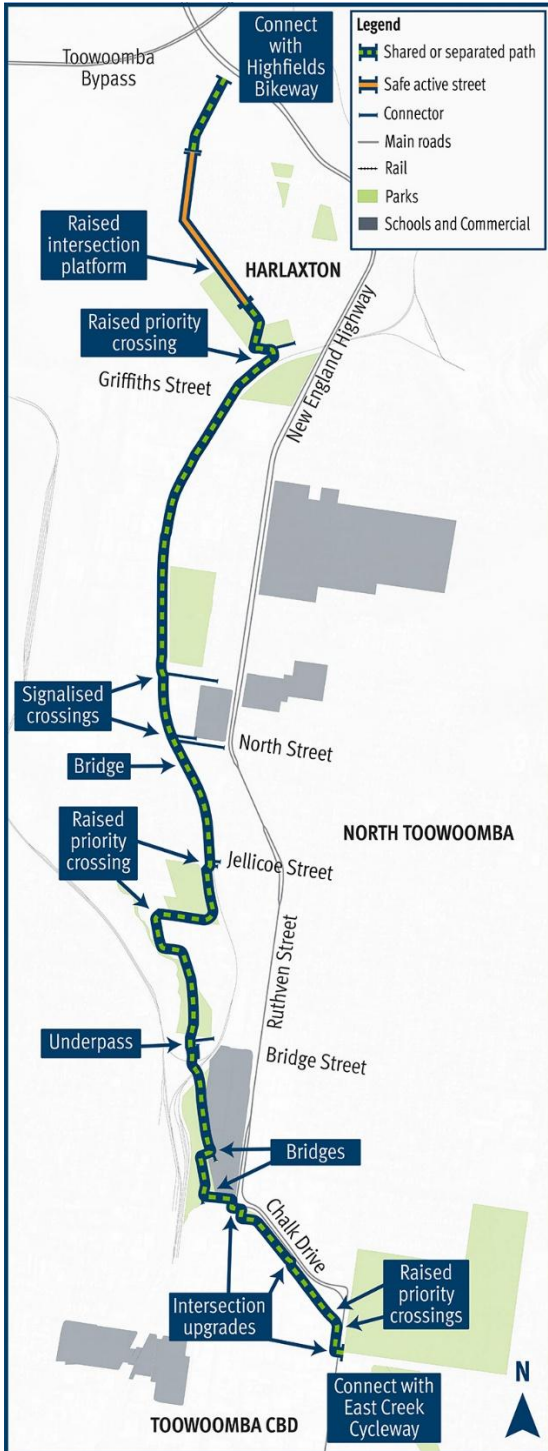
In relation to Council's request to demonstrate the extent of earth mounds proposed within the development site, given that the application is at the Master Planning stage, detailed earthworks

/ subdivision layout plans are not available. On that basis, the final location and design of the earth mounds / acoustic barriers and building shell treatments cannot reasonably be provided until detailed design of the individual residential precincts is undertaken. The acoustic barrier / earth mounds modelled have been provided to show the extent to which noise impacts can be mitigated to reduce building shell treatments. In most cases, a balanced acoustic treatment outcome would be implemented (i.e. a reasonable barrier height combined with building shell treatments).

Further to the above, we note that the present development application seeks only a Preliminary Approval including a Variation Request. Under Section 49 of the *Planning Act 2016*, a preliminary approval approves a development to the extent stated in a decision notice but does not authorise the carrying out of assessable development. In other words, a preliminary approval indicates that a proposed development is acceptable in-principle, but additional approvals (and more particularly development permits) are required before any actual physical development can occur. On that basis, detailed designed demonstrating the extent of earth mounds (if this treatment option is chosen) will be provided when development permits authorising physical development are sought.

- (k) A revised version of the VSD (Version 3) is attached as **Appendix E**. This includes an amendment to section 3.2.5 (B) to acknowledge the pedestrian link between the Willows Residential and Willows Crossing sites. The Toowoomba Central Active Transport Link (TCATL) is at business case stage only with DTMR. It doesn't go near Mort Street; it comes along the rail corridor and joins Griffiths Street immediately east of the Griffith/Goombungee Roundabout (Refer **Figure 2**). We contend that it is too early to include references to it in the VSD as it is subject to change (or may not proceed in a similar manner to the Toowoomba North South Transport Corridor). More general references to State and Local Government active transport planning that has been adopted at the time of future applications would be more appropriate.

