

2 April 2026

The Assessment Manager
Toowoomba Regional Council
PO Box 3021
TOOWOOMBA QLD 4350

RECEIVED
02/04/2026
TOOWOOMBA
REGIONAL COUNCIL

Attention: Mr Elliott Barber
By Email: development@tr.qld.gov.au

Dear Elliott,

RESPONSE TO INFORMATION REQUEST – SECTION 68, PLANNING ACT 2016 & PART 3, SECTION 13, DEVELOPMENT ASSESSMENT RULES – COMBINED DEVELOPMENT APPLICATION – MATERIAL CHANGE OF USE (CHILD CARE CENTRE) & RECONFIGURING A LOT (SUBDIVISION – 1 INTO 2 LOTS) – 172-180 GLENVALE RD, GLENVALE – LOT 1 RP196540 (Council Ref: MCUI/2023/3954 & RAL/2023/3955; Our Ref: 2021-339)

I act on behalf of the applicant, Mr David Yu, in respect of the above matter.

I refer to Toowoomba Regional Council's (**Council**) Information Request, dated 18 October 2023, in respect of a Combined Development Application for a Material Change of Use – Child Care Centre and Reconfiguring a Lot – Subdivision (1 into 2 Lots) on land at 172-180 Glenvale Road Glenvale, being that land described as Lot 1 RP196540 (**the site**).

The following advice provides a response to the matters raised in Council's Information Request. For ease of comprehension, each item raised in the Information Request has been reproduced in bold print followed by the associated response.

ISSUES AND RESPONSES

1. AMENDED PLANS

1.1. Issue: Road Dedication

The development is required to provide a land dedication (approximately 1m wide) along the full site frontage to Glenvale Road for Future Road Infrastructure. The frontage of the subject site is required to align with the site frontage of the eastern lot (Lot 900 on SP267551).

Information Required:

The applicant is requested provide amended plans, demonstrating the required road reserve dedication for the development frontage to match the existing alignment to the east of the development.

Response

In response to the above item, reference is made to the amended Development Plans, prepared by VHD Studio, Project No. 25081, dated 26 March 2026 and attached at **Appendix A**. The updated Site Plan includes a 1m land dedication area along the entirety of the Glenvale Road frontage.

1.2. Issue: Reconfiguration of a Lot

The development plans submitted as part of the application do not include a plan that clearly identifies the proposed one (1) into two (2) Lot Subdivision.

Information Required:

The applicant is requested provide an amended subdivision plan that clearly details all proposed lot boundaries, sizes and dimensions; and shows the two proposed lots without the proposed Childcare Centre underlay.

Note: *Additional plans may be provided which include the proposed Childcare Centre development underlay for reference, however a separate Reconfiguration of a Lot plan is also required.*

Response

In response to the above item, reference is made to the Engineering Information Response Letter and Engineering Plans prepared by Kehoe Myers Consulting Engineers and attached at **Appendices B & C** respectively. Plan No. C2122293_DA07 Lot Layout (attached at **Appendix C**) illustrates the proposed configuration of the Child Care Centre Lot (Proposed Lot 1) and the Balance Lot (Proposed Lot 2) only. It is noted that this plan also illustrates the land dedication area required at item 1.1.

Proposed Lot 1 will be approximately 2,460m² in size, with the balance land of approximately 17,690m² contained within proposed Lot 2. It is noted that a detailed survey plan for this 1 into 2 lot subdivision will be prepared prior to lodgement of the Plan Sealing application.

1.3. Issue: Pedestrian Access

The proposed development is subject to the requirements outlined in the Toowoomba Regional Planning Scheme 2012 Transport, Access and Parking Code and Community Recreation Uses Code. The following performance outcomes are considered to be particularly relevant:

Transport, Access and Parking Code

PO₁₁ - *Provision is made for the safe and convenient movement of pedestrians on site and external to the site, having regard to desire lines, legibility, weather protection and the needs of people with disabilities.*

Community and Recreation Uses Code

PO₁₀ - *Buildings and activities are located and designed to discourage potentially hazardous vehicular or pedestrian movements and minimise on-site conflict between children's activities and car parking.*

The proposed development does not provide separate pedestrian access and connectivity from Glenvale Road and internally throughout the site. Additionally, disability access from Glenvale Road has not been provided or reasonably considered. Given the location of the development within a residential area and proximity to other educational establishments, the ability for safe and convenient pedestrian movements is required.

