

Item No.	5
REPORT TITLE	MCUI/2025/7307 - Preliminary Approval for a Material Change of Use - Impact - Variation Request to Vary the Effect of the <i>Toowoomba Regional Planning Scheme 2012</i> located at 300 and 390 Drayton Wellcamp Road, GLENVALE QLD 4350
AUTHOR	Ed Johnson, General Manager Planning and Development Group

PURPOSE OF REPORT

To consider a Development Application for a Preliminary Approval for a Material Change of Use - Impact - Variation Request to Vary the Effect of the *Toowoomba Regional Planning Scheme 2012* located at 300 and 390 Drayton Wellcamp Road, GLENVALE QLD 4350.

To assist Councillors with the identification of Close Associates or Related Parties for the purpose of Chapter 5B of the *Local Government Act 2009* (Councillors' conflicts of interest), a Table of Involved Parties is provided at **Attachment 1**.

EXECUTIVE SUMMARY

Subject Site

The subject land comprises Lot 4 RP225271 and Lot 13 SP346983 at 300 and 390 Drayton Wellcamp Road, Glenvale, with a total area of 67.88ha. It sits within Toowoomba's western growth area and is currently zoned Emerging Community, with frontage to Drayton Wellcamp Road and an unnamed watercourse through the centre. The land adjoins approved and emerging residential development to the north, rural residential development to the south, and rural land to the west (**Attachments 4 and 5**).

Proposal

The application seeks a Preliminary Approval for a Material Change of Use with a Variation Request to vary the effect of the *Toowoomba Regional Planning Scheme 2012*, so the land can be assessed broadly in line with the Low-medium Density Residential Zone. It does not seek to authorise development to occur immediately, but instead to establish a planning framework for later development permits and subdivision applications over the site. The Variation Request largely seeks to apply the provisions of the former Temporary Local Planning Instrument TLIP 01/2022- Housing Supply Assistance Measures, which ceased to have effect in December 2024.

The application proposes that development within the Variation Area (VA), comprising the entirety of the subject land, will be assessed under the *Drayton-Wellcamp Road Variation Scheme Document* (VSD). The VSD includes a Structure Plan and modified assessment provisions, to guide land use and built form across the VA. The proposed VSD would support future residential development and smaller supporting non-residential uses, while requiring later applications to address detailed matters such as subdivision design, road access, drainage, parks and servicing (VSD under **Attachment 6**).

Generally, the change seeks to reduce the level of assessment for accommodation activities such as Multiple Dwelling, Relocatable Home Park, Residential Care Facility, Retirement Facility, Rooming Accommodation and Short-term Accommodation from Impact to Code.

Assessment Matters

In assessing the application, this report considers whether the proposed variation is appropriate having regard to the planning framework applying to the land, Council's strategic growth planning, infrastructure servicing and the effect on future assessment and submission rights.

The key matters informing the recommendation are:

1. Consistency with the statutory planning framework and strategic intent for the area;
2. Alignment with Council's non-statutory growth planning for western Toowoomba; and
3. Whether infrastructure can be delivered in an orderly and efficient manner.

Public notification for the application was undertaken in accordance with the *Planning Act 2016*. A total of 59 properly made submissions and two (2) not properly made submissions were received, all opposing the development. A summary of key issues raised and how they were addressed is provided in the Planning Report at **Attachment 2**.

Local and Regional Planning Framework

At the regional level, the land sits within the Urban Footprint under *ShapingSEQ - South East Queensland Regional Plan 2023*, supporting its long-term role in accommodating urban growth. At the local level, the site is currently zoned Emerging Community, which already identifies the land for future urban purposes and for timely conversion once suitable land use and infrastructure planning has occurred.

Although the Variation Request seeks to change the future assessment framework, it is broadly consistent with the intended urban role of the land and remains aligned with the broader strategic direction for growth in this part of Glenvale as articulated in the *Toowoomba Regional Planning Scheme 2012*.

Non-statutory Planning Policy Documents and Growth Modelling

Council's more recent strategic work supports future urban expansion in this locality. The *West Toowoomba Land Use Investigation* identifies the site as part of a planned next generation suburban neighbourhood, while the *Toowoomba Region Growth Plan* identifies it within the Western Toowoomba Future Growth Area, intended to accommodate substantial greenfield residential growth supported by local services, parks and connections to surrounding development (refer to extracts under **Attachment 8**).

While these documents do not by themselves inform the recommendation of this report, they provide strong support for the land's future residential role and for the orderly expansion of western Toowoomba. They also support the view that the proposal is consistent with Council's broader long-term growth planning, even where some infrastructure constraints still need to be managed through conditions and later approvals.

Infrastructure Delivery

This report considers water, wastewater, transport, stormwater, parks and related trunk infrastructure needed to support future development. The key infrastructure issue is water supply capacity, with Council's assessment finding that some development can be supported in the short term but that a cap is required until broader network upgrades are delivered. Conditions are also proposed to manage road access, wastewater integration and stormwater outcomes.

Overall, the report concludes that although the proposal varies the current planning framework, it is generally consistent with the site's intended long-term urban role and can proceed subject to reasonable and relevant conditions. On balance, this report supports approval of the application,

subject to the imposition of conditions to manage infrastructure servicing and future development outcomes.

RECOMMENDATION

That Council approve Application No. MCUI/2025/7307 for a Preliminary Approval for a Material Change of Use - Impact - Variation Request to Vary the Effect of the *Toowoomba Regional Planning Scheme 2012*, pursuant to the provisions of Section 60 of the *Planning Act 2016* and subject to the conditions in **Attachment 3**.

REASONS FOR RECOMMENDATION

The proposed development has been assessed against the applicable assessment benchmarks and with regard to all relevant assessment matters as identified within this report. The proposed development is recommended for approval subject to the conditions contained within the recommendation.

Suspension of Standing Orders

MOTION

Moved by Councillor Tim McMahon, seconded by Councillor Kerry Shine

That in accordance with Clause 1.2 of "Best practice example standing orders for local government and standing committee meetings - March 2024" Standing Orders be suspended for the period of consideration of Item No. 5.

CARRIED

The Standing Orders "Best practice example standing orders for local government and standing committee meetings - March 2024" were suspended at 11:22 AM.

DEPUTATION

Neil S. Thompson addressed Council on behalf of the Submitter in relation to this item.

James Juhasz of Property Projects Australian addressed Council on behalf of the Applicant in relation to this item.

Reinstatement of Standing Orders

MOTION

Moved by Councillor Rebecca Vonhoff, seconded by Councillor Geoff McDonald

That Standing Orders "Best practice example standing orders for local government and standing committee meetings - March 2024" be reinstated.

CARRIED

The Standing Orders "Best practice example standing orders for local government and standing committee meetings - March 2024" were reinstated at 12:31 PM.

MOTION

Moved by Councillor Tim McMahon, seconded by Councillor Geoff McDonald

That Council approve Application No. MCUI/2025/7307 for a Preliminary Approval for a Material Change of Use - Impact - Variation Request to Vary the Effect of the *Toowoomba Regional Planning Scheme 2012*, pursuant to the provisions of Section 60 of the *Planning Act 2016* and subject to the conditions in **Attachment 3**.

AMENDMENT

Moved by Councillor Trevor Manteufel, seconded by Councillor Bill Cahill

That the Motion be amended by:

1. Addition at the end of the motion 'with the removal of the note on Condition 8.

The **AMENDMENT** was **PUT** and **LOST**

The **ORIGINAL MOTION** was **PUT** and **CARRIED**

COMMITTEE RECOMMENDATION

That Council approve Application No. MCUI/2025/7307 for a Preliminary Approval for a Material Change of Use - Impact - Variation Request to Vary the Effect of the *Toowoomba Regional Planning Scheme 2012*, pursuant to the provisions of Section 60 of the *Planning Act 2016* and subject to the conditions in **Attachment 3**.

COUNCIL DECISION - 21 JULY 2026

(Planning and Development Committee - 14 July 2026 - Item No. 5)

That Council approve Application No. MCUI/2025/7307 for a Preliminary Approval for a Material Change of Use - Impact - Variation Request to Vary the Effect of the *Toowoomba Regional Planning Scheme 2012*, pursuant to the provisions of Section 60 of the *Planning Act 2016* and subject to the conditions in **Attachment 3**.

CORPORATE PLAN REFERENCE

2.3 Plan for and manage infrastructure assets sustainably.

2.12 Preserve, protect and improve our environments.

BACKGROUND

Att 2 - Planning Report

CONSULTATION UNDERTAKEN

Att 2 - Planning Report

ISSUES AND RESPONSES

Att 2 - Planning Report

RISK MANAGEMENT MATTERS

Att 2 - Planning Report

LEGAL ISSUES

Att 2 - Planning Report

***HUMAN RIGHTS ACT 2019* CONSIDERATIONS**

The *Human Rights Act 2019* provides that it is unlawful for a public agency to act or make a decision in a way that is not compatible with human rights, or to fail to give proper consideration to a human right. This necessitates understanding the human rights that are protected. When making decisions or taking actions, consideration needs to be given to how that may impact on a person's human rights. Where there is a restriction on a person's human rights the restriction must be no greater than is justifiable to protect the rights of others or the community at large.

The contents of this Report do not infringe upon the *Human Rights Act 2019*.

DELEGATION

Council Officers have delegation to decide the development application. However, it is considered that the decision of Assessment Manager is best exercised by a meeting of Council due to its close alignment with previous Council policy (TLPI 01/2022) and the volume of properly made submissions objecting to the development application.

FINANCIAL/RESOURCE IMPLICATIONS

There are no financial or resource implications associated with a decision to approve the Variation Request, subject to conditions of approval imposing an upper limit on development occurring within the Variation Area in-line with existing water capacity within the Glenvale Reservoir. The ability to service future development at this site, without impacting the delivery of infrastructure and compromising development within the bounds of the current Priority Infrastructure Area (PIA) has been tested within this assessment. Conditions of approval are recommended and can be imposed on future development occurring within the Variation Area to ensure that approval of the Variation Request will not unduly impact Council's infrastructure planning or compromise the ability to service future development within the PIA.

CONCLUSION

The development has been assessed with regard to the applicable assessment matters as identified within this report. This report provides a recommendation to approve the Variation Request subject to the conditions contained within **Attachment 3**.

ATTACHMENTS

1. Att 1 - Involved Parties
2. Att 2 - Planning Report
3. Att 3 - Conditions
4. Att 4 - Aerial Imagery and Site Context
5. Att 5 - Zoning and Overlay Map
6. Att 6 - Variation Scheme Document (VSD)
7. Att 7 - Extract of Former TLPI
8. Att 8 - Extracts from West Toowoomba Land Use Investigation
9. Att 9 - Extracts of Approved Development
10. Att 10 - Referral Agency Response

Involved Parties

INVOLVED PARTIES

The following table is provided to assist Councillors with the identification of Close Associates or Related Parties for the purpose of Chapter 5B of the *Local Government Act 2009* (Councillors' conflicts of interest):

Involved Parties	Role (For example, Tenderer, Applicant, Contractor, Landowner, Consultant, Submitter etc.)
Glenvale Land Company Pty Ltd ACN 674 220 994	Applicant
Property Projects Australia – Blake Brindley	Applicant
Property Projects Australia – Alistair Dent	Applicant
Michael Neill Wagner	Owner
Andrea Maree Wagner	Owner
Jeteld Pty Ltd A.C.N. 009 904 456	Owner
Lynne Maree Lamb	Owner
Peter Charles Lamb	Owner
David Kenneth Waters	Submitter
Kate Rachael Johnston	Submitter
Sean Thompson	Submitter
Kaylene Ann Stevenson	Submitter
Robert John Wagner	Submitter
Karen Anne Graham	Submitter
Sophie Wagner	Submitter
Bernadette Wagner	Submitter
Laura Wagner	Submitter
Kurt John Garske and Melissa Garske	Submitter
Patrina Catherine Kuhnemann	Submitter
Lionel R Johansen	Submitter
Nick Stuart and Penny Stuart	Submitter
Craig Noel Reis	Submitter
Scott Cameron Mc Loughlin	Submitter
Neil S Thompson	Submitter
Deborah Tokar	Submitter
Adrian Kingsley Lewis Walker	Submitter
Patrick Edward Smith and Jill Marie Smith	Submitter
Colleen Dell Mundt	Submitter
Dianna M Thompson	Submitter
Rayda Yvonne Goodall	Submitter
Shane Crosby Graham	Submitter
Lee Elizabeth Hicks	Submitter
Warren Bloomfield and Jennifer Lee Bloomfield	Submitter
Ahri Jonah Tallon	Submitter
Warwick John Easdown	Submitter
Rebecca Hope Rowe	Submitter
Sammy Silvio Quattromani	Submitter

Emily Rose Carr	Submitter
Patricia Lyn Quattromani	Submitter
Jo Winston	Submitter
John Murray Goodall	Submitter
Nadine Lobwein and Wayne A Lobwein	Submitter
Pamela Joy Shipman	Submitter
Marianne McMillan	Submitter
Patricia Mary Forbes	Submitter
Ashley Owen Mundt	Submitter
Michelle Annette Ford	Submitter
David Fowler	Submitter
David Isherwood	Submitter
Maree Mc Sweeney	Submitter
Maria Arranz	Submitter
Stacey Joy Devine	Submitter
Ian Peter Stevenson	Submitter
Athol James Knox and Cheryl Ann Knox	Submitter
Vincent Gerard Burke and Eve Suzanne Burke	Submitter
Duane Robert Richardson and Karen L Richardson	Submitter
Carolyn Jane Gaschk	Submitter
Cheryle D Groves and Peter Keith Groves	Submitter
Michael Gaschk	Submitter
Cherie Majella Humphrys	Submitter
Trenton James Humphrys	Submitter
Jon Michael Dwan	Submitter
Elizabeth Rose Dwan	Submitter
Wendy Higgins	Submitter
Michelle Nicolle Lucas and Darren William Lucas	Submitter
Karen Lee Smith	Submitter

Planning Report

BACKGROUND

SITE DETAILS				
Site Address	300 and 390 Drayton Wellcamp Road, GLENVALE QLD 4350			
Real Property Description	Lot 4 RP225271 and Lot 13 SP346983			
Site Area	67.88 hectares			
Owner	Landowners at time of lodgement of application: Michael Neill Wagner and Andrea Maree Wagner (Lot 4 RP225271); and Jeteld Pty Ltd (Lot 13 SP346983) Current landowner: Glenvale Land Company Pty Ltd (Lot 4 RP225271); and Jeteld Pty Ltd (Lot 13 SP346983)			
SITE CHARACTERISTICS				
Current Land Use	Dwelling Houses			
Site Frontage/s	1,135m to Drayton Wellcamp Road			
Road/s	Order of Road	Width of Road Reserve	Width of Pavement	Road Material
Drayton Wellcamp Road	Regional Arterial	39m	10-13m	Asphalt
Easements	EMT A RP839447 over Lot 13 for the purpose of private water rights in favour of former Lot 12 RP83944 to the north-west.			
Existing Structures	Dwelling and secondary dwelling with ancillary outbuildings on Lot 13. Dwelling and ancillary outbuildings on Lot 4.			
Infrastructure	A sewer pump station is located centrally within the frontage of Lot 13 (within Council-owned Lot 1 SP305554). Gravity and pressure sewer mains, a trunk water main and overhead electricity infrastructure run along the Drayton Wellcamp Road frontage. Stormwater along Drayton Wellcamp Road is conveyed via table drains.			
Topography	Site falls generally south-west toward Drayton Wellcamp Road. Land is steepest at the northern and eastern corners of the site.			
Street Trees	Nil			
Other Features	Land largely cleared of vegetation. Scattered vegetation is concentrated on the upper slopes of the land in the northern and eastern corners of the land. An unnamed watercourse passes through the centre of the subject land.			
PLANNING SCHEME SITE DATA				
Current Planning Scheme	Toowoomba Regional Planning Scheme 2012 (Version 28)			Adopted: 28/11/2022
Zone	Emerging Community Zone			
Precinct	No Precinct			
Overlays	Airport Environs Overlay • OLS Extent • 8km Wildlife Hazard Buffer Zone • Lighting Area Buffer (6km) • Light Restriction Zone D			

	Environmental Significance Overlay • Areas of Ecological Significance • Areas of Ecological Significance Buffer Bushfire Hazard Overlay • Medium Fire Risk Extractive Resources Overlay • Haulage Routes 100m Buffer Flood Hazard Overlay • Overland Flow Low (OFP1) • Overland Flow High (OFP2) • Extreme Flood Risk (FR4) • High Flood Risk (FR3) • Medium Flood Risk (FR2) • Low Flood Risk (FR1) • Vulnerable Uses Restriction Area • Flood Plain Area	
Infrastructure Charges Resolution	<i>Charges Resolution No. 7</i>	Adopted: 19/08/2025
SURROUNDS:		
Direction	Land Use	Zone/Precinct
North	Residential subdivision	Emerging Community Zone / No Precinct and Low-medium Density Residential Zone under the Parkside Preliminary Approval Document
East	Dwelling House / Toowoomba Showgrounds	Emerging Community Zone / No Precinct and Community Facilities Zone / Other Community Purpose Precinct
South	Rural residential subdivision	Rural Residential Zone (RR1 4,000m ² minimum Precinct)
West	Rural activities	Rural Zone (100ha minimum Precinct)
Other Features	The subject site is located within a Greenfield Area under the <i>Toowoomba Regional Planning Scheme 2012</i> . The subject land is located at the western edge of Council's Priority Infrastructure Area and the urban footprint in the <i>South-east Queensland Regional Plan 2023</i> .	

APPLICATION HISTORY			
Application No.	Description	Decision Date	Decision
RAL/2024/8129 & MCUC/2024/8131	Combined MCU and RAL Relocatable Home Park and Reconfigure 1 into 23 Lots	07/10/2025	Approved
RAL/2024/8129/A & MCUC/2024/8131/A	Request for Negotiated Decision Notice Combined MCU and RAL Relocatable Home Park and Reconfigure 1 into 23 Lots	-	Under Assessment at time of this report
MCUC/2024/8131/B	Request for Negotiated ICN Relocatable Home Park	-	Under Assessment at time of this report
OW/2025/5735	Sewage Infrastructure	01/10/2025	Approved
Other	<u>TLPI 01/2022 – Housing Supply Assistance Measures</u> Council implemented a Temporary Local Planning Instrument (TLPI 01/2022) on 23 December 2022, which ceased to have effect on 23 December 2024. TLPI 01/2022 had the effect of applying the provisions of		

	the Low-medium Density Residential Zone to most of the subject site. An area of the subject land was excluded from TLPI 01/2022 that aligned with a previous plan by the State for the 'Toowoomba North South Transport Corridor' that has since been cancelled. <u>RAL/2024/8129 & MCUC/2024/8131</u> Approved development (RAL/2024/8129 & MCUC/2024/8131) over the southern Lot 4 RP225271 benefitted from the effective zoning uplift provided by TLPI 01/2022 as the application had been made while the TLPI was still in effect. Works conditioned to be undertaken as part of this approved development include a drainage reserve in the north-western corner of Lot 4, dedication of a Local Park lot near the southern corner of Lot 4, a new channelised right-turn/auxiliary left-turn type intersection at the Drayton Wellcamp Road and development access road intersection, and a signalised intersection upgrade to the Drayton Wellcamp Road / Boundary Street South intersection. Change representations are currently under assessment (at the time of this report) for the aforementioned approval in relation to conditions of approval (RAL/2024/8129/A & MCUC/2024/8131/A) and infrastructure charges (MCUC/2024/8131/B). The submitted change representations include a request to negotiate conditions relating to the design of the Drayton Wellcamp Road / Boundary Street south intersection upgrade and land area required for the Local Park <u>OW/2025/5735</u> This approval relates to sewerage infrastructure that passes through the subject land to provide a reticulated sewer connection to the Toowoomba Showgrounds. The alignment of the sewer passes through Lot 13 adjacent to the watercourse.
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PROPOSED DEVELOPMENT	
Name of Applicant	Glenvale Land Company Pty Ltd ACN 674 220 994
Type of Application	Preliminary Approval for a Material Change of Use including a Variation Request
Proposed Development	Preliminary Approval for a Material Change of Use including a Variation Request to Vary the Effect of the <i>Toowoomba Regional Planning Scheme 2012</i>
Variations Sought	Development within the Variation Area (the 'VA') to be assessed in accordance with the Drayton-Wellcamp Road Variation Scheme Document (the 'VSD'). The VA covers the entirety of Lot 4 RP225271 and Lot 13 SP346983, with an area of 67.88 hectares. The VSD applies to all development within the VA where: 1. The <i>Toowoomba Regional Planning Scheme 2012</i> (Version 28) or the VSD states the Medium Density Residential Code is a requirement for Accepted Development or an Assessment Benchmark; or 2. Development is categorised as Impact Assessable development by the Planning Scheme and/or the VSD, and the Assessment Manager in undertaking an Impact Assessment under Section 45 (5) of the <i>Planning Act 2016</i>, considers the

	Medium Density Residential Code an Assessment Benchmark or a relevant matter; or 3. For development that is for a Material Change of Use and/or Reconfiguring a Lot. The VSD suspends the provisions of the Planning Scheme and gives effect to the following variations: • The provisions of the Planning Scheme apply as if references to the Emerging Community Zone or Emerging Community Zone Code are a reference to the Low-medium Density Residential Zone and Low-medium Density Residential Zone Code respectively; • For a Material Change of Use, the categories of development and assessment in Part 5, Section 5.5, Table 5.5:2 (Low-medium Density Residential Zone) apply instead of Part 5, Section 5.5, Table 5.5:15 (Emerging Community Zone); • For Reconfiguring a Lot, Part 5, Section 5.6, Table 5.6:2 – Minimum lot sizes, row corresponding with ‘Emerging Community Zone’ (10 hectares) is replaced with Table 3 – minimum lot sizes (VSD); ○ The minimum lot size in Table 3 of the VSD is: (a) 300m² where connected or proposed to be connected by the related RAL application to reticulated wastewater infrastructure; otherwise (b) 10 hectares • Introduces additional assessment benchmarks within Table 4 of the VSD requiring masterplanning and demonstrating compliance with the Glenvale West Structure Plan in the VSD. The VSD incorporates a structure plan to clearly articulate the planning intention across areas of the VA (‘Glenvale West Structure Plan’). The structure plan shows at a conceptual level how future development will provide connections to external roads and identifies areas across the site intended for an activity centre, local parks, drainage reserve, medium density housing and low-medium density housing. The structure plan does not identify an intended land use / development outcome over that portion of the site benefitting from a current Development Permit for a Relocatable Home Park (MCUC/2024/8131), described on the structure plan as ‘land lease community’. Where the <i>Toowoomba Regional Planning Scheme 2012</i> is not varied by the VSD, the provisions of Version 28 of the Planning Scheme will continue to prevail. The VSD, incorporating recommended amendments, is provided at Attachment 6.	
Level of Assessment	Impact	
Submissions Received	Objection:	59
	Support:	Nil
Decision Making Period Ends	19 March 2026 <i>Note: The relevant provisions of the Planning Act 2016 permit the decision to be made after this date.</i>	

Background – Temporary Local Planning Instrument (TLPI) 01/2022- Housing Supply Assistance Measures

Temporary Local Planning Instruments (TLPIs) are a short-term planning instrument intended to protect all or part of a local government area from adverse impacts in urgent or emergent circumstances, where the process of amending a Planning Scheme would increase the risk. TLPIs may have effect for up to 2 years.

Council implemented a Temporary Local Planning Instrument (TLPI 01/2022) on 23 December 2022 which had effect for a 2 year period until 23 December 2024. TLPI 01/2022 had the effect of applying the provisions of the Low-medium Density Residential Zone to most of the subject site. The TLPI did not identify the precinct applicable to the subject land (e.g. Urban Residential Precinct or Urban Consolidation Precinct).

