

Our ref: 251207
Council ref: MCUI/2023/2589/C

08 July 2026

The Chief Executive Officer
Toowoomba Regional Council
PO Box 3021
Toowoomba QLD 4350

Attention: Planning Branch - Emily Hinchliffe
Via: Online Portal

Dear Emily,

RE: Request for Minor Change to Approval
Approved Development Permit for Material Change of Use - Child Care Centre
24 Kleinton Road, Highfields (formerly 140 Kleinton Road, Highfields)
Lot 151 on SP332451 (formerly Lot 1 on SP320057)
Council Ref: MCUI/2023/2589/C

In accordance with Section 78 of the *Planning Act 2016*, please find enclosed a request for a Minor Change to the Development Permit for Material Change of Use for a Child Care Centre (Council ref: MCUI/2023/2589/C).

This request is made on behalf of Una Highfields Pty Ltd, with the consent of the landowner, WIRRAGLEN HOLDINGS PTY LTD.

In support of the application, please find enclosed the following:

- Traffic Advice Letter prepared by Jalahawi Consulting (Attachment 1);

Payment of the applicable 2026/27 fee will be made upon Council issuing the required invoice.

Background

Council issued a Decision Notice under the *Planning Act 2016* for a Material Change of Use to establish a Child Care Centre on 27 February 2024. A series of Minor Change approvals has since been granted, with the most recent Minor Change approval issued on 05 December 2025 (Council ref: MCUI/2023/2589/C).

Minor Change approval ref MCUI/2023/2589/C amended a number of approval conditions, including Condition 1, by confirming the approved capacity of 127 children (Condition 1.1) and a maximum of 24 full-time equivalent (FTE) staff (Condition 1.2).

Proposed Change to Conditions

Condition 1.2 of the Decision Notice restricts the number of FTE staff permitted to work onsite to a maximum of 24. It is understood that this condition relates to car parking supply for staff onsite.

Please find attached a Traffic Advice Letter prepared by Jalahawi Consulting in Attachment 1, which provides justification for the existing onsite car parking supply based on the approved child capacity of the centre, rather than by applying a separate staff parking rate.

This approach is consistent with contemporary traffic engineering advice for child care centres in South East Queensland, which commonly assesses parking demand by reference to the approved child capacity rather than applying a separate staff parking rate. Council has previously expressed support for this approach to determining car parking demand for child care centres.

On this basis, it is requested that Council remove Condition 1.2 of the Development Approval, which restricts the permitted number of FTE staff onsite, while retaining a restriction on the approved number of children able to be accommodated by the centre.

APPROVED USE

1. This Development Approval is for a Material Change of Use for Child Care Centre as follows:

1.1 Maximum of 127 Children.

~~1.2 Maximum of 24 Full-time Equivalent Staff.~~

Proposed Changes to Approved Plans

It is not proposed to make any changes to the approved plans.

Change Application - *Planning Act 2016*

The proposed changes to the Development Permit and associated condition are considered to constitute a 'Minor Change' under section 78 of the *Planning Act 2016* for the following reasons:

- The proposed changes will not result in a substantially different development to that which was approved, as detailed below;
- The proposed changes do not result in prohibited development;
- The proposed changes do not trigger referral to any additional referral agencies; and
- The proposed changes do not trigger public notification.

As stated above, the proposed changes will not result in a substantially different development. To demonstrate this, an assessment against Schedule 1 of the DA Rules has been carried out. Overall, it is determined that the proposal to remove Condition 1.2 of the Decision Notice relating to staffing numbers will not result in a substantially different development to that which was approved, given the proposal:

- Does not seek to alter the approved land use or remove an integral component of the approved land use;
- Does not seek to introduce a new use onsite;
- Does not seek to introduce a new parcel of land;
- Will not change the built form in any way;
- Will not change the ability of the child care centre to operate as intended;
- Will not significantly impact traffic flow on or surrounding the site, or increase traffic generation beyond the approved child capacity, as supported by the Traffic Advice Letter in Attachment 1; and

- Does not result in any new impacts or worsen any known impacts.

For the reasons outlined above, it is considered that the proposed changes constitute a Minor Change to the approved development. On this basis, the request should be dealt with pursuant to section 81 of the *Planning Act 2016*.

Conclusion

We trust the information provided is sufficient for Council to assess and approve the requested Minor Change to the Development Approval.

Should you have any further questions in relation to this matter, please feel free to contact me directly.

Yours faithfully,
ADAMS + SPARKES
TOWN PLANNING



Cameron Adams
MANAGING DIRECTOR

Encl: Traffic Advice Letter prepared by Jalahawi Consulting – Attachment 1