Figure 2 - The Toowoomba Central Active Transport Link (TCATL)



3. TRAFFIC

3.1. Aspect of Development: Intersection Delay Analysis

The Information Request Response regarding intersection delay analysis has amended the background traffic volumes compared to that provided in the original Traffic Impact Assessment. The background traffic now excludes the impacts of traffic from the Baillie Hendersen Hospital expansion.

Further Advice:

Amend the Traffic Impact Assessment to include the background traffic associated with the Baillie Henderson Hospital including an updated SIDRA analysis and changes required to concept sketches of the intersections.

Response

A response to the Traffic aspect of this Further Advice Notice has been prepared by RMA Engineers and is attached as **Appendix E**. Please refer to this for the a detailed response to this item.

3.2. Aspect of Development: Road hierarchy

There are two distributor roads shown in the road hierarchy however the projected traffic volumes are less than 3,000vpd which suggests they could operate as collector streets. The northern access on Goombungee Road (Access #3) should connect directly to the internal collector street and also be nominated as a collector street.

Further Advice:

Amend the internal road hierarchy on the Structure Plan and replace the distributor roads with collector streets. Show a direct collector street connection between the internal collector street and Goombungee Road at the northern access to Goombungee Road.

Response

A response to the Traffic aspect of this Further Advice Notice has been prepared by RMA Engineers and is attached as **Appendix E**. Please refer to this for the a detailed response to this item.

3.3. Aspect of Development: Bacon Street Closure

The Structure Plan does not show the intention to close the Bacon Street/Goombungee Road intersection.

Further Advice:

Amend the Structure Plan to show the intention to preclude access from the Subject Site to Goombungee Road along the existing Bacon Street alignment.

Response

A response to the Traffic aspect of this Further Advice Notice has been prepared by RMA Engineers and is attached as **Appendix E**. Please refer to this for a detailed response to this item.

4. ACOUSTIC IMPACTS AND VISUAL AMENITY

4.1. Aspect of Development: Noise

The noise report includes recommendations that are very dependant on acoustic mounds or fences to mitigate rail and industrial noise. While such measures could be built, they will create a large visual impact

on how the site will present to the surrounding areas, long term maintenance burden and likely limit what landscaping can occur (shading).

Further Advice:

Provide an amended Noise Report, VSD and Plans which:

- a) Confirm if final ground level of dwellings will be above Griffith St and any amendments to the barrier proposed to achieve compliance;
- b) Demonstrate how the height of acoustic barrier fences would impact visual amenity and presentation of the site to the community;
- c) How landscaping will complement any attenuation measures required; and
- d) Ownership and ongoing maintenance of such attenuation measures.

Response

Refer to the response to Item 2 (j).

5. REVERSE AMENITY IMPACTS (WHERE NOT OTHERWISE ADDRESSED BY ITEM 1)

5.1. Aspect of Development: Noise

The submitted noise report assumes that the adjoining site to the west is to be developed for commercial purposes only. However, the current zoning is High Impact Industry which substantially impacts the ability of the site to be developed for residential development as proposed.

Further Advice:

Amend the Noise Report to address Industrial noise from Mort St.

Response

Refer to the response to Item 1.

5.2. Issue: Air Quality

An air quality assessment was not submitted by the applicant and assumes the site to the West is developed for commercial and not industrial purposes.

Further Advice:

Amend the VSD to ensure that Air Quality issues that may arise from the existing High Impact Industry Zone to the west are appropriately addressed.

Response

Refer to the response to Item 1.

5.3. Issue: Odour

The application does not address odour from industrial uses to the west.

Further Advice:

Amend the VSD to ensure that Odour issues that may arise from the existing High Impact Industry Zone to the west are appropriately addressed.

Response

Refer to the response to Item 1.

SUMMARY

The above responses address each of the items raised in Council's Further Advice correspondence. 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 0427 737 526 or by email at andrew@precinctplan.com.au.

Yours sincerely



Andrew Bullen
Precinct Urban Planning