

REPORT TITLE	Assessment of Change Application (Other Change) for Material Change of Use – Impact – Preliminary Approval for a Variation Request located at Lot 1 SP349893 and Lot 32 SP304226 Robson Hursley Road and Rielly Street, TORRINGTON QLD 4350
AUTHOR	Planning Officer (James Leader)
Application No.	MCUI/2018/2226/C

PURPOSE OF REPORT

To consider a change application regarding a development approval for Material Change of Use – Impact – Preliminary Approval for a Variation Request located at Lot 1 SP349893 and Lot 32 SP304226 Robson Hursley Road and Rielly Street, TORRINGTON QLD 4350.

EXECUTIVE SUMMARY

On 19 October 2018 Council approved a Preliminary Approval for a Variation Request at Lot 1 SP349893 and Lot 32 SP304226 Robson Hursley Road and Rielly Street, Torrington. The site has access to a constructed road via Rielly Street to the east and to an unconstructed road via Robson Hursley Road to the west.

The applicant lodged the current Change Application (Other Change) on 25 September 2025 seeking to remove redundant conditions, approve documents and plans that were previously conditioned to be provided, and to amend the tables of assessment for the Low Impact Industry and Medium Impact Industry areas of the structure plan.

Various conditions of the variation approval relate to documents and plans needing to be prepared and provided to Council for approval. Since the original application was issued, these documents and plans have been prepared and have been included as approved plans and documents. As such several conditions of the variation approval are required to be amended or deleted in order to remove redundant conditions that require documents be provided for approval by Council.

The proposed change also seeks to amend the approved Tables of Assessment for the Low Impact Industry and Medium Impact Industry areas of the structure plan to allow for additional land uses to be permitted.

Table 1.1 – Low Impact Industry Area, and *Table 1.2 – Medium Impact Area*, of the existing approval allow for only a Transport Depot and Warehouse use to be Accepted Subject to Requirements or Code within the variation area, with all other uses subject to Impact Assessment. The original suite of uses within the tables of assessment was limited as it wasn't clear at the time of the original decision that the development could be adequately serviced by all necessary infrastructure. As the variation area can now secure access to infrastructure, namely reticulated water and sewer, a greater suite of industrial uses commensurate with that expected of an industrial area can be introduced into the variation area. Where new uses are introduced, the codes and benchmarks of the Planning Scheme (Version 19) will still apply, with only the assessment level changing. Accordingly, any potential impact from uses will remain limited to an acceptable level as required by the benchmarks of the scheme. Further, the introduced uses are those which are intended for the Low Impact Industry Zone and Medium Impact Industry Zone under Version 19 of the Planning Scheme.

The new uses sought to be included within *Table 1.1 – Low Impact Industry Area* are as follows:

- Major Electricity Infrastructure
- Service Industry
- Substation
- Agricultural Supplies Store
- Bulk Landscape Supplies
- Caretaker's Accommodation
- Emergency Services
- Hardware and Trade Supplies
- Low Impact Industry
- Outdoor Sales
- Telecommunications Facility

- Utility Installation
- Veterinary Services
- Wholesale Nursery

The new uses sought to be included within *Table 1.2 – Medium Impact Industry Area* are as follows:

- Caretaker's Accommodation
- Garden Centre
- Hardware and Trade Supplies
- Low Impact Industry
- Major Electricity Infrastructure
- Outdoor Sales
- Service Industry
- Substation
- Wholesale Nursery
- Agricultural Supplies Store
- Bulk Landscape Supplies
- Emergency Services
- Telecommunications Facility
- Utility Installation
- Veterinary Services

Conditions 12, 13, 16, 22, 23, 24, and 30 are required to be amended, Conditions 1, 9, 10, 14, 15, 17, 18, 19, 20, 21, 26, 27, and 28 are required to be removed, and Condition 23A has been added to accommodate the requested changes.

The proposed changes to the Variation Approval are considered to constitute an 'Other Change' under Section 82 of the *Planning Act 2016*. The proposed changes have been found to generally comply with the conditions of existing approval, the current Planning Scheme, the Planning Scheme in effect at the time of the original application, the required tests for an other change under the *Planning Act 2016* and any other relevant considerations. For this reason, it is recommended that the proposed changes be approved as identified throughout this report.

RECOMMENDATION

APPROVED – Change Application regarding Development Approval MCUI/2018/2226/C for Material Change of Use – Impact – Preliminary Approval for a Variation Request, pursuant to the provisions of Section 82 of the *Planning Act 2016* and subject to the amendments listed below.

ASSESSMENT MANAGER CONDITIONS

PLANNING

~~PRIOR VARIATION APPROVAL~~

1. ~~Cancel existing Variation Approval (Section 242 Preliminary Approval) MCUI/2014/6234 and RAL/2014/6232.~~

~~**Note:** Variation Approval (Section 242 Preliminary Approval) MCUI/2014/6234 and RAL/2014/6232 for residential purposes conflicts with this Variation Approval for industrial purposes and has been conditioned to be cancelled as requested by the applicant in their response (dated 19 June 2018 and received 20 June 2018) to Council's Information Request (issued 25 May 2018).~~

PARAMETERS OF APPROVAL

2. All future development within the Variation Approval Area must be undertaken in accordance with the provisions of this Variation Approval and the applicable Codes and Planning Scheme Policies contained in the *Toowoomba Regional Planning Scheme 2012* Version 19.

3. Development within the Variation Approval Area is categorised as Accepted Development, Accepted Development Subject to Requirements, Code Assessable Development, or Impact Assessable Development in accordance with Variation Approval Categories of Assessment and Development Tables 1.1, 1.2, 1.3, 2.1 and 3.1.
4. Accepted Development Subject to Requirements within the Variation Approval Area is required to comply with the requirements identified by Variation Approval Categories of Assessment and Development Tables 1.1, 1.2, 1.3, 2.1 and 3.1. Where not complying with one (1) or more requirements, Accepted Development Subject to Requirements becomes Code Assessable Development.
5. Code Assessable Development within the Variation Approval Area is assessed against the Assessment Benchmarks identified by Variation Approval Categories of Assessment and Development Tables 1.1, 1.2, 1.3, 2.1 and 3.1 and this Variation Approval.
6. Impact Assessable Development within the Variation Approval Area is assessed against the entire *Toowoomba Regional Planning Scheme 2012* Version 19 as applicable to the Emerging Community Zone and this Variation Approval.
7. Any Development not specifically identified by the Variation Approval Categories of Assessment and Development Tables 1.1, 1.2, 1.3, 2.1 and 3.1 is categorised and assessed in accordance with the provisions of the *Toowoomba Regional Planning Scheme 2012* Version 19 as applicable to the Emerging Community Zone.

COMPLIANCE WITH CONDITIONS

GENERAL COMPLIANCE

8. Where not otherwise specified in a condition of this approval, all conditions must be complied with prior to the lodgement of a development application pursuant to this Variation Approval.
9. ~~Conditions 1 to 23 and 29 to 30 must be complied with prior to the lodgement of a development application pursuant to this Variation Approval on the land area identified as Lot 32 and Easement B on SP304226 (Reserved Survey Plan).~~
10. ~~Conditions 1 to 30 must be complied with prior to the lodgement of a development application pursuant to this Variation Approval outside of the land area identified as Lot 32 and Easement B on SP304226 (Reserved Survey Plan).~~
11. Unless otherwise agreed by the Manager, Development Services, all development in the Preliminary Approval Area, other than development on Lot 32 and Easement B on SP304226 (Reserved Survey Plan), must be consistent with the approved Overall Strategies required by Condition 24 of this Variation Approval.

Note: Approved Overall Strategies may be varied through the provision of a detailed report(s) addressing alternative solutions/strategies at the discretion of Council.

VARIATION APPROVAL AREA

12. The Variation Approval Area is the area ~~outlined in red and identified as 'Variation Approval Area' shown on Amended Drawing Number 12/205 SP01 Revision E NU-09/2025-Version A, prepared by Byrne Surveyors Nexus Urban and dated September 2025 18 October 2018.~~

APPROVED PLAN

13. The following plan is an Approved Plan subject to the conditions of this Variation Approval and the amendments described below:

~~Plan No: 12/205 SP01 Revision E~~

~~Description: Structure Plan, prepared by Byrne Surveyors and dated 18 October 2018~~

~~Amendments: Amend to comply with Condition 14.~~

Plan No: NU-09/2025-Version A

Description: Structure Plan, prepared by Nexus Urban and dated September 2025
Amendments: Nil

14. ~~Amend Drawing Number 12/205-SP01 Revision E, prepared by Byrne Surveyors and dated 18 October 2018 as follows:~~

~~14.1 Amend text from 'Proposed Low Impact Industry' to 'Low Impact Industry Area';~~

~~14.2 Amend text from 'Proposed Medium Impact Industry' to 'Medium Impact Industry Area';~~

~~14.3 Remove text 'Existing Medium Impact Industry';~~

~~14.4 Remove text 'Existing Low Impact Industry';~~

~~14.5 Remove text 'Existing Emerging Community';~~

~~14.6 Remove text and associated legend icon 'Proposed Access Location to Existing External Road Network';~~

~~14.7 Amend text from 'Preliminary Approval Area' to 'Variation Approval Area';~~

~~14.8 Remove colours (i.e. area or zone colours) to all areas outside of the area identified as Variation Approval Area;~~

~~14.9 Remove light blue colour for Low Impact Industry Area to all areas within the Constrained Land area;~~

~~14.10 Add a new colour, not used elsewhere on the plan, for the Constrained Land Area and~~

~~(a) Mark the Constrained Land Area in that colour; and~~

~~(b) Reference the Constrained Land Area to that colour in a legend;~~

~~14.11 Identify the following area as Constrained Land Area:~~

~~(a) The entire area within 110m north of the southern boundary of the area identified as Variation Approval Area; and~~

~~(b) The entire area within 220m north of the southern boundary and 130m east of the western boundary of the area identified as Variation Approval Area; and~~

15. ~~The Plan to be amended must incorporate only the amendments listed within this Variation Approval and must be resubmitted to the Manager, Development Services for endorsement and be endorsed by the Manager, prior to the lodgement of a development application made pursuant to this Variation Approval.~~

VARIATION APPROVAL CATEGORIES OF ASSESSMENT AND DEVELOPMENT

16. The following documents are Approved Documents subject to the conditions of this Variation Approval and the amendments described below:

Document No: ~~Unnumbered Version 2025/01.1A~~

Description: Variation Approval Categories of Assessment and Development Table 1.1 Low Impact Industry Area, prepared by **Nexus Urban Consultants** and received by **Council 17 February 2026 Property Projects Australia, undated, and amended received by Council on 7 July 2022** ~~18 October 2018.~~

Amendments: Nil Amend to comply with ~~Condition 17~~

Document No: ~~Unnumbered Version 2025/01.2A~~

Description: Variation Approval Categories of Assessment and Development Table 1.2 Medium Impact Industry Area, prepared by **Nexus Urban Consultants and received by Council 17 February 2026 Property Projects Australia, undated, and amended received by Council on 7 July 2022** ~~18 October 2018.~~

Amendments: Nil Amend to comply with Condition 17

Document No: Unnumbered

Description: Variation Approval Categories of Assessment and Development Table 1.3 Constrained Land Area, prepared by Property Projects Australia, undated, and received by Council on 18 October 2018.

Amendments: Nil

Document No: Unnumbered

Description: Variation Approval Categories of Assessment and Development Table 2.1 Reconfiguring a Lot within the Preliminary Approval Area, prepared by Property Projects Australia, undated, and amended received by Council on 7 July 2022 ~~18 October 2018.~~

Amendments: Nil Amend to comply with Condition 17

Document No: Unnumbered

Description: Variation Approval Categories of Assessment and Development Table 3.1 Assessment benchmarks for overlays, prepared by Property Projects Australia, undated, and received by Council on 18 October 2018.

Amendments: Nil Amend to comply with Condition 17.

17. ~~Amend Variation Approval Categories of Assessment and Development Tables as follows:~~

~~17.1 Material Change of Use Table 1.1 Low Impact Industry Area:~~

~~(a) Delete all Uses and all associated text under Categories of development and assessment and Assessment benchmarks;~~

~~(b) Delete the text 'Any use listed in this table where a building, structure, vehicle movement area or external use area (such as a storage area but excluding works for stormwater drainage or supporting infrastructure), are proposed partly or wholly within the Constrained Land Area shown on the approved Structure Plan';~~

~~(c) Insert the Uses 'Transport Depot' and 'Warehouse';~~

~~(d) For Transport Depot and Warehouse, under the subheading Accepted development subject to requirements, insert the text: 'If the reuse of an existing approved development and there is no increase in Gross Floor Area and no increase in impervious area';~~

~~(e) For Transport Depot and Warehouse, under the subheading Code assessment, insert the text:~~

~~'If:~~

~~(i) not meeting the description listed in the categories of development and assessment column for accepted development subject to requirements; or~~

~~(ii) meeting the description listed in the categories of development and assessment column for accepted development subject to requirements and not complying with one or more required acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements;~~

~~Or if:~~

- ~~(i) — The relevant lot has an area of at least 2ha that is within the Low Impact Industry Area or Medium Impact Industry Area, excluding any area identified within the Constrained Land Area; and~~
- ~~(ii) — The proposed development has a maximum Gross Floor Area (GFA) of 10% of the lot area that is within the Low Impact Industry Area or Medium Impact Industry Area, excluding any area identified within the Constrained Land Area; and~~
- ~~(iii) — The proposed development has a maximum impervious area of 60% of the lot area that is within the Low Impact Industry Area or Medium Impact Industry Area, excluding any area identified within the Constrained Land Area;~~

~~Note: — To remove any doubt, impervious area is the cumulative total of all roofed area (whether GFA or not), hard landscaping and hardstand.²~~

- ~~(f) — Under each subheading except 'Impact Assessment', for Transport Depot and Warehouse list the following Assessment benchmarks and requirements for accepted development:~~

- ~~(i) — Low Impact Industry Zone Code;~~
- ~~(ii) — Industry Uses Code;~~
- ~~(iii) — Environmental Standards Code;~~
- ~~(iv) — Integrated Water Cycle Management Code;~~
- ~~(v) — Landscaping Code;~~
- ~~(vi) — Transport, Access and Parking Code;~~
- ~~(vii) — Works and Services Code;~~
- ~~(viii) — Airport Environs Overlay Code;~~
- ~~(ix) — Variation Approval MCUI/2018/2226 — Traffic Impact Assessment — Overall Strategy;~~
- ~~(x) — Variation Approval MCUI/2018/2226 — Stormwater Management Plan — Overall Strategy;~~
- ~~(xi) — Variation Approval MCUI/2018/2226 — Wastewater Infrastructure Supply — Overall Strategy;~~
- ~~(xii) — Variation Approval MCUI/2018/2226 — Water Supply — Overall Strategy;~~

- ~~(g) — Under the subheading 'Impact Assessment', add the following Assessment benchmarks and note in addition to 'The planning scheme':~~

- ~~(i) — Variation Approval MCUI/2018/2226 — Traffic Impact Assessment — Overall Strategy;~~
- ~~(ii) — Variation Approval MCUI/2018/2226 — Stormwater Management Plan — Overall Strategy;~~
- ~~(iii) — Variation Approval MCUI/2018/2226 — Wastewater — Infrastructure Supply — Overall Strategy;~~
- ~~(iv) — Variation Approval MCUI/2018/2226 — Water Supply — Overall Strategy;~~