Further, the submitted development plans do not detail any footpath works along Glenvale Road officers may consider it reasonable to impose conditions requiring the construction of a footpath for the full frontage of the Childcare Centre as part of any forthcoming approval.

Information Required:

The applicant is requested to provide amended development plans, including an amended site plan demonstrating a separate 1.5m pedestrian connection from the main entrance of the Childcare Centre

to Glenvale Road and a 1.5m wide footpath for the full frontage of the Childcare Centre site along Glenvale Road in accordance with the requirements to demonstrate compliance with the Transport, Access and Parking Code and Community and Recreation Uses Code.

Note: Where amended development plans are not provided detailing sufficient pedestrian connections and footpaths council officers may consider it reasonable to impose conditions requiring the construction of a footpath for the full frontage of the Childcare Centre, with pedestrian access from Glenvale Road to the Childcare Centre as part of any forthcoming approval.

Response

In response to the above item, reference is made to the amended Development Plans, prepared by VHD Studio, Project No. 25081, dated 26 March 2026 and attached at **Appendix A**. The updated Site Plan includes an accessible footpath which connects the main entrance of the centre to Glenvale Road in accordance with the relevant engineering and accessibility requirements.

The applicant is agreeable to providing a footpath along Glenvale Road, adjacent to the entire frontage of proposed Lot 1 if required. This can be conditioned as part of any future approval.

1.4. Issue: Landscaping

Limited information has been provided to date which adequately demonstrates compliance with the relevant landscaping requirements of the relevant Planning Scheme Codes including the Landscaping Code, Low Density Residential Code, Community Uses Code and Transport, Access and Parking Code.

Information Required:

The applicant is requested to provide the following:

1. An amended Site Plan which clearly details all landscaping areas proposed onsite with dimensions; and
2. A Landscape Plan (may be conceptual) prepared by a suitably qualified landscape professional demonstrating compliance with the provisions of the Landscaping Code and the other the relevant Planning Scheme codes. The plan should include the following at a minimum:
 - a) The species to be planted and their location;
 - b) The number and container size of plants;
 - c) The typical planting detail including preparation, backfill, staking and mulching;
 - d) Internal dimensions of all planting areas (all trees to be within planting areas 1.5m wide min.);
 - e) Location and dimensions of bin stores requiring vegetative screening;
 - f) North point, scale and drawing number;
 - g) Canopy trees which will provide 25% cover of all hardstand area at maturity;
 - h) A minimum 2m wide landscape buffer along the Glenvale Road frontage incorporating canopy shade trees and shrubs;
 - i) planting bays evenly distributed throughout the car parking area at the rate of one planting bay per eight (8) carparking spaces;
 - j) A variety of landscape forms within the play and outdoor areas of the Childcare Centre;
 - k) Construction details (e.g. retaining walls, fencing, cross sections, paving, root barriers); and
 - l) Finishes of all hard and soft surfaces.

Response

In response to the above item, reference is made to the amended Development Plans, prepared by VHD Studio, Project No. 25081, dated 26 March 2026 and attached at **Appendix A**. The updated Site Plan identifies all proposed landscaping areas within the site. The applicant is agreeable to Council conditioning the preparation and endorsement of a detailed landscape plan as part of any future approval prior to the commencement of landscaping works on the site.

2. STORMWATER

2.1. Issue:

The proposed development is subject to the requirements outlined in the Toowoomba Regional Planning Scheme 2012 Integrated Water Cycle Management Code and Planning Scheme Policy (PSP) SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure. Performance Outcomes PO₁ of the Integrated Water Cycle Management Code is considered to be particularly relevant:

PO₁ Development does not adversely impact on the quality of receiving waters by avoiding or minimising pollutants entering and being transported with stormwater.