An area of the subject land running centrally through the site in a north-south direction was excluded from TLPI 01/2022. This area aligned with a previous plan by the State for the 'Toowoomba North South Transport Corridor'. On 4 December 2023 the responsible State minister advised that the section of the Toowoomba North South Corridor that was proposed to extend through Glenvale and Westbrook had been cancelled.

TLPI 01/2022 was introduced with the following purpose:

“The purpose of this TLPI is to encourage residential development on serviced and appropriately located land to assist in alleviating the current housing shortage by:

- (a) facilitating the development of suitably serviced land within the Emerging Community Zone for a mix of dwelling types reflecting existing structure planning;*
- (b) ensuring appropriate master planning of applicable land within the Emerging Community Zone”*

Areas within the Toowoomba urban area were designated for Low or Low-medium Density Residential purposes. The criteria used to select land to include in the TLPI were:

- a) must be located within the Priority Infrastructure Area;
- b) must have no major impediments to development; and
- c) must have access to all available infrastructure (existing or planned within the LGIP)

In the *TLPI 01/2022 Statement of Compliance with Section 23 Planning Act 2016* (Statement of Compliance), the shortage of available housing within Toowoomba prior to the implementation of the TLPI was deemed to be placing “*significant and unsustainable pressure on local government owned and not-for-profit social and community service providers*”. The TLPI was considered to be a mechanism for “*removing a significant regulatory barrier to the development of a large proportion of the residential land supply*”.

The Statement of Compliance explains that the TLPI was sought to be utilised to address the housing supply shortage with an immediate intervention rather than relying on the typical planning scheme amendment process outlined in Sections 18 to 22 of the *Planning Act 2016*, which were stated to take ‘*a minimum of 12-18 months*’.

At the time of writing, Council has not implemented a replacement for TLPI 01/2022 while undertaking the process of amending / drafting a replacement Planning Scheme for the region. The Statement of Compliance indicated that “*as the TLPI integrates local land use planning undertaken by Council since the commencement of the Toowoomba Regional Planning Scheme 2012 (Drayton Land Use Investigation and West Toowoomba Land Use Investigation)... the structure plans from these documents are proposed to be appropriately reflected in the new Planning Scheme currently under development by Council.*”

Applicant Summary of Project Intent

The applicant summarises the proposal intent as follows:

- *Vary the Planning Scheme to allow future development within the subject site to be assessed as if it were in the Low-medium Density Residential Zone;*
- *Implement the key elements of the recently expired TLPI (01/2022) which was in effect over the subject site, which, other than applying the provisions of the Low-medium Density Residential Zone, include:*
 - *Apply a minimum lot size of 300m² (consistent with the Low-medium Density Residential Zone, only where lots are proposed to be connected to sewer). Unsewered lots maintain the existing minimum lot size of 10ha under the Emerging Community Zone; and*
 - *Additional assessment provisions to ensure that development aligned with a structure plan for the site.*
- *No changes proposed to the effect of overlays that apply to the subject site.*

The applicant has presented arguments for the suitability of the proposed Variation Request. The applicant has given regard to the former TLPI 01/2022, which the Variation Request seeks to largely reinstate. The applicant asserts that the circumstances that led to the effective upzoning of the site under the TLPI continue to apply, namely:

- An additional supply of land for housing continues to be necessary to meet the current and future needs of Toowoomba. Supply has continued to lag behind increases in demand;
- Since the expiration of the TLPI, there have been no amendments to the Planning Scheme that provide an alternative means of accommodating an increase in housing supply;
- The site is serviced by all five (5) infrastructure networks and is within Toowoomba's Priority Infrastructure Area. This includes quality access to higher-order road infrastructure and wastewater infrastructure;
- A substantial portion of the land is not affected by any significant constraints and the land is relatively flat, making it an ideal site to accommodate urban development.

Summary of effect of VSD

The following section of the report summarises the effect of the proposed Variation Request on future development applications made over the land should it be approved.

Material Change of Use

The following table summarises the effect of the Variation Request on future applications for a Material Change of Use, listing the level of assessment (LOA) applying to each land use under the current and proposed zoning of the land. Levels of assessment include Accepted Development, Accepted Development Subject to Requirements (ADSR), Code or Impact Assessment. Some uses may be elevated to a higher level of assessment (e.g. Code or Impact) where certain criteria have not been met. Notable relevant criteria have been included in the table below for reference (list of criteria not exhaustive).

In the below table, it is assumed that the Urban Residential Precinct has been applied to all land within the Variation Area, consistent with this report's recommendation to amend the VSD to apply this precinct in the absence of any precinct being nominated by the applicant. Further commentary and justification for this recommendation is provided later in this report under the heading 'Precinct Designation for Site'.

The below table does not consider the effects of overlays affecting parts of the site. Overlays such as the Flood Hazard Overlay or Extractive Resources Overlay may elevate the level of assessment for particular uses from accepted / ADSR to Code or Impact. As the Variation Request does not seek to vary the extent or effect of overlays, these are not discussed.

Colour coding is used in the below table to illustrate where the base level of assessment is elevated (orange) or reduced (green) through the Variation Request:

Land Use	Planning Scheme LOA (Emerging Community)	VSD LOA (Low-medium Density Residential)
Adult Store	Impact	Impact
Agricultural Supplies Store	Impact	Impact
Air Service	Impact	Impact
Animal Husbandry	ADSR / Code	Impact
Animal Keeping	Impact	Impact
Aquaculture	Impact	Impact
Bar	Impact	Impact
Bulk Landscape Supplies	Impact	Impact
Caretaker's Accommodation	ADSR / Code	ADSR* / Code
Car Wash	Impact	Impact
Cemetery	Impact	Impact
Child Care Centre	Impact	Impact
Club	ADSR* / Code	ADSR* / Code
Community Care Centre	Impact	ADSR* / Code
Community Residence	Accepted Development / Impact	Accepted Development / Impact
Crematorium	Impact	Impact
Community Use	ADSR* / Code	ADSR* / Code
Cropping	ADSR / Code	Impact
Detention Facility	Impact	Impact
Dual Occupancy	ADSR (>700m ² lots) / Code (>700m ² lots)	ADSR (>500m ² lots) / Code [#]
Dwelling House	Accepted Development	Accepted Development (>450m ² lots) / ADSR / Code
Dwelling Unit	Impact	ADSR* / Code
Educational Establishment	Impact	Impact
Emergency Services	Impact	Impact
Environment Facility	Impact	Impact
Extractive Industry	Impact	Impact
Food and Drink Outlet	Impact	ADSR* / Code* / Impact
Function Facility	Impact	Impact
Funeral Parlour	Impact	Impact
Garden Centre	Impact	Impact
Hardware and Trade Supplies	Impact	Impact
Health Care Services	Impact	ADSR* / Code* / Impact
High Impact Industry	Impact	Impact
Home Based Business	ADSR / Code	ADSR / Code
Hospital	Impact	Impact
Hotel	Impact	Impact
Indoor Sport and Recreation	Impact	Impact
Intensive Animal Industry	Impact	Impact
Intensive Horticulture	Impact	Impact
Landing	Impact	Impact
Low Impact Industry	Impact	Impact
Major Electricity Infrastructure	ADSR / Code	ADSR / Code
Major Sport, Recreation and Entertainment Facility	Impact	Impact
Market	Code	Impact
Medium Impact Industry	Impact	Impact
Motor Sport Facility	Impact	Impact

Multiple Dwelling	Impact	Code#
Nature Based Tourism	Impact	Impact
Nightclub Entertainment Facility	Impact	Impact
Non-resident Workforce Accommodation	Impact	Impact
Office	Impact	Impact
Outdoor Sales	Impact	Impact
Outdoor Sport and Recreation	Code	Impact
Outstation	Impact	Impact
Park	Accepted Development	Accepted Development
Parking Station	Impact	Impact
Place of Worship	ADSR* / Code	Impact
Party House	Impact	Impact
Permanent Plantation	Impact	Impact
Relocatable Home Park	Impact	Code
Renewable Energy Facility	Impact	Impact
Research and Technology Industry	Impact	Impact
Residential Care Facility	Impact	Code
Resort Complex	Impact	Impact
Retirement Facility	Impact	Code
Roadside Stalls	ADSR / Code	Impact
Rooming Accommodation	Impact	Code
Rural Industry	Impact	Impact
Rural Workers Accommodation	Impact	Impact
Sales Office	Impact	ADSR / Code
Service Industry	Impact	Impact
Service Station	Impact	Impact
Shop	Impact	ADSR* / Code* / Impact
Shopping Centre	Impact	Impact
Short-term Accommodation	Impact	Code
Showroom	Impact	Impact
Special Industry	Impact	Impact
Substation	ADSR / Code	ADSR / Code
Telecommunications Facility	Accepted Development / ADSR / Code	Accepted Development / ADSR / Code
Theatre	Impact	Impact
Tourist Attraction	Impact	Impact
Tourist Park	Impact	Impact
Transport Depot	Impact	Impact
Utility Installation	ADSR / Impact	ADSR / Impact
Veterinary Service	Impact	Impact
Warehouse	Impact	Impact
Wholesale Nursery	Code	Impact
Winery	Impact	Impact
Any other Undefined Use	Impact	Impact

* only where reusing an existing building used for a business activity

only where not exceeding 8.5m in height

Generally, the change in effective zoning sought through the Variation Request reduces the level of assessment for accommodation activities such as Multiple Dwelling, Relocatable Home Park, Residential Care Facility, Retirement Facility, Rooming Accommodation and Short-term Accommodation from Impact to Code.

For non-residential uses (business activities), the Low-medium Density Residential Zone allows for particular low impact uses to occur as ADSR / Code only where reusing a building already established for a business activity. This contemplates adaptive reuse of commercial tenancies in future without the need for Impact Assessment but still requires that the initial establishment of non-residential uses to go through an Impact Assessment.

Some non-residential uses will be elevated in their level of assessment from ADSR / Code to Impact through the Variation Request, including Markets, Outdoor Sport and Recreation, Places of Worship, Roadside Stalls, Wholesale Nurseries and Rural uses such as Cropping and Animal Husbandry.

Reconfiguring a Lot

Table 5.6:2 in the Planning Scheme specifies minimum lot sizes for each zone for development to proceed as Code Assessable. In the Emerging Community Zone currently applying to the site, the minimum lot size is 10 hectares.

This Variation Request seeks to replace Table 5.6:2 with Table 3 in the VSD that applies a 300m² minimum to the entire Variation Area where connected or proposed to be connected to reticulated wastewater infrastructure. Otherwise, the minimum lot size for lots remains at 10 hectares.

Variation Scheme Document – Additional Requirements for Assessable Development

The VSD includes additional requirements for future development in Table 4. These requirements, applicable to all assessable development for Reconfiguring a Lot creating more than one additional lot or a Material Change of Use on a site greater than 10 hectares, require that future applications made under the Variation Approval provide a masterplan that:

- Identifies how the site is proposed to be developed;
- Demonstrates how the development facilitates the delivery of any public infrastructure or community purpose proposed by the Structure Plan in the VSD; and
- Facilitates the logical and sequential development of the site and all adjoining land, for its intended purpose in accordance with the Structure Plan in the VSD.

These requirements are stated to ensure that development within the Variation Area does not limit or preclude the long-term use of the site for urban purposes and use of nearby land for its intended purpose.

CONSULTATION UNDERTAKEN

Referral Agency/ies

Referral Agency (Technical Agency)	Referral Role	Aspect of Development Requiring Referral	Response
State Assessment and Referral Agency (Department of Transport and Main Roads)	Concurrence	Development impacting on State transport infrastructure (<i>Planning Regulation 2017</i> , Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1)	Response received 2 December 2025 with conditions requiring submission of the following documentation prior to submitting the first plan of survey to Council for development under the preliminary approval: • Submission of a Traffic Impact Assessment identifying impacts associated with the ultimate development of the land, and necessary mitigation measures for

			impacts on the State transport network; and • Submission of a plan identifying future bus routes through the site servicing 90% or more of the site (400m distance from a bus route) and connections to adjoining development. A copy of the referral agency response is provided at Attachment 10.
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Internal Referrals

Internal Referral Partner	Referral / Response
Development Engineering and Plumbing	Provided input for an Information Request. Provided advice regarding conditions to impose on an approval of the development.
Place Environmental	No issues identified. Provided advice regarding conditions to impose on an approval of the development.
Water and Waste	Provided advice regarding available water supply capacity in the existing network to service future development on the land. Provided advice regarding conditions to impose on an approval of the development, which included recommendations to impose a limit (EP cap) on future development across the site until significant augmentations in the network are undertaken (principally the Mount Peel Reservoir).
Strategic Planning	Provided background information on the former TLPI 01/2022, including assumptions and criteria used to determine site suitability for effective upzoning. Provided input for an Information Request, requesting the provision of a structure plan to be incorporated into the VSD.
Infrastructure Charges Unit	No requirements.

Public Notification

The Notice of Compliance was received by Council on 29 January 2026. The information attached to the notice confirms that the public notification of the application was undertaken in accordance with the requirements of Part 4 of the *Planning Act 2016* from 1 December 2025 to 28 January 2026. The Notice of Compliance states the public notification included:

- Publishing a notice in the Chronicle on 29 November 2025;
- Placing a notice on the land from 28 November 2025; and
- Notifying owners of all land adjoining the site on 27 November 2025.

59 properly made submissions and two not properly made submissions were received, all opposing the development.

A summary of the matters raised in the submission/s and Council officer responses are outlined in the Table below:

Issue	How matter was dealt with
Water supply: Submitters consider that the application provides an inadequate demonstration that water supply capacity is sufficient for the increased density.	An assessment of the water supply network has been undertaken within this report under the heading 'Local Government Infrastructure Plan'. The proposed development places greater demands on the water supply network than anticipated within the current assumptions in the Local Government Infrastructure Plan (LGIP). Specifically: • The development site relies entirely on the Glenvale Reservoir for water supply; • Existing available capacity in the Glenvale Reservoir is below anticipated levels for the planning horizon following a large increase in recent development within the catchment area; and • Existing capacity in the network that may be available to service future development at the site has been calculated at 1,200 EP (equivalent persons), excluding the development already contemplated and approved through Development Permit MCUC/2024/8131 & RAL/2024/8129. Accordingly, Council's modelling contemplates there being adequate capacity in the water network to service some, but not all, of the future development anticipated over the land by the Variation Request. Conditions of approval (including amendments to the VSD) are recommended that impose an 'EP cap' on future development over the site for the life of a Variation Approval. Further augmentations to the water network are required to be constructed and operational to enable development to exceed the 1,200 EP cap, as outlined later within this report.
Wastewater management: • Concern that wastewater systems (on-site or otherwise) may not be capable of managing long-term demand without risk of failure; and • Risks to groundwater and downstream water quality from overloaded wastewater systems.	Future lots developed at a low or medium density scale will be connected to reticulated infrastructure consistent with the requirements for residential development in the Emerging Community Zone and Low-medium Density Residential Zone. As part of a future application for a residential subdivision or other large scale development, Council would require that an applicant provided an analysis of sewer demand generated by the development and demonstrate that Council's existing reticulation system has adequate capacity to handle expected flows. No concerns have been raised by Council's Water Infrastructure Services branch in relation to servicing the proposed development with reticulated sewerage infrastructure at the density intended. If larger unsewered lots are proposed to be delivered in future on constrained areas of the site (e.g. lots of a rural residential scale established on hilly and/or heavily vegetated areas), a future application will require that an applicant demonstrate that lots are appropriately sized to accommodate a compliant on-site effluent disposal system that is contained within each lot and would not result in effluent runoff, having regard to slope and soil type.
Stormwater management: • Proposed density will significantly increase runoff from impervious surfaces	Future development on the premises will increase impervious surface coverage. As with all development that has the potential to cause increased runoff or alter the existing hydrological regime, Council will assess future development to ensure that: • Stormwater is conveyed to a lawful point of discharge;

impacting natural drainage patterns and leading to flooding, erosion and long-term environmental degradation.	- Stormwater does not unduly impact downstream properties. This is achieved by requiring that post-development peak flows do not exceed pre-developed peak flows; and - Stormwater quality treatments are provided that satisfy the pollutant reduction targets required under the <i>State Planning Policy 2017</i>. A detailed interrogation of stormwater management is not necessary for the assessment of this Variation Request and is most appropriately assessed as part of future development applications lodged over the premises. Stormwater runoff across the site is expected to be conveyed primarily to the central drainage feature, as well as locations along Drayton Wellcamp Road as part of future development. Detention basins and bio-retention facilities will be necessary to achieve the above objectives. Planting of vegetation and passive recreation opportunities are likely to be provided within the drainage corridor, in-line with Council's requirements for residential subdivisions for sites containing drainage corridors. Ongoing maintenance of the drainage feature would be undertaken by Council as a Council asset. Approved Development (RAL/2024/8129 & MCUC/2024/8131) included a stormwater management plan that demonstrated compliant stormwater quantity and quality management through the use of detention and bio-retention basins in and adjacent to the drainage corridor running through the centre of the site.
Incompatibility with existing Rural Residential character (Rebecca Street and other Rural Residential streets to the east). Locality characterised by large allotments, low density dwellings with large setbacks. Concern that proposal fails to provide an appropriate transition between land uses to: - Protect the amenity of existing residential areas (from increased noise, traffic, loss of privacy, visual impacts); - Ensure development is consistent with the prevailing character of the locality; and - Avoid abrupt changes in density or scale. Transitional zoning / graduated lot sizing,	The Variation Request establishes a framework for the urban development of the site at a much higher density than possible on land to the south zoned Rural Residential. Notwithstanding this, the outcomes sought through the Variation Request are consistent with the assumptions for land zoned Emerging Community (location, type and scale of development). The <i>West Toowoomba Land Use Investigation</i> also acknowledges that <i>"new residential neighbourhoods in Glenvale West will be of higher intensity compared to surrounding residential areas"</i>. Consideration of the interface between these areas will be necessary as part of the assessment of future development applications lodged over the land. Provisions in the Low-medium Density Residential Zone Code, under which future development within the Variation Area will be assessed, require that <i>"where the scale and density of development intended for the particular zone precinct is greater than existing development within the immediate area, development is designed in a manner that enables the higher scale and density to be sensitively integrated into the existing urban landscape and streetscapes"</i> (Overall Outcome (f)). The requirement for future development to provide a sensitive transition of dwelling density and lot sizes along the part of the Variation Area adjoining Rural Residential zoned land has been reinforced through an amendment to the VSD. Notations have been included on the Structure Plan along this transition area to ensure this outcome is achieved, in tandem with the assessment benchmarks incorporated into Table 4 of the VSD.

vegetated buffers (separate from bushfire related asset protection zones) and a ban on 2-storey dwellings in proximity to land zoned Rural Residential are various measures suggested by submitters as a means of addressing this concern.	
Proposed acoustic barriers will result in visual blight and overshadowing. A submitter raised concerns about 1.8m - 2.7m height acoustic barriers proposed in a submitted Environmental Noise Assessment (Alpha Acoustics, 30 July 2025).	This matter relates to a Noise Assessment submitted and assessed as part of Development Application MCUC/2024/8131 & RAL/2024/8129 for a Relocatable Home Park and a 1 into 23 Lot Subdivision. In the Noise Assessment, impacts from road noise along Drayton Wellcamp Road informed a recommendation in that report to install acoustic barriers 2.7m in height along Drayton Wellcamp Road and 1.8m in height along a section of the south-eastern boundary adjoining the rear of lots in Laura Court (principally, Lot 52 on SP170994). Council conditioned that acoustic barriers be constructed in accordance with the recommendation in the Noise Assessment. Acoustic barriers will likely be required to protect the amenity of future residential development over the balance of the site. Acoustic barriers will be required only along and in near proximity to Drayton Wellcamp Road. Acoustic barriers for future development will not be required to extend further along the rear boundary of existing rural residential allotments along the south-eastern boundary.
Traffic impacts on Rebecca Street. Submitters raised concerns that access to future development will, or could possibly, occur through Rebecca Street, introducing: • Increased daily vehicle movements; • Reduced road safety for residents; and • Additional wear on local roads not designed for higher density use.	The application material does not contemplate extending Rebecca Street or providing a road connection to the south-east. Road connections through to existing roads in the locality would be considered as part of a future application made over the land. Council's assessment would consider the suitability of existing roads in the local network and the utility in providing for connectivity to and through adjoining land. A road connection through to Rebecca Street or Laura/Madison Courts would not be appropriate as: • These roads are constructed to a local access (cul-de-sac) standard and were not designed to extend beyond their constructed extent. These roads cannot reasonably and safely accommodate a high volume of vehicular traffic; • Connection to these roads would provide little utility in improving vehicular and pedestrian connectivity; and • Direct access to existing roads cannot be achieved without the acquisition or resumption of residential premises. It is noted that future road connections are contemplated only to and through the adjoining land to the north-west ('Alford Grove Estate') on the Structure Plan included within the VSD. This connectivity will provide for important connectivity in the locality and can be achieved by using existing constructed higher-order roads to convey additional traffic. Conditions are recommended to be imposed on future development through the Variation Request that prevents through

	road access to Laura Court, Marison Court or Rebecca Street as part of any future subdivision, other than an allowance for private driveway access to Rebecca Street for a single lot within the Variation Area. Refer to Attachment 3.
Traffic impacts on Drayton Wellcamp Road, Hursley Road, Cary Road and nearby intersections. Submitters raised concerns that additional traffic generated by the development and travelling along Drayton Wellcamp Road would further exacerbate bottlenecks experienced at Boundary Street South and Greenwattle Street / Alderley Street intersections. Other impacted roads flagged by submitters were Hursley Road and Cary Road.	A detailed assessment of the impacts of traffic on the surrounding road network is most appropriately undertaken as part of the assessment of a Development Application for a Development Permit, once the type and scale of future development and associated traffic generation is better understood. Typically, this would be provided through a Traffic Impact Assessment (TIA) provided with an application. Road upgrade requirements have been conditioned for Development Permit RAL/2024/8129 & MCUC/2024/8131. These include: • Provision of an intersection into the site with separate through lanes and turn lanes; and • Upgrade of the Drayton Wellcamp Road / Boundary Street South intersection to a signalised intersection, including turn lanes and pavement widening and positioning of services to accommodate a future upgrade of Drayton Wellcamp Road to four lanes in future. Drayton Wellcamp Road is anticipated to be upgraded to four lanes wide at the 2041 planning horizon. The earlier delivery of these works may occur as development along Drayton Wellcamp Road and in the locality is delivered. Further development at this site in future may necessitate additional road upgrades, which may be appropriately conditioned as part of a future Development Permit.
Application is strategically premature. Submitters raised concerns that the application pre-empts the imminent replacement of the Toowoomba Regional Planning Scheme, which: • Locks in development patterns that may be incompatible with forthcoming strategic intent; • Removes Council's flexibility to embed permanent wildlife corridors, tree protections and buffer zones; and • Undermines the ability of the community and elected Councillors to participate in shaping long-term growth in a	Council is currently developing a new Planning Scheme for the Toowoomba Region. This Planning Scheme is anticipated to be adopted well within the next 5 years. This report makes a recommendation to impose a 5 year completion period on the Variation Approval, which will be given effect through the imposition of the conditions contained within Attachment 3. The 5 year completion period recommended will ensure that the length of time in which any discrepancy exists between the Variation Approval and a new Planning Scheme is minimised, while also facilitating the interim development of housing at this location consistent with the former TLPI 01/2022 and existing structure planning for the locality, which is understood to be informing the draft Planning Scheme. Refer to the section in this report titled 'Relevant Period of Variation Approval' for further commentary.