~~**Note: Impact Assessable development in the Variation Approval Area is assessed as if it were identified in the Emerging Community Zone of the Toowoomba Regional Planning Scheme 2012 Version 19.;**~~

~~(h) Delete any unused subheadings and cells;~~

~~**17.2 Material Change of Use Table 1.2 Medium Impact Industry Area:**~~

~~(a) Delete all Uses and all associated text under Categories of development and assessment and assessment benchmarks;~~

~~(b) Insert the Uses 'Transport Depot' and 'Warehouse';~~

~~(c) For Transport Depot and Warehouse, under the subheading Accepted development subject to requirements, insert the text: 'If the reuse of an existing approved development and there is no increase in Gross Floor Area and no increase in impervious area';~~

~~(d) For Transport Depot and Warehouse, under the subheading Code assessment, insert the text:~~

~~if:~~

~~(i) not meeting the description listed in the categories of development and assessment column for accepted development subject to requirements; or~~

~~(ii) meeting the description listed in the categories of development and assessment column for accepted development subject to requirements and not complying with one or more required acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements;~~

~~Or if:~~

~~Within the land area identified as Lot 32 and Easement B on SP304226 (Reserved Survey Plan), and:~~

~~(i) The lot has an area of exactly 2ha; and~~

~~(ii) The proposed development has a maximum Gross Floor Area (GFA) 20% of the lot area.; and~~

~~(iii) The proposed development has a maximum impervious area of 80% of the lot area;~~

~~Or if:~~

~~Not within the land area identified as Lot 32 and Easement B on SP304226 (Reserved Survey Plan), and:~~

~~(i) The relevant lot has an area of at least 2ha within the Low Impact Industry Area or Medium Impact Industry Area, excluding any area identified within the Constrained Land Area; and~~

~~(ii) The proposed development has a maximum Gross Floor Area (GFA) of 10% of the lot area that is within the Low Impact Industry Area or Medium Impact Industry Area, excluding any area identified within the Constrained Land Area; and~~

~~(iii) The proposed development has a maximum impervious area of 60% of the lot area that is within the Low Impact Industry Area or Medium~~

~~Impact Industry Area, excluding any area identified within the Constrained Land Area; and~~

~~Note: To remove any doubt, impervious area is the cumulative total of all roofed area (whether GFA or not), hard landscaping and hardstand.';~~

~~(e) Under each subheading except 'Impact Assessment', for Transport Depot and Warehouse list the following Assessment benchmarks:~~

~~(i) Low Impact Industry Zone Code;~~

~~(ii) Industry Uses Code;~~

~~(iii) Environmental Standards Code;~~

~~(iv) Integrated Water Cycle Management Code;~~

~~(v) Landscaping Code;~~

~~(vi) Transport, Access and Parking Code;~~

~~(vii) Works and Services Code;~~

~~(viii) Airport Environs Overlay Code;~~

~~(ix) Where not within the land area identified as Lot 32 and Easement B on SP304226 (Reserved Survey Plan):~~

~~(1) Variation Approval MCUI/2018/2226 Traffic Impact Assessment – Overall Strategy;~~

~~(2) Variation Approval MCUI/2018/2226 Stormwater Management Plan – Overall Strategy;~~

~~(3) Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply – Overall Strategy;~~

~~(4) Variation Approval MCUI/2018/2226 Water Supply – Overall Strategy;~~

~~(f) Under the subheading 'Impact Assessment', add the following Assessment benchmarks and note in addition to 'The planning scheme':~~

~~(i) Variation Approval MCUI/2018/2226 Traffic Impact Assessment – Overall Strategy;~~

~~(ii) Variation Approval MCUI/2018/2226 Stormwater Management Plan – Overall Strategy;~~

~~(iii) Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply – Overall Strategy;~~

~~(iv) Variation Approval MCUI/2018/2226 Water Supply – Overall Strategy;~~

~~Note: Impact Assessable development in the Variation Approval Area is assessed as if it were identified in the Emerging Community Zone of the Toowoomba Regional Planning Scheme 2012 Version 19.;~~

~~(g) Delete any unused subheadings and cells;~~

~~17.3 Reconfiguring a Lot Table 2.1 Reconfiguring a Lot within the Preliminary Approval Area:~~

- ~~(a) Delete all text under the subheading Accepted development subject to requirements and delete the subheading;~~
- ~~(b) Delete all text in the third row under the subheading Code assessment;~~
- ~~(c) Under the subheading 'Code assessment' for 'Categories of development and assessment', add the text: 'Where land is proposed and conditioned to be dedicated to Council or to a utility provider approved by Council.';~~
- ~~(d) Under the first subheading 'Code assessment', list the following Assessment benchmarks for all Code assessable Reconfiguring a Lot except 'Subdivision of one lot into two lots (and associated operational work) if code assessment is required under schedule 10 of the Regulation':~~
 - ~~(i) Low Impact Industry Zone Code where within the Low Impact Industry Area;~~
 - ~~(ii) Medium Impact Industry Zone Code where within the Medium Impact Industry Area;~~
 - ~~(iii) Reconfiguring a Lot Code;~~
 - ~~(iv) Airport Environs Overlay Code;~~
 - ~~(v) Bushfire Hazard Overlay Code where within the Constrained Land Area;~~
 - ~~(vi) Environmental Significance Overlay Code where within the Constrained Land Area;~~
 - ~~(vii) Landslide Hazard Overlay Code where within the Constrained Land Area;~~
 - ~~(xiii) Variation Approval MCUI/2018/2226 Traffic Impact Assessment – Overall Strategy;~~
 - ~~(ix) Variation Approval MCUI/2018/2226 Stormwater Management Plan – Overall Strategy;~~
 - ~~(x) Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply – Overall Strategy;~~
 - ~~(xi) Variation Approval MCUI/2018/2226 Water Supply – Overall Strategy;~~
- ~~(e) Rename the second subheading 'Code assessment' (above text stating 'Any other reconfiguring a lot not listed in this table'), from 'Code assessment' to 'Impact assessment';~~
- ~~(f) Under all subheadings for Impact assessment, add the following Assessment benchmarks and note in addition to 'The planning scheme':~~
 - ~~(i) Variation Approval MCUI/2018/2226 Traffic Impact Assessment – Overall Strategy;~~
 - ~~(ii) Variation Approval MCUI/2018/2226 Stormwater Management Plan – Overall Strategy;~~
 - ~~(iii) Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply – Overall Strategy;~~

~~(iv) Variation Approval MCUI/2018/2226 Water Supply – Overall Strategy;~~

~~Note: Impact Assessable development in the Variation Approval Area is assessed as if it were identified in the Emerging Community Zone of the Toowoomba Regional Planning Scheme 2012 Version 19.;~~

~~(g) Delete any unused subheadings and cells;~~

~~17.4 Table 3.1 Assessment benchmarks for overlays:~~

~~(a) Delete all text under the heading ‘Table 3.1 Assessment benchmarks for overlays’;~~

~~(b) Insert the text ‘Code Assessable Development is assessed against the overlays identified as Assessment benchmarks in Table 1.1 Low Impact Industry Area, Table 1.2 Medium Impact Industry Area, Table 1.3 Constrained Land Area, and Table 2.1 Reconfiguring a Lot within the Preliminary Approval Area.’;~~

~~(c) Insert the text ‘All Impact Assessable Development is assessed against the Assessment benchmark the Airport Environs Overlay Code.’;~~

~~(d) Insert the text ‘All Impact Assessable Development within the Constrained Land Area is assessed against the Assessment benchmarks the Bushfire Hazard Overlay Code, the Environmental Significance Overlay Code and the Landslide Hazard Overlay Code.’;~~

~~(e) Delete any unused cells.~~

~~18. The Documents to be amended must incorporate only the amendments listed within this Variation Approval and must be resubmitted to the Manager, Development Services for endorsement and be endorsed by the Manager, prior to the lodgement of a development application pursuant to this Variation Approval.~~

REQUIRED DOCUMENT

~~19. The following document is required to be prepared and submitted for endorsement. The endorsed document will become an Approved Document subject to the conditions of this Variation Approval and the description below:~~

~~Document No: Unnumbered~~

~~Description: Variation Approval Categories of Assessment and Development Table 1.3 Constrained Land Area~~

~~Amendments: Not applicable~~

~~20. Provide a document titled ‘Variation Approval Categories of Assessment and Development Table 1.3 – Constrained Land Area’ in the same format as amended Tables 1.1 Low Impact Industry Area and Table 1.2 Medium Impact Industry Area and as follows:~~

~~20.1 Material Change of Use – Table 1.3 Constrained Land Area:~~

~~(a) Create a heading ‘Use’ and under that heading provide the text: ‘Development that is or includes a Material Change of Use for Utility Installation for stormwater infrastructure.’;~~

~~(b) Create a heading ‘Categories of assessment and development’ and under that heading create a subheading ‘Code assessment’. Identify the use referred to in (a) above as Code assessable development;~~

- ~~(c) — Create a heading ‘Assessment benchmarks for assessable development’ and under that heading create a subheading ‘Code assessment’. Identify the following Assessment Benchmarks for the use referred to in (a) above:~~
- ~~(i) — Airport Environs Overlay Code;~~
 - ~~(ii) — Bushfire Hazard Overlay Code;~~
 - ~~(iii) — Environmental Significance Overlay Code;~~
 - ~~(iv) — Landslide Hazard Overlay Code;~~
 - ~~(v) — Limited Development (Constrained Land) Code~~
 - ~~(vi) — Environmental Standards Code;~~
 - ~~(vii) — Integrated Water Cycle Management Code;~~
 - ~~(viii) — Landscaping Code;~~
 - ~~(ix) — Works and Services Code;~~
 - ~~(x) — Variation Approval MCUI/2018/2226 — Traffic Impact Assessment — Overall Strategy;~~
 - ~~(xi) — Variation Approval MCUI/2018/2226 — Stormwater Management Plan — Overall Strategy;~~
 - ~~(xii) — Variation Approval MCUI/2018/2226 — Wastewater — Infrastructure Supply — Overall Strategy;~~
 - ~~(xiii) — Variation Approval MCUI/2018/2226 — Water Supply — Overall Strategy;~~
- ~~(d) — Under the heading ‘Use’ provide the text: ‘All other uses, whether defined or undefined’;~~
- ~~(e) — Under the heading ‘Categories of assessment and development’ create a subheading ‘Impact assessment’. Identify the use referred to in (d) above as Impact assessable development;~~
- ~~(f) — Under the heading ‘Assessment benchmarks for assessable development’ and the subheading ‘Impact assessment’, identify the following Assessment benchmarks and note for the Use referred to in (d) above:~~
- ~~(i) — The Planning Scheme;~~
 - ~~(ii) — Variation Approval MCUI/2018/2226 Traffic Impact Assessment — Overall Strategy;~~
 - ~~(iii) — Variation Approval MCUI/2018/2226 Stormwater Management Plan — Overall Strategy;~~
 - ~~(iv) — Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply — Overall Strategy;~~
 - ~~(v) — Variation Approval MCUI/2018/2226 Water Supply — Overall Strategy.~~
- ~~**Note: — Impact Assessable development in the Variation Approval Area is assessed as if it were identified in the Emerging Community Zone of the Toowoomba Regional Planning Scheme 2012 Version 19.**~~

21. ~~The Documents to be submitted must be submitted to the Manager, Development Services for endorsement and be endorsed by the Manager, prior to the lodgement of a development application pursuant to this Variation Approval.~~

CURRENCY PERIOD

22. This Variation Approval has a currency period **until 16 February 2031, after which it will lapse to the extent development has not been completed. of five (5) years from the date this Variation Approval starts to have effect.**

DEVELOPMENT REQUIREMENTS

23. All development made assessable pursuant to this Variation Approval is assessed against the Assessment Benchmarks identified in Variation Approval categories of assessment and Development Tables 1.1, 1.2, **1.3**, 2.1 and 3.1 despite any text within the Assessment Benchmark stating or implying that the Assessment Benchmark does not apply.

Note: For example, where identified as an Assessment Benchmark for this Variation Approval, Toowoomba Regional Planning Scheme 2012 Version 19 Low Impact Industry Zone Code 6.5.1.1 Application applies despite stating:

"This code applies to development:-

- (1) within the Low impact industry Zone as identified on the zoning maps contained within Schedule 2 (Mapping); and*
- (2) identified as requiring assessment against the Low Impact Industry Zone Code by the tables of assessment in Part 5 (Tables of assessment)."*

ENGINEERING

OVERALL STRATEGIES

- 23A. The following Overall Strategies have been endorsed by Council and are included as assessment benchmarks within this Variation Approval:

23.A.1 Stormwater Management Plan – Overall Strategy;

23.A.2 Wastewater Infrastructure Supply – Overall Strategy; and

23.A.3 Water Supply – Overall Strategy.

24. The following Overall Strategies, ~~as specified,~~ must be provided to and endorsed by Council prior to the lodgement of a development application pursuant to this Variation Approval. **Once endorsed, the Overall Strategy will be included as an assessment benchmark within this Variation Approval:**

24.1 Traffic Impact Assessment – Overall Strategy.;

~~24.2 Stormwater Management Plan – Overall Strategy;~~

~~24.3 Wastewater Infrastructure Supply – Overall Strategy; and~~

~~24.4 Water Supply – Overall Strategy.~~

TRAFFIC IMPACT ASSESSMENT – OVERALL STRATEGY

25. The Traffic Impact Assessment – Overall Strategy must be prepared by a Registered Professional Engineer Queensland - Civil (RPEQ) in accordance with the requirements of the *Toowoomba Regional Planning Scheme 2012 Version 19, Schedule 6 Planning Scheme Policies (PSP), SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure* and its referenced guidelines, which includes, but is not limited to, the following:

- 25.1 A review of existing traffic conditions including current traffic volumes, historical traffic growth rates, accident history (particularly if it is a, 'black spot' location), the existing road geometry and any relevant current traffic and/or transport planning studies;
- 25.2 The volume and type of vehicles that will be generated by the development, the distribution of the traffic on the existing and proposed road network, car parking requirements and access requirements to and from the Variation Approval Area;
- 25.3 Concept plan/s, drawn to scale, including cross sections showing details of any works necessary to mitigate the impact of the traffic from the development such as traffic calming, traffic signals, roundabouts, minor intersection controls such as stop or give way signs, road widening and similar treatments;
- 25.4 Nominated industrial vehicle routes in a road hierarchy that do not pass established residential development before joining the State Controlled Road network. Nominally, vehicle routes should return vehicles to Carrington Road using Robson Hursley Road, Rielly Street or Hillman Street;
- 25.5 Any land resumption requirements for any proposed works, by the applicant, Council, or Main Roads, are to be clearly identified on the concept plan/s;
- 25.6 Consideration must be given to the requirements of alternative modes of transport such as pedestrian movements, cyclists, public transport and special needs group;
- 26.7 The scope of the report should extend through the adjoining road network where development generated traffic continuously exceeds five per cent (5%) of the existing traffic;
- 25.8 Provision for a future road link with a minimum ~~26m (Industrial Collector)~~ 24m (Industrial Local Access) wide reserve ~~wide~~ between Rielly Street and Robson Hursley Road. The preferred alignment will be along the ridgeline within Lot 32 SP304211 including an extension south of Rielly Street. The land must not be encumbered by permanent structures, services such as pump stations, services easements or operational uses; and
- 25.9 Preliminary road network layout plans and a road hierarchy plan for the likely development potential of the land subject of this Variation Approval and how the proposed road network interfaces with the existing road network.