The submitted Stormwater Management Plan proposes contribution in lieu of stormwater quality treatment for the development. As the proposed use is of a commercial nature, Council will not accept a monetary contribution in lieu of stormwater quality works.

Information Required:

The applicant is required to provide an amended Stormwater Management Plan, demonstrating how the proposed development will meet the stormwater quality objectives of the State Planning Policy July 2017 and demonstrate compliance with the Integrated Water Cycle Management Code and SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure.

Response

In response to the above item, reference is made to the Engineering Information Response Letter and Engineering Plans prepared by Kehoe Myers Consulting Engineers and attached at **Appendices B & C** respectively. As confirmed in the Engineering Information Response Letter, the proposed Child Care Centre site is less than 2,500m² in area and therefore the SPP provisions for water quality are no longer applicable. Any requirement for stormwater quality associated with the future development of the balance lot, will be considered at that time.

3. RETAINING WALLS

3.1. Issue:

The proposed development is subject to the requirements outlined in the Toowoomba Regional Planning Scheme 2012 Performance Outcome PO₁₄ of the low Density Residential Zone Code and Performance Outcomes PO₁₇ of the Works and Services Code is considered to be particularly relevant:

PO₁₄ The site layout responds sensitively to adjoining land uses as well as on-site and surrounding topography, drainage patterns, utility services, access, built forms and vegetation such that:

- a) any hazards or nuisance to people or property on the site or offsite are avoided;***
- b) any earthworks are minimised and design alternatives are prioritised over earthworks;***
- c) natural drainage lines are retained;***
- d) existing vegetation is retained or replaced;***
- e) damage or disruption to sewer, stormwater and water infrastructure is avoided; and***

f) *there is adequate buffering, screening a separation to adjoining development.*

PO₁₇ *Earthworks are undertaken in a manner that:*

- a) *Maintains natural landforms;*
- b) *Minimises height of retaining walls and batter faces;*
- c) *Does not unduly impact on the amenity or privacy for occupant of the site of on adjoining land; and*
- d) *Does not unduly impact on the amenity of the streetscape*

The submitted documentation details retaining walls up to 2.7m in height along the eastern and western boundary adjoining the balance lot. Council officers raise concerns with how the scale of these walls will interface with future development on the balance lot. Any residential lots that would share the southern and eastern boundaries with proposed Lot 1 would be at risk of overshadowing from the combined height of the proposed retaining walls and required fencing.

Information Required:

The applicant is requested to investigate a reduction of the scale of the proposed retaining walls on the subject site and provide amended development plans which clearly demonstrate compliance with Performance Outcome PO₁₄ of the Low Density Residential Zone Code and Performance Outcome PO₁₇ of the Works and Services Code.

Response

*In response to the above item, reference is made to the Engineering Information Response Letter and Engineering Plans prepared by Kehoe Myers Consulting Engineers and attached at **Appendices B & C** respectively. The proposed retaining throughout the site has been redesigned to ensure that the heights of the retaining walls are reduced where practical. As detailed in the Engineering Information Response Letter, the proposed walls generally have a maximum height of 1.5m, however there is a small portion along the southern end of the eastern boundary where the maximum height is approximately 1.8m.*

4. ACOUSTIC AMENITY

4.1. Issue:

The proposed development for a Childcare Centre will have a range of different uses creating noise emissions that may impact adjacent sensitive receptors. The operating hours are proposed to be 6am to 6pm, however the days of operation have not been specified. The submitted Site Plan (21-0919:A10-01, Revision E, prepared by Aspect and dated 18/11/2022) shows an acoustic barrier fence and a retaining wall on the northern boundary of the site. Details regarding the height and density of this fence have not been provided.