structured, evidence-based framework.	
Inconsistency in application material – land affected by the rezoning. Submitters raised concerns that these inconsistencies undermine transparency and effective assessment.	It is understood that the issues raised by submitters relate to the following: • Exclusion of Lot 2 SP346983 (drainage reserve) at the north-west corner of the site from the Variation Area (VA), despite its inclusion within the VSD Structure Plan as an area identified for Low-medium Density Residential housing; and • Exclusion of an area labelled 'land lease community' from the Structure Plan land use intent legend, despite its inclusion within the VA. The minor inconsistency between the VSD Structure Plan and the VA is immaterial to Council's assessment and is not considered to have compromised the public's understanding of the proposal. The Variation Request will not affect Lot 2 SP346983 as this land is excluded from the application. This area labelled 'land lease community' on the Structure Plan aligns with the approved Relocatable Home Park under Development Permit MCUC/2024/8131. While this area is included within the VA and will benefit from the Variation Request in the same manner as the rest of the site, no clear land use intent has been applied to this area, likely due to the development outcome having been already determined through Development Permit MCUC/2024/8131. This however relies on an assumption that this Development Permit will be acted upon within its currency period, will not be materially varied through a later change application, or the approval cancelled at the request of the landowner. Amendments are recommended to be made to the VSD Structure Plan for clarity and consistency. Structure Plan amendments recommended include: • Clearly stating that the Structure Plan excludes the area forming Lot 2 SP346983; and • Identifying the area labelled 'land lease community' as an area intended to be developed as Low-medium Density Residential.
Impacts on wildlife (in particular localised koala population). Submitters raised concerns that future development facilitated by the Variation Request will: • Destroy habitat; • Create movement barriers; and • Fail to provide meaningful buffers, transitional densities or permanent ecological corridors. Submitters requested that, should approval be	Areas of the site are identified on local and State mapping as containing areas of environmental significance: • The drainage feature running through the site is identified as a Matter of State Environmental Significance (MSES) – Regulated Vegetation (intersecting a watercourse) in the <i>State Planning Policy 2017</i>; and • Council's Environmental Significance Overlay (Areas of Ecological Significance) and the State's Vegetation Management Regional Ecosystem Map (Category A or B area that is a least concern regional ecosystem) are limited to elevated areas of approximately 2.5 hectares in the eastern corner of the site and 4 hectares in the northern corner of the site. These areas are mapped along the slopes of localised peaks that cover multiple adjoining properties. Vegetation cover within these areas does not exceed 50% for the eastern portion or 20% for the northern portion of the site.

recommended, the VSD be amended to incorporate ecological corridors of at least 100m in width connecting the vegetated hills behind and north of the Toowoomba Showgrounds and the hills south of the Showgrounds through Barkla Road to Spring Creek along Drayton Wellcamp Road.	No areas of the site are identified as a Core Koala Habitat Area on State mapping. These areas are intended to represent the best quality koala habitat areas, based on modelling of biophysical measures including climate, suitable vegetation for both food and shelter, and koala sightings. Mapping is designed to focus conservation efforts on areas that have the greatest chance of supporting koala populations. No vegetated areas are located in proximity to the site to the south-west that may be suitable for the movement of wildlife through the site. The Variation Request does not propose amending the extent of mapped overlays across the site or varying the way in which they will be considered as part of the future assessment of development at this site. Approval of the Variation Request will not fetter Council's ability to assess vegetation impacts as part of a future development application. The drainage feature running through the site identified as a Matter of State Environmental Significance (MSES) – Regulated Vegetation (intersecting a watercourse) is identified in the Structure Plan in the VSD as an area intended to be developed as a drainage reserve.
Inadequacy / inaccuracy of Environmental Report submitted with application. Submitters raised concerns that the report does not accurately reflect on-site conditions and underestimates the environmental significance of the area. Submitters contend that a revised and independent assessment is required to better consider vegetation impacts, stormwater management and downstream effects.	No environmental reporting was provided with this application. It is understood that the submitter concerns relate to environmental reporting submitted with development application RAL/2024/8129 & MCUC/2024/8131 Environmental reporting will be required as part of future development applications made over the subject land where development is proposed within mapped Areas of Ecological Significance.
Lack of demonstrated need. Submitters contend that there is an absence of demonstrated urgency in housing supply, supporting the deferral or refusal of the application.	The recommendation in this report to approve the Variation Request has not solely relied upon the demonstration of need to support an approval. As outlined elsewhere in this report, the proposal aligns with the outcomes sought for the Emerging Community Zone and is consistent with the <i>West Toowoomba Land Use Investigation</i> and <i>Toowoomba Region Growth Plan</i>. Notwithstanding the above, it is considered that there is still a demonstrated need to provide for additional housing within the region, consistent with the planning and growth assumptions in the <i>West Toowoomba Land Use Investigation</i>, <i>Toowoomba Region Growth Plan</i> and the Local Government Infrastructure Plan.

Inadequate 'soft' infrastructure to service the future residential community. Submitters raised concerns with a lack of existing nearby shops, health care professionals, public transport and schools, embedding car dependency for future development.	It is acknowledged that the immediate locality is currently underserved by centres that provide for shopping, health and community services, public transportation routes and educational establishments. It is expected that these services will establish and continue to develop in-line with the growth of residential development in the locality, once the necessary population exists. The following matters are raised in support of an approval of the Variation Request: • The Variation Request adopts the provisions of the Low-medium Density Residential Zone, which supports the establishment of non-residential uses that will directly support the day-to-day convenience needs of the immediate local residential community and provide a local community or limited business function; • The Structure Plan in the VSD identifies a planned centre for the site to service the future residential community. The additional assessment benchmarks in Table 4 of the VSD provide certainty that the development outcomes identified within the Structure Plan will be achieved; • While the locality is underserved in the interim, the site is within the Toowoomba Urban Area and is not isolated from essential services (that are located outside of the immediate locality), which over time can be delivered within or near to the proposed development to reduce car-dependency, increase self-sufficiency of the locality and support walkable neighbourhoods; • Development at the density proposed (as opposed to further Rural Residential development) can support the establishment of an additional centre that will service the local community; • A new P-12 private school (St Francis Catholic College) is currently under construction near to the site in Westbrook; • The Queensland Government Department of Education maintains a responsibility to ensure that all State School catchments are able to cater for the demand generated by the catchment; and • Conditions imposed by the State Assessment and Referral Agency (SARA) require that the applicant provide a plan identifying future bus routes through the site servicing 90% or more of the site (400m distance from a bus route) and connections to adjoining development.
Impacts on Toowoomba Showgrounds in lead-up to 2032 Olympic Games. Submitters raised concerns that dense residential development at the showgrounds edge will: • Undermine the visual and environmental setting of the venue; • Increase noise conflict and complaint pressure; and • Foreclose opportunities for	The Variation Request is consistent with the long-term land use outcomes anticipated for the site under Council's statutory and non-statutory planning documents. The current Planning Scheme anticipates future urban development at this site through zoning of the land as Emerging Community. This is further reinforced through the <i>West Toowoomba Land Use Investigation</i>, which identifies the site as a planned '<i>Next Generation Suburban Neighbourhood</i>', where future development is intended to be developed at a density of 15-25 dwelling per hectare (400m²-666m² lots) with attached housing including duplex, terrace and row houses supported by walkable shops, community facilities and public transportation stops.

nature-based recreation, education and tourism experiences linked to koala habitat and bushland corridors.	In this document, the Toowoomba Showgrounds is intended to separate the existing rural residential communities from planned new residential neighbourhoods along Drayton Wellcamp Road. The interface between future development and the Toowoomba Showgrounds site will be assessed with any future development application.
Conflict with West Toowoomba Land Use Investigation. Submitter identified targets within the land use investigation (400-750 houses per 50 hectares) as being inconsistent with the Variation Request (permitting up to 1,666 houses per 50 hectares). Submitter stated that the proposal is inconsistent with a statement on p. 40 of the report, which says that <i>‘the urban development of the Drayton Wellcamp Road area that the existing rural residential community of Glenvale will likely experience minimal change during the lifetime of this plan.’</i>	The <i>West Toowoomba Land Use Investigation</i> identifies the site as a planned <i>‘Next Generation Suburban Neighbourhood’</i>, where future development is intended to be developed at a density of 15-25 dwelling per hectare (400m²-666m² lots). This corresponds with the figure of 400-750 houses per 50 hectares stated by the submitter. The Variation Request seeks a 300m² minimum lot size to be applied to the entire Variation Area (1,666 houses per 50 hectares). This minimum lot size is consistent with the minimum lot size for all land zoned ‘Low-medium Density Residential’ in the current Planning Scheme. The Variation Request seeks to apply the provisions of the Low-medium Density Residential Zone to this site. The Low-medium Density Residential Zone contains five distinct precincts that anticipate varying dwelling density outcomes. This report makes a recommendation to apply the Urban Residential Precinct to the entire Variation Area for the following reasons: • The intended development outcomes for Emerging Community Zoned land aligns generally with the Low-medium Density Residential Zone (Urban Residential Precinct), as both anticipate dwelling densities that exceed 15 dwellings per hectare; • Alignment with the <i>West Toowoomba Land Use Investigation</i>, which anticipates predominantly residential development at this location at a density of 15-25 dwelling per hectare and a smaller local centre to provide for day-to-day services; • Alignment with approved and established residential development to the north, which provides for dwelling densities in accordance with the Urban Residential Precinct; • Alignment with the dwelling density assumptions in the Local Government Infrastructure Plan (LGIP) that have informed infrastructure planning for this site. Council’s <i>Local Government Infrastructure Plan – Planning Assumptions Report</i> (April 2016), which informed the LGIP, applies the same assumptions for the Emerging Community Zone as the Urban Residential Precinct (including both total density and the mix of attached and detached housing products). Alignment with these assumptions ensures that the demand imposed on Council’s infrastructure for future development at this site can be accommodated. While the minimum lot size does not vary between the different precincts in the Low-medium Density Residential Zone, the adoption of the Urban Residential Precinct designation will ensure that the future assessment of applications made over the land will

	be guided by the assessment benchmarks and overall outcomes applicable to the Urban Residential Precinct. The concern expressed by submitters regarding changes to the rural residential community of Glenvale during the lifetime of the plan is not relevant to the assessment of this application. This statement from the <i>West Toowoomba Land Use Investigation</i> is intended to clarify that no changes to the boundaries of the current Rural Residential Zoned land are proposed.
Conflict with South East Queensland Regional Plan (SEQRP) 2009-2031. Submitter raised inconsistency between the proposal and the land use category applying to the premises under the SEQRP 2009-2031 (Regional Landscape and Rural Production Area).	The version of the South East Queensland Regional Plan (SEQRP) referenced is no longer in effect and was superseded by the SEQRP 2017 and then the SEQRP 2023 (currently in effect). The subject land is located within the Urban Footprint land use category in the SEQRP 2023. The subject site has always been within the Urban Footprint since the amalgamation of Toowoomba City Council with neighbouring Shire Councils, which led to the inclusion of western Toowoomba into the draft South East Queensland Regional Plan in 2008. The proposal is consistent with the land use intent for the Urban Footprint.
Conflict with State Planning Policies. Submitter identified inconsistencies with SPP1/92, SPP4/10 and SPP5/10.	The State Planning Policies referenced are no longer in effect and have been replaced by the single <i>State Planning Policy 2017</i> (SPP). This report includes an assessment against each of the State interests contained within the SPP and considers that compliance with each State interest has been achieved and/or can be achieved through the imposition of reasonable and relevant conditions.
Conflict with Council's Corporate Plan 2024-2029, which commits to valuing natural assets and ensuring infrastructure and growth planning reflect ecological sustainability.	The recommendation to approve the Variation Request subject to conditions is considered to align with Council's Corporate Plan, in particular, Key Goal 2 (PLACE – Infrastructure and Environment) and the associated key priorities. The proposal aligns with infrastructure and growth planning in the Planning Scheme (land zoned Emerging Community within the Priority Infrastructure Area) and will not prejudice the protection of natural assets or ecological sustainability.
Procedural deficiencies. Submitters identified the following as reasons the application ought to be refused or a decision deferred: - Public notification signage was incorrectly located, reducing visibility and awareness for affected landowners; - Late notice was given to some 'affected residents', limiting the community's ability to respond meaningfully; and - The owner of Lot 4 RP225271 has not	Under the <i>Planning Act 2016</i> and the accompanying <i>DA Rules</i>, the applicant is responsible for undertaking public notification and advising the assessment manager that this has been done. The applicant provided a notice of compliance with public notification requirements that included supporting evidence of the location and content of public notification signage, advertising in a local paper and letters provided to adjoining landowners. Council officers reviewed the applicant's notice of compliance to ensure the applicant had met the statutory requirements. With respect to the matters specifically raised by submitters relating to public notification: - Evidence provided by the applicant demonstrates that public notification signage was erected outside of both lots the subject of this application along Drayton Wellcamp Road, in proximity to Council's sewer pump station (Lot 1 SP305554); and - Evidence provided by the applicant demonstrates that letters were sent via express registered post to adjoining landowners on 27 November 2025 (prior to the

provided formal consent and claims no awareness of the application.	commencement of the public notification period on 1 December 2025). It is noted that several submitters made reference to late notice of the application being provided to some 'affected residents', who only became aware of the application by word of mouth or on social media. This observation may relate to residents living near to, but not adjoining, the subject site that only became aware of the application following a period of local interest. It is noted that the requirement to provide a letter notifying residents of the public notification period for the application only applies to adjoining landowners and does not extend to other nearby residences. With respect to consent of the owner of Lot 4 RP225271 to the making of the application: • At the time of writing, the landowner of Lot 4 RP225271 is the applicant for the development; and • At the time of lodgement, the applicant was not the owner of Lot 4 RP225271. A copy of the consent of the then landowners of Lot 4 to the making of the application by the applicant was provided with the application.
Impact on the value of surrounding properties if the development were to proceed.	This is not a valid planning ground for objection. The <i>Planning Act 2016</i> does not allow consideration of personal circumstances (for example a concern that the development proposal will devalue a property) as a relevant matter in the assessment of an application.
Development may contribute to increased crime and antisocial behaviour in the surrounding neighbourhood. Submitters flagged increased policing demands and reduced perception of safety for nearby residents having regard to 'similar developments in comparable areas'. Crime Prevention through Environmental Design (CPTED) principles were discussed as an aspect that the development has not adequately addressed.	A perceived correlation between population density and crime is not substantiated and is not a relevant consideration for Council in assessing the proposed development. Crime Prevention through Environmental Design (CPTED) is not relevant to the assessment of the Variation Request due to the highly conceptual nature of the proposal. CPTED will be considered as part of any future assessment of development over the site.
Removal of mandated community input on future residential development. Submitters raised concerns that the Variation Request will result in future development being Code Assessable and prevent community input from occurring once detailed plans for development are known.	The effect of the Variation Request on future community input and submission rights is acknowledged. The effect that approval of the Variation Request would have on the assessment of future development is summarised earlier within this report under the heading 'Summary of effect of VSD'. A consideration of the effects the variations would have on submission rights for later development applications has been addressed later in this report under the heading 'Additional Assessment Matters for Variation Requests under the <i>Planning Regulation 2017</i>'.

Statement that application seeks to vary setback requirements applying to detached dwellings. Submitter raised concerns that the proposal will reduce permissible setbacks to 4m from 6m, rear boundary setbacks from 1.5m to 1m and rear boundary setbacks to 0m.	The Variation Request does not seek to vary setback requirements applying to detached dwellings. The current Emerging Community Zone Code applying to development over the site does not prescribe minimum setbacks for dwellings. The Low-medium Density Residential Zone Code that is sought to be adopted for future assessment of development over the site includes setback requirements as described by the submitter. However, this section of the Zone Code (Table 6.2.2:3) will not apply to an assessment of future Dwelling Houses due to the way the Queensland Government's planning framework is constructed and the way the Planning Scheme operates. Setbacks for future Dwelling Houses will be assessed against the National Construction Code (NCC), which includes the Queensland Development Code (QDC). The framework under the <i>Planning Act 2016</i> and the existing <i>Toowoomba Regional Planning Scheme 2012</i> include very limited provisions controlling the design of detached dwellings and in many instances cannot be categorised as assessable development. Alternative provisions to QDC residential design and siting provisions for dwellings can only be made under a Planning Scheme or a PDA instrument, not a Variation Scheme Document under the <i>Planning Act 2016</i>.
Commentary on proposed land lease community. Several submissions raised concerns regarding the land lease community approved through MCUC/2024/8131.	This matter relates to Development Permit MCUC/2024/8131 for a Relocatable Home Park (326 dwellings) over Lot 4 RP225271. The approved development was applied for while the former TLPI 01/2022 was still in effect, which allowed the proposal to proceed as Code Assessable. This approval has a currency period of 10 years from the date on which the approval takes effect. The development approved under MCUC/2024/8131 may be carried out at any time during the currency period. A decision made to approve or refuse the Variation Request that is the subject of this report has no bearing on this existing approval.
Application reliance on expired TLPI 01/2022. Submitter contends that the expiry of TLPI 01/2022 suggests that Council and the State no longer consider the temporary planning measures (addressing short-term/exceptional housing pressures) as being appropriate or necessary. Reliance on the TLPI would undermine the integrity of the current planning framework.	Temporary Local Planning Instruments (TLPIs) are a short-term planning instrument intended to protect all or part of a local government area from adverse impacts in urgent or emergent circumstances, where the process of amending a Planning Scheme would increase the risk. TLPIs may have effect for up to 2 years. The <i>TLPI 01/2022 Statement of Compliance with Section 23 Planning Act 2016</i> (Statement of Compliance) stated that the TLPI was sought to be utilised to address the housing supply shortage with an immediate intervention rather than relying on the typical planning scheme amendment process (stated to be 12-18 months). The drafting and adoption of a replacement Planning Scheme has significantly exceeded the timeframe anticipated when the former TLPI had been drafted. The expiry of TLPI 01/2022 and the absence of a further interim TLPI prior to the adoption of a new Planning Scheme does not suggest that the reasons for the adoption of TLPI 01/2022

	(population growth and housing pressures experienced in the Toowoomba Region) are resolved. The recommendation in this report to approve the Variation Request has not solely relied upon the former TLPI 01/2022 to support an approval. The Variation Request is considered to align with the outcomes sought for the Emerging Community Zone and is consistent with the <i>West Toowoomba Land Use Investigation</i> and <i>Toowoomba Region Growth Plan</i> that informed the development of TLPI 01/2022.
Future development may be poorly maintained with unmanaged vegetation. Submitter flagged unmaintained verges in nearby residential development.	This matter is not relevant to the assessment of the Variation Request. These matters will be relevantly considered and managed through the later assessment of development applications involving dedication of land to Council for road reserve, drainage or park purposes and through the general operations of Council (e.g. local laws applying to verge maintenance and management of vegetation on private land).
Lack of green space for existing and future residents of area. Submitter raises concern that the proposal does not plan for any additional parkland, requiring residents to travel significant distances for recreation.	Development Permit RAL/2024/8129 (1 into 23 Lot Subdivision) requires dedication of an area of 7,400m² to Council for the delivery of a Local Park and provision of appropriate embellishments. This park is also identified on the Structure Plan within the VSD (near the southern corner). Delivery of this park, or similar, would be reasonably required as part of any future subdivision applied for over the site if Development Permit RAL/2024/8129 is not acted upon. A second area is identified on the Structure Plan for the delivery of an additional Local Park (northern half of the site). The appropriate location and size of this park will be determined through the future assessment of development applications made over the VA having regard to final lot yield and land use mix. Development Permit MCUC/2024/8131 (Relocatable Home Park) is also required to dedicate the area aligning with the existing watercourse through the site as drainage reserve, which will also provide passive recreation opportunities for future development on the site and existing development in the locality.
Approval of the application would permanently reduce Council's ability to control future development outcomes.	Approval of the Variation Request would not fetter Council's ability to control future development outcomes. Approval of the Variation Request would vary the level of assessment for future development over the site for most forms of residential development from Impact to Code. The effect that approval of the Variation Request would have on the assessment of future development is summarised earlier within this report under the heading Summary of effect of VSD The Variation Request would not result in further development being able to proceed without first obtaining a Development Permit from Council, except for detached Dwelling Houses over areas of the site not impacted by the Flood Hazard Overlay. Dwelling houses are primarily assessed against the National Construction Code (NCC), which includes the Queensland Development Code (QDC). The framework under the <i>Planning Act 2016</i> and the existing <i>Toowoomba Regional Planning Scheme 2012</i> include very limited provisions controlling the design of detached dwellings and in many instances cannot be categorised

	as assessable development. Exceptions to this include dwellings on lots located within a relevant overlay (i.e. Flood Hazard Overlay) and on small lots <450m² in area. Approval of the Variation Request will not change this. Dwelling houses that may have proceeded as accepted development under the existing Emerging Community Zoning will still be able to proceed as accepted development following the approval of the Variation Request. The shape, layout and size of future lots across the site will be entirely within Council's purview in a future assessment of application for Reconfiguring a Lot. Non-residential development and other forms of housing (e.g. Relocatable Home Parks, Multiple Dwellings, Dual Occupancies) will require an assessment against the Planning Scheme irrespective of whether an approval of the Variation Request is granted. Council's assessment of the Variation Request is to determine if lot sizes and the density and form of development allowable in the Low-medium Density Residential Zone (as sought under the Variation Request) is generally appropriate at this site having regard to infrastructure servicing, surrounding land uses and growth modelling. The effects the variations would have on submission rights for later development applications is addressed later in this report. Approval of the Variation Request would not give permanency to the VSD. Section 88(2) of the <i>Planning Act 2016</i> provides for an assessing authority to impose a condition on a Variation Approval that requires development to be completed within a stated period. Where development is not completed within this period, the Variation Approval lapses. This report makes a recommendation to impose a 5 year completion period on the Variation Approval, which will be given effect through the imposition of the conditions contained within Attachment 3.
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ISSUES, RISKS AND RESPONSES – ASSESSMENT

Categorising Instrument – *Planning Regulation 2017*:

PLANNING REGULATION 2017	
<i>Prohibited Development</i>	The proposed development is not prohibited development in accordance with the <i>Planning Regulation 2017</i> .
<i>Infrastructure Charges</i>	The <i>Planning Regulation 2017</i> provides for the levying of infrastructure charges on development approvals.
<i>Schedules 9 and 10</i>	Schedules 9 and 10 categorises particular development and details the relevant assessment benchmarks for development as relevant. No Assessment Benchmarks are relevant.

REGIONAL PLANS	
<i>Shaping SEQ – South East Queensland Regional Plan 2023</i>	The subject site is mapped within the bounds of the Urban Footprint, which is intended to identify the land required for the region's urban development needs up to 2046. The development application is consistent with the land use intent for the Urban Footprint as it proposes a planning framework through a Variation Request that supports the development of urban uses within the bounds of the urban footprint.