STORMWATER MANAGEMENT PLAN – OVERALL STRATEGY

26. ~~The Stormwater Management Plan – Overall Strategy must be prepared by a Registered Professional Engineer Queensland – Civil (RPEQ) in accordance with the relevant standards in the Toowoomba Regional Planning Scheme 2012 Version 19 Schedule 6 Planning Scheme Policies (PSP), SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure and its referenced guidelines, and State Planning Policy 2017, demonstrating:~~
 - ~~26.1 That stormwater is conveyed to a lawful point of discharge;~~
 - ~~26.2 No increase in peak flow rates downstream from the subject land for storm events as nominated in PSP 6.2 Table SC6.2.7. Major events exceeding an ARI of 100 years must be considered in accordance with the requirements of the Queensland Urban Drainage Manual (QUDM);~~
 - ~~26.3 No increase in flood levels external to the subject land;~~
 - ~~26.4 No increase in duration of inundation external to the subject land that could cause loss or damage;~~
 - ~~26.5 All land adjoining the development can be protected from ponding or nuisance from stormwater resulting from the development for the life of the development;~~
 - ~~26.6 Appropriate inspection and maintenance of stormwater quality control infrastructure in accordance with a program; and~~

~~26.7 The achievement of Water Sensitive Urban Design objectives listed in PSP No. 2 and State Planning Policy 2017.~~

~~WASTEWATER INFRASTRUCTURE SUPPLY REPORT – OVERALL STRATEGY~~

~~27. The Wastewater Infrastructure Plan – Overall Strategy must be prepared by a Registered Professional Engineer Queensland – Civil (RPEQ) in accordance with the relevant standards in the Toowoomba Regional Planning Scheme 2012 Version 19 Schedule 6 Planning Scheme Policies (PSP), SC6.3 PSP No 3 – Engineering Standards – Water and Waste Water Infrastructure demonstrating:~~

~~27.1 Proposed connection points;~~

~~27.2 How Lot 32 on SP304226 (Reserved Survey Plan) will be serviced by reticulated sewer;~~

~~27.3 Wastewater Infrastructure main sizes and modelling results for all stages of the development including any augmentations needed external to the development; and~~

~~27.4 A full conceptual sewer design and detail identifying how the proposed lots will be sewered. The information should include, but not necessarily be limited to:~~

~~(a) How to ensure access to maintain the service will be achieved on lots that have buildings constructed for the full or near full width of the lots;~~

~~(b) The location and sizing of Easements in Gross to ensure that proposed development can be serviced without compromising future reticulated sewer connections;~~

~~(c) Where possible, locate services within existing or future road reserves,~~

~~• Having regard to topography; and~~

~~• Having regard to service corridors for Council and other utility services and the prescribed minimum clearances between services;~~

~~(d) The point of connection to the existing downstream sewers, which is to be agreed with Council; and~~

~~(e) The strategy must be generally in accordance with the Greater Western Toowoomba Sewerage Strategy Study and notably works in the 2031 planning horizon required to service the development including, but not limited to, the delivery of schedule items WWFGS10061, WWFGS10042 WWFGS10043, WWFSPS10022 & WWFPM10014;~~

~~27.5 When Council reticulated sewer is made available adjacent to the Variation Approval Area in Robson Hursley Road or Rielly Street, development approved pursuant to this Variation Approval must have:~~

~~(a) Sewer constructed through the development site to Council standards and at the horizontal and vertical alignment agreed by Council;~~

~~(b) All fittings and fixtures connected to Council reticulated sewer;~~

~~(c) All onsite effluent systems decommissioned; and~~

~~(d) All works completed at no cost to Council.~~

~~WATER SUPPLY – OVERALL STRATEGY~~

~~28. The Water Supply Infrastructure Overall Strategy must be prepared by a Registered Professional Engineer Queensland – Civil (RPEQ) in accordance with the relevant standards~~

~~in the Toowoomba Regional Planning Scheme 2012 Version 19 Schedule 6 Planning Scheme Policies (PSP), SC6.3 – Engineering Standards – Water and Waste Water Infrastructure demonstrating:~~

~~28.1 Fire Flows based on the DNRM/DERM Guidelines, Chapters 5/6 – Network Modelling and in accordance with 'Flow Provision – General Urban Category' (Section 5.7.6) for commercial/Industrial buildings (30L/s for a 4 hour duration with required residual pressures). To this end, pressure and flow tests will be required to determine performances for the existing water supply mains adjacent to the development. The tests must be undertaken by Council at no cost to Council;~~

~~28.2 The sizing of water mains as determined by Council to ensure performance will be achieved; and~~

~~28.3 Interconnection with the existing water supply reticulation network.~~

EFFLUENT DISPOSAL AND SEWER INFRASTRUCTURE

29. Where not connected to, or not proposed to be connected to, Council reticulated sewer, development application pursuant to this Variation Approval must demonstrate the provision of an onsite effluent system of sufficient capacity to service the development in accordance with the Plumbing and Drainage standards relevant at the time of the development application.
30. When Council reticulated sewer is made available adjacent to the Variation Approval Area in Robson Hursley Road or Rielly Street, development approved pursuant to this Variation Approval must have:
- 30.1 Sewer constructed through the development site to Council standards and at the horizontal and vertical alignment agreed by Council;
 - 30.2 All fittings and fixtures connected to Council reticulated sewer;
 - 30.3 All onsite effluent systems decommissioned; and
 - 30.4 All works completed ~~to~~ **must** comply with **the endorsed Wastewater Infrastructure Supply Report – Overall Strategy and Conditions 27 and 30** at no cost to Council.

REASONS FOR RECOMMENDATION

The change application has been assessed with regard to the applicable assessment framework as identified within this report. The proposed changes are considered to be generally acceptable. It is therefore recommended that the development approval be changed as identified above.

The attached Statement of Reasons (refer to Schedule 1) has been amended as required in relation to the approved changes.

DELEGATE'S DECISION:

I have reviewed the report for this application in accordance with the Relevant Instruments, Statutory and Non-Statutory Provisions and in accordance with Council's process and procedures. I agree with the responsible officer's recommendation that the request be approved subject to the Conditions contained in the recommendation. I exercise delegation in accordance with the delegations adopted by the Toowoomba Regional Council.



Richard Green
Lead Senior Planner, Planning Branch

Decision Date: 19 February 2026

CORPORATE PLAN REFERENCE

Strategic Action 2.3.3

Ensure development aligns with community sentiment, through effective and efficient assessment, with the planning scheme, planning instruments, codes and legislation.

BACKGROUND

SITE DETAILS				
Site Address	Lot 1 SP349893 and Lot 32 SP304226 Robson Hursley Road and Rielly Street			
Real Property Description	Lot 1 SP349893 and Lot 32 SP304226			
Site Area	15.85 ha			
Owner	Mark Tobin Transport Pty Ltd and Gerdgrove Pty Ltd and Tunney Investments Pty Ltd			
SITE CHARACTERISTICS				
Current Land Use	Vacant			
Site Frontage/s	Robson-Hursley Road: 366m Rielly Street: 134m			
Road/s	Order of Road	Width of Road Reserve	Width of Pavement	Road Material
Robson-Hursley Road	Distributor/Local	25m	12.5m	Bitumen
Rielly Street	Distributor	40m	Nil.	Unconstructed
Easements	A north-south stormwater easement is established on the land at the western property boundary of Lot 32.			
Existing Structures	Transport Depot on Lot 32			
Infrastructure	Rielly Street is constructed along the street frontage for approximately 134m. Water supply is established in the Rielly Street road reserve. Private stormwater works within Lot 32 drain north and west through the site.			
Topography	The land generally falls west. The north-eastern part of the site is relatively flat with falls to the south-west and north-west. The southern and western part of the site is steep, including escarpment land, with falls to the south and south-west.			
Street Trees	Nil.			
Other Features	The site contains an escarpment.			
PLANNING SCHEME SITE DATA				
Current Planning Scheme	Toowoomba Regional Planning Scheme 2012 (Version 28)			Adopted: 28 November 2022
Zone	Emerging Community Zone			
Precinct	No Precinct			
Overlays	Airport Environs Overlay - 3 km Wildlife Hazard Buffer Zone - Lighting Area Buffer (6km) - Light Restriction Zone B - Light Restriction Zone C - Light Restriction Zone D Bushfire Hazard Overlay - Medium Fire Risk Environmental Significance Overlay - Areas of Ecological Significance - Areas of Ecological Significance Buffer			
Infrastructure Charges Resolution	Charges Resolution No. 7			Adopted: 19 August 2025
SURROUNDS:				

Direction	Land Use	Zone/Precinct	
North	Vacant and Industry	Medium Impact Industry / No Precinct	
East	Vacant and Industry	Low Impact Industry / No Precinct Medium Impact Industry / No Precinct	
South	Rural Residential	Emerging Community Zone / No Precinct Rural Residential Zone / 4,000m ² Precinct	
West	Rural Residential and Vacant	Emerging Community Zone / No Precinct	
APPLICATION HISTORY			
Application No.	Description	Decision Date	Decision
MCUI/2014/6234 & RAL/2014/6232	Section 242 Preliminary Approval	25 November 2015	Approved
RAL/2018/1011	Reconfigure a Lot (1 Lot into 2 Lots)	21 March 2018	Approved
OW/2018/1409	Bulk Earthworks	18 April 2018	Approved
RAL/2018/3201	Boundary Realignment (2 Lots in to 2 Lots)	17 September 2018	Approved
RAL/2018/3201/A	Request for Negotiated Decision Boundary Realignment (2 Lots in to 2 Lots)	4 October 2018	Approved
MCUC/2020/3280	Transport Depot and Warehouse	17 December 2020	Approved
MCUC/2020/3280/A	Request for Negotiated ICN Transport Depot and Warehouse	28 May 2021	Approved
OW/2020/1997	Earthworks	7 August 2020	Approved
OW/2021/114	Stormwater	9 March 2021	Approved
OW/2020/4440	Road Work Stormwater Water Infrastructure Drainage Work Earthworks Sewage Infrastructure Landscaping Signage and Clearing Vegetation	Application not accepted (prohibited development)	N/A
OW/2021/6772	Earthworks	20 March 2023	Withdrawn
MCUC/2021/2611	Wholesale Nursery	6 October 2021	Approved
MCUI/2018/2226/B	Request to Change Approval Preliminary Approval for a Variation Request	28 April 2025 (Decided 24 April 2025)	Approved
MCUI/2018/2226/A	Request to Change Approval Preliminary Approval for a Variation Request	11 July 2022	Approved
MCUI/2018/2226	Preliminary Approval for a Variation Request	19 October 2018	Approved
RAL/2025/531	Reconfigure a Lot (1 Lot into 2 Lots)	14 May 2025	Approved
RAL/2022/5361/C	Request to Change Approval Reconfigure 1 into 12 Lots	19 June 2025	Approved
RAL/2022/5361/B	Request to Change Approval Reconfigure 1 into 12 Lots	10 October 2024,	Approved
RAL/2024/3923	Reconfigure 1 into 2 Lots	17 September 2024	Approved
RAL/2022/5361/A	Request for Trunk Sewerage Water Stormwater and Road Infrastructure Conversion	25 November 2024	Withdrawn
OW/2023/28	Road work Stormwater Water Infrastructure Drainage Work Earthworks and Sewerage infrastructure	14 February 2025	Refused
RAL/2022/5361	Reconfigure 1 into 12 Lots	2 February 2023	Approved
MCUC/2021/2611	Wholesale Nursery	6 October 2021	Approval
OW/2025/3366	Road Work Stormwater Water Infrastructure Drainage Work Earthworks and Sewerage Infrastructure -	24 October 2025	Approved
MCUI/2025/305	Low Impact Industry	1 July 2025	Approved

APPROVED DEVELOPMENT	
Type of Approval	Preliminary Approval for a Variation Request
Approved Development	Variation Approval
Variations Sought	<p>Development assessed in accordance with alternative Categories of Assessment:</p> <p><u>Low Impact Industry Area</u></p> <ul style="list-style-type: none"> • Transport Depot and Warehouse – Code Assessable • Utility Installation for stormwater infrastructure – Code Assessable • All other uses – Impact Assessable • Reconfiguring a Lot where at least 2ha – Code Assessable • Generally other Reconfiguring a Lot – Impact Assessable <p><u>Medium Impact Industry Area</u></p> <ul style="list-style-type: none"> • Transport Depot and Warehouse – Code Assessable • Utility Installation for stormwater infrastructure – Code Assessable • All other uses Impact Assessable • • Reconfiguring a Lot where at least 2ha – Code Assessable • • Generally other Reconfiguring a Lot – Impact Assessable <p><u>Constrained Land Area</u></p> <ul style="list-style-type: none"> • Utility Installation for stormwater infrastructure – Code Assessable • All other uses – Impact Assessable • Reconfiguring a Lot where at least 2ha is within the Low Impact Industry Area or the Medium Impact Industry Area – Code Assessable • Generally other Reconfiguring a – Lot Impact Assessable
Level of Assessment	Impact
Submissions Received	Objection: Nil
	Support: Nil
Decision Notice Issued	13 July 2022 (Decided 11 July 2022)

CHANGE APPLICATION	
Applicant Name	Tunney Investments Pty Ltd
Type of Application	Change Application
Type of Change	Other Change
Public Notification	<p>Notice of Compliance Received: 13 December 2025</p> <p>Submissions Received:</p> <p style="padding-left: 40px;">Objection: Nil</p> <p style="padding-left: 40px;">Support: Nil</p>
Application Received	25 September 2025

CONSULTATION UNDERTAKEN

Internal Referrals

Internal Referral Partner	Referral / Response
Development Engineering and Plumbing	Recommended requested changes be Approved
Development Services Environmental	Recommended requested changes be Approved
Infrastructure Charges Group	Recommended requested changes be Approved

Public notification was required for the change application in accordance with Section 82 of the *Planning Act 2016*.

The Notice of Compliance was received by Council on 13 December 2025. 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*. The Notice of Compliance states the public notification included:

- Publishing a notice in the Chronicle on 31 October 2025;
- Placing a notice on the land from 1 November 2025 until 12 December 2025; and
- Notifying owners of all land adjoining the site on 29 October 2025.

No submissions were received opposing the development.
No submissions were received supporting the development.

ISSUES, RISKS AND RESPONSES – ASSESSMENT

Assessment Framework

Section 82 of the *Planning Act 2016* establishes the following parameters in relation to the assessment of change applications for other changes:

- (2) *For administering the change application, and assessing and deciding the change application in the context of the development approval, the relevant provisions, apply—*
- (a) *as if—*
- (i) *the responsible entity were the assessment manager; and*
- (ii) *the change application were the original development application, with the changes included, but was made when the change application was made; and*
- (b) *with necessary changes.*
- (4) *To remove any doubt, it is declared that the following matters apply, only to the extent the matters are relevant to assessing and deciding the change application in the context of the development approval—*
- (a) *the assessment benchmarks;*
- (b) *any matters a referral agency must, may, or may only assess the application against or have regard to under section 55(2);*
- (c) *if the development to which the change application relates requires code assessment—any matters the assessment must have regard to under section 45(3)(b);*
- (d) *if the development to which the change application relates requires impact assessment—any matters the assessment must or may be carried out against or having regard to under section 45(5)(a)(ii) or (b).*

Assessment of Proposed Changes – Change to Conditions of the Development Approval

Changes to the conditions of approval have been proposed by the applicant. The following table identifies the relevant condition of approval, the applicant's proposed changes, any relevant representations made by the applicant, the officer's assessment of the proposed amendments and any recommend amendments to the condition.