During a pre-lodgement meeting held in November 2021 (PREL/2021/6428), the applicant was advised that a Noise Impact Assessment would be required to demonstrate that the proposed development would not cause a noise nuisance at nearby sensitive receptors. The information submitted to date is not considered to satisfactorily demonstrate that compliance with the Planning Scheme requirements in particular Performance Outcomes PO₈ of the Environmental Standards Code and PO₆ of the Community and Recreation Uses Code can be achieved.

The development site is also included within a broad Master Plan (21-0919:A10-00, Revision B, Site Locality Plan, prepared by Aspect and dated 18/11/2022) detailing the conceptual future reconfiguration of the balance land created as a result of the current proposed one (1) into two (2) application under assessment (RAL/2023/3955). Dwellings within these future lots must also be considered as future proposed sensitive receptors within the Noise Impact Assessment.

Information Required:

To demonstrate compliance with Performance Outcome PO₈ of the Environmental Standards Code and Performance Outcome PO₆ of the Community and Recreation Uses Code, the applicant is requested to submit an Acoustic Impact Assessment, completed by a suitably qualified person, that includes the following at a minimum:

- a) **Description of all site activities and related noise sources that includes:**
 - (i) **operational activities and relevant noise sources,**
 - (ii) **vehicle movements;**
 - (iii) **regulated noise devices integral to site operations.**
- b) **Location of current and proposed sensitive receptors relative to the proposed development;**
- c) **Monitoring of background noise from surrounding land uses;**
- d) **Assessment criteria for compliance including day, evening and night time limits for clearly defined normal operating hours for each component of the development;**
- e) **Modelling of cumulative impacts from the proposed use on existing and proposed sensitive receptors;**
- f) **Modelling should include façade reflection from existing on and off site buildings, and proposed buildings;**
- g) **Model results should be presented in both noise contour plots and tabulated summaries for identified receptors;**
- h) **Descriptions of specific mitigation treatments, management methods and procedures that will be implemented to control noise during site activity and operations;**
- i) **A complaints management procedure that must include the following:**
 - (i) **a contact person with whom complaints can be lodged;**
 - (ii) **a clearly defined procedure for responding to and investigating complaints; and**
 - (iii) **a notification protocol to all complainants of the outcome of complaint investigations.**

Response

In response to the above item, reference is made to the Environmental Noise Impact Assessment, prepared by CRG Acoustics, dated 2 April 2026 and attached at **Appendix D**. This assessment provides a detailed response to the above item as outlined at section 1.0 of the report. Section 6.0 provides recommendations of the proposed acoustic treatments and site operations to ensure the development does not result in adverse noise impacts on nearby sensitive receptors in accordance with the relevant environmental requirements.

5. WASTE MANAGEMENT

5.1. Issue:

The proposed development will require waste storage and collection. The applicant has proposed four wheelie bins for general waste and two wheelie bins for recyclable waste for the site. No information has been provided that demonstrates that this volume of storage is adequate to manage the waste generated on the site. The applicant is required to provide justification that the proposed bin provisions are appropriate for the scale and type of land use proposed.

During a re-lodgement meeting held in November 2021 (PREL/2021/6428), the applicant was advised that a Waste Management Plan would be required to demonstrate that the development can achieve compliance with Performance Outcome PO₂₈ of the Environmental Standards Code.

Information Required:

To demonstrate compliance against Performance Outcome PO₂₈ of the Environmental Standards Code, The Applicant is requested to provide a Waste Management Plan that includes the following information:

- 1) Calculate waste generation rates for the proposed use, split into quantifiable streams;**
- 2) Specify the location and size of refuse storage areas;**
- 3) Define the size, mix and capacity of any bins that are needed to accommodate the type and quantity of waste likely to be generated from the development;**
- 4) Specify the frequency of collection and location of the collection point/s;**

Further, if internal collection is required, the applicant is requested to also provide the following information:

- 5) Swept path diagrams for an appropriate waste collection vehicle for both traversing the site and for side or front lift collection arm movements;**
- 6) Clearance heights for front lift or side lift waste collection vehicles; and**
- 7) Ingress and egress from the property.**

For further advice, please refer to Council's Technical Guidelines for New Developments Waste Storage and Collection Requirements.