<i>Darling Downs Regional Plan October 2013</i>	The <i>Darling Downs Regional Plan 2013</i> (DDRP) is a statutory regional plan that is intended to provide planning policy to address planning matters that are of State interest and specific to the Darling Downs region. The DDRP identifies that the subject site is mapped within Restricted Area (RA) 384 under Appendix 2 of the Regional Plan, reflecting the boundaries of the SEQ Regional Plan. Therefore, the DDRP is not applicable in this instance.
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STATE PLANNING POLICY (SPP) <i>July 2017</i>	
Interests	Assessment Comments
Housing Supply and Diversity	Complies with the State interest policies. The Variation Request proposes a framework that facilitates the delivery of future residential development on serviced and appropriately located land. The Variation Request also seeks to facilitate the delivery of small-scale non-residential uses that will service future residents and the immediate locality. Compliance with this State interest policy is contingent upon resolution of infrastructure servicing issues. These matters have been assessed and discussed elsewhere in this report and support an approval of the development, subject to conditions imposing an upper limit on development occurring within the Variation Area in-line with existing water reservoir capacity until upgrades occur.
Livable Communities	Complies with State interest policies. The Variation Request proposes a framework and structure plan that satisfies the State interest policies. Conditions imposed by the State will ensure that future development can accommodate connected public transport infrastructure as part of a future subdivision layout.
Agriculture	The interactive mapping which accompanies the SPP identifies that this interest is applicable to the subject property. The subject site is mapped as containing 'Important Agricultural Areas' and 'Agricultural Land Classification (Class A and B)'. However, the State interest policies identified in Part E of the SPP are not considered to be relevant or applicable as the subject premises has been identified for future residential development under both local and State planning instruments and non-statutory policy documents. The land is zoned Emerging Community under the <i>Toowoomba Regional Planning Scheme 2012</i> and Low-medium Density Residential under the former TLPI 01/2022. The land is also included within the 'Urban Footprint' under the <i>South East Queensland Regional Plan 2023</i> (ShapingSEQ).
Development and Construction	Complies – the proposal provides a framework to facilitate development that will contribute to an ongoing supply of suitable land for residential development in an appropriately located area that considers the physical constraints of the land and availability of and proximity to existing essential infrastructure. Compliance with this State interest policy is contingent upon resolution of infrastructure servicing issues. These matters have been assessed and discussed elsewhere in this report and support an approval of the development, subject to conditions imposing an upper limit on

	development occurring within the Variation Area in-line with existing water reservoir capacity until upgrades occur.
Mining and Extractive Resources	The interactive mapping which accompanies the SPP identifies that this interest is applicable to the subject property. Drayton Wellcamp Road is identified as a Key Resource Area (KRA) transport route. Drayton Wellcamp Road is used to transport quarry material from a nearby quarry located to the north. The Key Resource Area – transport route separation area layer intrudes into the site along the entire Drayton Wellcamp Road frontage at a depth of approximately 77 metres, covering an area of approximately 90,000m². The State interest policies in the SPP require that development adjacent to a transport route and within the separation area avoids: • New sensitive land uses and other incompatible land uses that could impede the extraction of the resource; • Land uses that are likely to compromise the ongoing use of the route for the haulage of extractive materials; and • New development adjacent to the transport route that is likely to adversely affect the safe and efficient transportation of the extractive resource. KRA transport route separation is a relevant consideration for residential development to ensure the separation of people from undesirable levels of noise, dust and ground vibration produced as residual impacts from the transportation of extractive material. The variation application does not resolve this State interest or remove its applicability to future development. It is considered appropriate to refine separation distances and treatments based on detailed air quality, acoustic and vibration impacts assessments submitted as part of future applications for Reconfiguring a Lot to determine appropriate dwelling sites.
Tourism	Not applicable.
Biodiversity	The interactive mapping which accompanies the SPP identifies that this interest is applicable to the subject property. The drainage feature running through the site is identified as a Matter of State Environmental Significance (MSES) – Regulated Vegetation (intersecting a watercourse). The proposal complies with relevant State interest policies. The structure plan in the VSD identifies the area of the site containing MSES is intended to be developed as a drainage reserve. Council's Flood Hazard Overlay identifies a wide area either side of this watercourse that is affected by flood risk levels ranging from FR1 (Low Flood Risk) to FR4 (Extreme Flood Risk). Future development applications will be required to address this. The application material identifies sparse vegetation over this area of the site, and the proposal does not seek approval for a specific development (rather, it alters the frameworks for the assessment of future development applications in a way that does not alter the effect of this designation).
Cultural Heritage	No applicable assessment benchmarks. Complies with State interest policies.
Water Quality	No applicable assessment benchmarks or State interest policies. The proposed Variation Request does not authorise development to occur

	that may impact upon water quality, without the need for a further development application.
Emissions and Hazardous Activities	Not applicable.
Natural Hazards, Risk and Resilience	The interactive mapping which accompanies the SPP identifies that this interest is applicable to the subject property ('Flood hazard area - Local Government flood mapping area' and 'Bushfire prone area'). <u>Flooding</u> In accordance with Part 2, Table 2.1:2 in the Planning Scheme, the Minister has identified that the <i>SPP July 2017</i> State interest – natural hazards, risk and resilience (those parts related to flooding) have been appropriately reflected in the Planning Scheme and no further assessment against the SPP is required. Mapped flood hazard for the subject land will continue trigger assessment. Detailed assessment of flood impacts and treatments will be addressed in future applications for Reconfiguring a Lot and/or Material Change of Use. <u>Bushfire</u> Areas of the site in the north-eastern and south-eastern corners are identified as bushfire prone ('medium potential bushfire intensity' and 'potential impact buffer'). The site is separately identified on Council's Bushfire Hazard Overlay. Future development over the site will require an assessment against the SPP assessment benchmarks and Bushfire Hazard Overlay Code in the Planning Scheme. The proposed VSD does not seek to vary the extent or effect of the Bushfire Hazard Overlay currently mapped over the site. Mapped bushfire hazard for the subject land should not reasonably preclude the application of the provisions within the Planning Scheme for the Low-medium Density Residential Zone from applying to this land. Provision of larger lots with buffer areas, fire trails and/or building pads may be determined following a detailed assessment of site-specific bushfire risk for areas of the site identified as bushfire prone in subsequent applications.
Energy and Water Supply	No applicable assessment benchmarks. Complies with State interest policies.
Infrastructure Integration	No applicable assessment benchmarks. Complies with all relevant State interest policies. Refer to assessment against the Local Government Infrastructure Plan within this report which demonstrates that the proposed development, including all necessary infrastructure required to service the development, achieves the State interest policies listed under this State interest, subject to conditions imposing an upper limit on development occurring within the Variation Area in-line with existing water capacity within the Glenvale Reservoir.
Transport Infrastructure	No applicable assessment benchmarks. Complies with State interest policies.
Strategic Airports and Aviation Facilities	The interactive mapping which accompanies the SPP identifies that this interest is applicable to the subject property. Furthermore, this State interest applies to all local government areas that contain or are impacted by a strategic airport in Table 2: strategic airports and therefore the State interest policies and assessment benchmarks identified in Part E of the SPP are considered to be relevant to the proposed development.

	The proposed development is considered to comply with the assessment benchmarks in Part E of the SPP.
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General Assessment Matters

Precinct Designation for Site

The applicant has structured the Variation Request to largely reinstate the provisions of the former TLPI 01/2022. The former TLPI did not identify the precinct applicable to the subject land (e.g. Urban Residential Precinct or Urban Consolidation Precinct).

The outcomes intended for the different precincts within the Low-medium Density Residential Zone vary significantly. Relevantly:

- The Urban Residential Precinct anticipates dwelling densities exceeding 15 dwellings per hectare for detached dwellings and 40 dwellings per hectare for other residential activities. Development is intended to be predominantly residential (up to 3 storeys above ground level) and non-residential uses are limited to those that directly support the day to day convenience needs of the immediate local residential community and provide a local community or limited business function;
- The Regional Residential Precinct is similar to the Urban Residential Precinct, but is typically applied to townships outside of the Toowoomba urban area and anticipates lower dwelling densities and building heights;
- The Urban Consolidation Precinct anticipates dwelling densities exceeding 60 dwellings per hectare and a mix of non-residential uses. Development up to 6 storeys is anticipated in proximity to Major Centres. This precinct is typically applied to land in proximity to Major Centres and key transport corridors within the Toowoomba urban area to optimise access to public transport and support the function of Major Centres; and
- The Hospital Support Precinct and Office Residential Precinct are specialised precincts typically applied to areas near existing hospitals and the Toowoomba CBD respectively. These precincts anticipate a greater mix of non-residential uses that complement existing non-residential uses in their respective localities.

Due to the significant variance in outcomes sought for each precinct within the Low-medium Density Residential Zone, it is necessary to apply an appropriate precinct designation to land in the Variation Area to align with anticipated development patterns and assumptions used in infrastructure planning for the locality, among other criteria.

Designation of a precinct is also necessary to ensure that the Tables of Assessment in the Planning Scheme function as intended, with particular criteria for building heights and land uses that alter the level of assessment from Code to Impact depending on the precinct applicable to the land.

Several factors have contributed to forming a recommendation to apply the Urban Residential Precinct to the entire Variation Area:

- The intended development outcomes for Emerging Community Zoned land aligns generally with the Low-medium Density Residential Zone (Urban Residential Precinct);
- Alignment with the *West Toowoomba Land Use Investigation*, which anticipates predominantly residential development at this location at a density of 15-25 dwellings per hectare and a smaller local centre to provide for day-to-day services;
- Alignment with approved and established residential development to the north, which provides for dwelling densities in accordance with the Urban Residential Precinct;
- Alignment with the dwelling density assumptions in the Local Government Infrastructure Plan (LGIP) that have informed infrastructure planning for this site. Council's *Local Government Infrastructure Plan – Planning Assumptions Report* (April 2016), which informed the LGIP, applies the same assumptions for the Emerging Community Zone as the Urban Residential Precinct (including both total density and the mix of attached and detached housing products). Alignment with these assumptions ensures that the demand imposed on Council's infrastructure for future development at this site can be accommodated.

While it is noted that the Structure Plan in the VSD designates differing land use and development outcomes across different areas of the site, applying the Urban Residential Precinct across the entirety of the Variation Area is considered appropriate for the following reasons:

- Provision of each of the elements shown on the Structure Plan, including drainage reserves, parks and a small local/neighbourhood centre to support the surrounding residential community, are all anticipated on sites within the Urban Residential Precinct;
- A cluster of higher density residential development adjacent to a local centre and parkland (shown on the Structure Plan as 'Medium Density Housing') is supported within the Urban Residential Precinct; and
- The Structure Plan is highly conceptual in nature and each element is not well spatially defined with dimensions. Application of differing precincts across the site may lead to difficulty in determining the appropriate level of assessment and relevant benchmarks to apply to future development.

Alignment with adjoining development

The Variation Request aligns with approved and established residential development to the north, which provides for dwelling densities in accordance with the Urban Residential Precinct in the Low-medium Density Residential Zone. Future road connections are contemplated to and through the adjoining land to the north-west ('Alford Grove Estate') on the Structure Plan included within the VSD. This connectivity supports important connectivity in the locality and can be achieved by using existing constructed higher-order roads to convey additional traffic.

The Variation Request establishes a framework for the urban development of the site at a much higher density than allowable on land to the south zoned Rural Residential. This is consistent with the assumptions for land zoned Emerging Community (location, type and scale of development). The *West Toowoomba Land Use Investigation* also acknowledges that *"new residential neighbourhoods in Glenvale West will be of higher intensity compared to surrounding residential areas"*.

Consideration of the interface between these areas will be necessary as part of the assessment of future development applications lodged over the land. Provisions in the Low-medium Density Residential Zone Code, under which future development within the Variation Area will be assessed, requires that *"where the scale and density of development intended for the particular zone precinct is greater than existing development within the immediate area, development is designed in a manner that enables the higher scale and density to be sensitively integrated into the existing urban landscape and streetscapes"* (Overall Outcome (f)).

The requirement for future development to provide a sensitive transition of dwelling density and lot sizes along the part of the Variation Area adjoining Rural Residential zoned land has been reinforced through a recommended amendment to the VSD. Notations have been included on the Structure Plan along this transition area to ensure this outcome is achieved, in tandem with the assessment benchmarks incorporated into Table 4 of the VSD.

The application material does not contemplate extending roads to or through adjoining Rural Residential zoned land to the south. Conditions are recommended to prevent a road extension to this adjoining development, which functions independently.

Alignment with existing approved development over site

There is an existing Development Permit (RAL/2024/8129 & MCUC/2024/8131) over the southern portion of the site for a Relocatable Home Park and the first stages of a residential subdivision. The development application benefitted from the effective zoning uplift provided by TLPI 01/2022 as the application had been made while the TLPI was still in effect. This Variation Request seeks to largely reinstate the provisions of TLPI 01/2022 to this site. For this reason, it is considered that the approved development is consistent with the Variation Request, as it had been assessed and approved by Council having regard to the same assessment benchmarks that would be applicable to future development within the Variation Area under the VSD.

The Structure Plan in the VSD includes an area labelled 'land lease community' that aligns with the approved Relocatable Home Park under Development Permit MCUC/2024/8131. While this area is included within the VA and will benefit from the Variation Request in the same manner as the rest of the site, no clear land use intent has been applied to this area, likely due to the development outcome having been already determined through Development Permit MCUC/2024/8131.

This however relies on an assumption that this Development Permit will be acted upon within its currency period, will not be materially varied through a later change application, or the approval cancelled at the request of the landowner.

Amendments are recommended to be made to the VSD Structure Plan for clarity and consistency. Structure Plan amendments recommended include:

- Clearly stating that the Structure Plan excludes the area forming Lot 2 SP346983; and
- Identifying the area labelled 'land lease community' as an area intended to be developed as Low-medium Density Residential.

Relevant Period of Variation Approval

Section 88(2) of the *Planning Act 2016* provides for an assessing authority to impose a condition on a Variation Approval that requires development to be completed within a stated period. Where development is not completed within this period, the Variation Approval lapses. In the absence of such a condition, a Variation Approval lapses within 5 years after the approval starts to have effect.

The applicant has not nominated or requested a period of time by which development under the Variation Approval must be completed by. This report makes a recommendation to impose a 5 year completion period on the Variation Approval, which will be given effect through the imposition of the conditions contained within **Attachment 3**.

This completion period is recommended having regard to the following:

- TLPI 01/2022, which the Variation Request largely seeks to reinstate over the site, was intended to encourage residential development to assist in alleviating the current housing shortage by facilitating the development of suitably serviced land within the Emerging Community Zone. The *TLPI 01/2022 Statement of Compliance with Section 23 Planning Act 2016* (Statement of Compliance) stated that the TLPI was sought to be utilised to address the housing supply shortage with an immediate intervention rather than relying on the typical planning scheme amendment process (stated to be 12-18 months). The drafting and adoption of a replacement Planning Scheme has significantly exceeded the timeframe anticipated when the former TLPI had been drafted;
- At the time of writing, Council has not implemented a replacement for TLPI 01/2022 while undertaking the process of amending / drafting a replacement Planning Scheme for the region. Development approvals have only been obtained for a portion of the site for the period between the adoption of the former TLPI and the completion of a new Planning Scheme; and
- Council is currently developing a new Planning Scheme for the Toowoomba Region. This Planning Scheme is anticipated to be adopted well within the next 5 years. The 5 year completion period recommended will ensure that the length of time in which any discrepancy exists between the Variation Approval and a new Planning Scheme is minimised, while also facilitating the interim development of housing at this location consistent with the former TLPI 01/2022 and existing structure planning for the locality, which may be anticipated to inform the draft Planning Scheme.

Non-statutory Planning Policy Documents and Growth Modelling

West Toowoomba Land Use Investigation

The *West Toowoomba Land Use Investigation* published in December 2016 and adopted by Council on 21 March 2017 provides a framework focused on western Toowoomba to guide future urban

development and manage growth to 2050. Aspects of the investigation of relevance to this site include the following:

- Identification of the site within the 'Glenvale West/Torrington' major growth area. Future intended development outcomes for this area include:
 - Development is contained east of Drayton Wellcamp Road;
 - 'Next Generation Suburban Neighbourhoods' are connected by new major local streets and integrated with open space; and
 - Land uses are predominantly residential, supported by neighbourhood hubs/local centres that serve the daily needs of residents; and
- As a planned 'Next Generation Suburban Neighbourhood', future development is intended to be developed at a density of 15-25 dwellings per hectare (400m²-666m² lots) consistent with SEQRP 2031, with an increased focus on attached housing including duplex, terrace and row houses supported by walkable shops, community facilities and public transportation stops.

The *West Toowoomba Land Use Investigation* outlines the following long-term plan for the locality:

- Minimal change to the existing rural residential community of Glenvale;
- The majority residential growth will occur to the west of the existing area predominantly in the current Emerging Community Zone;
- The new residential neighbourhoods in Glenvale West will be of higher intensity compared to surrounding residential areas and consist primarily of detached housing on standard residential lots;
- The size and linear shape of the residential expansion area is unlikely to support a larger centre, however the market may be responsive to a smaller local centre to provide day-to-day services;
- The Toowoomba Showgrounds, Harvey Court Park as well as the escarpment separate the existing rural residential communities from planned new residential neighbourhoods along Drayton Wellcamp Road. Links with the Toowoomba Showgrounds and Harvey Court Park will be created through new local parks and existing drainage corridors, which can be utilised as multifunction spaces providing walking and cycling paths.

The following extracts from the investigation regarding timing and sequencing of development for the Glenvale West area support this report's recommendation to approve the Variation Request, and have been reproduced as follows:

- Council has identified a need to accommodate an additional 21,182 people and additional 8,390 homes in West Toowoomba by 2050. In Glenvale for the period 2015-2035, this figure is 5,566 people and an additional 2,140 homes;
- Existing zoned land is available at Glenvale West and is anticipated to be mostly built out by 2031;
- Continue to develop and increase the development yield capacity of existing vacant zoned lands at Torrington and Glenvale West as the priority to 2031 in recognition of existing development commitments and planned infrastructure;
- Expansion of Glenvale West is expected to come on-line as existing vacant land is exhausted and to increase the yield productivity of existing zoned land by improving accessibility and amenity;
- Land in Glenvale West, incorporating the subject site, is identified for development in the period 'up to 2036';
- Additional infrastructure planning is required (catchment basis), which will influence the final sequence and timing of development; and
- Not all of the outcomes of the plan can be implemented through the planning scheme, nor will all outcomes will be undertaken by Council. Some actions will require collaboration with Queensland Government agencies. Other actions will be delivered through private investment as development occurs, or businesses take up local opportunities.

Relevant extracts from the *West Toowoomba Land Use Investigation*, including a land use structure plan for the Toowoomba west area is included in **Attachment 6**. The Structure Plan within the VSD generally aligns with the structure plan from the *West Toowoomba Land Use Investigation*, except for the proposed positioning of a local centre north of the waterway running through the site, rather than south.

The West Toowoomba Land Use Investigation was used as background material in the development of the TLPI 01/2022, which the application largely seeks to reinstate.

Toowoomba Region Growth Plan

The *Toowoomba Region Growth Plan* (TRGP) endorsed by Council April 2023 sets the policy intent and establishes a framework for growth in the Toowoomba Region to 2051. The document is intended to stimulate further land use and infrastructure policy and planning work to ensure that growth is delivered in a well-managed and sustainable manner. Although primarily intended to guide the preparation of a new Planning Scheme for the region, the document sets out intended future growth areas that inform the assessment of this application. Relevantly, the TRGP recognises that as the current Planning Scheme nears the end of its planning horizon (2032), it will not be able to effectively accommodate the expected population growth.

Aspects of the TRGP of relevance to this site include the following:

- Identification of the site within an area designated 'Suburban Neighbourhood' and 'Urban Expansion Area' within the 'Western Toowoomba Future Growth Area';
- The western growth area is identified as a key growth front for greenfield expansion after Highfields and Westbrook, with significant growth anticipated through to 2036, particularly in the 10 years between 2026 and 2036, before tapering off slightly to 2051;
- Much of this growth will be accommodated through greenfield development of larger residential lots in Glenvale;
- The western growth area is primarily anticipated to deliver single detached dwellings and dispersed dual occupancy houses; and
- Proximity between Toowoomba City Centre and the Toowoomba Trade Gateway is stated to provide a 'significant opportunity for coordinated and sequenced growth'.

Although this document identifies the subject land as being within an anticipated and supportable growth corridor up to the year 2051, prescriptive timing targets for the development of this land is not clearly articulated in this document.

Alignment of Planning Documents with Former TLPI 01/2022

In the development of TLPI 01/2022 (*Statement of Compliance with Section 23 Planning Act 2016*), the then draft TLPI was stated to integrate local land use planning undertaken by Council since the commencement of the *Toowoomba Regional Planning Scheme 2012*, including the West Toowoomba Land Use Investigation. The structure plans from these documents were stated to be appropriately reflected in the new Planning Scheme currently under development by Council.

While specific intentions for this land under the draft Planning Scheme are not yet available to the public or the assessment team, the proposal aligns with future planning for the area as expressed in several non-statutory Planning Policy Documents and Growth Modelling produced by Council as outlined above.

Local Categorising Instrument – Toowoomba Regional Planning Scheme 2012:

The proposed development was assessed against the following assessment benchmarks:

- Strategic Framework
- 6.2.2 Low-medium Density Residential Zone Code
- 6.6.2 Emerging Community Zone Code
- 8.2.1 Airport Environs Overlay Code
- 8.2.2 Bushfire Hazard Overlay Code
- 8.2.3 Flood Hazard Overlay Code
- 8.5.1 Environmental Significance Overlay Code
- 8.6.1 Extractive Resources Overlay Code

The development was assessed against all of the assessment benchmarks listed above and is considered to comply in part, with relevant commentary as follows:

STRATEGIC FRAMEWORK:

Theme	Assessment Comments
Settlement Pattern	On Strategic Framework Map SF1 - Settlement Pattern, the subject land is located inside of the urban extent and mapped as 'Rural Residential'. The extent of land in the locality covered by the 'Rural Residential' layer includes all land in Glenvale, Torrington, Wellcamp and Cotswold Hills zoned Emerging Community. The Variation Request is inconsistent with the Strategic Framework mapping. Despite this, the development is consistent with the strategic outcomes within the Strategic Framework, having regard to more recent non-statutory planning policy documents and growth modelling by Council that reflect updated planning for the Toowoomba west region and support the future development of this land for urban development. This is anticipated within Strategic Outcome 3.3.1(4)(a)(vi), which acknowledges that <i>"Toowoomba City and the surrounding urban areas continue to experience sustained growth in residential, retail/commercial and industrial land uses. In response to these pressures, local planning will be undertaken to address issues such as growth management, infrastructure management, urban design and local character, and the transitioning of non-urban (predominately rural residential and rural) to urban areas and enterprise areas."</i> Strategic Outcome 3.3.1((4)(a)(viii) further clarifies that <i>"residential growth will be accommodated through new urban areas in Drayton, Glenvale and Darling Heights, and urban infill at increased residential densities in the form of detached dwellings on standard and small lots, dual occupancy and multiple dwellings"</i>. The appropriateness of urban development at this location instead of further expansion of Rural Residential land is further supported by Strategic Outcome 3.6.4.1(4), which states that <i>"rural residential development is located in areas that do not compromise future urban growth and is serviced by infrastructure that is efficient and cost effective."</i> As outlined earlier within this report, the <i>West Toowoomba Land Use Investigation</i> and <i>Toowoomba Region Growth Plan</i> both recognise that as the current Planning Scheme nears the end of its planning horizon (2032), it will not be able to effectively accommodate the expected population growth, of which a large proportion is expected in the Toowoomba west area comprising Glenvale, Torrington and Cotswold Hills. The development is considered to comply with the following elements of the Settlement Pattern theme within the Strategic Framework: • 3.3.3 – Compact Urban Form: ○ The development caters to anticipated and recent accelerated growth in the Western Toowoomba Growth Area (described in the <i>Toowoomba Region Growth Plan</i>) and represents a logical sequence of development and delivery of infrastructure (3.3.3.1(7));

	○ The Variation Request supports the provision of a sufficient supply of land to ensure population growth and emerging communities are accommodated within the urban boundary (3.3.3.1(6); and ○ The Variation Request provides for the progressive structure planning of Emerging Community land as part of the development assessment process (3.3.3.2(2); • 3.3.10 – Natural Places ○ The site is not overly constrained by natural areas identified on Strategic Frameworks Map – Natural Environment; and • 3.3.11 – Development Constraints ○ The site contains areas of Flood Hazard and Bushfire Risk. The Variation Request does not seek to alter the extent or effect of the overlays mapped over the site. The site is not overly constrained by these mapped hazards. Further assessment of the risk can be deferred to a future application for Reconfiguring a Lot and/or Material Change of Use.
Natural Environment	The development is considered to comply with the Natural Environment theme within the Strategic Framework.
Community Identity and Diversity	The development is considered to comply with the Community Identity and Diversity theme within the Strategic Framework.
Natural Resources and Landscaping	The development is considered to comply with the Natural Resources and Landscaping theme within the Strategic Framework.
Access and Mobility	The development is considered to comply with the Access and Mobility theme within the Strategic Framework. The following relevant aspects of the Strategic Framework are identified: • 3.7.5 – Road Network: ○ The structure plan incorporates internal roads and external connections to adjoining development to the north. The development achieves the following outcomes under this theme: ▪ Preserve higher-order roads as through-routes; ▪ Offer high levels of connectivity between higher order roads; and ▪ Provide clear physical distinctions between roads in the hierarchy based on function, legibility, convenience, vehicle speed and public safety, vehicle numbers, vehicle type and amenity (3.7.5.1(1), (3), (4) and (5)).
Infrastructure and Services	The development is considered to comply with the Infrastructure and Services theme within the Strategic Framework. This site is located inside of Council's Priority Infrastructure Area (PIA). An assessment has been carried out to determine the extent of the proposed development's impacts on existing and planned trunk infrastructure network capacity. This assessment demonstrates that the proposed development facilitates an efficient use of infrastructure and can be conditioned to provide all necessary infrastructure through the variation request or as required by any future development permit for development on the site.
Economic Development	The development is considered to comply with the Economic Development theme within the Strategic Framework.

