

Date: 31 July 2026
Our Reference: J002642
Your Reference: MCUI/2019/3685/A

RECEIVED
31/07/2026
**TOOWOOMBA
REGIONAL COUNCIL**

The Chief Executive
Toowoomba Regional Council
PO BOX 3686
Toowoomba QLD 4350

Dear Sir / Madam,

Site Address:	70 Philp Road, Ravensbourne QLD 4352
RPD:	Lot 63 on SP321959
Method of Distribution:	Email [development@tr.qld.gov.au]
Subject:	Change Application (Minor Change) Under Section 78 of the <i>Planning Act 2016</i>

We write on behalf of *Valdal Property Group Pty Ltd* ("the Applicant"), regarding the above-mentioned development approval.

The latest development approval was granted by *Toowoomba Regional Council*, as assessment manager, on 03 September 2021, for the following aspect of development:

- Development Permit for Material Change of Use for Function Facility, Food and Drink Outlet and Short-term Accommodation

A copy of the Existing Approval is enclosed at **Attachment 2**.

This change application is made to *Toowoomba Regional Council*, as the responsible entity, and requests a Minor Change to the development approval, pursuant to s.78 of the *Planning Act 2016*.

The change application is to be considered in conjunction with the following detailed attachments:

- **Attachment 1** - Application Documentation and Searches
- **Attachment 2** - Existing Approval (Council Reference: MCUI/2019/3685/A)
- **Attachment 3** - Additional Proposal Plans

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Further detail regarding the development approval history and the amendments proposed via this change application is provided below.

1.1. DEVELOPMENT APPROVAL HISTORY

To assist Council with the assessment of this application, a timeline of the development approval history of the site as relevant to the proposed change is detailed below:

1.2. MCUI/2019/3685

The initial development application (Council reference: MCUI/2019/3685) was lodged and subsequently properly made with Toowoomba Regional Council as assessment manager over 51 Horrex Road, Ravensbourne (identified as lot 63 on CA311028) on 17 September 2019. The development application required assessable development subject to impact assessment and was approved in the Planning and Environment Court (No. BD1939 of 2020) on 27 November 2020.

1.3. MCUI/2019/3685/A

A change application for an other change (Council reference: MCUI/2019/3685/A) was lodged over 13 Horrex Road and 51 Horrex Road, Ravensbourne, which were then identified as Lot 63 on CA311028 and Lot 1 on RP198047 on 15 December 2020. The other change application sought to relocate the primary access to the site and, in doing so, incorporate an additional parcel of land. The change application was approved by Toowoomba Regional Council on 3 September 2021.

Further, the change application introduced staging to the application, in addition to various inconsequential layout and design amendments. It is noted that Stage 1 the development permit has been enacted, and the facility is currently operational.

It is this development approval (Council reference: MCUI/2019/3685/A) which this minor change application seeks to amend.

1.4. SEAL/2021/282

Following the changed approval, 13 Horrex Road and 51 Horrex Road, Ravensbourne (then identified as lot 63 on CA311028 and Lot 1 on RP198047) were amalgamated and reconfigured (Council reference: SEAL/2021/282) to contain the development site on a single lot. Accordingly, the land is now formally identified as 70 Philp Road, Ravensbourne QLD 4352 (Lot 63 on SP321959) and is referred to as the "subject site" from hereon.

2. PROPOSED CHANGES

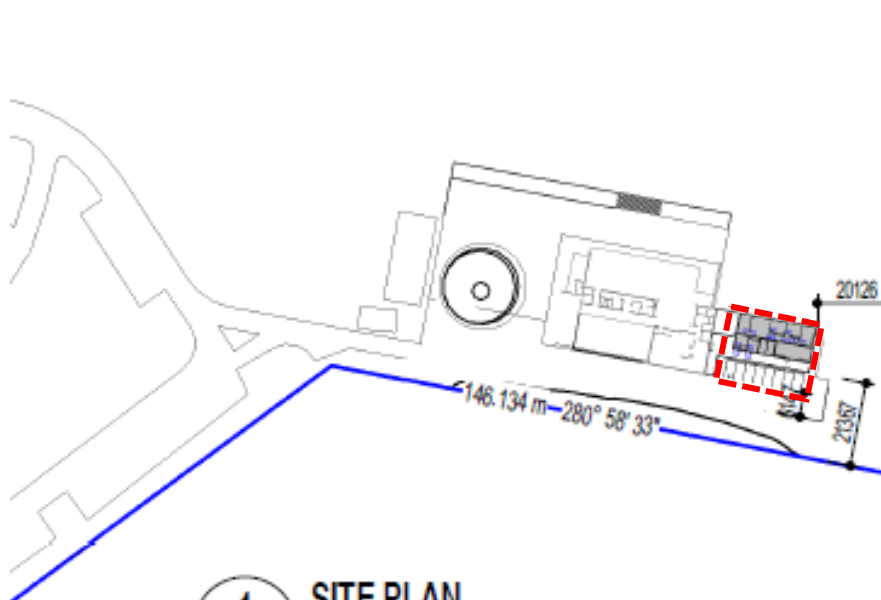
This change application seeks to incorporate the following amendments to the development approval (Council reference: MCUI/2019/3685/A):