Assessment of Proposed Changes – Change to Conditions of the Development Approval

The proposed change seeks to amend the approved Tables of Assessment for the Low Impact Industry and Medium Impact Industry areas of the structure plan to allow for additional land uses to be permitted.

Table 1.1 – Low Impact Industry Area, and Table 1.2 – Medium Impact Area, of the existing approval allow for only a Transport Depot and Warehouse use to be Accepted Subject to Requirements or Code within the variation area, with all other uses subject to Impact Assessment. The original suite of uses within the tables of assessment was limited as it wasn't clear at the time of the original decision that the development could be adequately serviced by all necessary infrastructure. As the variation area can now secure access to infrastructure, namely reticulated water and sewer, a greater suite of industrial uses commensurate with that expected of an industrial area can be introduced into the variation area. Where new uses are introduced, the codes and benchmarks of the Planning Scheme (Version 19) will still apply, with only the assessment level changing. Accordingly, any potential impact from uses will remain limited to an acceptable level as required by the benchmarks of the scheme. Further, the introduced uses are those which are intended for the Low Impact Industry Zone and Medium Impact Industry Zone under Version 19 of the Planning Scheme.

The new uses sought to be included within *Table 1.1 – Low Impact Industry Area* are as follows:

- Major Electricity Infrastructure
- Service Industry
- Substation
- Agricultural Supplies Store
- Bulk Landscape Supplies
- Caretaker's Accommodation
- Emergency Services
- Hardware and Trade Supplies
- Low Impact Industry
- Outdoor Sales
- Telecommunications Facility
- Utility Installation
- Veterinary Services
- Wholesale Nursery

The new uses sought to be included within *Table 1.2 – Medium Impact Industry Area* are as follows:

- Caretaker's Accommodation
- Garden Centre
- Hardware and Trade Supplies
- Low Impact Industry
- Major Electricity Infrastructure
- Outdoor Sales
- Service Industry
- Substation
- Wholesale Nursery
- Agricultural Supplies Store
- Bulk Landscape Supplies
- Emergency Services
- Telecommunications Facility
- Utility Installation
- Veterinary Services

No.	Original Condition	Proposed Amended Condition	Relevant Representation	Officer's Assessment	Condition to be Recommended
1.	Cancel existing Variation Approval (Section 242 Preliminary Approval) MCUI/2014/6234 and RAL/2014/6232. <i>Note: Variation Approval (Section 242 Preliminary Approval) MCUI/2014/6234 and RAL/2014/6232 for residential purposes conflicts with this Variation Approval for industrial purposes and has been conditioned to be cancelled as requested by the applicant in their response (dated 19 June 2018 and received 20 June 2018) to Council's Information Request (issued 25 May 2018).</i>	-	The applicant made no representations regarding this condition.	Development approvals MCUI/2014/6234 and RAL/2014/6232 were cancelled on 24 January 2019. Condition 1 is no longer necessary and recommended for deletion.	Cancel existing Variation Approval (Section 242 Preliminary Approval) MCUI/2014/6234 and RAL/2014/6232. <i>Note: Variation Approval (Section 242 Preliminary Approval) MCUI/2014/6234 and RAL/2014/6232 for residential purposes conflicts with this Variation Approval for industrial purposes and has been conditioned to be cancelled as requested by the applicant in their response (dated 19 June 2018 and received 20 June 2018) to Council's Information Request (issued 25 May 2018).</i>
9.	Conditions 1 to 23 and 29 to 30 must be complied with prior to the lodgement of a development application pursuant to this Variation Approval on the land area identified as Lot 32 and Easement B on SP304226 (Reserved Survey Plan).	-	The applicant made no representations regarding this condition.	Condition 8 requires that all conditions must be complied with prior to the lodgement of a	Conditions 1 to 23 and 29 to 30 must be complied with prior to the lodgement of a development application pursuant to this Variation Approval on the land area identified as Lot 32 and Easement B on SP304226 (Reserved Survey Plan).

				<p>development application pursuant to this Variation Approval. Accordingly, Condition 9 is not required and can be deleted.</p> <p>It is noted all required infrastructure strategies for the development have been endorsed. Only the Transport Impact Assessment – Overall Strategy, requires minor amendment to be re-endorsed (as required under previous Change Application MCUI/2018/2226/B).</p>	
10.	<p>Conditions 1 to 30 must be complied with prior to the lodgement of a development application pursuant to this Variation Approval outside of the land area identified as Lot 32 and Easement B on SP304226 (Reserved Survey Plan).</p>	<p>Conditions 1-13, 16, 22-30 must be complied with prior to the lodgement of a development application pursuant to this Variation Approval outside of the land area identified as Lot 32 and Easement B on SP304226 (Reserved Survey Plan) on the land described on title as Lot 1 SP349893.</p>	<p>The applicant made representations for this condition, consisting of the proposed changes to the condition.</p>	<p>As noted in the assessment of Condition 9 previously, all infrastructure strategies have been endorsed. Development within the Variation Approval Area is subject to the requirements outlined in the endorsed strategies. Condition 10 can be deleted.</p>	<p>Conditions 1 to 30 must be complied with prior to the lodgement of a development application pursuant to this Variation Approval outside of the land area identified as Lot 32 and Easement B on SP304226 (Reserved Survey Plan).</p>
12.	<p>The Variation Approval Area is the area outlined in red and identified as 'Variation Approval Area' on Amended Drawing Number 12/205 SP01 Revision E, prepared by Byrne Surveyors and dated 18 October 2018.</p>	-	<p>The applicant made no representations regarding this condition.</p>	<p>The proposed changes to Condition 12 are recommended for approval.</p> <p>The changes are required to reflect the new structure plan layout.</p>	<p>The Variation Approval Area is the area outlined in red and identified as 'Variation Approval Area' shown on Amended Drawing Number 12/205 SP01 Revision E NU-09/2025-Version A, prepared by Byrne Surveyors Nexus Urban and dated September 2025 18 October 2018.</p>
13.	<p>The following plan is an Approved Plan subject to the conditions of this Variation Approval and the amendments described below:</p> <p>Plan No: 12/205 SP01 Revision E Description: Structure Plan, prepared by Byrne Surveyors and dated 18 October 2018 Amendments: Amend to comply with Condition 14.</p>	<p>The following plan is an Approved Plan subject to the conditions of this Variation Approval and the amendments described below:</p> <p>Plan No: 12/205 SP01 Revision E NU- 09/2025-Version A Description: Structure Plan, prepared by Byrne Surveyors Nexus Urban and dated September 2025 18 October 2018 Amendments: Nil Amend to comply with Condition 14.</p>	<p>The applicant made representations for this condition, consisting of the proposed changes to the condition.</p>	<p>The proposed changes to Condition 13 are recommended for approval.</p> <p>The changes are required to reflect the new structure plan layout.</p>	<p>The following plan is an Approved Plan subject to the conditions of this Variation Approval and the amendments described below:</p> <p>Plan No: 12/205 SP01 Revision E Description: Structure Plan, prepared by Byrne Surveyors and dated 18 October 2018 Amendments: Amend to comply with Condition 14.</p> <p>Plan No: NU-09/2025-Version A Description: Structure Plan, prepared by Nexus Urban and dated September 2025 Amendments: Nil</p>
14.	<p>Amend Drawing Number 12/205 SP01 Revision E, prepared by Byrne Surveyors and dated 18 October 2018 as follows:</p> <p>14.1 Amend text from 'Proposed Low Impact Industry' to 'Low Impact Industry Area';</p> <p>14.2 Amend text from 'Proposed Medium Impact Industry' to</p>	<p>The applicant recommended deletion of this condition.</p>	<p>The applicant made representations for this condition, consisting of the proposed deletion of the condition.</p>	<p>Condition 14 is recommended for deletion.</p> <p>The deletion of Condition 14 is required due to plans and documents</p>	<p>Amend Drawing Number 12/205 SP01 Revision E, prepared by Byrne Surveyors and dated 18 October 2018 as follows:</p> <p>14.1 Amend text from 'Proposed Low Impact Industry' to 'Low Impact Industry Area';</p> <p>14.2 Amend text from 'Proposed Medium Impact Industry' to</p>

	<p>'Medium Impact Industry Area';</p> <p>14.3 Remove text 'Existing Medium Impact Industry';</p> <p>14.4 Remove text 'Existing Low Impact Industry';</p> <p>14.5 Remove text 'Existing Emerging Community';</p> <p>14.6 Remove text and associated legend icon 'Proposed Access Location to Existing External Road Network';</p> <p>14.7 Amend text from 'Preliminary Approval Area' to 'Variation Approval Area';</p> <p>14.8 Remove colours (i.e. area or zone colours) to all areas outside of the area identified as Variation Approval Area;</p> <p>14.9 Remove light blue colour for Low Impact Industry Area to all areas within the Constrained Land area;</p> <p>14.10 Add a new colour, not used elsewhere on the plan, for the Constrained Land Area and</p> <p style="padding-left: 20px;">(a) Mark the Constrained Land Area in that colour; and</p> <p style="padding-left: 20px;">(b) Reference the Constrained Land Area to that colour in a legend;</p> <p>14.11 Identify the following area as Constrained Land Area:</p> <p style="padding-left: 20px;">(a) The entire area within 110m north of the southern boundary of the area identified as Variation Approval Area; and</p> <p style="padding-left: 20px;">(b) The entire area within 220m north of the southern boundary and 130m east of the western boundary of the area identified as Variation Approval Area; and</p>			<p>having been provided that contain the amendments required by Condition 14.</p>	<p>'Medium Impact Industry Area';</p> <p>14.3 Remove text 'Existing Medium Impact Industry';</p> <p>14.4 Remove text 'Existing Low Impact Industry';</p> <p>14.5 Remove text 'Existing Emerging Community';</p> <p>14.6 Remove text and associated legend icon 'Proposed Access Location to Existing External Road Network';</p> <p>14.7 Amend text from 'Preliminary Approval Area' to 'Variation Approval Area';</p> <p>14.8 Remove colours (i.e. area or zone colours) to all areas outside of the area identified as Variation Approval Area;</p> <p>14.9 Remove light blue colour for Low Impact Industry Area to all areas within the Constrained Land area;</p> <p>14.10 Add a new colour, not used elsewhere on the plan, for the Constrained Land Area and</p> <p style="padding-left: 20px;">(a) Mark the Constrained Land Area in that colour; and</p> <p style="padding-left: 20px;">(b) Reference the Constrained Land Area to that colour in a legend;</p> <p>14.11 Identify the following area as Constrained Land Area:</p> <p style="padding-left: 20px;">(a) The entire area within 110m north of the southern boundary of the area identified as Variation Approval Area; and</p> <p style="padding-left: 20px;">(b) The entire area within 220m north of the southern boundary and 130m east of the western boundary of the area identified as Variation Approval Area; and</p>
<p>15.</p>	<p>The Plan to be amended must incorporate only the amendments listed within this Variation Approval and must be resubmitted to the Manager, Development Services for endorsement and be endorsed by the Manager, prior to the lodgement of a development application made pursuant to this Variation Approval.</p>	<p>The applicant recommended deletion of this condition.</p>	<p>The applicant made representations for this condition, consisting of the proposed deletion of the condition.</p>	<p>Condition 15 is recommended for deletion.</p> <p>The deletion of Condition 15 is required as plans and documents have been provided that contain the amendments that Condition 14 required.</p>	<p>The Plan to be amended must incorporate only the amendments listed within this Variation Approval and must be resubmitted to the Manager, Development Services for endorsement and be endorsed by the Manager, prior to the lodgement of a development application made pursuant to this Variation Approval.</p>
<p>16.</p>	<p>The following documents are Approved Documents subject to the conditions of this Variation Approval and the amendments described below:</p> <p>Document No: Unnumbered</p> <p>Description: Variation Approval Categories of Assessment and Development Table 1.1 Low Impact Industry Area, prepared by Property Projects Australia, undated, and amended received by Council on 7 July 2022 18 October 2018.</p> <p>Amendments: Nil Amend to comply with Condition 17.</p>	<p>The following documents are Approved Documents subject to the conditions of this Variation Approval and the amendments described below:</p> <p>Document No: Version 2025/01.1</p> <p>Description: Variation Approval Categories of Assessment and Development Table 1.1 Low Impact Industry Area, prepared by Nexus Urban Consultants,</p>	<p>The applicant made representations for this condition, consisting of the proposed changes to the condition.</p>	<p>The proposed changes to Condition 16 are recommended for approval.</p> <p>The proposed changes are required to reflect the amended plans and tables of assessment submitted as part of this change request.</p>	<p>The following documents are Approved Documents subject to the conditions of this Variation Approval and the amendments described below:</p> <p>Document No: Unnumbered Version 2025/01.1A</p> <p>Description: Variation Approval Categories of Assessment and Development Table 1.1 Low Impact Industry Area, prepared by Nexus Urban Consultants and received by Council 17 February 2026 Property Projects Australia, undated, and amended received by Council on 7 July 2022 18 October 2018.</p>

	<p>Document No: Unnumbered Description: Variation Approval Categories of Assessment and Development Table 1.2 Medium Impact Industry Area, prepared by Property Projects Australia, undated, and amended received by Council on 7 July 2022 18 October 2018. Amendments: Nil Amend to comply with Condition 17.</p> <p>Document No: Unnumbered Description: Variation Approval Categories of Assessment and Development Table 2.1 Reconfiguring a Lot within the Preliminary Approval Area, prepared by Property Projects Australia, undated, and amended received by Council on 7 July 2022 18 October 2018. Amendments: Nil Amend to comply with Condition 17.</p> <p>Document No: Unnumbered Description: Variation Approval Categories of Assessment and Development Table 3.1 Assessment benchmarks for overlays, prepared by Property Projects Australia, undated, and received by Council on 18 October 2018. Amendments: Amend to comply with Condition 17.</p>	<p>dated September 2025 Property Projects Australia, undated, and amended received by Council on 7 July 2022 18 October 2018. Amendments: Nil Amend to comply with Condition 17. Document No: Version 2025/01.2 Description: Variation Approval Categories of Assessment and Development Table 1.2 Medium Impact Industry Area, prepared by Nexus Urban Consultants, dated September 2025 prepared by Property Projects Australia, undated, and amended received by Council on 7 July 2022 18 October 2018. Amendments: Nil Amend to comply with Condition 17.</p> <p>Document No: Unnumbered Description: Variation Approval Categories of Assessment and Development Table 2.1 Reconfiguring a Lot within the Preliminary Approval Area, prepared by Property Projects Australia, undated, and amended received by Council on 7 July 2022 18 October 2018. Amendments: Nil Amend to comply with Condition 17.</p> <p>Document No: Unnumbered Description: Variation Approval Categories of Assessment and Development Table 3.1 Assessment benchmarks for overlays, prepared by Property Projects Australia, undated, and received by Council on 18 October 2018. Amendments: Nil. Amend to comply with Condition 17.</p>	<p>The applicant recommended</p>	<p>The applicant made Condition 17 is</p>	<p>Amendments: Nil Amend to comply with Condition 17</p> <p>Document No: Unnumbered Version 2025/01.2A Description: Variation Approval Categories of Assessment and Development Table 1.2 Medium Impact Industry Area, prepared by Nexus Urban Consultants and received by Council 17 February 2026 Property Projects Australia, undated, and amended received by Council on 7 July 2022 18 October 2018. Amendments: Nil Amend to comply with Condition 17</p> <p>Document No: Unnumbered Description: Variation Approval Categories of Assessment and Development Table 1.3 Constrained Land Area, prepared by Property Projects Australia, undated, and received by Council on 18 October 2018. Amendments: Nil</p> <p>Document No: Unnumbered Description: Variation Approval Categories of Assessment and Development Table 2.1 Reconfiguring a Lot within the Preliminary Approval Area, prepared by Property Projects Australia, undated, and amended received by Council on 7 July 2022 18 October 2018. Amendments: Nil Amend to comply with Condition 17</p> <p>Document No: Unnumbered Description: Variation Approval Categories of Assessment and Development Table 3.1 Assessment benchmarks for overlays, prepared by Property Projects Australia, undated, and received by Council on 18 October 2018. Amendments: Nil Amend to comply with Condition 17.</p>
17.	Amend Variation Approval Categories of Assessment and	The applicant recommended	The applicant made	Condition 17 is	Amend Variation Approval Categories of Assessment and