OVERLAY CODE/S:

Preface

The Variation Request does not propose amending the extent of mapped overlays across the site or varying the way in which they will be considered as part of the future assessment of development at this site. That is, all future development at the site will be assessed against the relevant Overlay Codes in the Planning Scheme. Approval of the Variation Request would not prejudice this assessment in any way.

Specific commentary on the extent of mapped overlays and their relevance to future development is provided below for clarity.

AIRPORT ENVIRONS OVERLAY CODE

The Variation Area is entirely located within the Airport Environs Overlay and is relevantly impacted by the Obstacle Limitation Surface layer with a height of 676.5m-726m AHD. The site has a surface elevation of approximately 520-560m AHD. Future development over the site will not be compromised by the Airport Environs Overlay and no impacts to or arising from future development at this site is anticipated as it relates to the operational safety of an airport.

ENVIRONMENTAL SIGNIFICANCE OVERLAY CODE

Areas of the site affected by the Environmental Significance Overlay are limited to elevated areas of approximately 2.5 hectares in the eastern corner of the site and 4 hectares in the northern corner of the site. These areas are mapped as a mix of 'Areas of Ecological Significance' and 'Areas of Ecological Significance Buffer' and are mapped along the slopes of localised peaks that cover multiple adjoining properties. Vegetation cover within these areas does not exceed 50% for the eastern portion or 20% for the northern portion of the site.

The areas of the site mapped within the Environmental Significance Overlay represent only a small part of much larger areas of mapped areas of ecological significance and may perform an important habitat connection or vegetated buffer function. As noted earlier, the Variation Request will have no effect on this overlay and will not fetter Council's ability to assess vegetation impacts as part of a future development application. It is considered that the site is not overlay constrained by this mapped overlay and future development can be managed to avoid or mitigate impacts to mapped areas of ecological significance.

BUSHFIRE HAZARD OVERLAY CODE

Areas of the site affected by the Bushfire Hazard Overlay are limited to elevated and vegetated areas in the eastern and northern corners of the site, generally corresponding with areas also mapped under the Environmental Significance Overlay.

As noted earlier, the Variation Request will have no effect on this overlay and will not fetter Council's ability to assess bushfire risk impacts as part of future development applications. It is considered that the site is not overlay constrained by this mapped overlay and future development can be managed to avoid or mitigate against bushfire risk.

EXTRACTIVE RESOURCES OVERLAY CODE

The 'Haulage Route Buffer' layer of this overlay affects the south-west corner of the site along Drayton Wellcamp Road. Drayton Wellcamp Road is used to transport quarry material from a nearby quarry located to the south-east.

Separation of sensitive receptors from haulage routes is a relevant consideration for residential development to ensure the separation of people from undesirable levels of noise, dust and ground vibration produced as residual impacts from the transportation of extractive material. Assessment benchmarks within the Extractive Resources Overlay Code seek to limit the number of dwellings and lots within the haulage route buffer. While the proposal does seek to facilitate residential development across the entire development site, the proposal is not considered to conflict with the Extractive Resources Overlay Code, as it does not directly lead to development outcomes that conflict with the overlay code or allow for the creation of lots or dwellings without further consideration of separation requirements.

A more refined separation area could be determined through detailed air quality, acoustic and vibration impacts assessments submitted as part of a future application for Reconfiguring a Lot to determine appropriate dwelling sites. This approach is considered preferable to precluding that area of the land covered by the haulage route from the Variation Area. It is noted that a residential

subdivision to the north along Drayton Wellcamp Road ('Alford Grove') contains numerous lots within the Haulage Route Buffer through which impacts were mitigated through acoustic barriers, and design and setback requirements for future dwellings on affected lots. Similarly, development approved over the subject site through Development Permit MCUC/2024/8131 & RAL/2024/8129 for a Relocatable Home Park and a 1 into 23 Lot Subdivision required that impacts from road noise along Drayton Wellcamp Road be mitigated through the installation of acoustic barriers.

Acoustic barriers will likely be required to protect the amenity of future residential development over the balance of the site along and in near proximity to Drayton Wellcamp Road.

FLOOD HAZARD OVERLAY CODE

A large drainage features traverses the centre of the Variation Area. This drainage feature is relatively shallow and wide, with a narrow channel mapped as FR3 and FR4 (High and Extreme Flood Risk) and a larger area mapped as FR1 and FR2 (Low and Medium Flood Risk). Development within mapped areas of flood risk is unlikely, with retention of this area as a drainage channel expected to be provided as part of future development over the site.

The Structure Plan within the VSD identifies an area intended to be developed for a drainage reserve. The extent of the drainage reserve does not strictly align with the FR1-FR4 flood risk extent, but covers areas affected by FR2-FR4 flood risk and includes isolated areas within the FR1 flood risk extent that is surrounded by higher flood risk categories.

As noted earlier, the Variation Request will have no effect on this overlay and will not fetter Council's ability to assess flood risk impacts as part of future development applications. While the proposal does seek to facilitate residential development across the entire development site, the proposal is not considered to conflict with the Flood Hazard Overlay Code, as it does not directly lead to development outcomes that conflict with the overlay code or allow for the creation of lots or dwellings without further consideration of flood risk.

Outside of the mapped drainage feature, large areas of the site are affected by mapped overland flow paths (predominantly OFP1 category – Overland Flow (Low)). Areas within a mapped overland flow area are not overly constrained in their ability to accommodate urban development and typically require engineered solutions such as conveyance of stormwater to a lawful point of discharge. These types of constraints were previously managed for the existing development approved within the Variation Area under Development Permit MCUC/2024/8131 & RAL/2024/8129.

EMERGING COMMUNITY ZONE CODE:

Assessment Criteria	Assessment Comments
Purpose	(1) <i>The purpose of the Emerging Community Zone Code is to:</i> (a) <i>identify land that is intended for an urban purpose in the future; and</i> (b) <i>protect land that is identified for an urban purpose in the future from incompatible uses; and</i> (c) <i>provide for the timely conversion of non-urban land to urban purposes.</i> (2) <i>Future development in the Emerging Community Zone:</i> (a) <i>creates an integrated and compact urban form;</i> (b) <i>establishes safe, attractive and walkable communities;</i> (c) <i>provides for a wide choice of housing and accessible community services; and</i> (d) <i>avoids areas within the Emerging Community Zone that are unsuited to urban development because of their natural, scenic or cultural values.</i> The proposed development is for a Variation request that seeks to enable development over the site to occur in accordance with the Low-

	medium Density Residential Zone. The land is considered suitable for development for urban purposes and is not materially constrained by natural hazards or scenic or cultural values. All environmental constraints, including flooding and mapped areas of environmental significance, can be appropriately mitigated against and their impacts avoided. A more detailed assessment of these matters can be deferred to a detailed assessment of future development applications. The intended development outcomes for Emerging Community Zoned land aligns generally with the Low-medium Density Residential Zone (Urban Residential Precinct), by seeking: • Minimum dwelling yield of 15 dwellings per hectare net; • A variety and diversity of housing types, including Dual Occupancy development dispersed throughout residential neighbourhoods; • Provision of accessible community services; and • Contemplates business activities and other non-residential development when provided as part of a masterplan with an application. As outlined earlier within this report, the Variation Request does not nominate the intended Precinct (e.g. Urban Residential or Urban Consolidation) to be applied to land within the Variation Area. This report makes a recommendation to apply the Urban Residential Precinct to the land to ensure alignment with the intent of the Emerging Community Zone. The subject site is situated inside of the Priority Infrastructure Area (PIA), which identifies the area prioritised for the provision of trunk infrastructure to service the existing and assumed future urban development up to 2031. Inclusion within the PIA supports the conversion of the land zoned Emerging Community for urban purposes at this time. Refer to the later assessment within this report under the heading 'Local Government Infrastructure Plan', which supports the interim conversion of non-urban land (undeveloped land in the Emerging Community Zone) for urban purposes at this time, subject to the imposition of limits on total development yield to ensure future development can be serviced by existing water supply infrastructure.
Overall Outcomes	The development complies with the Overall Outcomes within the Emerging Community Zone Code. In particular, the Variation Request seeks to streamline the future assessment of urban development over the land to deliver the following built form outcomes to satisfy the overall outcomes in the Zone Code: • Development will occur after detailed land use masterplanning and infrastructure planning of areas within the zone has been undertaken (a)(i): ○ Masterplanning of the site and locality has been undertaken by Council through the West Toowoomba Land Use Investigation, which has been substantially adopted in the Structure Plan for the VSD; • Development will occur in a logical pattern that facilitates the timely and cost efficient provision of infrastructure and supports the staged release of land (a)(iii): ○ Development at this site represents a logical expansion of urban development, at a form and with timing consistent with the <i>West Toowoomba Land Use</i>

	<i>Investigation and Toowoomba Region Growth Plan.</i> Conditions recommended to be imposed on the Variation Request will ensure that development occurs in a manner consistent with the availability of existing water supply infrastructure; • Development will provide for a high level of integration with existing and future urban development having regard to movement networks, open space, centres and community infrastructure (a)(v) and (vi): ○ The VSD incorporates a Structure Plan that guides future development to provide appropriate connections to adjoining urban development, local parks, a local centre and retention of a drainage feature in a defined drainage corridor. Conditions of approval by the State Assessment and Referral Agency require that future development incorporates a layout that provides for a future public transport route to/through the site; • Development provides for a variety and diversity of housing types and achieves a minimum dwelling yield of 15 dwellings per hectare net (a)(vi): ○ The VSD adopts the provisions of the Low-medium Density Residential Zone over the site, which aligns with the intent of the Emerging Community Zone to achieve a minimum dwelling yield of 15 dwellings per hectare net through a mix of attached and detached dwellings; • Future development at the site will be appropriately assessed through the assessment framework proposed by the VSD to ensure that significant environmental, topographic, scenic and cultural features and values are retained and protected (a)(viii): ○ The VSD does not propose to alter relevant overlays applying to the land, including the Environmental Significance Overlay. Similar provisions are incorporated into the Low-medium Density Residential Zone Code, under which future development within the Variation Area will be assessed against; and • Future development at the site will be appropriately assessed through the assessment framework proposed by the VSD to ensure that sufficient buffering is provided to existing or intended non urban or incompatible uses in surrounding areas (a)(ix): ○ Similar provisions are incorporated into the Low-medium Density Residential Zone Code, under which future development within the Variation Area will be assessed against. Specifically, Overall Outcome (f) in the Low-medium Density Residential Zone Code requires that <i>“where the scale and density of development intended for the particular zone precinct is greater than existing development within the immediate area, development is designed in a manner that enables the higher scale and density to be sensitively integrated into the existing urban landscape and streetscapes”</i>. The requirement for future development to provide a sensitive transition of dwelling density and lot sizes along the part of the Variation Area adjoining Rural Residential zoned land has been reinforced through a
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	recommended amendment to the VSD. Notations have been included on the Structure Plan along this transition area to ensure this outcome is achieved, in tandem with the assessment benchmarks incorporated into Table 4 of the VSD.
Performance Outcome	Acceptable Outcome
<i>PO₁ New communities comply with a master plan for the locality based on detailed site investigations which provides a context and ensures development:</i> <i>(a) contributes to a logical pattern and sequence of development and infrastructure;</i> <i>(b) facilitates efficient use of land and infrastructure;</i> <i>(c) complies with the relevant Local Plan where located in a local plan area;</i> <i>(d) facilitates integration with existing and future urban development, having regard to movement networks, open space networks and accessibility to community infrastructure;</i> <i>(e) responds to constraints and natural values on the site and mitigates any impacts on areas of ecological significance;</i> <i>(f) provides for a range of lots that enables a variety and diversity of housing types, which achieve a dwelling yield of 15 dwellings per hectare net;</i> <i>(g) establishes movement networks that support and promote walking, cycling and public transport.</i>	<i>AO_{1.1} A Master Plan is prepared in accordance with SC6.4 PSP No. 4 Master Planning.</i>
Alternate Outcome	
The applicant submits: <i>“A structure plan to support the variation request has been prepared and is provided at Attachment 2. The following items are noted with regards to the content of this structure plan:</i> <i>• The structure plan has been prepared to align with development approvals both within and adjoining the subject site. Namely:</i> <i>○ The road layout, park location, and land use mix identified under MCUC/2024/8131 & RAL/2024/8129 have been identified over the southern most lot.</i> <i>○ The road connection to the subdivision located to the north of the site has been incorporated (Council Ref: MCUI/2015/1868/A RAL/2015/1869/A)</i> <i>○ A drainage reserve area has been identified, along the creek</i> <i>○ As closely as possible (taking into account approvals issued since the document was prepared), the development retains the elements identified in the West Toowoomba Land Use Investigations. This includes:</i> <i>▪ Key transport connections</i> <i>▪ Parks</i> <i>▪ A medium density residential area (near to the park)</i> <i>▪ An activity centre (this has been shifted north to account for the layout approved over the south of the site).</i> <i>The proposed variation scheme document has been amended to include specific reference to the masterplan provided, with Table 4 providing reference to the structure plan, and the structure plan having been provided as a n appendix to the VSD.”</i>	

Officer Comment	
A Master Plan has not been provided in accordance with the requirements in SC6.4 PSP No. 4 Master Planning. The Variation Request incorporates a Structure Plan within the VSD. This Structure Plan broadly outlines the future land use mix across the site and nominates connections to the external road network. The Structure Plan provides some clarity as to how future development across the site will occur, but lacks sufficient detail required of a masterplan to satisfy PO₁ and AO_{1.1}. The VSD includes additional requirements for future development in Table 4. These requirements, applicable to all assessable development for Reconfiguring a Lot creating more than one additional lot or a Material Change of Use on a site greater than 10 hectares, require that future applications made under the Variation Approval provide a masterplan identifying how the site is proposed to be developed in a logical and sequential manner, aligned with the Structure Plan in the VSD and with the provision of necessary infrastructure. These additional assessment requirements incorporated into the VSD will ensure that future development applications assessed by Council will be subject to the same requirements applying to development in the Emerging Community Zone under PO₁ and AO_{1.1}. It is further noted that masterplanning of the site and locality has been undertaken by Council through the <i>West Toowoomba Land Use Investigation</i>, which has been substantially adopted in the Structure Plan for the VSD.	
Performance Outcome	Acceptable Outcome
PO ₆ Roads and other infrastructure are of a sufficient capacity to accommodate the demands generated by the development.	No acceptable outcome is nominated.
Alternate Outcome	
The applicant submits: <i>"The site is within the Priority Infrastructure Area (PIA) and has, or can have, access to Council infrastructure required to support the future development of the subject for residential development, including:-</i> <i>a. Water: A 200mm water main traverses the sites frontage to Drayton-Wellcamp Road;</i> <i>b. Wastewater: A sewer gravity main, sewer rising main and sewer pump station (ID: SPS74) are located within the site's frontage to Drayton Wellcamp Road. Further, a development application has been made to extend a 150mm sewer main from SPS74, through the Lot 13, to the Toowoomba Showgrounds to the east.</i> <i>c. Stormwater: The drainage channel at the centre of the site and Drayton Wellcamp Road can serve as a lawful point of discharge for future development on the site.</i> <i>d. Transport: The site has direct frontage to Drayton Wellcamp Road, a Regional Arterial Road. These roads are intended to carry significant traffic and provide regional connections.</i> <i>e. Parks: The site has sufficient area to include parkland that will satisfy the desired standards of service for the provision of parkland."</i>	
Officer Comment	
The site is serviced by infrastructure with sufficient capacity to accommodate the demands generated by future development over the site. The likely type, scale and timing of future development at this site facilitated by the proposed Variation Request has been assessed against the Local Government Infrastructure Plan (LGIP) later within this report. The intended development outcomes for Emerging Community Zoned land aligns generally with the Low-medium Density Residential Zone (Urban Residential Precinct), ensuring that infrastructure demands generated by future development over the site under the VSD are consistent with the assumptions around location, type and scale of development. The subject site is situated inside of the Priority Infrastructure Area (PIA), which identifies the area prioritised for the provision of trunk infrastructure to service the existing and assumed future urban development up to 2031. Inclusion within the PIA supports the conversion of the land zoned	

Emerging Community for urban purposes. In tandem with the non-statutory planning and growth modelling studies undertaken by Council and addressed earlier within this report, it is considered that development at this site in the short-term is consistent with the timing assumptions in the LGIP.

Additional investigations and modelling have been undertaken by Council officers for the water supply network to determine whether infrastructure is available to service the land and whether the proposal aligns with the current assumptions within the LGIP for this network. Accordingly, Council's modelling contemplates there being adequate capacity in the water network to service some, but not all, of the future development anticipated over the land by the Variation Request.

Conditions of approval are recommended that impose an 'EP cap' on future development over the site for the life of a Variation Approval. Water supply matters are addressed in further detail later in this report.

LOW-MEDIUM DENSITY RESIDENTIAL ZONE CODE:

As the proposed variation seeks to apply the provisions of the Low-medium Density Residential Zone to future development of the site, an assessment has been undertaken against the Low-medium Density Residential Zone Code to ensure that the outcomes that would be achieved through the variation align with the intended outcomes for land zoned Low-medium Density Residential.

If approved, future development over the site will be assessable against the Low-medium Density Residential Zone Code for the life of the Variation Approval. This will ensure that built form, landscaping and amenity outcomes sought will become relevant assessment benchmarks for future development within the area covered by the variation.

The subject land is considered suitable for residential development, and a local/neighbourhood centre to service the immediate residential community, that can achieve the overall outcomes sought for the Low-medium Density Residential Zone Code. Of relevance:

- Where developed in accordance with the provided structure plan, will provide for an efficient land-use pattern that is well connected to other parts of the local government area;
- Development will be consistent with the existing and emerging low-medium density residential scale and character of the area to the north, where residential development has occurred with lot sizes consistent with Low-medium Density Residential Zone;
- Development at this site is able to be supported by necessary community facilities, open space and infrastructure, the specifics of which will be determined as part of a future development application;
- The site contains large areas free of environmental constraints such as steep land, flood prone land and remnant vegetation. Where areas of the site are constrained, future subdivision design can avoid or mitigate impacts to or from these constraints; and
- Adequate separation from incompatible land uses will ensure no adverse impacts to future residents or adjoining land.

The appropriateness of development at this site, consistent with the Low-medium Density Residential Zone, is supported by the current zoning of the land as Emerging Community. The intended development outcomes for Emerging Community Zoned land aligns generally with the Low-medium Density Residential Zone (Urban Residential Precinct).

DEVELOPMENT CODES:

The Variation Request does not authorise further development to occur without the need for a development permit, other than development that may already have been able to proceed without the need for a development permit in the Emerging Community Zone (e.g. Dwelling Houses). The Variation Request establishes a framework to facilitate and guide future residential development within the subject land. The form and design of development that may occur in future has not been assessed within this report as this is most appropriately assessed at a later stage through a

Development Application for a Development Permit for Reconfiguring a Lot and Material Change of Use.

The Variation Request does not seek to vary the Use and Development Codes that development at this site would be assessed against. In this regard, Council's assessment of future development at the site would not be impacted by an approval of the Variation Request.

While concept structure plans have been provided with the application demonstrating conceptually how future residential development may be structured across the site, these plans have been provided only to assist in determining expected yield and the location of necessary infrastructure delivery and external network connections.

An assessment of future lot subdivision and built form outcomes against the development codes in the Planning Scheme is therefore not provided in the below section of this report. It is considered that the site can accommodate future residential and non-residential development that complies with the purpose and overall outcomes of the Low-medium Density Residential Zone Code and relevant Use and Development Codes in the Planning Scheme. Relevantly, the ability to provide infrastructure to all lots in an efficient, coordinated and sequenced manner has been assessed in the following section of this report assessing the development against the Local Government Infrastructure Plan.

Additional Assessment Matters for Variation Requests under the *Planning Regulation 2017*

61(2)(c) of *Planning Act 2016* requires that when assessing a Variation Request, the assessment manager must consider the effects the variations would have on submission rights for later development applications, particularly considering the amount and detail of information included in, attached to, or given with the application and available to submitters.

This requirement is intended to ensure that a variation approval is not given where there is insufficient information available for the public to be able to form a reasoned opinion of the proposed development.

A Variation Request that reduces the level of assessment for development from Impact to Code will affect submission rights for later development applications. As a Variation Request is Impact Assessable, this essentially 'front-loads' the process in which a submitter may comment on proposed development.

No material concerns are raised with respect to S61(2)(c) of the Act. The following matters have informed this view:

- The application included a Structure Plan showing the location of future land uses and development outcomes across the site. These conceptual plans align with the outcomes sought for the underlying zoning of the land (Emerging Community Zone). The public has been afforded the opportunity to form a reasonable opinion of the proposed development from a review of the common material;
- The Variation Request does not seek to vary from the underlying future development outcomes in the Emerging Community Zone. The similarities between the Emerging Community Zone and Low-medium Density Residential Zone are discussed earlier within this report;
- The Variation Request provides for a limited number of non-residential land uses to proceed as Code Assessable that would otherwise be subject to Impact Assessment by adopting the provisions of the Low-medium Density Residential Zone. Refer to the summary provided earlier in this report ('Variation Scheme Document – Changes to Levels of Assessment and Assessment Benchmarks'); and
- No changes have been made to the application since the public notification period. If changes had been made, Council would have considered whether the change may have given rise to additional submissions or compelled a submitter to amend their submission to raise additional matters.

Local Categorising Instrument – Variation Approval:

No existing Variation Approval over the subject site.

Local Categorising Instrument – Temporary Local Planning Instrument:

There is no Temporary Local Planning Instrument in effect that is relevant to the assessment of the application.

Council implemented a Temporary Local Planning Instrument (TLPI 01/2022) on 23 December 2022 which ceased to have effect on 23 December 2024. The TLPI ceased to have effect prior to the lodgement of this development application.

Further background information on TLPI 01/2022 and its relevance to the assessment of this Variation Request is provided elsewhere in this assessment, including its consideration as a relevant matter in Council's assessment.

Local Categorising Instrument – Preliminary Approval:

No existing Preliminary Approval has been granted over the subject site.

Local Categorising Instrument – Local Government Infrastructure Plan:

General

The development application is subject to the requirements of the LGIP.