2.1. Proposed Ancillary Office

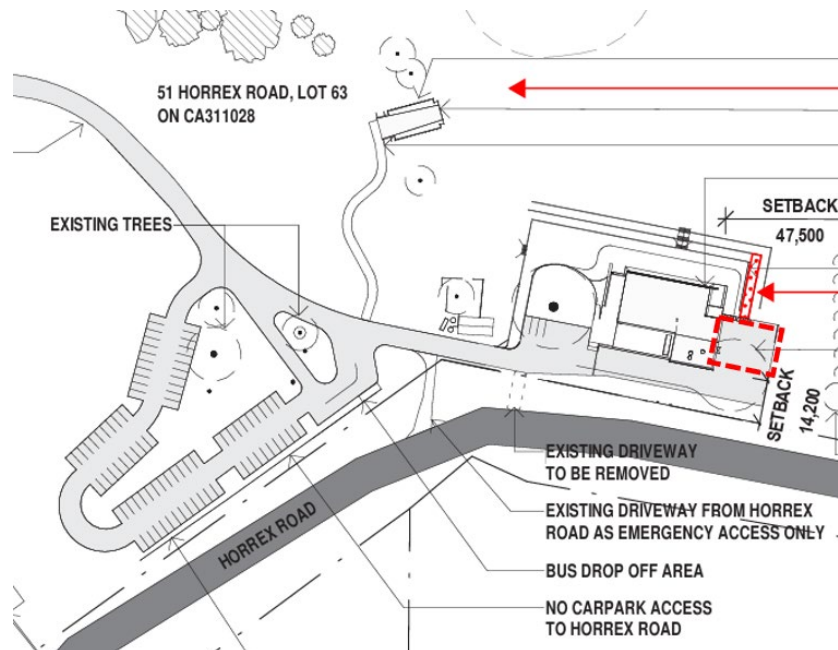
In response to the operational requirements of The Dairy, Ravensbourne, this change application seeks approval to establish an office building which will be ancillary to, and directly associated with, the operational Function Facility. The proposed ancillary office building will be provided within Stage 1 of the development approval which has commenced use.

Source - Building Design Professionals

For clarity, **Extract 2** and **Extract 3** show the location of the proposed ancillary office, highlighted in red, on the proposed site plan and the approved site plan, respectively.



Source - Building Design Professionals



Extract 3 - Approved Site Plan (Drawing DA-100-B Revision 15)

Source - Building Design Professionals

As shown on the Amended Proposal Plans at **Attachment 3**, the external facade of the proposed ancillary office building will be primarily constructed of a rendered concrete block façade and weatherboard cladding, consistent with the character and high-quality aesthetic of the existing facility.

The proposed change does not result in any material impacts to the stormwater management requirements, nor does the additional floor area generate additional demand for visitors or staff. The improvements are designed to improve the functionality of the existing development. Notwithstanding this, eight (8) staff car parking spaces including one (1) PWD space will be provided in lieu of the three (3) staff car parking spaces impacted by the proposed works.

Overall, the proposed change provides an appropriately scaled and well-designed extension to the existing Function Facility, providing an ancillary office and administrative component to accommodate the ongoing operations of the Dairy, Ravensbourne.

2.2. Amendments to Gross Floor Area

The existing approval provides for a Function Facility with a total gross floor area of 915m², a Food and Drink Outlet with a gross floor area of 36m², and short-term accommodation comprising six (6) cabins total.

This change application seeks to amend the gross floor areas of the existing Function Facility and in accordance with **Table 1** below.

Table 1 – Gross Floor Areas

Building	Gross Floor Area
Function Facility	
Existing Function Centre	740m ²
Existing Chapel	175m ²
Proposed Ancillary Office	183.8m ²
Food and Drink Outlet	
Existing Food and Drink Outlet	36m ²
Total:	1,134.8m²

Collectively, the proposed changes will result in a total gross floor area of 1,134.8m² (additional 183.8m²).