<p>Development Tables as follows:</p> <p>17.1 Material Change of Use - Table 1.1 Low Impact Industry Area:</p> <p>(a) Delete all Uses and all associated text under Categories of development and assessment and Assessment benchmarks;</p> <p>(b) Delete the text 'Any use listed in this table where a building, structure, vehicle movement area or external use area (such as a storage area but excluding works for stormwater drainage or supporting infrastructure), are proposed partly or wholly within the Constrained Land Area shown on the approved Structure Plan';</p> <p>(c) Insert the Uses 'Transport Depot' and 'Warehouse';</p> <p>(d) For Transport Depot and Warehouse, under the subheading Accepted development subject to requirements, insert the text: 'If the reuse of an existing approved development and there is no increase in Gross Floor Area and no increase in impervious area';</p> <p>(e) For Transport Depot and Warehouse, under the subheading Code assessment, insert the text:</p> <p>'If:</p> <p>(i) not meeting the description listed in the categories of development and assessment column for accepted development subject to requirements; or</p> <p>(ii) meeting the description listed in the categories of development and assessment column for accepted development subject to requirements and not complying with one or more required acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements;</p> <p>Or if:</p> <p>(i) The relevant lot has an area of at least 2ha that is within the Low Impact Industry Area or Medium Impact Industry Area, excluding any area identified within the Constrained Land Area; and</p> <p>(ii) The proposed development has a maximum Gross Floor Area (GFA) of 10% of the lot area that is within the Low Impact Industry Area or Medium Impact Industry Area, excluding any area identified within the Constrained Land Area; and</p> <p>(iii) The proposed development has a maximum impervious area of 60% of the lot area that is within the Low Impact Industry Area or Medium Impact Industry Area, excluding any area identified within the Constrained Land Area;</p> <p><i>Note: To remove any doubt, impervious area is the cumulative total of all roofed area (whether GFA or not), hard landscaping and hardstand.'</i></p>	<p>deletion of this condition.</p>	<p>representations for this condition, consisting of the proposed deletion of the condition.</p>	<p>recommended for deletion.</p> <p>The deletion of Condition 17 is required due the information that was required by Condition 17 being provided and endorsed by Council. As such Condition 17 is no longer required.</p>	<p>Development Tables as follows:</p> <p>17.1 Material Change of Use - Table 1.1 Low Impact Industry Area:</p> <p>(a) Delete all Uses and all associated text under Categories of development and assessment and Assessment benchmarks;</p> <p>(b) Delete the text 'Any use listed in this table where a building, structure, vehicle movement area or external use area (such as a storage area but excluding works for stormwater drainage or supporting infrastructure), are proposed partly or wholly within the Constrained Land Area shown on the approved Structure Plan';</p> <p>(c) Insert the Uses 'Transport Depot' and 'Warehouse';</p> <p>(d) For Transport Depot and Warehouse, under the subheading Accepted development subject to requirements, insert the text: 'If the reuse of an existing approved development and there is no increase in Gross Floor Area and no increase in impervious area';</p> <p>(e) For Transport Depot and Warehouse, under the subheading Code assessment, insert the text:</p> <p>'If:</p> <p>(i) not meeting the description listed in the categories of development and assessment column for accepted development subject to requirements; or</p> <p>(ii) meeting the description listed in the categories of development and assessment column for accepted development subject to requirements and not complying with one or more required acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements;</p> <p>Or if:</p> <p>(i) The relevant lot has an area of at least 2ha that is within the Low Impact Industry Area or Medium Impact Industry Area, excluding any area identified within the Constrained Land Area; and</p> <p>(ii) The proposed development has a maximum Gross Floor Area (GFA) of 10% of the lot area that is within the Low Impact Industry Area or Medium Impact Industry Area, excluding any area identified within the Constrained Land Area; and</p> <p>(iii) The proposed development has a maximum impervious area of 60% of the lot area that is within the Low Impact Industry Area or Medium Impact Industry Area, excluding any area identified within the Constrained Land Area;</p> <p><i>Note: To remove any doubt, impervious area is the cumulative total of all roofed area (whether</i></p>
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<p>(f) Under each subheading except 'Impact Assessment', for Transport Depot and Warehouse list the following Assessment benchmarks and requirements for accepted development:</p> <ul style="list-style-type: none"> (i) Low Impact Industry Zone Code; (ii) Industry Uses Code; (iii) Environmental Standards Code; (iv) Integrated Water Cycle Management Code; (v) Landscaping Code; (vi) Transport, Access and Parking Code; (vii) Works and Services Code; (viii) Airport Environs Overlay Code; (ix) Variation Approval MCUI/2018/2226 Traffic Impact Assessment – Overall Strategy; (x) Variation Approval MCUI/2018/2226 Stormwater Management Plan – Overall Strategy; (xi) Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply – Overall Strategy; (xii) Variation Approval MCUI/2018/2226 Water Supply – Overall Strategy; <p>(g) Under the subheading 'Impact Assessment', add the following Assessment benchmarks and note in addition to 'The planning scheme':</p> <ul style="list-style-type: none"> (i) Variation Approval MCUI/2018/2226 Traffic Impact Assessment – Overall Strategy; (ii) Variation Approval MCUI/2018/2226 Stormwater Management Plan – Overall Strategy; (iii) Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply – Overall Strategy; (iv) Variation Approval MCUI/2018/2226 Water Supply – Overall Strategy; <p><i>Note: Impact Assessable development in the Variation Approval Area is assessed as if it were identified in the Emerging Community Zone of the Toowoomba Regional Planning Scheme 2012 Version 19.;</i></p> <p>(h) Delete any unused subheadings and cells;</p> <p>17.2 Material Change of Use - Table 1.2 Medium Impact Industry Area:</p> <p>(a) Delete all Uses and all associated text under Categories of development and assessment and assessment benchmarks;</p>				<p style="text-align: right;"><i>GFA or not), hard landscaping and hardstand.'</i></p> <p>(f) Under each subheading except 'Impact Assessment', for Transport Depot and Warehouse list the following Assessment benchmarks and requirements for accepted development:</p> <ul style="list-style-type: none"> (i) Low Impact Industry Zone Code; (ii) Industry Uses Code; (iii) Environmental Standards Code; (iv) Integrated Water Cycle Management Code; (v) Landscaping Code; (vi) Transport, Access and Parking Code; (vii) Works and Services Code; (viii) Airport Environs Overlay Code; (ix) Variation Approval MCUI/2018/2226 Traffic Impact Assessment – Overall Strategy; (x) Variation Approval MCUI/2018/2226 Stormwater Management Plan – Overall Strategy; (xi) Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply – Overall Strategy; (xii) Variation Approval MCUI/2018/2226 Water Supply – Overall Strategy; <p>(g) Under the subheading 'Impact Assessment', add the following Assessment benchmarks and note in addition to 'The planning scheme':</p> <ul style="list-style-type: none"> (i) Variation Approval MCUI/2018/2226 Traffic Impact Assessment – Overall Strategy; (ii) Variation Approval MCUI/2018/2226 Stormwater Management Plan – Overall Strategy; (iii) Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply – Overall Strategy; (iv) Variation Approval MCUI/2018/2226 Water Supply – Overall Strategy; <p><i>Note: Impact Assessable development in the Variation Approval Area is assessed as if it were identified in the Emerging Community Zone of the Toowoomba Regional Planning Scheme 2012 Version 19.;</i></p> <p>(h) Delete any unused subheadings and cells;</p> <p>17.2 Material Change of Use - Table 1.2 Medium Impact Industry Area:</p> <p>(a) Delete all Uses and all associated text under Categories of</p>
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<p>(b) Insert the Uses 'Transport Depot' and 'Warehouse';</p> <p>(c) For Transport Depot and Warehouse, under the subheading Accepted development subject to requirements, insert the text: 'If the reuse of an existing approved development and there is no increase in Gross Floor Area and no increase in impervious area';</p> <p>(d) For Transport Depot and Warehouse, under the subheading Code assessment, insert the text:</p> <p> 'If:</p> <p> (i) not meeting the description listed in the categories of development and assessment column for accepted development subject to requirements; or</p> <p> (ii) meeting the description listed in the categories of development and assessment column for accepted development subject to requirements and not complying with one or more required acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements;</p> <p> Or if:</p> <p> Within the land area identified as Lot 32 and Easement B on SP304226 (Reserved Survey Plan), and:</p> <p> (i) The lot has an area of exactly 2ha; and</p> <p> (ii) The proposed development has a maximum Gross Floor Area (GFA) 20% of the lot area. ; and</p> <p> (iii) The proposed development has a maximum impervious area of 80% of the lot area;</p> <p> Or if:</p> <p> Not within the land area identified as Lot 32 and Easement B on SP304226 (Reserved Survey Plan), and:</p> <p> (i) The relevant lot has an area of at least 2ha within the Low Impact Industry Area or Medium Impact Industry Area, excluding any area identified within the Constrained Land Area; and</p> <p> (ii) The proposed development has a maximum Gross Floor Area (GFA) of 10% of the lot area that is within the Low Impact Industry Area or Medium Impact Industry Area, excluding any area identified within the Constrained Land Area; and</p> <p> (iii) The proposed development has a maximum impervious area of 60% of the lot area that is within the Low Impact Industry Area or Medium Impact Industry Area, excluding any area identified within the Constrained Land Area; and</p> <p> Note: To remove any doubt, impervious area is the cumulative total of all roofed area (whether GFA or not), hard landscaping and</p>				<p>development and assessment and assessment benchmarks;</p> <p>(b) Insert the Uses 'Transport Depot' and 'Warehouse';</p> <p>(c) For Transport Depot and Warehouse, under the subheading Accepted development subject to requirements, insert the text: 'If the reuse of an existing approved development and there is no increase in Gross Floor Area and no increase in impervious area';</p> <p>(d) For Transport Depot and Warehouse, under the subheading Code assessment, insert the text:</p> <p> 'If:</p> <p> (i) not meeting the description listed in the categories of development and assessment column for accepted development subject to requirements; or</p> <p> (ii) meeting the description listed in the categories of development and assessment column for accepted development subject to requirements and not complying with one or more required acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements;</p> <p> Or if:</p> <p> Within the land area identified as Lot 32 and Easement B on SP304226 (Reserved Survey Plan), and:</p> <p> (i) The lot has an area of exactly 2ha; and</p> <p> (ii) The proposed development has a maximum Gross Floor Area (GFA) 20% of the lot area. ; and</p> <p> (iii) The proposed development has a maximum impervious area of 80% of the lot area;</p> <p> Or if:</p> <p> Not within the land area identified as Lot 32 and Easement B on SP304226 (Reserved Survey Plan), and:</p> <p> (i) The relevant lot has an area of at least 2ha within the Low Impact Industry Area or Medium Impact Industry Area, excluding any area identified within the Constrained Land Area; and</p> <p> (ii) The proposed development has a maximum Gross Floor Area (GFA) of 10% of the lot area that is within the Low Impact Industry Area or Medium Impact Industry Area, excluding any area identified within the Constrained Land Area; and</p> <p> (iii) The proposed development has a maximum impervious area of 60% of the lot area that is within the Low Impact Industry Area or Medium Impact Industry Area, excluding any area identified</p>
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<p style="text-align: center;"><i>hardstand</i>;</p> <p>(e) Under each subheading except 'Impact Assessment', for Transport Depot and Warehouse list the following Assessment benchmarks:</p> <ul style="list-style-type: none"> (i) Low Impact Industry Zone Code; (ii) Industry Uses Code; (iii) Environmental Standards Code; (iv) Integrated Water Cycle Management Code; (v) Landscaping Code; (vi) Transport, Access and Parking Code; (vii) Works and Services Code; (viii) Airport Environs Overlay Code; (ix) Where not within the land area identified as Lot 32 and Easement B on SP304226 (Reserved Survey Plan): <ul style="list-style-type: none"> (1) Variation Approval MCUI/2018/2226 Traffic Impact Assessment – Overall Strategy; (2) Variation Approval MCUI/2018/2226 Stormwater Management Plan – Overall Strategy; (3) Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply – Overall Strategy; (4) Variation Approval MCUI/2018/2226 Water Supply – Overall Strategy; <p>(f) Under the subheading 'Impact Assessment', add the following Assessment benchmarks and note in addition to 'The planning scheme':</p> <ul style="list-style-type: none"> (i) Variation Approval MCUI/2018/2226 Traffic Impact Assessment – Overall Strategy; (ii) Variation Approval MCUI/2018/2226 Stormwater Management Plan – Overall Strategy; (iii) Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply – Overall Strategy; (iv) Variation Approval MCUI/2018/2226 Water Supply – Overall Strategy; <p><i>Note: Impact Assessable development in the Variation Approval Area is assessed as if it were identified in the Emerging Community Zone of the Toowoomba Regional Planning Scheme 2012 Version 19.;</i></p> <p>(g) Delete any unused subheadings and cells;</p> <p>17.3 Reconfiguring a Lot - Table 2.1 Reconfiguring a Lot within the</p>				<p style="text-align: center;">within the Constrained Land Area; and</p> <p style="text-align: center;"><i>Note: To remove any doubt, impervious area is the cumulative total of all roofed area (whether GFA or not), hard landscaping and hardstand.</i></p> <p>(e) Under each subheading except 'Impact Assessment', for Transport Depot and Warehouse list the following Assessment benchmarks:</p> <ul style="list-style-type: none"> (i) Low Impact Industry Zone Code; (ii) Industry Uses Code; (iii) Environmental Standards Code; (iv) Integrated Water Cycle Management Code; (v) Landscaping Code; (vi) Transport, Access and Parking Code; (vii) Works and Services Code; (viii) Airport Environs Overlay Code; (ix) Where not within the land area identified as Lot 32 and Easement B on SP304226 (Reserved Survey Plan): <ul style="list-style-type: none"> (1) Variation Approval MCUI/2018/2226 Traffic Impact Assessment – Overall Strategy; (2) Variation Approval MCUI/2018/2226 Stormwater Management Plan – Overall Strategy; (3) Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply – Overall Strategy; (4) Variation Approval MCUI/2018/2226 Water Supply – Overall Strategy; <p>(f) Under the subheading 'Impact Assessment', add the following Assessment benchmarks and note in addition to 'The planning scheme':</p> <ul style="list-style-type: none"> (i) Variation Approval MCUI/2018/2226 Traffic Impact Assessment – Overall Strategy; (ii) Variation Approval MCUI/2018/2226 Stormwater Management Plan – Overall Strategy; (iii) Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply – Overall Strategy; (iv) Variation Approval MCUI/2018/2226 Water Supply – Overall Strategy; <p style="text-align: center;"><i>Note: Impact Assessable development in the Variation Approval Area is assessed as if it were identified in the Emerging</i></p>
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<p>Preliminary Approval Area:</p> <p>(a) Delete all text under the subheading Accepted development subject to requirements and delete the subheading;</p> <p>(b) Delete all text in the third row under the subheading Code assessment;</p> <p>(c) Under the subheading 'Code assessment' for 'Categories of development and assessment', add the text: 'Where land is proposed and conditioned to be dedicated to Council or to a utility provider approved by Council.';</p> <p>(d) Under the first subheading 'Code assessment', list the following Assessment benchmarks for all Code assessable Reconfiguring a Lot except 'Subdivision of one lot into two lots (and associated operational work) if code assessment is required under schedule 10 of the Regulation':</p> <ul style="list-style-type: none"> (i) Low Impact Industry Zone Code where within the Low Impact Industry Area; (ii) Medium Impact Industry Zone Code where within the Medium Impact Industry Area; (iii) Reconfiguring a Lot Code; (iv) Airport Environs Overlay Code; (v) Bushfire Hazard Overlay Code where within the Constrained Land Area; (vi) Environmental Significance Overlay Code where within the Constrained Land Area; (vii) Landslide Hazard Overlay Code where within the Constrained Land Area; <p>(xiii) Variation Approval MCUI/2018/2226 Traffic Impact Assessment – Overall Strategy;</p> <p>(ix) Variation Approval MCUI/2018/2226 Stormwater Management Plan – Overall Strategy;</p> <p>(x) Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply – Overall Strategy;</p> <p>(xi) Variation Approval MCUI/2018/2226 Water Supply – Overall Strategy;</p> <p>(e) Rename the second subheading 'Code assessment' (above text stating 'Any other reconfiguring a lot not listed in this table'), from 'Code assessment' to 'Impact assessment';</p> <p>(f) Under all subheadings for Impact assessment, add the following Assessment benchmarks and note in addition to 'The planning scheme':</p> <ul style="list-style-type: none"> (i) Variation Approval MCUI/2018/2226 Traffic Impact Assessment – Overall Strategy; (ii) Variation Approval MCUI/2018/2226 Stormwater 				<p style="text-align: right;">Community Zone of the Toowoomba Regional Planning Scheme 2012 Version 19;</p> <p>(g) Delete any unused subheadings and cells;</p> <p>17.3 Reconfiguring a Lot Table 2.1 Reconfiguring a Lot within the Preliminary Approval Area:</p> <p>(a) Delete all text under the subheading Accepted development subject to requirements and delete the subheading;</p> <p>(b) Delete all text in the third row under the subheading Code assessment;</p> <p>(c) Under the subheading 'Code assessment' for 'Categories of development and assessment', add the text: 'Where land is proposed and conditioned to be dedicated to Council or to a utility provider approved by Council.';</p> <p>(d) Under the first subheading 'Code assessment', list the following Assessment benchmarks for all Code assessable Reconfiguring a Lot except 'Subdivision of one lot into two lots (and associated operational work) if code assessment is required under schedule 10 of the Regulation':</p> <ul style="list-style-type: none"> (i) Low Impact Industry Zone Code where within the Low Impact Industry Area; (ii) Medium Impact Industry Zone Code where within the Medium Impact Industry Area; (iii) Reconfiguring a Lot Code; (iv) Airport Environs Overlay Code; (v) Bushfire Hazard Overlay Code where within the Constrained Land Area; (vi) Environmental Significance Overlay Code where within the Constrained Land Area; (vii) Landslide Hazard Overlay Code where within the Constrained Land Area; <p>(xiii) Variation Approval MCUI/2018/2226 Traffic Impact Assessment – Overall Strategy;</p> <p>(ix) Variation Approval MCUI/2018/2226 Stormwater Management Plan – Overall Strategy;</p> <p>(x) Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply – Overall Strategy;</p> <p>(xi) Variation Approval MCUI/2018/2226 Water Supply – Overall Strategy;</p> <p>(e) Rename the second subheading 'Code assessment' (above text stating 'Any other reconfiguring a lot not listed in this table'), from 'Code assessment' to 'Impact</p>
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	<p>Management Plan – Overall Strategy;</p> <p>(iii) Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply – Overall Strategy;</p> <p>(iv) Variation Approval MCUI/2018/2226 Water Supply – Overall Strategy;</p> <p><i>Note: Impact Assessable development in the Variation Approval Area is assessed as if it were identified in the Emerging Community Zone of the Toowoomba Regional Planning Scheme 2012 Version 19.;</i></p> <p>(g) Delete any unused subheadings and cells;</p> <p>17.4 Table 3.1 - Assessment benchmarks for overlays:</p> <p>(a) Delete all text under the heading ‘Table 3.1 - Assessment benchmarks for overlays’;</p> <p>(b) Insert the text ‘Code Assessable Development is assessed against the overlays identified as Assessment benchmarks in Table 1.1 Low Impact Industry Area, Table 1.2 Medium Impact Industry Area, Table 1.3 Constrained Land Area, and Table 2.1 Reconfiguring a Lot within the Preliminary Approval Area.’;</p> <p>(c) Insert the text ‘All Impact Assessable Development is assessed against the Assessment benchmark the Airport Environs Overlay Code.’;</p> <p>(d) Insert the text ‘All Impact Assessable Development within the Constrained Land Area is assessed against the Assessment benchmarks the Bushfire Hazard Overlay Code, the Environmental Significance Overlay Code and the Landslide Hazard Overlay Code.’;</p> <p>(e) Delete any unused cells.</p>				<p>assessment’;</p> <p>(f) Under all subheadings for Impact assessment, add the following Assessment benchmarks and note in addition to ‘The planning scheme’:</p> <p>(i) Variation Approval MCUI/2018/2226 Traffic Impact Assessment – Overall Strategy;</p> <p>(ii) Variation Approval MCUI/2018/2226 Stormwater Management Plan – Overall Strategy;</p> <p>(iii) Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply – Overall Strategy;</p> <p>(iv) Variation Approval MCUI/2018/2226 Water Supply – Overall Strategy;</p> <p><i>Note: Impact Assessable development in the Variation Approval Area is assessed as if it were identified in the Emerging Community Zone of the Toowoomba Regional Planning Scheme 2012 Version 19.;</i></p> <p>(g) Delete any unused subheadings and cells;</p> <p>17.4 Table 3.1 - Assessment benchmarks for overlays:</p> <p>(a) Delete all text under the heading ‘Table 3.1 - Assessment benchmarks for overlays’;</p> <p>(b) Insert the text ‘Code Assessable Development is assessed against the overlays identified as Assessment benchmarks in Table 1.1 Low Impact Industry Area, Table 1.2 Medium Impact Industry Area, Table 1.3 Constrained Land Area, and Table 2.1 Reconfiguring a Lot within the Preliminary Approval Area.’;</p> <p>(c) Insert the text ‘All Impact Assessable Development is assessed against the Assessment benchmark the Airport Environs Overlay Code.’;</p> <p>(d) Insert the text ‘All Impact Assessable Development within the Constrained Land Area is assessed against the Assessment benchmarks the Bushfire Hazard Overlay Code, the Environmental Significance Overlay Code and the Landslide Hazard Overlay Code.’;</p> <p>(e) Delete any unused cells.</p>
<p>18.</p>	<p>The Documents to be amended must incorporate only the amendments listed within this Variation Approval and must be resubmitted to the Manager, Development Services for endorsement and be endorsed by the Manager, prior to the lodgement of a development application pursuant to this Variation Approval.</p>	<p>The applicant recommended deletion of this condition.</p>	<p>The applicant made representations for this condition, consisting of the proposed deletion of the condition.</p>	<p>Condition 18 is recommended for deletion.</p> <p>Condition 18 is required to be deleted as the submitted documents no longer require amendments.</p>	<p>The Documents to be amended must incorporate only the amendments listed within this Variation Approval and must be resubmitted to the Manager, Development Services for endorsement and be endorsed by the Manager, prior to the lodgement of a development application pursuant to this Variation Approval.</p>
<p>19.</p>	<p>The following document is required to be prepared and submitted for endorsement. The endorsed document will become an Approved Document subject to the conditions of this Variation Approval and the description below:</p>	<p>The applicant recommended deletion of this condition.</p>	<p>The applicant made representations for this condition, consisting of the proposed deletion</p>	<p>Condition 19 is recommended for deletion.</p>	<p>The following document is required to be prepared and submitted for endorsement. The endorsed document will become an Approved Document subject to the conditions of this Variation Approval and the description below:</p>