The proposed development is considered to comply with the purpose of the LGIP, subject to the imposition of reasonable and relevant conditions. The purpose of the LGIP is to:

- *Integrate infrastructure planning with the land use planning identified in the planning scheme;*
- *Provide transparency regarding a local government's intentions for the provision of trunk infrastructure;*
- *Enable a local government to estimate the cost of infrastructure provision to assist its long term financial planning;*
- *Ensure that trunk infrastructure is planned and provided in an efficient and orderly manner; and*
- *Provide a basis for the imposition of conditions about infrastructure on development approvals.*

The subject site is situated inside of the Priority Infrastructure Area (PIA). The PIA forms part of the LGIP which is intended to assist Council and industry to coordinate, prioritise and sequence the provision of all infrastructure networks required to service growth for a 10 to 15 year development horizon.

Council's PIA has been determined having regard to the region's anticipated growth to 2031 (as outlined in section 4.2 of the Planning Scheme) and takes into consideration cost efficiency for establishment of infrastructure and ongoing costs post-establishment.

The Variation Request seeks to establish a framework to facilitate the development of residential uses generally consistent with the Low-medium Density Residential Zone. The current zoning of the site is Emerging Community under the Planning Scheme. This section of the report considers whether development of the site as intended under the VSD is generally consistent with the assumptions in the LGIP with respect to the type, scale, location and timing of future development at this location.

Consistency with LGIP - Type, Scale and Location of Future Development

The development site is currently zoned Emerging Community. The intended development outcomes for Emerging Community Zoned land aligns generally with the Low-medium Density Residential Zone (Urban Residential Precinct), by seeking:

- Minimum dwelling yield of 15 dwellings per hectare net;
- A variety and diversity of housing types, including Dual Occupancy development dispersed throughout residential neighbourhoods;
- Provision of accessible community services; and
- Contemplates business activities and other non-residential development when provided as part of a masterplan with an application.

The Variation Request does not nominate the intended Precinct (e.g. Urban Residential or Urban Consolidation) to be applied to land within the Variation Area. Dwelling density assumptions in the LGIP vary significantly between the precincts in the Low-medium Density Residential Zone. In Appendix B of Council's *Local Government Infrastructure Plan – Planning Assumptions Report* (April 2016), which informed the LGIP, the following dwelling density assumptions are made for each precinct within the Low-medium Density Residential Zone:

- Regional Residential Precinct – 15 dwellings/hectare (2 attached and 13 detached);
- Urban Residential Precinct – 17 dwellings/hectare (4 attached, 13 detached);
- Hospital Support Precinct – 40 dwellings/hectare (40 attached); and
- Office Residential Precinct – 40 dwellings/hectare (40 attached).

The Planning Assumptions Report applies the same assumptions for the Emerging Community Zone as the Urban Residential Precinct (including both total density and the mix of attached and detached housing products).

Appendix C in the Planning Assumptions Report further considers demand generation rates for each of the trunk infrastructure networks for each Zone and Precinct. The assumptions for the Emerging Community Zone and Low-medium Density Residential Zone (Urban Residential Precinct) also align in this table (rates calculated per development hectare):

- 41.90 EP in the water supply network;
- 41.90 EP in the sewerage network;
- 100 vtepd in the transport network;
- 41.90 EP in the parks network; and
- 0.7 imp ha for the stormwater quantity network.

Where the recommendation outlined earlier in this report is adopted to apply the Urban Residential Precinct to the entire Variation Area, the proposal aligns with the LGIP assumptions around the type, scale and location of future development.

Consistency with LGIP - Timing of Future Development

The development site is currently zoned Emerging Community. The assumptions around timing of development in the Emerging Community Zone is informed by the Purpose statements in the Emerging Community Zone Code. The Emerging Community Zone is intended to:

- Identify land that is intended for an urban purpose in the future (purpose statement (a));
- Provide for the timely conversion of non-urban land to urban purposes (purpose statement (c)); and
- Provide for the development of new communities after detailed land use master planning and infrastructure planning of areas within the zone has been undertaken (overall outcome (4)(a)(i)).

The subject site is situated inside of the Priority Infrastructure Area (PIA), which identifies the area prioritised for the provision of trunk infrastructure to service the existing and assumed future urban development up to 2031. Inclusion within the PIA supports the conversion of the land zoned Emerging Community for urban purposes.

The *Toowoomba Regional Council Demographic Projections Report*, prepared by RPS and dated 19 March 2014 informed the LGIP by providing projections by small areas within the region for resident and workforce to 2031. The Toowoomba West area encompassing the subject land was anticipated to grow substantially from 11,737 persons in 2011 to 24,355 persons in 2031 (107.5% change). Assumptions within this report relevant to Emerging Community Zoned land include:

- Development at a net density of 8 dwellings per hectare gross; and
- 95% build out of zoned land by 2031, driven mainly by proximity to established services and major employment precincts.

More recent land use and growth planning has been undertaken for the Toowoomba west locality. These include the *West Toowoomba Land Use Investigation* and *Toowoomba Region Growth Plan*. The relevance of and alignment with these documents is detailed earlier within this report. Both documents anticipate significant growth of urban development in Toowoomba west in the period up to 2036, predominantly occurring through the development of residential and Emerging Community zoned land.

The proposal aligns with the intent of the Emerging Community Zone and non-statutory land use and growth planning documents. Together with the inclusion of the land in the PIA, the proposal is considered to comply with the general timing assumptions in the LGIP.

Additional investigations and modelling have been undertaken by Council officers for the water supply network to determine whether infrastructure is available to service the land and whether the proposal aligns with the current assumptions within the LGIP for this network.

Additional Considerations - Water Supply

Water for the western area around Toowoomba City is generally supplied under gravity from the Mt Kynoch Water Treatment Plant. Existing and future demand is outlined in the Greater Western Toowoomba Water Supply Study Planning Report May 2023. The study area generates approximately one third of the demand placed on the Mt Kynoch Water Treatment Plant. The study area includes growth areas such as Glenvale, Westbrook and the Toowoomba Trade Gateway at Charlton.

Although located within the PIA, the proposed development places greater demands on the water supply network than anticipated within the current assumptions in the LGIP. Specifically:

- The development site relies entirely on the Glenvale Reservoir for water supply;
- Existing available capacity in the Glenvale Reservoir is below anticipated levels for the planning horizon following a large increase in recent development within the catchment area; and
- Existing capacity in the network that may be available to service future development at the site has been calculated at 1,200 EP (equivalent persons), excluding the development already contemplated and approved through Development Permit MCUC/2024/8131 & RAL/2024/8129.

Accordingly, Council's modelling contemplates there being adequate capacity in the water network to service some, but not all, of the future development anticipated over the land by the Variation Request.

Conditions of approval (including amendments to the VSD) are recommended that impose an 'EP cap' on future development over the site for the life of a Variation Approval. These conditions, contained in **Attachment 3** will:

- Ensure alignment of the proposal with the assumptions in the LGIP with respect to the type, scale, location and timing of future development at this location;
- Provide clarity and certainty for future applicants relying on a Variation Approval over the land to plan and develop over the site;
- Place a clear burden of proof on future applicants to demonstrate that development that exceeds the conditioned 'EP cap' can be adequately serviced by Council's water supply network without significant augmentations;

- Ensure that Council's assessment of future Code Assessable applications is not unduly burdened by requiring Council to undertake detailed modelling and assessment of water supply capacity to service proposed development; and
- Ensure that water supply in the locality is not unduly impacted by exceeding the available capacity in the Glenvale Reservoir.

These conditions are considered to be a reasonable imposition having regard to the 5 year completion period recommended to be conditioned on the Variation Approval, ensuring that the EP cap does not represent an ongoing and perpetual burden on the future development of the land and only applies for the 5 year life of the Variation Approval.

Further augmentations to the water network are required to be constructed and operational to enable development to exceed the 1,200 EP cap. The following augmentations from the *Greater Western Toowoomba Water Supply Study – Planning Report (2023)* are identified, which form part of collective works labelled WBW_36_1:

- a) M10101 – Construction of approximately 4,073 metres of DN600 water main to supply Mt Peel Reservoir;
- b) SWTP_RES_31_001 – Construction of a 10 ML Mt Peel Reservoir;
- c) FCV10009 – Installation of a Flow Control Valve at Mt Peel Reservoir;
- d) M10102 – Construction of approximately 2093 metres of DN450 water main from the reservoir to Westbrook;
- e) PRV10019 – Installation of a DN375 Pressure Reducing Valve located on Boundary Street South.
- f) M10103 – Construction of approximately 38 metres of DN300 water main from the PRV to the existing water network; and
- g) M10109 – Construction of approximately 170 metres of DN300 water main connecting from the PRV to Shoesmith Road.

LGIP – Interim Amendment

The Interim LGIP Amendment was endorsed to proceed to public consultation at the Planning and Development Committee Meeting 12 May 2026. The Local Government Infrastructure Plan (LGIP) Interim Amendment updates trunk infrastructure assumptions, growth projections, and infrastructure demand modelling. While the amended LGIP has not yet been formally adopted, at the time of drafting this report it had just completed public consultation. The current adopted LGIP remains the statutory reference document for development assessment. However, the draft LGIP following public consultation is a material consideration.

In Queensland, the common law authority derived from the decision in *Coty (England) Pty Ltd v Sydney City Council* (1957) is recognised. This case established the principle that it is possible to give some weight to planning decisions that are in train but which do not yet have the force of law. The Coty principle establishes that a decision-maker may give genuine consideration to planning instruments or policies that have been publicly consulted, even before they are formally adopted.

The Interim LGIP Amendment has been reviewed in carrying out an assessment of the Variation Request. The proposal is consistent with the adopted and draft LGIP.

Other Relevant Matters

The *Planning Act 2016* (Planning Act) allows a broad discretion to decide impact assessable development applications. A balancing exercise must be undertaken, based on the assessment of the development application against the assessment benchmarks and any relevant matters, and discretion must be exercised in a way that advances the purpose of the Planning Act, subject to any implied limitation arising from the subject matter, scope and purpose of the Planning Act.

A relevant matter cannot include a person's personal circumstances, financial or otherwise. Examples of relevant matters can include, but are not limited to, the following:

- A planning need;
- The current relevance of the assessment benchmarks in the light of changed circumstances; or
- Whether assessment benchmarks or other prescribed matters were based on material errors.

Council, as the assessment manager for the application, may carry out an assessment having regard to any other relevant matter. It is considered that the Variation Request demonstrates broad compliance with the Planning Scheme and the outcomes sought for the development of land in the Emerging Community Zone. For this reason, no other relevant matters have been relied upon to inform a recommendation to approve the development subject to reasonable and relevant conditions.

RISK MANAGEMENT MATTERS

Recommendation to Approve

This report makes a recommendation to approve the application subject to reasonable and relevant conditions. The recommendation is based on the assessment of the proposed development against the following benchmarks:

- Schedules 9 and 10 of the *Planning Regulation 2017* (as relevant);
- *South East Queensland Regional Plan 2023*;
- *State Planning Policy July 2017*; and
- *Toowoomba Regional Planning Scheme 2012* (Version 28).

It is considered that the proposed development achieves broad compliance with the benchmarks and policies contained in the abovementioned planning documents.

LEGAL ISSUES

The recommendation to approve the application subject to the imposition of reasonable and relevant conditions is consistent with the provisions of the *Planning Act 2016*. The applicant and any person who has made a properly made submission in relation to the application may appeal any decision by the Assessment Manager under the applicable provisions of the *Planning Act 2016*.

Conditions

ASSESSMENT MANAGER CONDITIONS

PLANNING

PARAMETERS OF APPROVAL

1. The *Toowoomba Regional Planning Scheme 2012* (Version 28) is varied within the Variation Area in accordance with the *Drayton-Wellcamp Road Variation Scheme Document*, prepared by Property Projects Australia Pty Ltd, dated 25 November 2025.
2. The Variation Scheme Document varies the effect of the *Toowoomba Regional Planning Scheme 2012* for the Variation Area pursuant to Section 43 of the *Planning Act 2016* as stated within the Variation Scheme Document.
3. Where the Variation Scheme Document does not state the way in which the approval will vary the effect of the Planning Scheme, the provisions contained in the *Toowoomba Regional Planning Scheme 2012* (Version 28) continue to prevail.

REQUIREMENTS FOR FUTURE DEVELOPMENT WITHIN THE VARIATION AREA

4. Unless otherwise stated, all conditions must be complied with prior to the commencement of use of development within the Variation Area or prior to Council's endorsement of the first Plan of Subdivision within the Variation Area, and at all times thereafter.

VARIATION AREA

5. The Variation Area is the area identified in Figure 1 of the Approved Variation Scheme Document (as amended), encompassing all of Lot 4 RP225271 and Lot 13 SP346983.

VARIATION SCHEME DOCUMENT

6. For the assessment of development under the Variation Scheme Document, where there is any dispute or uncertainty as to the applicability of the Variation Scheme Document or an Applicable Planning Code or Policy, the applicability of the Variation Scheme Document or Applicable Planning Code or Policy must be as determined by Council.

COMPLETION PERIOD

7. In accordance with Section 88(2) of the *Planning Act 2016* (Qld), this Variation Approval lapses to the extent the development is not completed within five (5) years after the approval starts to have effect.

REQUIREMENTS FOR FUTURE DEVELOPMENT – INTERNAL ROADS

8. No through road access to Laura Court, Madison Court or Rebecca Street is permitted from future development within the Variation Area.

Note: This condition does not prevent private access, such as a driveway in an access easement, between the development land and these roads.

REQUIREMENTS FOR FUTURE DEVELOPMENT – WATER NETWORK

9. Unless otherwise agreed in writing by Council, future development within the Variation Area must not result in the cumulative water supply demand of 1,200 EP (equivalent persons) being exceeded within the Variation Area, excluding development approved under Development Permit MCUC/2024/8131 & RAL/2024/8129.

Note: The future construction of the Mount Peel reservoir and associated infrastructure may resolve the water supply limitations on future development within the Variation Area. The timing of future works may occur beyond the life of this Variation Approval.

10. Future development applications within the Variation Area must be accompanied by a Technical Note prepared by a suitably qualified RPEQ demonstrating that the requirements of Condition 9 are met.

REQUIREMENTS FOR FUTURE DEVELOPMENT – WASTEWATER NETWORK

11. Unless otherwise agreed in writing by Council, future development within the Variation Area must demonstrate that existing and approved wastewater infrastructure (including wastewater infrastructure approved under Development Permit OW/2025/5735) can be accommodated and integrated, so as to avoid unnecessary duplication or construction of excessive wastewater infrastructure.

REQUIREMENTS FOR FUTURE DEVELOPMENT – STORMWATER NETWORK

12. Stormwater from all future development within the Variation Area must be conveyed to a lawful point of discharge.
13. All future development within the Variation Area must not increase peak flow rates downstream from the subject land.
14. All future development within the Variation Area must not increase flood levels external to the subject land.
15. All future development within the Variation Area must not increase the duration of inundation external to the subject land that could cause loss or damage.
16. All future development within the Variation Area must achieve the Water Sensitive Urban Design objectives listed in PSP No. 2 and *State Planning Policy July 2017*.

GENERAL ADVICES

FUTURE DETAILED DESIGN REQUIRED

- 1) The detailed design of the development has not been assessed. The design of any future development within the Variation Area and all works required to support future development are subject to assessment in a subsequent Development Application. Additional detail will be required to be provided with a subsequent Development Application to demonstrate the suitability of any detailed design.

OTHER LAWS & REQUIREMENTS

- 2) 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.
- 3) Carrying out works on a road or interfering with the road or its operation will require a permit under *Subordinate Local Law No. 1.15 (2020)*. The application form can be found on Council's website at www.tr.qld.gov.au. For further information contact the Road Operations Branch through Council's Customer Service Centre on 131 872.

- 4) 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

- 5) This Development Approval starts to have effect in accordance with the provisions of Section 71 of the *Planning Act 2016*.

WHEN APPROVAL LAPSES

- 6) 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.

Aerial Imagery and Site Context



LEGEND:

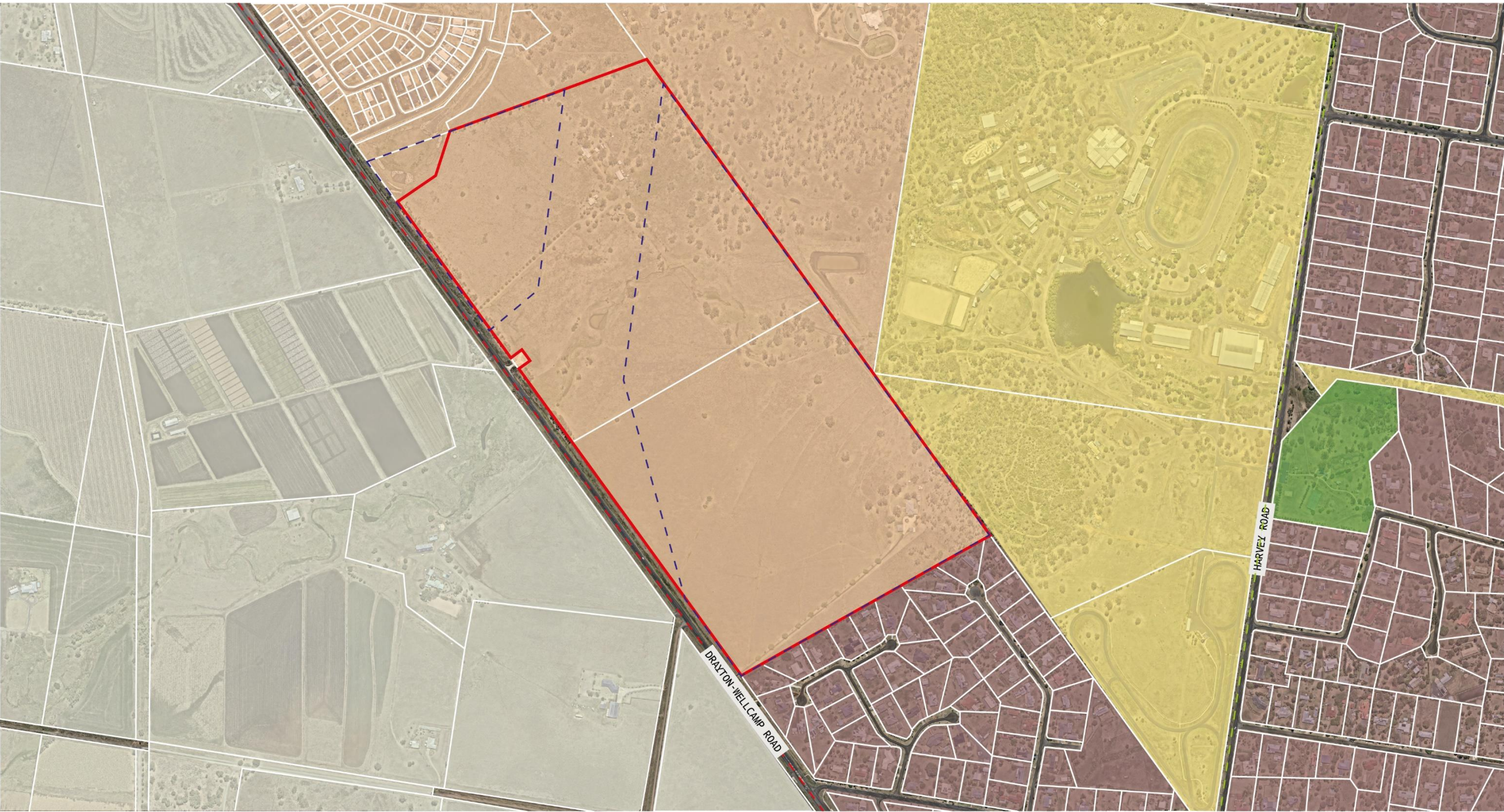
- SUBJECT SITE - 300 & 390 DRAYTON WELLCAMP ROAD (LOT 4 ON RP225271 & LOT 13 ON SP346983)
- 2 TOOWOOMBA SHOWGROUNDS - BRISBANE 2032 OLYMPIC GAMES VENUE
- 1 DEVELOPMENT APPLICATION - MCUC/2024/8131 & RAL/2024/8129 OVER 300 DRAYTON WELLCAMP ROAD (LOT 4 ON RP225271)

SCALE: NTS SOURCE: NEARMAP, TOOWOOMBA REGIONAL COUNCIL
THE CONTENT OF THIS DOCUMENT INCLUDES THIRD PARTY DATA. PROPERTY PROJECTS AUSTRALIA PTY LTD DOES NOT GUARANTEE THE ACCURACY OF SUCH DATA.

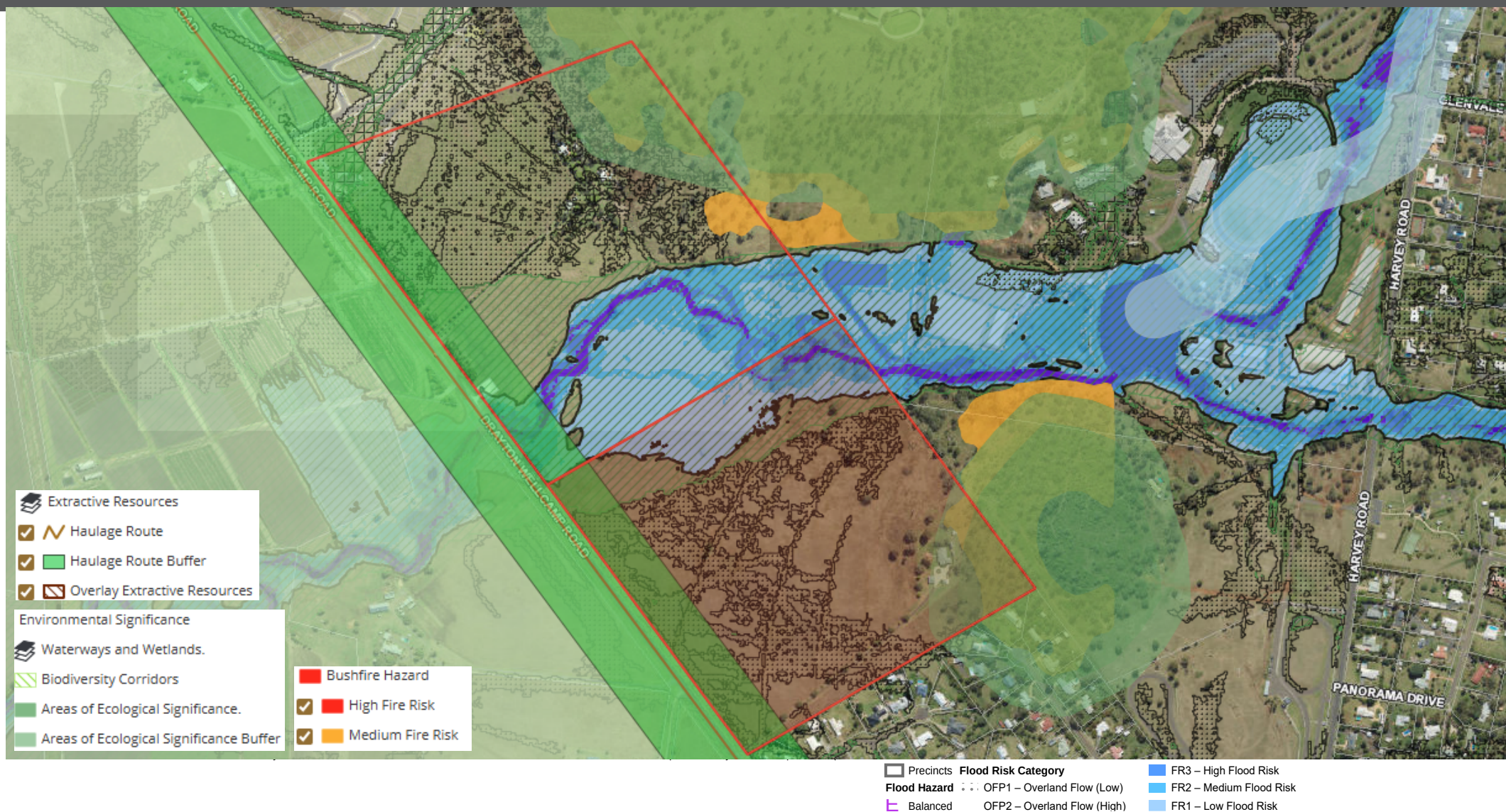


PPA
PROPERTY
PROJECTS
AUSTRALIA

Zoning and Overlay Map



LEGEND:	SUBJECT SITE - 300 AND 390 DRAYTON WELLCAMP ROAD (LOT 4 ON RP225271 AND LOT 13 ON SP346983)	ROAD HIERARCHY - DISTRIBUTOR	COMMUNITY FACILITIES ZONE
	TEMPORARY LOCAL PLANNING INSTRUMENT (01/2022) - EXPIRED	EMERGING COMMUNITY ZONE	RURAL ZONE
	ROAD HIERARCHY - REGIONAL ARTERIAL	RURAL RESIDENTIAL ZONE	OPEN SPACE ZONE
SCALE: NTS SOURCE: NEARMAP, TOOWOOMBA REGIONAL COUNCIL THE CONTENT OF THIS DOCUMENT INCLUDES THIRD PARTY DATA. PROPERTY PROJECTS AUSTRALIA PTY LTD DOES NOT GUARANTEE THE ACCURACY OF SUCH DATA.			