Note: If waste management can be achieved by utilising Council's wheelie bin collection service, then information will not be required regarding onsite collection.

Response

In response to the above item, reference is made to the Waste Management Plan, prepared by Range Environmental Consultants, dated 1 April 2026 and attached at **Appendix E**. This report confirms the type and volume of waste produced by the centre and the appropriate bin storage and collection arrangements.

Reference is also made to the amended Development Plans, prepared by VHD Studio, Project No. 25081, dated 26 March 2026 attached at **Appendix A**. The updated Floor Plans and Site Plans illustrate the proposed location of bin storage within the site and collection areas along Glensvale Road respectively.

6. IMPERVIOUS AREA – INFRASTRUCTURE CHARGES CALCULATIONS

6.1. Issue:

The application has been assessed for the purposes of calculating the associated infrastructure charges in accordance with the Planning Act 2016 and the relevant Charges Resolution. Further information is required regarding the impervious area measurement to ensure an accurate assessment and calculation can be undertaken

Information Required:

The applicant is requested to confirm the total impervious area post-development for the proposed Childcare Centre

Response

In response to the above item, reference is made to the amended Development Plans, prepared by VHD Studio, Project No. 25081, dated 26 March 2026 and attached at **Appendix A**. The updated Site Plan confirms that the total impervious area for the Child Care Centre will be approximately 1,744.28m², with a total gross floor area (**GFA**) of approximately 645.1m².

It is noted that the proposed balance lot should be charged as a single residential lot given the zoning of the site and likely future development for residential purposes.

ADVICE NOTE

Issue: Future Subdivision of Balance Lot- Master Plan

The submitted documentation includes a plan demonstrating how the balanced lot may be subdivided in future. While not being assessed as part of this development application, Council notes some concerns with the proposed layout that should be addressed for any future application on this land:

- ***The site is traversed by an existing overland flow path and open space corridor as identified in the Glenvale Local Plan Area. There is also the current lot to the west, on the corner of Glenvale Road and McDougall Street which is currently undeveloped. The proposed road layout of providing a cul-de-sac off Glenvale Road would not be supported by Council. A road layout would be sought after that provides both majority road frontage to the open space corridor, as well as future connection options to the currently vacant western lot.***

The applicant is requested to provide an amended Master Plan prepared in accordance with SC6.4 PSP No. 4 Master Planning, and addressing the above matters.

Response

In response to the above item, the proposed masterplan was provided to Council to demonstrate that the proposed balance lot (proposed Lot 2) could be logically and efficiently developed in the future for residential development consistent with the intent of the Low Density Residential Zone. This application is not seeking approval of this masterplan and therefore, the applicant contends that an updated masterplan demonstrating compliance with specific planning scheme requirements is not pertinent to the assessment of this application. The detailed design and configuration of any future residential subdivision will be considered as part of a future Reconfiguring a Lot application.

SUMMARY

Pursuant to the Section 68(1) of the *Planning Act 2016* and Part 3, Section 13 of the *Development Assessment Rules*, we hereby confirm that this response provides a response to all of the items included in the Information Request. Having regard to the information provided, we request that Council proceed with the assessment of the application.

Should you require any additional information or clarification please do not hesitate to contact the undersigned on phone 07 4632 2535, mobile 0481 127 412 or by email at james@precinctplan.com.au.

Yours sincerely

A handwritten signature in black ink, appearing to read "James Williams", with a long, sweeping underline.

James Williams
Precinct Urban Planning

APPENDIX A – AMENDED DEVELOPMENT PLANS

VHD Studio

APPENDIX B – ENGINEERING INFORMATION RESPONSE LETTER

Kehoe Myers Consulting Engineers

APPENDIX C – ENGINEERING PLANS

Kehoe Myers Consulting Engineers

APPENDIX D – ENVIRONMENTAL NOISE IMPACT ASSESSMENT
CRG Acoustics

APPENDIX E – WASTE MANAGEMENT PLAN

Range Environmental Consultants