	<p>Document No: Unnumbered Description: Variation Approval Categories of Assessment and Development Table 1.3 Constrained Land Area Amendments: Not applicable</p>		<p>of the condition.</p>	<p>Table 1.3 has since been provided and is included as an approved document, therefore Condition 19 is no longer required.</p>	<p>Document No: Unnumbered Description: Variation Approval Categories of Assessment and Development Table 1.3 Constrained Land Area Amendments: Not applicable</p>
<p>20.</p>	<p>Provide a document titled 'Variation Approval Categories of Assessment and Development Table 1.3 – Constrained Land Area' in the same format as amended Tables 1.1 Low Impact Industry Area and Table 1.2 Medium Impact Industry Area and as follows:</p> <p>20.1 Material Change of Use – Table 1.3 Constrained Land Area:</p> <ul style="list-style-type: none"> (a) Create a heading 'Use' and under that heading provide the text: 'Development that is or includes a Material Change of Use for Utility Installation for stormwater infrastructure.'; (b) Create a heading 'Categories of assessment and development' and under that heading create a subheading 'Code assessment'. Identify the use referred to in (a) above as Code assessable development; (c) Create a heading 'Assessment benchmarks for assessable development' and under that heading create a subheading 'Code assessment'. Identify the following Assessment Benchmarks for the use referred to in (a) above: <ul style="list-style-type: none"> (i) Airport Environs Overlay Code; (ii) Bushfire Hazard Overlay Code; (iii) Environmental Significance Overlay Code; (iv) Landslide Hazard Overlay Code; (v) Limited Development (Constrained Land) Code (vi) Environmental Standards Code; (vii) Integrated Water Cycle Management Code; (viii) Landscaping Code; (ix) Works and Services Code; (x) Variation Approval MCUI/2018/2226 Traffic Impact Assessment – Overall Strategy; (xi) Variation Approval MCUI/2018/2226 Stormwater Management Plan – Overall Strategy; (xii) Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply – Overall Strategy; (xiii) Variation Approval MCUI/2018/2226 Water Supply – Overall Strategy; (d) Under the heading 'Use' provide the text: 'All other uses, whether defined or undefined'; (e) Under the heading 'Categories of assessment and 	<p>The applicant recommended deletion of this condition.</p>	<p>The applicant made representations for this condition, consisting of the proposed deletion of the condition.</p>	<p>Condition 20 is recommended for deletion.</p> <p>Table 1.3 has since been provided and is included as an approved document, therefore Condition 20 is no longer required.</p>	<p>Provide a document titled 'Variation Approval Categories of Assessment and Development Table 1.3 – Constrained Land Area' in the same format as amended Tables 1.1 Low Impact Industry Area and Table 1.2 Medium Impact Industry Area and as follows:</p> <p>20.1 Material Change of Use – Table 1.3 Constrained Land Area:</p> <ul style="list-style-type: none"> (a) Create a heading 'Use' and under that heading provide the text: 'Development that is or includes a Material Change of Use for Utility Installation for stormwater infrastructure.'; (b) Create a heading 'Categories of assessment and development' and under that heading create a subheading 'Code assessment'. Identify the use referred to in (a) above as Code assessable development; (c) Create a heading 'Assessment benchmarks for assessable development' and under that heading create a subheading 'Code assessment'. Identify the following Assessment Benchmarks for the use referred to in (a) above: <ul style="list-style-type: none"> (i) Airport Environs Overlay Code; (ii) Bushfire Hazard Overlay Code; (iii) Environmental Significance Overlay Code; (iv) Landslide Hazard Overlay Code; (v) Limited Development (Constrained Land) Code (vi) Environmental Standards Code; (vii) Integrated Water Cycle Management Code; (viii) Landscaping Code; (ix) Works and Services Code; (x) Variation Approval MCUI/2018/2226 Traffic Impact Assessment – Overall Strategy; (xi) Variation Approval MCUI/2018/2226 Stormwater Management Plan – Overall Strategy; (xii) Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply – Overall Strategy; (xiii) Variation Approval MCUI/2018/2226 Water Supply – Overall Strategy;

	<p>development' create a subheading 'Impact assessment'. Identify the use referred to in (d) above as Impact assessable development;</p> <p>(f) Under the heading 'Assessment benchmarks for assessable development' and the subheading 'Impact assessment', identify the following Assessment benchmarks and note for the Use referred to in (d) above:</p> <p>(i) The Planning Scheme;</p> <p>(ii) Variation Approval MCUI/2018/2226 Traffic Impact Assessment – Overall Strategy;</p> <p>(iii) Variation Approval MCUI/2018/2226 Stormwater Management Plan – Overall Strategy;</p> <p>(iv) Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply – Overall Strategy;</p> <p>(v) Variation Approval MCUI/2018/2226 Water Supply – Overall Strategy.</p> <p><i>Note: Impact Assessable development in the Variation Approval Area is assessed as if it were identified in the Emerging Community Zone of the Toowoomba Regional Planning Scheme 2012 Version 19.</i></p>				<p>(d) Under the heading 'Use' provide the text: 'All other uses, whether defined or undefined';</p> <p>(e) Under the heading 'Categories of assessment and development' create a subheading 'Impact assessment'. Identify the use referred to in (d) above as Impact assessable development;</p> <p>(f) Under the heading 'Assessment benchmarks for assessable development' and the subheading 'Impact assessment', identify the following Assessment benchmarks and note for the Use referred to in (d) above:</p> <p>(i) The Planning Scheme;</p> <p>(ii) Variation Approval MCUI/2018/2226 Traffic Impact Assessment – Overall Strategy;</p> <p>(iii) Variation Approval MCUI/2018/2226 Stormwater Management Plan – Overall Strategy;</p> <p>(iv) Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply – Overall Strategy;</p> <p>(v) Variation Approval MCUI/2018/2226 Water Supply – Overall Strategy.</p> <p><i>Note: Impact Assessable development in the Variation Approval Area is assessed as if it were identified in the Emerging Community Zone of the Toowoomba Regional Planning Scheme 2012 Version 19.</i></p>
21.	The Documents to be submitted must be submitted to the Manager, Development Services for endorsement and be endorsed by the Manager, prior to the lodgement of a development application pursuant to this Variation Approval.	The applicant recommended deletion of this condition.	The applicant made representations for this condition, consisting of the proposed deletion of the condition.	Condition 21 is recommended for deletion. The documents required to be submitted have already been provided to Council and have been included as approved documents with this change. Therefore condition 21 is no longer relevant.	The Documents to be submitted must be submitted to the Manager, Development Services for endorsement and be endorsed by the Manager, prior to the lodgement of a development application pursuant to this Variation Approval.
22.	This Variation Approval has a currency period of five (5) years from the date this Variation Approval starts to have effect.	This Variation Approval has a currency period of five (5) years from the date of this Change to Variation Approval starts to have effect.	The applicant made representations for this condition, consisting of the proposed changes to the condition.	The proposed changes to Condition 22 are recommended for approval. The proposed changes result in the currency period for the variation being restarted, which is considered warranted given the nature of the change, and the fact the previous currency period was about to expire.	This Variation Approval has a currency period until 16 February 2031, after which it will lapse to the extent development has not been completed. of five (5) years from the date this Variation Approval starts to have effect.
23A.	-	-	-	Condition 23A is recommended for inclusion.	The following Overall Strategies have been endorsed by Council and are included as assessment benchmarks within this Variation Approval:

				Condition 23A is required as a number of the overall strategies have been included as endorsed documents already and therefore can be include as referenced documents.	<p>23.A.1 Stormwater Management Plan – Overall Strategy;</p> <p>23.A.2 Wastewater Infrastructure Supply – Overall Strategy; and</p> <p>23.A.3 Water Supply – Overall Strategy.</p>
23.	<p>All development made assessable pursuant to this Variation Approval is assessed against the Assessment Benchmarks identified in Variation Approval categories of assessment and Development Tables 1.1, 1.2, 2.1 and 3.1 despite any text within the Assessment Benchmark stating or implying that the Assessment Benchmark does not apply.</p> <p><i>Note: For example, where identified as an Assessment Benchmark for this Variation Approval, Toowoomba Regional Planning Scheme 2012 Version 19 Low Impact Industry Zone Code 6.5.1.1 Application applies despite stating:</i></p> <p><i>“This code applies to development:-</i></p> <p><i>(1) within the Low impact industry Zone as identified on the zoning maps contained within Schedule 2 (Mapping); and</i></p> <p><i>(2) identified as requiring assessment against the Low Impact Industry Zone Code by the tables of assessment in Part 5 (Tables of assessment).”</i></p>	-	The applicant made no representations regarding this condition.	<p>The proposed changes to Condition 23 are recommended for approval.</p> <p>Table 1.3 has been included as an approved document and as such has been included in Condition 23.</p>	<p>All development made assessable pursuant to this Variation Approval is assessed against the Assessment Benchmarks identified in Variation Approval categories of assessment and Development Tables 1.1, 1.2, 1.3, 2.1 and 3.1 despite any text within the Assessment Benchmark stating or implying that the Assessment Benchmark does not apply.</p> <p><i>Note: For example, where identified as an Assessment Benchmark for this Variation Approval, Toowoomba Regional Planning Scheme 2012 Version 19 Low Impact Industry Zone Code 6.5.1.1 Application applies despite stating:</i></p> <p><i>“This code applies to development:-</i></p> <p><i>(1) within the Low impact industry Zone as identified on the zoning maps contained within Schedule 2 (Mapping); and</i></p> <p><i>(2) identified as requiring assessment against the Low Impact Industry Zone Code by the tables of assessment in Part 5 (Tables of assessment).”</i></p>
24.	<p>The following Overall Strategies, as specified, must be provided to and endorsed by Council prior to the lodgement of a development application pursuant to this Variation Approval:</p> <p>24.1 Traffic Impact Assessment – Overall Strategy;</p> <p>24.2 Stormwater Management Plan – Overall Strategy;</p> <p>24.3 Wastewater Infrastructure Supply – Overall Strategy; and</p> <p>24.4 Water Supply – Overall Strategy.</p>	-	The applicant made no representations regarding this condition.	<p>The proposed changes to Condition 24 are recommended for approval.</p> <p>A number of overall strategies have already been approved as endorsed documents, however the traffic strategy still requires endorsement.</p>	<p>The following Overall Strategies, as specified, must be provided to and endorsed by Council prior to the lodgement of a development application pursuant to this Variation Approval. Once Endorsed, the Overall Strategy will be included as an assessment benchmark within this Variation Approval:</p> <p>24.1 Traffic Impact Assessment – Overall Strategy.;</p> <p>24.2 Stormwater Management Plan – Overall Strategy;</p> <p>24.3 Wastewater Infrastructure Supply – Overall Strategy; and</p> <p>24.4 Water Supply – Overall Strategy.</p>
26.	<p>The Stormwater Management Plan – Overall Strategy must be prepared by a Registered Professional Engineer Queensland - Civil (RPEQ) in accordance with the relevant standards in the <i>Toowoomba Regional Planning Scheme 2012 Version 19 Schedule 6 Planning Scheme Policies (PSP), SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure</i> and its referenced guidelines, and <i>State Planning Policy 2017</i>, demonstrating:</p> <p>26.1 That stormwater is conveyed to a lawful point of discharge;</p> <p>26.2 No increase in peak flow rates downstream from the subject land for storm events as nominated in PSP 6.2 Table SC6.2.7. Major events exceeding an ARI of 100 years must be considered in accordance with the requirements of the <i>Queensland Urban Drainage Manual (QUDM)</i>;</p> <p>26.3 No increase in flood levels external to the subject land;</p>	-	The applicant made no representations regarding this condition.	<p>Condition 26 is recommended for deletion.</p> <p>Condition 26 is no longer required as the Stormwater Management Plan Overall Strategy has already been endorsed by Council.</p>	<p>The Stormwater Management Plan – Overall Strategy must be prepared by a Registered Professional Engineer Queensland – Civil (RPEQ) in accordance with the relevant standards in the Toowoomba Regional Planning Scheme 2012 Version 19 Schedule 6 Planning Scheme Policies (PSP), SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure and its referenced guidelines, and State Planning Policy 2017, demonstrating:</p> <p>26.1 That stormwater is conveyed to a lawful point of discharge;</p> <p>26.2 No increase in peak flow rates downstream from the subject land for storm events as nominated in PSP 6.2 Table SC6.2.7. Major events exceeding an ARI of 100 years must be considered in accordance with the requirements of the Queensland Urban Drainage Manual (QUDM);</p> <p>26.3 No increase in flood levels external to the subject</p>

	<p>26.4 No increase in duration of inundation external to the subject land that could cause loss or damage;</p> <p>26.5 All land adjoining the development can be protected from ponding or nuisance from stormwater resulting from the development for the life of the development;</p> <p>26.6 Appropriate inspection and maintenance of stormwater quality control infrastructure in accordance with a program; and</p> <p>26.7 The achievement of Water Sensitive Urban Design objectives listed in PSP No. 2 and <i>State Planning Policy 2017</i>.</p>				<p>land;</p> <p>26.4 No increase in duration of inundation external to the subject land that could cause loss or damage;</p> <p>26.5 All land adjoining the development can be protected from ponding or nuisance from stormwater resulting from the development for the life of the development;</p> <p>26.6 Appropriate inspection and maintenance of stormwater quality control infrastructure in accordance with a program; and</p> <p>26.7 The achievement of Water Sensitive Urban Design objectives listed in PSP No. 2 and <i>State Planning Policy 2017</i>.</p>
<p>27.</p>	<p>The Wastewater Infrastructure Plan – Overall Strategy must be prepared by a Registered Professional Engineer Queensland - Civil (RPEQ) in accordance with the relevant standards in the <i>Toowoomba Regional Planning Scheme 2012 Version 19 Schedule 6 Planning Scheme Policies (PSP), SC6.3 PSP No 3 – Engineering Standards – Water and Waste Water Infrastructure</i> demonstrating:</p> <p>27.1 Proposed connection points;</p> <p>27.2 How Lot 32 on SP304226 (Reserved Survey Plan) will be serviced by reticulated sewer;</p> <p>27.3 Wastewater Infrastructure main sizes and modelling results for all stages of the development including any augmentations needed external to the development; and</p> <p>27.4 A full conceptual sewer design and detail identifying how the proposed lots will be sewered. The information should include, but not necessarily be limited to:</p> <p>(a) How to ensure access to maintain the service will be achieved on lots that have buildings constructed for the full or near full width of the lots;</p> <p>(c) The location and sizing of Easements in Gross to ensure that proposed development can be serviced without compromising future reticulated sewer connections;</p> <p>(c) Where possible, locate services within existing or future road reserves,</p> <ul style="list-style-type: none"> • Having regard to topography; and • Having regard to service corridors for Council and other utility services and the prescribed minimum clearances between services; <p>(d) The point of connection to the existing downstream sewers, which is to be agreed with Council; and</p> <p>(e) The strategy must be generally in accordance</p>	<p>-</p>	<p>The applicant made no representations regarding this condition.</p>	<p>Condition 27 is recommended for deletion.</p> <p>Condition 27 is no longer required as the Wastewater Infrastructure Plan Overall Strategy has already been endorsed by Council.</p>	<p>The Wastewater Infrastructure Plan – Overall Strategy must be prepared by a Registered Professional Engineer Queensland - Civil (RPEQ) in accordance with the relevant standards in the <i>Toowoomba Regional Planning Scheme 2012 Version 19 Schedule 6 Planning Scheme Policies (PSP), SC6.3 PSP No 3 – Engineering Standards – Water and Waste Water Infrastructure</i> demonstrating:</p> <p>27.1 Proposed connection points;</p> <p>27.2 How Lot 32 on SP304226 (Reserved Survey Plan) will be serviced by reticulated sewer;</p> <p>27.3 Wastewater Infrastructure main sizes and modelling results for all stages of the development including any augmentations needed external to the development; and</p> <p>27.4 A full conceptual sewer design and detail identifying how the proposed lots will be sewered. The information should include, but not necessarily be limited to:</p> <p>(a) How to ensure access to maintain the service will be achieved on lots that have buildings constructed for the full or near full width of the lots;</p> <p>(d) The location and sizing of Easements in Gross to ensure that proposed development can be serviced without compromising future reticulated sewer connections;</p> <p>(c) Where possible, locate services within existing or future road reserves,</p> <ul style="list-style-type: none"> • Having regard to topography; and • Having regard to service corridors for Council and other utility services and the prescribed minimum clearances between services; <p>(d) The point of connection to the existing downstream sewers, which is to be agreed</p>

	<p>with the Greater Western Toowoomba Sewerage Strategy Study and notably works in the 2031 planning horizon required to service the development including, but not limited to, the delivery of schedule items WWFGS10061, WWFGS10042, WWFGS10043, WWFSPS10022 & WWFPM10014;</p> <p>27.5 When Council reticulated sewer is made available adjacent to the Variation Approval Area in Robson Hursley Road or Rielly Street, development approved pursuant to this Variation Approval must have:</p> <ul style="list-style-type: none"> (a) Sewer constructed through the development site to Council standards and at the horizontal and vertical alignment agreed by Council; (b) All fittings and fixtures connected to Council reticulated sewer; (c) All onsite effluent systems decommissioned; and (d) All works completed at no cost to Council. 				<p>with Council; and</p> <p>(e) The strategy must be generally in accordance with the Greater Western Toowoomba Sewerage Strategy Study and notably works in the 2031 planning horizon required to service the development including, but not limited to, the delivery of schedule items WWFGS10061, WWFGS10042, WWFGS10043, WWFSPS10022 & WWFPM10014;</p> <p>27.5 When Council reticulated sewer is made available adjacent to the Variation Approval Area in Robson Hursley Road or Rielly Street, development approved pursuant to this Variation Approval must have:</p> <ul style="list-style-type: none"> (a) Sewer constructed through the development site to Council standards and at the horizontal and vertical alignment agreed by Council; (b) All fittings and fixtures connected to Council reticulated sewer; (c) All onsite effluent systems decommissioned; and (d) All works completed at no cost to Council.
<p>28.</p>	<p>The Water Supply Infrastructure Overall Strategy must be prepared by a Registered Professional Engineer Queensland - Civil (RPEQ) in accordance with the relevant standards in the <i>Toowoomba Regional Planning Scheme 2012 Version 19 Schedule 6 Planning Scheme Policies (PSP), SC6.3 – Engineering Standards – Water and Waste Water Infrastructure</i> demonstrating:</p> <ul style="list-style-type: none"> 28.1 Fire Flows based on the DNRM/DERM Guidelines, Chapters 5/6 - Network Modelling and in accordance with 'Flow Provision - General Urban Category' (Section 5.7.6) for commercial/Industrial buildings (30L/s for a 4 hour duration with required residual pressures). To this end, pressure and flow tests will be required to determine performances for the existing water supply mains adjacent to the development. The tests must be undertaken by Council at no cost to Council; 28.2 The sizing of water mains as determined by Council to ensure performance will be achieved; and 28.3 Interconnection with the existing water supply reticulation network. 	<p>-</p>	<p>The applicant made no representations regarding this condition.</p>	<p>Condition 28 is recommended for deletion.</p> <p>Condition 28 is no longer required as the Water Supply Infrastructure Overall Strategy has already been endorsed by Council.</p>	<p>The Water Supply Infrastructure Overall Strategy must be prepared by a Registered Professional Engineer Queensland - Civil (RPEQ) in accordance with the relevant standards in the <i>Toowoomba Regional Planning Scheme 2012 Version 19 Schedule 6 Planning Scheme Policies (PSP), SC6.3 – Engineering Standards – Water and Waste Water Infrastructure</i> demonstrating:</p> <ul style="list-style-type: none"> 28.1 Fire Flows based on the DNRM/DERM Guidelines, Chapters 5/6 - Network Modelling and in accordance with 'Flow Provision - General Urban Category' (Section 5.7.6) for commercial/Industrial buildings (30L/s for a 4 hour duration with required residual pressures). To this end, pressure and flow tests will be required to determine performances for the existing water supply mains adjacent to the development. The tests must be undertaken by Council at no cost to Council; 28.2 The sizing of water mains as determined by Council to ensure performance will be achieved; and 28.3 Interconnection with the existing water supply reticulation network.
<p>30.</p>	<p>When Council reticulated sewer is made available adjacent to the Variation Approval Area in Robson Hursley Road or Rielly Street, development approved pursuant to this Variation Approval must have:</p>	<p>-</p>	<p>The applicant made no representations regarding this</p>	<p>The proposed changes to Condition 30 are recommended for approval.</p>	<p>When Council reticulated sewer is made available adjacent to the Variation Approval Area in Robson Hursley Road or Rielly Street, development approved pursuant to this Variation Approval must have:</p>

	<p>30.1 Sewer constructed through the development site to Council standards and at the horizontal and vertical alignment agreed by Council;</p> <p>30.2 All fittings and fixtures connected to Council reticulated sewer;</p> <p>30.3 All onsite effluent systems decommissioned; and</p> <p>30.4 All works completed to comply with Conditions 27 and 30 at no cost to Council.</p>		<p>condition.</p>	<p>The changes to Condition 30 result from condition 27 being deleted, and the wastewater infrastructure supply report Overall Strategy being previously endorsed.</p>	<p>30.1 Sewer constructed through the development site to Council standards and at the horizontal and vertical alignment agreed by Council;</p> <p>30.2 All fittings and fixtures connected to Council reticulated sewer;</p> <p>30.3 All onsite effluent systems decommissioned; and</p> <p>30.4 All works completed to must comply with the endorsed Wastewater Infrastructure Supply Report – Overall Strategy and Conditions 27 and 30 at no cost to Council.</p>
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FINANCIAL / RESOURCE IMPLICATIONS

There is no financial or resource implication associated with this decision.

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.

In assessing this application consideration has been given to the following sections of the *Human Rights Act 2019*:

Section 15 – Recognition and equality before the law

Section 24 – Property rights

It is the opinion of the decision maker that no human rights have been limited.

CONCLUSION

The change application has been assessed with regard to the applicable assessment framework as identified within this report. The proposed changes are considered to be generally acceptable. It is therefore recommended that the development approval be changed as identified above.

The attached Statement of Reasons (refer to Schedule 1) has been amended as required in relation to the approved changes.