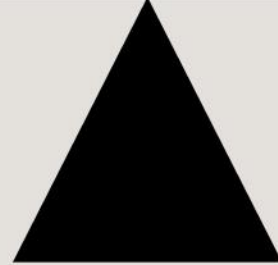


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Variation Scheme Document (VSD)

PROPERTY
PROJECTS
AUSTRALIA



Drayton-Wellcamp Road Variation Scheme Document

Drayton-Wellcamp Road Variation Scheme Document

Prepared by Property Projects Australia Pty Ltd
Prepared for Glenvale Land Company Pty Ltd ACN 674 220 994

25 November 2025

BRISBANE OFFICE OFFICE 1 / 618-626 BRUNSWICK ST NEW FARM QLD 4005 AUSTRALIA P +61 7 3254 1566	TOOWOOMBA OFFICE 123 MARGARET ST TOOWOOMBA QLD 4350 AUSTRALIA P +61 7 4632 0516	MELBOURNE OFFICE LEVEL 1, 239 NICHOLSON STREET CARLTON VIC 3053 AUSTRALIA P +61 3 7037 0432
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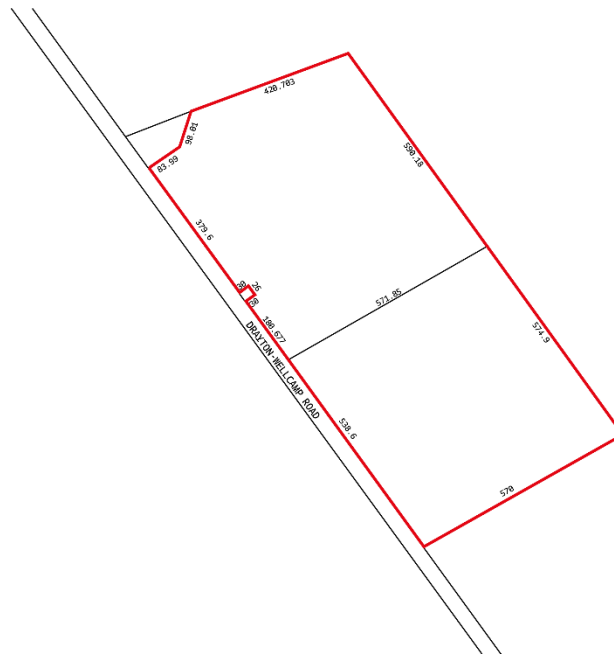
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1. APPLICATION

- 1.1 This is the Drayton Wellcamp Road Variation Scheme Document (the “VSD”) which applies to the land located at 300 and 390 Drayton Wellcamp Road (formally described as Lot 4 on RP225271 and Lot 13 on SP346983), otherwise described in Table 1 (the Variation Area, or “VA”). Figure 1 below shows identifies the VA.

Figure 1 – the Variation Area



LEGEND: — SUBJECT SITE - 300 & 390 DRAYTON WELLCAMP ROAD (LOT 4 ON RP225271 & LOT 13 ON SP346983)		
SCALE: NTS SOURCE: QLD GLOBE THE CONTENT OF THIS DOCUMENT INCLUDES THIRD PARTY DATA. PROPERTY PROJECTS AUSTRALIA PTY LTD DOES NOT GUARANTEE THE ACCURACY OF SUCH DATA.		

Table 1 – the Variation Area (VA) Land

Real Property Description	Area (Ha)
Lot 13 on SP346983 and Lot 4 on RP225271	67.88

- 1.2 This VSD only applies to:

a) All development within the Variation Area where:

i) The Toowoomba Regional Planning Scheme (Version 28) or this VSD states the Medium Density Residential Code is a requirement for Accepted Development or an Assessment Benchmark; or

ii) is categorised as Impact Assessable development by the Planning Scheme and/or this VSD, and the Assessment Manager in undertaking an Impact Assessment under Section 45 (5) of the *Planning Act 2016*, considers the *Medium Density Residential Code* and Assessment Benchmark or a relevant matter: or

b) development that is for a Material Change of Use and/or Reconfiguring a Lot.

1.3 This VSD is designed to establish a varied planning outcome for the VA Land, that differs from that presently identified for this land in the *Toowoomba Regional Planning Scheme 2012 (version 28.0, dated 28 November 2022)*. To properly achieve this in the context of the *Planning Act 2016*, this VSD undertakes the following:

1. development for the VA as assessable or accepted development, and specifies the categories of assessment required for different types of assessable development Categorise;
2. The variation of specific provisions of the *Toowoomba Regional Planning Scheme 2012 (version 28, dated 28 November 2022)* to support the varied planning outcome for the VA; and
3. Sets out the matters (the assessment benchmarks) that an assessment manager must assess assessable development on the VA against.

2. OPERATION

- 2.1 This VSD is intended to constitute a local categorising instrument in accordance with section 43(3)(c) of the Planning Act 2016.
- 2.2 If there is any inconsistency between the provisions of this VSD and the *Toowoomba Regional Planning Scheme 2012 (version 28, dated 28 November 2022)*, or any of its future iterations or superseding local planning instruments, the provisions in this VSD prevail.
- 2.3 What is not identified in this VSD as constituting a variation to the *Toowoomba Regional Council Planning Scheme 2012 (version 28, dated 28 November 2022)*, is not the subject of a variation request. In such instances, where there is no equivalent provision in this VSD, the provisions of the *Toowoomba Regional Planning Scheme 2012 (version 28, dated 28 November 2022)* will continue to prevail (and will do so, despite any subsequent amendment to those provisions, the *Toowoomba Regional Planning Scheme 2012* or any local planning instrument).
- 2.4 The definitions of the terms used in this VSD are as per the *Toowoomba Regional Planning Scheme 2012 (version 28, dated 28 November 2022)*.

3. VARIATIONS

- 3.1 For development stated in Section 1.2(a) or (b) of this VSD, this VSD suspends the provisions of the Planning Scheme, and gives effect to the applicable VSD provisions as stated in ~~Table 1.~~ **Table 2**

For development subject to this VSD the provisions of the Planning Scheme apply as if references to the *Emerging Community Zone* or *Emerging Community Zone Code* are a reference to the *Low-medium Density Residential Zone* and *Low-medium Density Residential Zone Code* respectively.

1.2(a) or (b)

Table 2 – Effect of this VSD for development stated in Section ~~1.2(a)(i) or (ii)~~ of this VSD

Development Type	Suspended planning Provisions	Applicable Provisions
Material Change of Use	Part 5, Section 5.5, Table 5.5:15 – Categories of development and assessment – Material Change of Use – Emerging Community Zone	Part 5, Section 5.5, Table 5.5:2 – Categories of development and assessment – Material Change of Use – Low – medium Density Residential Zone
Reconfiguring a Lot	Part 5, Section 5.6, Table 5.6:2 – Minimum Lot Sizes, row corresponding with 'Emerging Community Zone' in the column headed 'Zone (Precinct)'.	Table 3 – Minimum Lot Sizes (VSD).
Material Change of Use and/or Reconfiguring a Lot that is categorised as Assessable Development by the Planning Scheme	Nil	Table 4 Additional Requirements assessment benchmarks for assessable development (VSD)

Table 3 – Minimum Lot Sizes (VSD)

Applicable land	Minimum Lot Size
All land subject to this VSD	(a) 300m ² where connected or proposed to be connected by the related RAL application, to reticulated wastewater infrastructure; otherwise (b) 10 hectares.

Table 4 – VSD Additional Requirements for assessment benchmarks for assessable development (VSD)

Performance outcome	Acceptable outcome
For Assessable Development that is a material change of use with a site area greater than 10 hectares or reconfiguring a lot creating more than one additional lot	
P01 Development does not limit or preclude the long-term use of the site for urban purposes and use of nearby land for its intended purpose having regard to: (a) the scale and nature of the activity and its likely impacts; (b) the Precinct in which the site and nearby land is located as identified in this VSD. (c) the zone in which the nearby land (not subject to this VSD) is located.	A01.1 For a material change on a site area greater than 10 hectares in area or reconfiguring a lot creating more than one additional lot, a Master Plan: (a) identifies how the site is proposed to be developed; (b) demonstrates how the development facilitates the delivery of any public infrastructure or community purpose proposed by the Glenvale West Structure Plan (provided at Appendix A); (c) facilitates the logical and sequential development of the site and all adjoining land, for its intended purpose in accordance with the Glenvale West Structure Plan (provided at Appendix A)

Table 5 - Categories of development and assessment - water demand

For development stated in Section 1.2(a) or (b) of this VSD, Table 5 outlines the changes to the category of development and assessment from that identified in Table 2 and Table 3 in this VSD.

Where development in Table 5 is identified as having a different category of assessment than outlined in Table 2 and Table 3 in this VSD, the category of assessment in Table 5 applies.

Development	Categories of development and assessment
Development for a Material Change of Use or Reconfiguring a Lot that would not result in the cumulative water supply demand of 1,200 EP (equivalent persons) being exceeded within the Variation Area, considering all current Development Applications and Approved Development within the Variation Area (excluding development approved under Development Permit MCUC/2024/8131 & RAL/2024/8129)	No Change
Development for a Material Change of Use or Reconfiguring a Lot that would result in the cumulative water supply demand of 1,200 EP (equivalent persons) being exceeded within the Variation Area, considering all current Development Applications and Approved Development within the Variation Area (excluding development approved under Development Permit MCUC/2024/8131 & RAL/2024/8129)	Impact Assessable

APPENDIX A

Glenvale West Structure Plan

Prepared by:

Property Projects Australia Pty Ltd

- LEGEND
- Site Boundary
 - Key Road Network
 - Indicative Pedestrian / Cycle Bridge
 - Activity Centre
 - Local Park
 - Drainage Reserve
 - Medium Density Housing
 - Low-Medium Density Residential

NOTE: For all land in the Variation Area, development outcomes must align with the Low-medium Density Residential Zone Code for land in the Urban Residential Precinct

Structure Plan excludes area forming Lot 2 SP346983

**ADJOINING
RESIDENTIAL**

Area labelled 'land lease community' to be developed for Low-Medium Density Residential

**LAND LEASE
COMMUNITY**

Future development adjoining land zoned Rural Residential to provide an appropriate lot size and dwelling density transition

**ADJOINING
RESIDENTIAL**

DISCLAIMER

The contents of this plan are conceptual and for discussion purposes only. All areas and dimensions are approximate and subject to relevant studies, survey, engineering and Council approval.

The information used in this plan is drawn from the following sources:

Aerial: Nearmap
Site Boundaries: DCDB
Cadastral: DCDB
Contours: Q Spatial

PLAN REF: **AU374922-10A**
DATE: 21 NOVEMBER 2025
CLIENT: GLENVALE LAND COMPANY PTY LTD
DRAWN BY: GM
CHECKED BY: MD



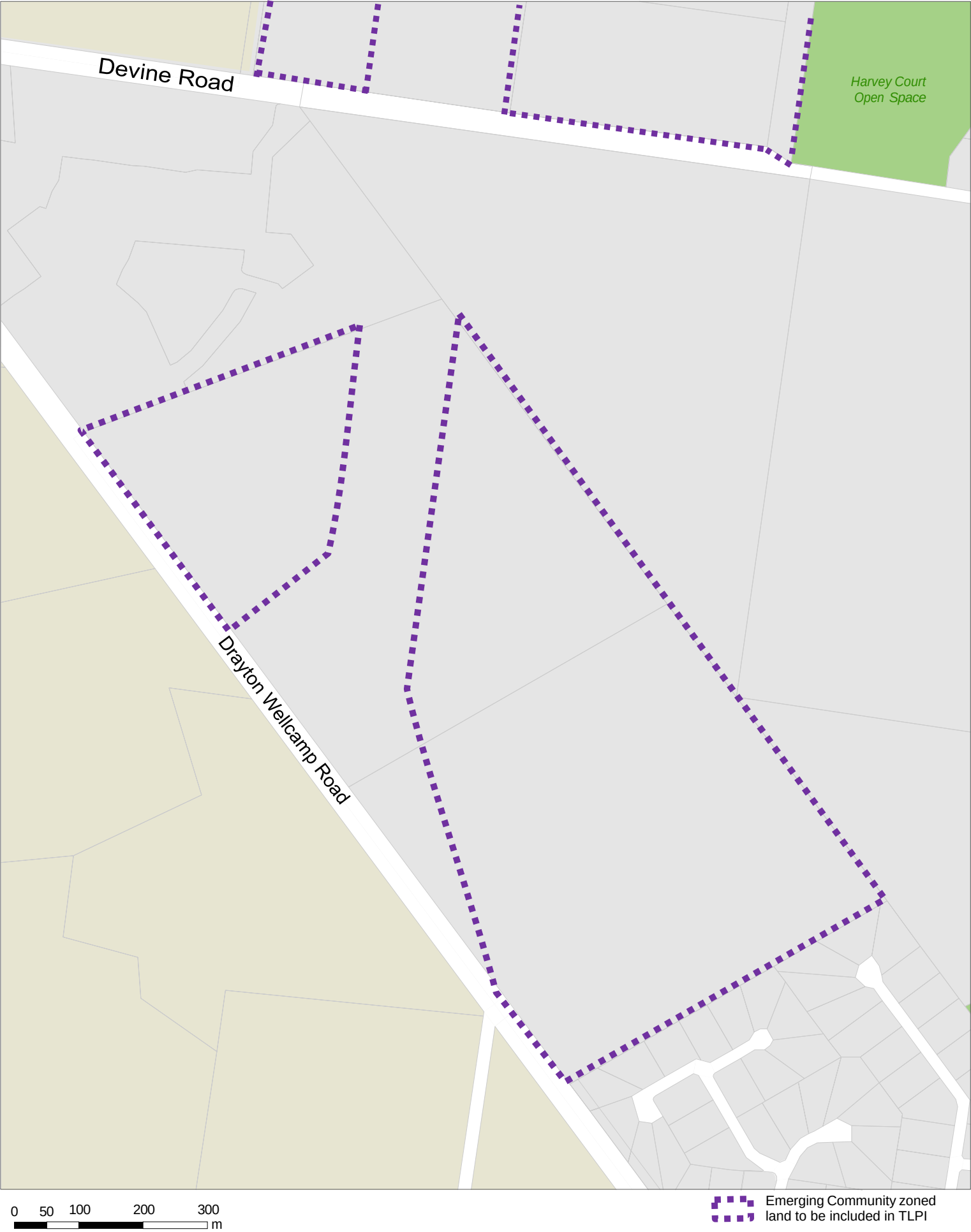
**DRAYTON WELLCAMP ROAD, GLENVALE
STRUCTURE PLAN**

URBAN DESIGN
Level 4 HQ South
520 Wickham Street
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Fortitude Valley QLD 4006
T +61 7 3539 9500
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**Extract of Former TLPI 01/2022 -Housing Supply Assistance
Measures**



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m

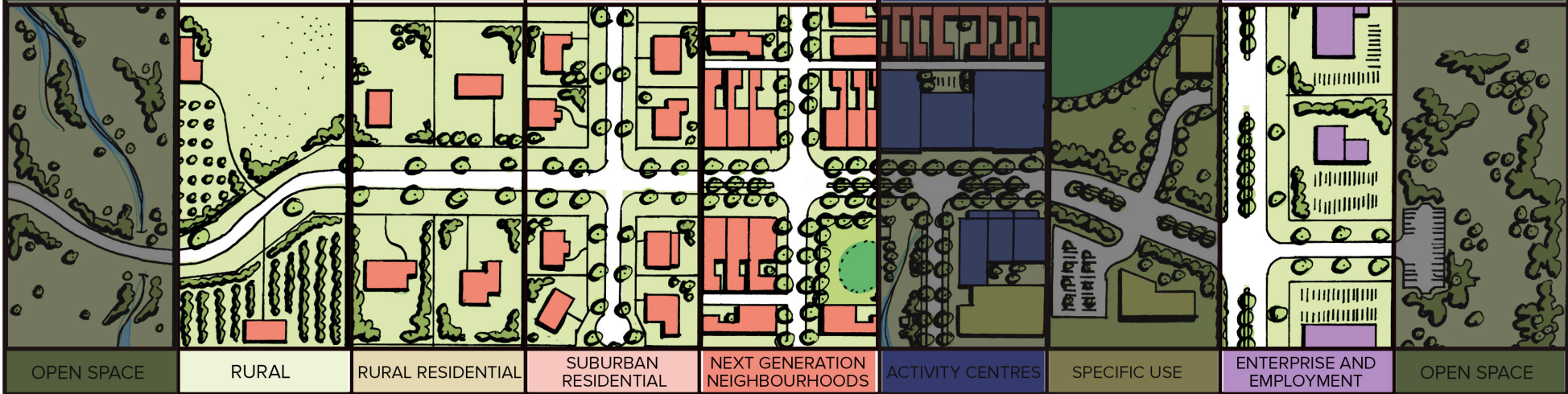
Emerging Community zoned
land to be included in TLPI

1:7,500 (at A4)

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Extracts from West Toowoomba Land Use Investigation

GLENVALE WEST & TORRINGTON



NEAR TOOWOOMBA SHOWGROUNDS



TRANSPORT/LOGISTICS INDUSTRIES AT HEINEMANN RD



DRAYTON WELLCAMP ROAD LOOKING NORTH

This plan does not propose change for residential areas in Torrington. However, it is recognised that there are several recently approved residential developments which are developing now and over the next few years. These new residential areas are generally suburban in style and form.

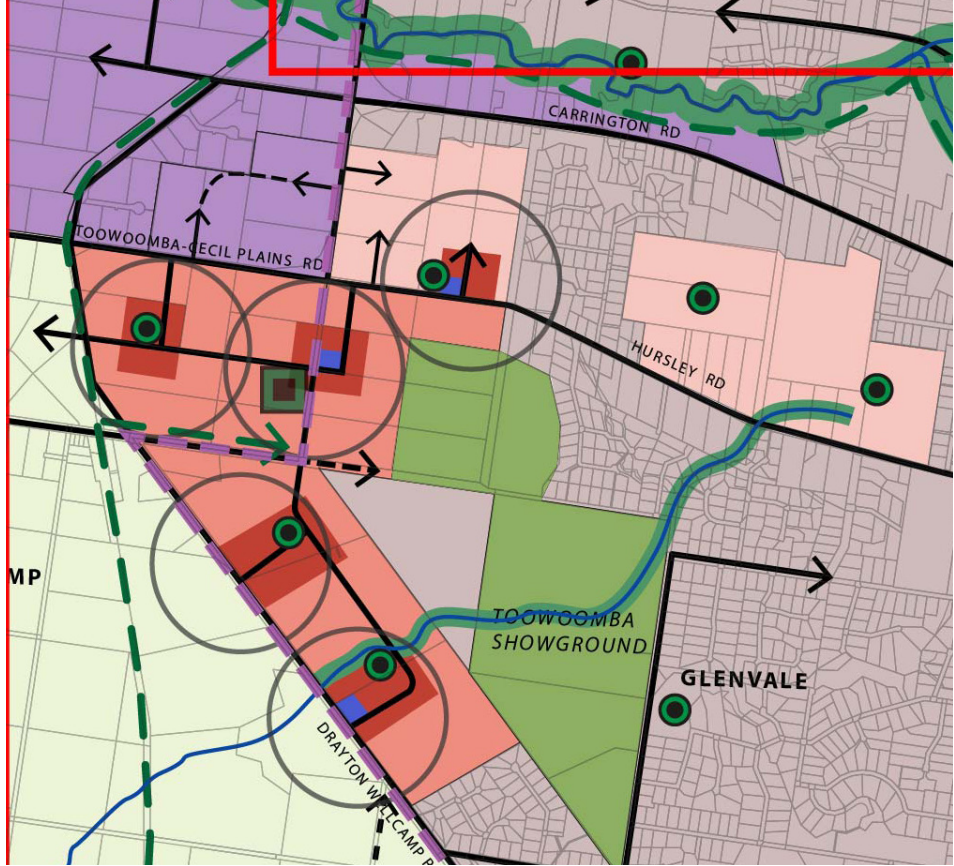
It is proposed that the existing Carrington Road industrial area is extended west along the northern side of Carrington Road. This will link with the enterprise employment area west of Troys Road.

The existing rural residential community of Glenvale will likely experience minimal change during the lifetime of this plan. The majority of residential growth will occur to the west of the existing area predominantly in

the current Emerging Community Zone. Some minor expansion of the existing urban footprint in this area will enable an appropriate neighbourhood structure in the main development area along Drayton Wellcamp Road.

The Toowoomba Showgrounds, Harvey Court Park as well as the escarpment separate the existing rural residential communities from planned new residential neighbourhoods along Drayton Wellcamp Road.

The new neighbourhoods will have a strong connection to the rural hinterland with views of the 'Spring Creek valley'. These *Next Generation Suburban Neighbourhoods* are well integrated and designed residential communities which promote walkability. Spring Creek is a significant natural feature that provides a natural backdrop setting, as well as linking to existing residential Toowoomba.



GLENVALE WEST / TORRINGTON OVERALL STRUCTURE

GLENVALE WEST / TORRINGTON NEIGHBOURHOOD TRANSECT AND PLACE TYPES

Glenvale West is comprised of the following place types:

- Rural
- *Next Generation Suburban Neighbourhoods*
- Open Space
- Enterprise and Employment
- Suburban Residential.

The transect above illustrates the place types applicable to Glenvale West and provides an overview of the overall urban design vision. The specific urban design responses are detailed in the subsequent section.

Specific Urban Design Responses

The Next Generation Suburban Neighbourhood planning and design principles have been applied to Glenvale West / Torrington as follows:

NEIGHBOURHOOD STRUCTURE

Residential development in Torrington will occur in the area north of Toowoomba Cecil Plains Road and east of Troys Road. The interface between residential and industry uses will need to be designed so as to minimise any conflict between these uses.

The corridor between Carrington Road and Toowoomba Cecil Plains Road and west of Troys Road will

GLENVALE WEST

At Glenvale West, the Structure Plan proposes a sizeable residential community below the high ground of the Toowoomba Escarpment, between Hursley, Toowoomba Cecil Plains and Drayton Wellcamp Roads. This area is about 230ha in size, and much of the land is already identified for urban growth in the Planning Scheme, with new urban land contemplated only in the north-west.

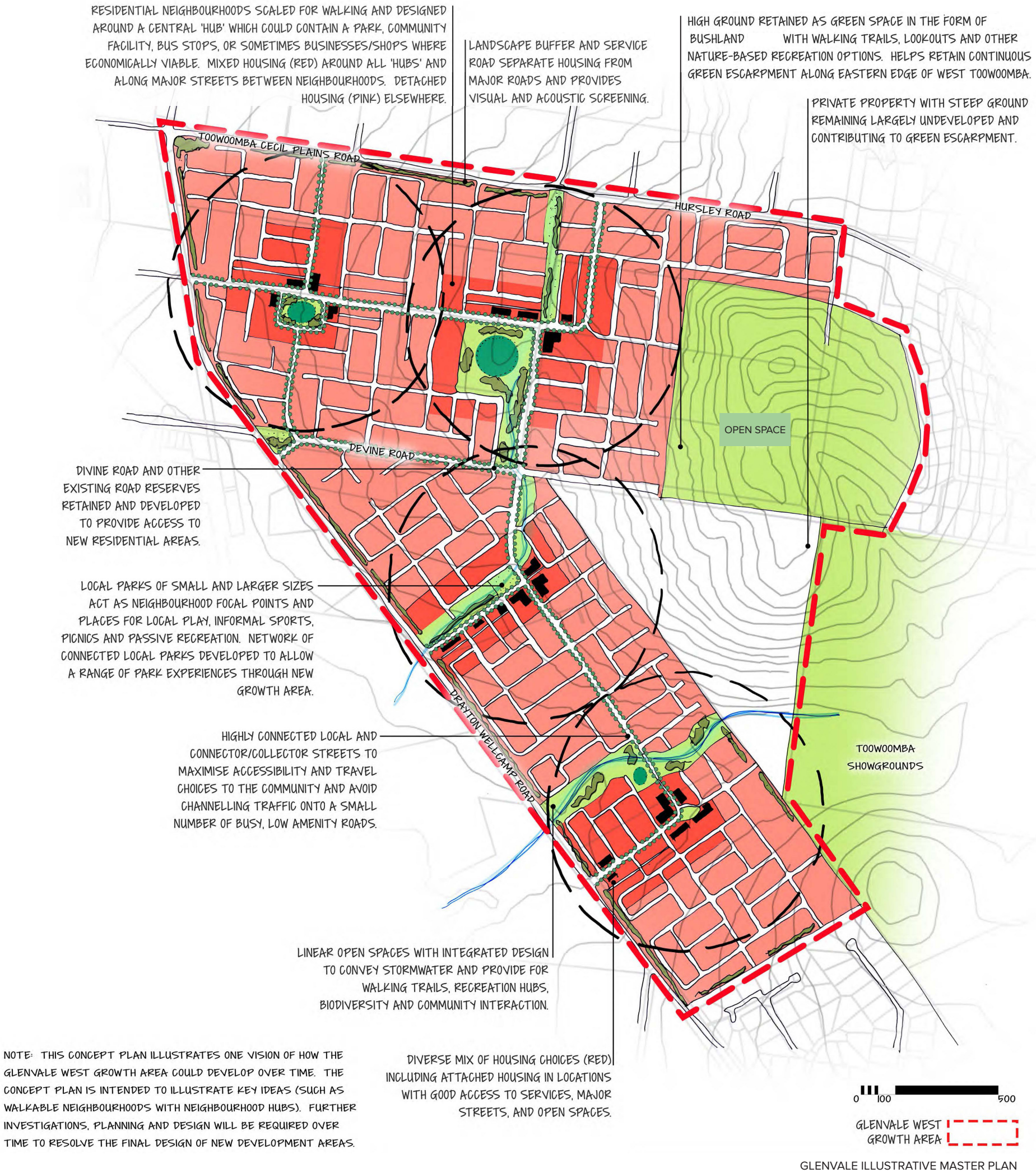
An Illustrative Master Plan (right) has been prepared to demonstrate and guide how an integrated community can be achieved in this development area, despite its elongated shape and varied topography.

Four *Next Generation Suburban Neighbourhoods* have been located along a connecting street network internal to the development and away from the busy (haulage) routes of Drayton Wellcamp and Toowoomba Cecil Plains Roads.

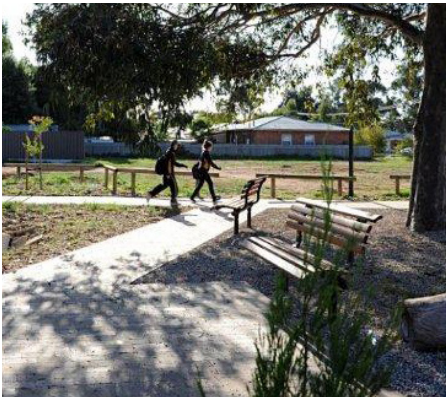
Local hubs of neighbourhoods provide local housing choice and amenity. Some hubs adjoin local open spaces, which also convey drainage to the west. Other linear open spaces separate the neighbourhoods, which allows for different design themes and characters to develop between the neighbourhoods.

Existing roads and road reserves (e.g. Divine Road) are integrated into the design and help provide connectivity to the external street network.

Steep land in the north-east is preserved for biodiversity and scenic/landscape character reasons, and adjoins the existing Harvey Court Reserve (undeveloped) on the top of the hill, where panoramic views across the Darling Downs can be enjoyed by local residents.



HOUSING OVERLOOKS OPEN SPACE



LOCAL AND LINEAR OPEN SPACE WITH WALKING TRAILS



CONNECTOR STREETS ARE WELL LANDSCAPED AND BOAST WIDE PATHS



**Extracts of Approved Development RAL/2024/8129 &
MCUC/2024/8131**

TOOWOOMBA REGIONAL COUNCIL

AMENDED PLAN
REQUIRED TO BE SUBMITTED FOR
APPROVAL

Refer to Condition Number(s)
5 and 6

referred to in Council's Decision Notice dated
8 October 2025

This plan is subject to conditions of Approval Number
RAL/2024/8129

Note: Additional land at the northern end of road reserve '23m Wide Collector Road' to be dedicated for future road reserve to provide access to Lot SP305554.

Note: Relocation of proposed lots 16 and 17 to allow for Local Park.

Note: Dedication of Local Park lot.

- Legend
- Site Boundary
 - Potential Duplex Allotment
 - Stage Boundary
 - 1m Contours
 - TLPI Boundary
 - Indicative Future Bin Pad Location

Yield Breakdown			
Freehold Residential	Stage 2	Balance	Overall
14.5m x 30-32m	10	—	10
16m x 30-32m	9	—	9
20m x 30-32m	2	—	2
Sub-Total	21	—	21
Total Dwellings (incl. duplex)	22	—	22
Balance Lot	—	1	1

Land Budget				
Land Use	Stage 2	Balance	Overall	%
Site Area	1.62ha	10.24ha	11.86ha	100.00%
Freehold Residential	1.06ha	0.00ha	1.06ha	8.9%
Balance Lot	0.00ha	10.24ha	10.24ha	86.3%
Public Road	0.52ha	0.00ha	0.52ha	4.4%
Pedestrian Linkages	0.03ha	0.00ha	0.03ha	0.3%

PLAN REF: AU374922-04

Rev No: F

DATE: 10 JULY 2025

CLIENT: GLENVALE LAND COMPANY PTY LTD

DRAWN BY: MM

CHECKED BY: MD



0 20 40 60 80 100 120 140 1 : 2,500 @ A3

300 DRAYTON WELLCAMP ROAD, GLENVALE

STAGE 2 - PLAN OF SUBDIVISION OVER LOT 9001

URBAN DESIGN

Level 8

31 Duncan Street

PO Box 1559

Fortitude Valley QLD 4006

T +61 7 3539 9500

W rpsgroup.com

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Note:
All Lot Numbers, Dimensions and Areas are approximate only, and are subject to survey and Council approval. Dimensions have been rounded to the nearest 0.1 metres. Areas have been rounded down to the nearest 5m².

The boundaries shown on this plan should not be used for final detailed engineers design.

Source Information:
Site boundaries: DCDB.
Adjoining information: DCDB.
Contours: QSPatial.

TOOWOOMBA REGIONAL COUNCIL

AMENDED PLAN
REQUIRED TO BE SUBMITTED FOR
APPROVAL

Refer to Condition Number(s)
7 and 8

referred to in Council's Decision Notice dated
8 October 2025

This plan is subject to conditions of Approval Number
MCUC/2024/8131

Note: Drainage reserve to be dedicated within northern portion of the site.

Note: Additional land at the northern end of road reserve '23m Wide Collector Road' to be dedicated for future road reserve to provide access to Lot SP305554.

Legend

- Site Boundary
- TLPI Boundary
- 1m Contours
- Entry Gate
- LLC Visitor Parking (99 Bays)
- Flood Risk - Low (FR1)
- Flood Risk - Medium - Extreme (FR2 - FR4)
- Indicative Bin Pad Location

Yield Breakdown		
Land Lease Community	Overall	
11m x 22m	55	17%
12m x 22m	100	31%
13m x 22m	97	30%
14m x 22m	74	23%
Total	326	100%

Land Budget		
Land Use	Overall	%
Site Area	19.63ha	100.0%
Future Development Area	0.52ha	2.6%
Land Lease Community Sites	9.07ha	46.2%
Sales Office	0.03ha	0.1%
Private Road	3.66ha	18.7%
Community Facilities	0.60ha	3.1%
Open Space and Recreation	3.64ha	18.5%
Embellishment Open Space	0.53ha	2.7%
3m Landscape Buffer	0.31ha	1.6%
Drainage	1.27ha	6.5%

Note:
All Lot Numbers, Dimensions and Areas are approximate only, and are subject to survey and Council approval.
Dimensions have been rounded to the nearest 0.1metres.
Areas have been rounded down to the nearest 5m².
The boundaries shown on this plan should not be used for final detailed engineers design.
Community Facilities and Open Space precinct built form is conceptual only and subject to detailed design.

Source Information:
Site boundaries: DCDB.
Adjoining information: DCDB.
Contours: QSpatial.
TLPI & Flooding: Toowoomba Regional Council (digitised).

PLAN REF: AU374922-03

Rev No: D

DATE: 10 JULY 2025

CLIENT: GLENVALE LAND COMPANY PTY LTD

DRAWN BY: MM

CHECKED BY: MD



0 20 40 60 80 100 120 140 1 : 2,500 @ A3

300 DRAYTON WELLCAMP ROAD, GLENVALE

SITE PLAN OVER LOT 9000

URBAN DESIGN
Level 8
31 Duncan Street
PO Box 1559
Fortitude Valley QLD 4006
T +61 7 3539 9500
W rpsgroup.com

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Referral Agency Response

SARA reference: 2510-48923 SRA
Council reference: MCUI/2025/7307
Applicant reference: J002367

RECEIVED
02/12/2025
TOOWOOMBA
REGIONAL COUNCIL

2 December 2025

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

Attention: Jayden Forbes-Mitchell

Dear Mr Forbes-Mitchell

SARA referral agency response— 300 & 390 Drayton Wellcamp Road, Glenvale

(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 24 October 2025.

Response

Outcome:	Referral agency response – with conditions	
	Under section 56(2)(a) of the <i>Planning Act 2016</i> , SARA advises it has no requirements relating to the variation request.	
Date of response:	2 December 2025	
Conditions:	The conditions in Attachment 1 must be attached to any development approval	
Advice:	Advice to the applicant is in Attachment 2	
Reasons:	The reasons for the referral agency response are in Attachment 3	

Development details

Description:	Preliminary approval that includes a variation request	Material Change of Use – Variation Request to Vary the Effect of the Toowoomba Regional Planning Scheme 2012
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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: 2510-48923 SRA

Assessment manager: Toowoomba Regional Council

Street address: 300 & 390 Drayton Wellcamp Road, Glenvale

Real property description: Lot 13 on SP346983 and Lot 4 on RP225271

Applicant name: Glenvale Land Company Pty Ltd ACN 674 220 994

Applicant contact details: C/- Property Projects Australia
Level 1, 618 Brunswick Street
New Farm QLD 4005
alistair@propertyprojectsaustralia.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 4**.

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

For further information please contact Danica Clark, Senior Planner, on 3307 6175 or via email ToowoombaSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Paul Gleeson
A/Manager

cc Glenvale Land Company Pty Ltd ACN 674 220 994, C/- Property Projects Australia,
alistair@propertyprojectsaustralia.com.au

enc Attachment 1 - Referral agency conditions
Attachment 2 - Advice to the applicant
Attachment 3 - Reasons for referral agency response
Attachment 4 - Representations about a referral agency response provisions
Attachment 5 – Approved Plans

Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application)

No.	Conditions	Condition timing
Preliminary approval for Material change of use		
Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 – Development impacting on state transport infrastructure—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following conditions:		
1.	(a) Provide a Traffic Impact Assessment (TIA) that identifies the traffic impacts associated with the ultimate development of the subject site (Lot 4 RP225271 and Lot 13 SP346983), to the Darling Downs District (Downs.South.West.IDAS@tmr.qld.gov.au), within the Department of Transport and Main Roads (DTMR). The ultimate development is to be based on the highest yield anticipated under the Drayton-Wellcamp Road Variation Scheme Document, prepared by Property Projects Australia Pty Ltd and dated 8 October 2025 or any other subsequent version of this document approved by the assessment manager. (b) The TIA must: (i) identify the impact of the ultimate development (safety and delay) on the state-controlled road network (ii) identify mitigation measures for any safety and delay impacts on the state transport network expected as a consequence of the ultimate development (iii) identify the staging or timing of the mitigation measures (iv) provide concept plans of any required mitigation works. (c) The TIA must be certified by a RPEQ and prepared in accordance with the principles and framework for undertaking a traffic impact assessment as set out within the DTMR's <i>Guide to Traffic Impact Assessment</i>. (d) All mitigation measures identified in the TIA must be designed, implemented and/or constructed in accordance with the recommendations, including timing, stated in the TIA and in accordance with DTMR's <i>Road Planning and Design Manual</i> (latest edition) and DTMR's <i>Road Safety Policy</i>.	(a) – (c) Prior to submitting the first Plan of Survey to the local government for approval, associated with this preliminary approval. (d) Prior to submitting a Plan of Survey to the local government for the relevant stage of development as identified in the RPEQ Certified TIA.
2.	(a) Provide a plan to identify a direct and efficient layout for a future bus route(s) and active transport route(s) that: (i) allows for approximately 90% of the future urban area to be within 400m of a potential bus route(s) (ii) connects to adjoining development allowing for direct and efficient bus servicing to the development and surrounding area iii. includes a safe, direct and convenient pedestrian access to the potential future bus route (iii) accommodates a single unit rigid bus of 12.5m in length. (b) Submit plan to the Darling Downs District (Downs.South.West.IDAS@tmr.qld.gov.au) within the Department of Transport and Main Roads.	Prior to submitting the first Plan of Survey to the local government for approval, associated with this preliminary approval.

Attachment 2—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 3.3). If a word remains undefined it has its ordinary meaning.

Attachment 3—Reasons for referral agency response

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

The reasons for the SARA's decision are:

With conditions, the development complies with State code 6. Specifically, the development:

- provides public passenger transport infrastructure to enable development to be serviced by public passenger transport
- 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 3.3), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- section 58 of the *Human Rights Act 2019*

Attachment 4—Representations about a referral agency response provisions

(page left intentionally blank)

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.

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PROJECTS
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RECEIVED
02/12/2025

TOOWOOMBA
REGIONAL COUNCIL

PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE



SARA ref: 2510-48923 SRA

Date: 02/12/2025

Drayton-Wellcamp Road Variation Scheme Document

Drayton-Wellcamp Road Variation Scheme Document

Prepared by Property Projects Australia Pty Ltd
Prepared for Glenvale Land Company Pty Ltd ACN 674 220 994

8 October 2025

BRISBANE OFFICE OFFICE 1 / 618-626 BRUNSWICK ST NEW FARM QLD 4005 AUSTRALIA P +61 7 3254 1566	TOOWOOMBA OFFICE 123 MARGARET ST TOOWOOMBA QLD 4350 AUSTRALIA P +61 7 4632 0516	MELBOURNE OFFICE LEVEL 1, 239 NICHOLSON STREET CARLTON VIC 3053 AUSTRALIA P +61 3 7037 0432
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1. APPLICATION	3
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ii) is categorised as Impact Assessable development by the Planning Scheme and/or this VSD, and the Assessment Manager in undertaking an Impact Assessment under Section 45 (5) of the *Planning Act 2016*, considers the *Medium Density Residential Code* and Assessment Benchmark or a relevant matter: or

b) development that is for a Material Change of Use and/or Reconfiguring a Lot.

1.3 This VSD is designed to establish a varied planning outcome for the VA Land, that differs from that presently identified for this land in the *Toowoomba Regional Planning Scheme 2012 (version 28.0, dated 28 November 2022)*. To properly achieve this in the context of the *Planning Act 2016*, this VSD undertakes the following:

1. development for the VA as assessable or accepted development, and specifies the categories of assessment required for different types of assessable development Categorise;
2. The variation of specific provisions of the *Toowoomba Regional Planning Scheme 2012 (version 28, dated 28 November 2022)* to support the varied planning outcome for the VA; and
3. Sets out the matters (the assessment benchmarks) that an assessment manager must assess assessable development on the VA against.

2. OPERATION

- 2.1 This VSD is intended to constitute a local categorising instrument in accordance with section 43(3)(c) of the Planning Act 2016.
- 2.2 If there is any inconsistency between the provisions of this VSD and the *Toowoomba Regional Planning Scheme 2012 (version 28, dated 28 November 2022)*, or any of its future iterations or superseding local planning instruments, the provisions in this VSD prevail.
- 2.3 What is not identified in this VSD as constituting a variation to the *Toowoomba Regional Council Planning Scheme 2012 (version 28, dated 28 November 2022)*, is not the subject of a variation request. In such instances, where there is no equivalent provision in this VSD, the provisions of the *Toowoomba Regional Planning Scheme 2012 (version 28, dated 28 November 2022)* will continue to prevail (and will do so, despite any subsequent amendment to those provisions, the *Toowoomba Regional Planning Scheme 2012* or any local planning instrument).
- 2.4 The definitions of the terms used in this VSD are as per the *Toowoomba Regional Planning Scheme 2012 (version 28, dated 28 November 2022)*.

3. VARIATIONS

- 3.1 For development stated in Section 1.2(a) or (b) of this VSD, this VSD suspends the provisions of the Planning Scheme, and gives effect to the applicable VSD provisions as stated in **Table 1**.

For development subject to this VSD the provisions of the Planning Scheme apply as if references to the *Emerging Community Zone* or *Emerging Community Zone Code* are a reference to the Low-medium Density Residential Zone and Low-medium Density Residential Zone Code respectively.

Table 1 – Effect of this VSD for development stated in Section 1.2(a)(i) or (ii) of this VSD

Development Type	Suspended planning Provisions	Applicable Provisions
Any development: a) that Part 5 of the Planning Scheme states the Medium Density Residential Code is an Assessment Benchmark and a requirement for Accepted Development; or b) categorised as Impact Assessable development by the Planning Scheme and/or this TLPI, and the Assessment Manager in undertaking an Impact Assessment under Section 45 (5) of the Planning Act 2016, considers the Medium Density Residential Code an Assessment Benchmark or a relevant matter.	Part 9, Section 9.3, Subsection 9.3.7, Table 9.3.7:1 – Medium Density Residential Code – Requirements for accepted development and assessment benchmarks for assessable development: a) Performance Outcome P021 and Acceptable Outcome A021.1; and b) Performance Outcome P024 and Acceptable Outcome A024.1. AND/OR Part 9, Section 9.3, Subsection 9.3.7, Table 9.3.7:2 – Medium Density Residential Code – Assessment benchmarks for assessable development Performance Outcome	Table 2 - Medium Density Residential Code – Requirements for accepted development and assessment benchmarks for assessable development (VSD).

	P024 and Acceptable Outcome A024.1.	
Material Change of Use	Part 5, Section 5.5, Table 5.5:15 – Categories of development and assessment – Material Change of Use – Emerging Community Zone	Part 5, Section 5.5, Table 5.5:2 – Categories of development and assessment – Material Change of Use – Low – medium Density Residential Zone
Reconfiguring a Lot	Part 5, Section 5.6, Table 5.6:2 – Minimum Lot Sizes, row corresponding with 'Emerging Community Zone' in the column headed 'Zone (Precinct)'.	Table 3 – Minimum Lot Sizes (VSD).
Material Change of Use and/or Reconfiguring a Lot that is categorised as Assessable Development by the Planning Scheme or this TLPI	Nil	Table 4 – TLPI Additional Requirements assessment benchmarks for assessable development (VSD)

Table 2 – Medium Density Residential Code – Requirements for accepted development and assessment benchmarks for assessable development (VSD)

Performance outcomes	Acceptable outcomes
P01 Stormwater discharge from the site is to a lawful point of discharge as defined in the Queensland Urban Drainage Manual (QUDM) and not to private land other than to an easement for stormwater purposes benefitting the site and allowing discharge to a lawful point of discharge in land over which Council has tenure or control.	A01.1 The site: (a) has a natural surface with an elevation that is higher than the abutting road and enables stormwater to drain gravitationally to the abutting road via subsurface pipes; or (b) has a natural surface with an elevation that is higher than Council's stormwater drainage network in the abutting road and enables stormwater to drain gravitationally to the stormwater drainage network in the abutting road via subsurface pipes; or (c) has lawful access to an inter allotment drainage network with available capacity

	to meet the requirements of the development; or (d) Uses a pumped pipe system designed and certified by an RPEQ to discharge stormwater to the kerb and channel of the adjoining road; and (e) Design of the pumped pipe system meets the following requirements: Design of the pumped pipe system meets the following requirements: i) there is a gravity flow across the road reserve from the property boundary to the street gutter to preclude the possibility of street water backflow; ii) if malfunction or overflows occur the flows do not cause an actionable nuisance; iii) redundancy for pumps and power supply in case of mains supply failure; iv) incorporation of failure notification; v) storage volumes equate to 50mm of rain on impervious surfaces; vi) a check of road capacity and existing drainage system is required to demonstrate that there are no adverse impacts; vii) the pump capacity has the ability to empty the storage volume within 10hrs or less; and viii) the system is designed to eliminate mosquito nuisance. (f) A maintenance plan for the pumped pipe system is provided and incorporated into any Community Management Statement for the development.
--	--

Table 3 – Minimum Lot Sizes (VSD)

Applicable land	Minimum Lot Size
-----------------	------------------

All land subject to this VSD	(a) 300m ² where connected or proposed to be connected by the related RAL application, to reticulated wastewater infrastructure; otherwise (b) 10 hectares.
------------------------------	---

Table 4 – VSD Additional Requirements for assessment benchmarks for assessable development (VSD)

Performance outcome	Acceptable outcome
For Assessable Development that is a material change of use with a site area greater than 10 hectares or reconfiguring a lot creating more than one additional lot	
P01 Development does not limit or preclude the long-term use of the site for urban purposes and use of nearby land for its intended purpose having regard to: (a) the scale and nature of the activity and its likely impacts; (b) the Precinct in which the site and nearby land is located as identified in this TLPI; and (c) the zone in which the nearby land (not subject to this VSD) is located.	A01.1 For a material change on a site area greater than 10 hectares in area or reconfiguring a lot creating more than one additional lot, a Master Plan: (a) identifies how the site is proposed to be developed; (b) demonstrates how the development facilitates the delivery of any public infrastructure or community purpose proposed by a Structure Plan identified in the West Toowoomba Land use Investigations (provided at Appendix A); (c) facilitates the logical and sequential development of the site and all adjoining land, for its intended purpose in accordance with any Structure Plan identified in the West Toowoomba Land use Investigations (provided at Appendix A); and (d) provides details about how it has been prepared in accordance with the PSP No. 4 - Master Planning.