ATTACHMENT/S

Attachment	1	of	2	Aerial Imagery
Attachment	2	of	2	Approved Plans and documents

SCHEDULES

Schedule	1	Statement of Reasons
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ATTACHMENTS

Attachment 1 of 2 — Aerial Imagery



Attachment 2 of 2 — Approved Plans and Documents

Revised Structure Plan for Scheme Variation MCUI/2018/2226/C



Reference: NU-09/2025 – Version A

Prepared by Nexus Urban Consultants – September 2025

Table1.1 – Low Impact Industry Area – Material Change of Use

Version 2025/01.1A

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Major Electricity Infrastructure Service Industry Substation Transport Depot Warehouse	<p>Accepted development subject to requirements</p> <p>If: (i) The reuse of an existing approved development and there is no increase in Gross Floor Area and no increase in impervious area.</p> <hr/> <p>Code Assessment</p> <p>If: (i) not meeting the description listed in the categories of development and assessment column for accepted development subject to requirements.</p> <p>Or (ii) meeting the description listed in the categories of development and assessment column for accepted development subject to requirements and not complying with one or more required acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements.</p>	Low Impact Industry Zone Code Industry Uses Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Transport, Access and Parking Code Works and Services Code Environmental Significance Overlay Code Airport Environs Overlay Code Variation Approval MCUI/2018/2226 Traffic Impact Assessment – Overall Strategy Variation Approval MCUI/2018/2226 Stormwater Management Plan – Overall Strategy Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply – Overall Strategy Variation Approval MCUI/2018/2226 Water Supply – Overall Strategy
Agricultural Supplies Store Bulk Landscape Supplies Caretaker’s Accommodation Emergency Services Hardware and Trade Supplies Low Impact Industry Outdoor Sales Telecommunications Facility Utility Installation Veterinary Services Wholesale Nursery	<p>Code Assessment</p> <p>If: (i) The relevant lot has an area of at least 4,000m², or 3,000m² for a corner lot with dual constructed road frontage of at least 30m on the shortest side, that is within the Low Impact Industry Area or Medium Impact Industry Area; and</p> <p>(ii) The proposed development has a maximum Gross Floor Area (GFA) of 40% of the lot area; and</p>	Low Impact Industry Zone Code Industry Uses Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Telecommunications Facility Code

	<p>(iii) The proposed development has a maximum impervious area of 60% of the lot area.</p>	<p>Transport, Access and Parking Code</p> <p>Works and Services Code</p> <p>Environmental Significance Overlay Code</p> <p>Airport Environs Overlay Code</p> <p>Variation Approval MCUI/2018/2226 Traffic Impact Assessment – Overall Strategy</p> <p>Variation Approval MCUI/2018/2226 Stormwater Management Plan – Overall Strategy</p> <p>Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply – Overall Strategy</p> <p>Variation Approval MCUI/2018/2226 Water Supply – Overall Strategy</p>
<p>Any other development not listed in this table.</p> <p>Any use listed in this table and not meeting the description listed in the categories of development and assessment column.</p> <p>Any other undefined use.</p>	<p>Impact Assessment</p>	<p>Toowoomba Regional Planning Scheme 2012, Version 19</p> <p>Variation Approval MCUI/2018/2226 Traffic Impact Assessment – Overall Strategy</p> <p>Variation Approval MCUI/2018/2226 Stormwater Management Plan – Overall Strategy</p> <p>Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply – Overall Strategy</p> <p>Variation Approval MCUI/2018/2226 Water Supply – Overall Strategy</p>

Table 1.2 – Medium Impact Industry Area – Material Change of Use

Version 2025/01.2A

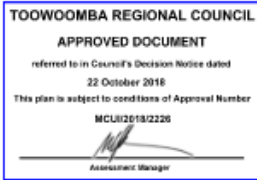
Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Caretaker’s Accommodation Garden Centre Hardware and Trade Supplies Low Impact Industry Major Electricity Infrastructure Outdoor Sales Service Industry Substation Transport Depot Warehouse Wholesale Nursery	<p>Accepted development subject to requirements</p> <p>if:</p> <p>(i) The reuse of an existing approved development and there is no increase in Gross Floor Area and no increase in impervious area.</p> <hr/> <p>Code Assessment</p> <p>if: (i) not meeting the description listed in the categories of development and assessment column for accepted development subject to requirements.</p> <p>Or, if (ii) meeting the description listed in the categories of development and assessment column for accepted development subject to requirements and not complying with one or more required acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements.</p>	Medium Impact Industry Zone Code Industry Uses Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Transport, Access and Parking Code Works and Services Code Environmental Significance Overlay Code Airport Environs Overlay Code Variation Approval MCUI/2018/2226 Traffic Impact Assessment – Overall Strategy Variation Approval MCUI/2018/2226 Stormwater Management Plan – Overall Strategy Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply – Overall Strategy Variation Approval MCUI/2018/2226 Water Supply – Overall Strategy
Agricultural Supplies Store Bulk Landscape Supplies Emergency Services Telecommunications Facility Utility Installation Veterinary Services	<p>Code Assessment</p> <p>if:</p> <p>(i) The relevant lot has an area of at least 4,000m², or 3,000m² for a corner lot with dual constructed road frontage of at least 30m on the shortest side, that is within the Low Impact Industry Area or Medium Impact Industry Area; and</p> <p>(ii) The proposed development has a maximum Gross Floor Area (GFA) of 40% of the lot area; and</p>	Medium Impact Industry Zone Code Industry Uses Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Telecommunications Facility Code

	<p>(iii) The proposed development has a maximum impervious area of 60% of the lot area.</p>	<p>Transport, Access and Parking Code</p> <p>Works and Services Code</p> <p>Environmental Significance Overlay Code</p> <p>Airport Environs Overlay Code</p> <p>Variation Approval MCUI/2018/2226 Traffic Impact Assessment – Overall Strategy</p> <p>Variation Approval MCUI/2018/2226 Stormwater Management Plan – Overall Strategy</p> <p>Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply – Overall Strategy</p> <p>Variation Approval MCUI/2018/2226 Water Supply – Overall Strategy</p>
<p>Any other development not listed in this table.</p> <p>Any use listed in this table and not meeting the description listed in the categories of development and assessment column.</p> <p>Any other undefined use.</p>	<p>Impact Assessment</p>	<p>Toowoomba Regional Planning Scheme 2012, Version 19</p> <p>Variation Approval MCUI/2018/2226 Traffic Impact Assessment – Overall Strategy</p> <p>Variation Approval MCUI/2018/2226 Stormwater Management Plan – Overall Strategy</p> <p>Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply – Overall Strategy</p> <p>Variation Approval MCUI/2018/2226 Water Supply – Overall Strategy</p>



Table 1.3 – Constrained Land Area – Material Change of Use

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Development that is or includes a Material Change of Use for Utility Installation for stormwater infrastructure	Code Assessment	
	If: (i) the reuse of an existing approved development and there is no increase in Gross Floor Area and no increase in impervious area.	Airport Environs Overlay Code Bushfire Hazard Overlay Code Environmental Significance Overlay Code Landslide Hazard Overlay Code Limited Development (Constrained Land) Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Works and Services Code Variation MCUI/2018/2226 Approval Traffic Impact Assessment – Overall Strategy Variation MCUI/2018/2226 Approval Stormwater Management Plan – Overall Strategy Variation MCUI/2018/2226 Approval Wastewater Infrastructure Supply – Overall Strategy; Variation MCUI/2018/2226 Approval Water Supply – Overall Strategy

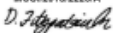


Impact Assessment	
All other uses, whether defined or undefined	The planning scheme Variation MCUI/2018/2226 Approval Traffic Impact Assessment – Overall Strategy Variation MCUI/2018/2226 Approval Stormwater Management Plan – Overall Strategy Variation MCUI/2018/2226 Approval Wastewater Infrastructure Supply – Overall Strategy Variation MCUI/2018/2226 Approval Water Supply – Overall Strategy Note: Impact Assessable development in the Variation Approval Area is assessed as if it were identified in the Emerging Community Zone of the Toowoomba Regional Planning Scheme 2012 Version 19

Amended by Council 7 July 2022

Table 2.1 – Reconfiguring a Lot within the Variation Approval Area

Zone	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
All Variation Approval Area	Accepted development	
	If the Regulation, schedule 5, Part 4 applies.	
	Code assessment	
	Subdivision of one lot into two lots (and associated operational work) if code assessment is required under schedule 10 of the Regulation	As per the Regulation, schedule 10. Editor's note – Assessment benchmarks for the reconfiguring a lot are set out in schedule 14 of the Regulation.
If rearranging the boundaries of a lot by registering a plan of subdivision and:- (i) no additional lots are created; and (ii) the size of each lot created is equal to or greater than the minimum lot size for the zone as identified in Table 2.2.	Reconfiguring a Lot Code 'State Planning Policy 4/10 Healthy Waters – Appendix 1 Development Assessment Code' Low Impact Industry Zone Code where within the Low Impact Industry Area; Medium Impact Industry Zone Code where within the Medium Impact Industry Area; Reconfiguring a Lot Code; Airport Environs Overlay Code; Bushfire Hazard Overlay Code where within the Constrained Land Area; Environmental Significance Overlay Code where within the Constrained Land Area; Landslide Hazard Overlay Code where within the Constrained Land Area; Variation Approval MCUI/2018/2226 Traffic Impact Assessment – Overall Strategy; Variation Approval MCUI/2018/2226 Stormwater Management Plan – Overall Strategy; Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply – Overall Strategy; Variation Approval MCUI/2018/2226 Water Supply – Overall Strategy;	

TOOWOOMBA REGIONAL COUNCIL
APPROVED DOCUMENT
 referred to in Council's Decision Notice dated
 13 July 2022
 This plan is subject to conditions of Approval Number
 MCUI/2018/2226A

 Assessment Manager

Zone	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
	If: (i) creating a lot/s by subdividing another lot and the size of each lot created is equal to or greater than the minimum lot size for the zone as identified in Table 2.2; or (ii) creating an easement giving access to a lot from a constructed road.	Reconfiguring a Lot Code 'State Planning Policy 4/10 Healthy Waters – Appendix 1 Development Assessment Code' Low Impact Industry Zone Code where within the Low Impact Industry Area; Medium Impact Industry Zone Code where within the Medium Impact Industry Area; Reconfiguring a Lot Code; Airport Environs Overlay Code; Bushfire Hazard Overlay Code where within the Constrained Land Area; Environmental Significance Overlay Code where within the Constrained Land Area; Landslide Hazard Overlay Code where within the Constrained Land Area; Variation Approval MCUI/2018/2226 Traffic Impact Assessment – Overall Strategy; Variation Approval MCUI/2018/2226 Stormwater Management Plan – Overall Strategy; Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply – Overall Strategy; Variation Approval MCUI/2018/2226 Water Supply – Overall Strategy;
	Where land is proposed and conditioned to be dedicated to Council or to a utility provider approved by Council	Reconfiguring a Lot Code 'State Planning Policy 4/10 Healthy Waters – Appendix 1 Development Assessment Code' Low Impact Industry Zone Code where within the Low Impact Industry Area; Medium Impact Industry Zone Code where within the Medium Impact Industry Area; Reconfiguring a Lot Code; Airport Environs Overlay Code; Bushfire Hazard Overlay Code where within the Constrained Land Area; Environmental Significance Overlay Code where within the Constrained Land Area; Landslide Hazard Overlay Code where within the Constrained Land Area; Variation Approval MCUI/2018/2226 Traffic Impact Assessment – Overall Strategy; Variation Approval MCUI/2018/2226 Stormwater Management Plan – Overall Strategy; Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply – Overall Strategy;

Zone	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
		Variation Approval MCUI/2018/2226 Water Supply – Overall Strategy
Level of assessment		Assessment criteria
Impact Assessment		
Any other reconfiguring a lot not listed in this table		<p>The planning scheme: Variation Approval MCUI/2018/2226 Traffic Impact Assessment – Overall Strategy; Variation Approval MCUI/2018/2226 Stormwater Management Plan – Overall Strategy; Variation Approval MCUI/2018/2226 Wastewater Infrastructure Supply – Overall Strategy; Variation Approval MCUI/2018/2226 Water Supply – Overall Strategy;</p> <p><i>Note: Impact Assessable development in the Variation Approval Area is assessed as if it were identified in the Emerging Community Zone of the Toowoomba Regional Planning Scheme 2012 Version 19.</i></p>

Table 2.2 - Minimum Lot Sizes

Structure Plan (Area)	Minimum Lot Size*
Low Impact Industry Area	4,000m ² ; or 3,000m ² for a corner lot with dual road frontage of at least 30m on the shortest side
Medium Impact Industry Area	4,000m ² ; or 3,000m ² for a corner lot with dual road frontage of at least 30m on the shortest side

* Minimum Lot Size does not include land within the Constrained Land Area

Table 3.1 - Assessment benchmarks for overlays

<p>Code Assessable Development is assessed against the overlays identified as Assessment benchmarks in Table 1.1 Low Impact Industry Area, Table 1.2 Medium Impact Industry Area, Table 1.3 Constrained Land Area, and Table 2.1 Reconfiguring a Lot within the Preliminary Approval Area.</p> <p>All Impact Assessable Development is assessed against the Assessment benchmark the Airport Environs Overlay Code.</p> <p>All Impact Assessable Development within the Constrained Land Area is assessed against the Assessment benchmarks the Bushfire Hazard Overlay Code, the Environmental Significance Overlay Code and the Landside Hazard Overlay Code.</p>



SCHEDULE 1

Statement of Reasons

Statement of Reasons
Section 83(8) and (9) of the *Planning Act 2016*

SITE DETAILS	
Site Address	Lot 1 SP349893 and Lot 32 SP304226 Robson Hursley Road and Rielly Street
Real Property Description	Lot 1 SP349893 and Lot 32 SP304226
Site Area	15.85ha
Owner	Mark Tobin Transport Pty Ltd and Gerdgrove Pty Ltd and Tunney Investments Pty Ltd

PROPOSED DEVELOPMENT	
Name of Applicant	Tunney Investments Pty Ltd
Type of Application	Variation Request for a Preliminary Approval
Proposed Development	Variation Request for a Preliminary Approval
Level of Assessment	Impact Assessment
Submissions Received	Objection: Nil
	Support: Nil
Decision	Approval
Decision Date	19 February 2026

ASSESSMENT MATTERS	
Assessment benchmarks	<p>The proposed development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none"> • Schedules 9 and 10 of the <i>Planning Regulation 2017</i> (as relevant); • <i>State Planning Policy July 2017</i> (as relevant); • The Local Government Infrastructure Plan; and • <i>Toowoomba Regional Planning Scheme 2012</i>: <ul style="list-style-type: none"> ○ Strategic Framework; ○ Emerging Community Zone Code ○ Environmental Standards Code; ○ Integrated Water Cycle Management Code; ○ Landscaping Code; ○ Reconfiguring a Lot Code; ○ Transport Access and Parking Code; ○ Works and Services Code ○ Airport Environs Overlay Code; ○ Bushfire Hazard Overlay Code; and ○ Environmental Significance Overlay Code.
Relevant matters	<p>The proposed development was assessed against the following relevant matters:</p> <ul style="list-style-type: none"> • Local Government Infrastructure Plan • Consistency with the rest of the <i>Toowoomba Regional Planning Scheme 2012</i> • Effect of the variations
Reasons for decision	The development was assessed against all of the assessment benchmarks listed above and complies with all of these without exception.

For further details on the assessment of this development application, please see the Delegated Report available for public viewing on the Toowoomba Regional Council Planning and Development Online website at: <http://www.tr.qld.gov.au/payments-self-service-laws/web-apps/pdonline/8892-planning-and-development-online>. When accessing Council's website please use the following Application Number: MCUI/2018/2226/C