2.3. Changes to Approved Drawings and Documents

The proposed changes require amendments to the list of approved drawings and documents. As identified in Table 2 below, the drawings listed are to form part of the approved plans in conjunction with the existing approved plans.

Where not listed in Table 2 below, the drawings or documents will remain as documented in the Existing Approval.

Table 2 - Approved Drawings and Documents

Drawing	Number	Plan Date
New Plans		
Site Plan	Drawing A.001 Revision A	16 July 2026
Ancillary Office Floor Plan	Drawing A.101 Revision A	16 July 2026
Proposed Office Elevations 1	Drawing A.200 Revision A	16 July 2026
Proposed Office Elevations 2	Drawing A.201 Revision A	16 July 2026

2.4. Changes to Conditions

In addition to the amendments outlined above, the proposed changes will require alterations to the approved conditions. The amendments are listed in Table 3.

Table 3 - Conditions

Existing Condition	Proposed Condition
1. This Development Approval is for a Material Change of Use for:	1. This Development Approval is for a Material Change of Use for:

1.1 Function Facility (maximum capacity of 200 guests and 915m² GFA, which comprises the Function Centre (740m² GFA) and separate chapel building (175m² GFA)); 1.2 Food and Drink Outlet (36m² GFA); and 1.3 Short-term Accommodation (2 x 2 Bedroom Cabins and 4 x 1 Bedroom Cabins).	1.1. Function Facility (maximum capacity of 200 guests and 915m² 1,098.8m² GFA, which comprises the Function Centre (740m² GFA), separate chapel building (175m² GFA) and ancillary office building (183.8m²)); 1.2. Food and Drink Outlet (36m² GFA); and 1.3. Short-term Accommodation (2 x 2 Bedroom Cabins and 4 x 1 Bedroom Cabins).
72. The premises must be provided with a minimum of 89 on-site car parking spaces, inclusive of two (2) PWD car parking spaces and three (3) staff car parking spaces, together with standing and manoeuvring for an SRV service vehicle.	72. The premises must be provided with a minimum of 89 94 on-site car parking spaces, inclusive of two (2) three (3) PWD car parking spaces and three (3) eight (8) staff car parking spaces, together with standing and manoeuvring for an SRV service vehicle.

3. LEGISLATIVE ASSESSMENT

3.1. Minor Change Criteria

The Applicant seeks to amend the Existing Approval to incorporate the proposed changes via a Minor Change, pursuant to s.78 of the *Planning Act 2016*.

Table 4 and Table 5 demonstrate that the change application for a Minor Change complies with the relevant provisions of the *Planning Act 2016*, *Planning Regulation 2017* and the *Development Assessment Rules (Version 3.0)*.

Table 4 - Compliance with Definition for a Minor Change

Relevant Provision	Assessment
The definition of a minor change to a development approval under Schedule 2, <i>Planning Act 2016</i> , is: <i>"Minor change means a change that...</i> <i>... (b) for a development approval -</i>	
<i>(i) would not result in substantially different development; and</i>	Complies An assessment of the substantially different development requirements under Schedule 1 of the <i>Development Assessment Rules (Version 3.0)</i> has been undertaken as part of this correspondence. Please refer to Table 5 below for further detail, which concludes that the amendments do not result in substantially different development.
<i>(ii) if a development application for the development, including the change, were made when the change application is made would not cause -</i>	

(A) the inclusion of prohibited development in the application; or	Not Applicable The change application does not result in prohibited development as per the <i>Planning Regulation 2017</i>.
(B) referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application; or	Not Applicable The development application was referred to the chief executive, and the proposed change would not cause referral to an additional referral agency.
(C) referral to extra referral agencies, other than to the chief executive; or	Not Applicable The proposed change does not cause referral to an additional referral agency.
(D) a referral agency, in assessing the application under section 55(2), to assessment the application against, or have regard to, a matter, other than a matter the referral agency must have assessed the application against, or have had regard to, when the application was made; or	Not Applicable The change application does not result in a referral to a referral agency.
(E) public notification if public notification was not required for the development application	Not Applicable The change application does not result in a referral to a referral agency.

Table 5 - Compliance with Substantially Different Development Test

In relation to part (b)(i) of the definition of Minor Change under the Planning Act 2016, the substantially different development requirements under Schedule 1 of the *Development Assessment Rules (Version 3.0)* provide instructive guidance as follows:-

"A change may be considered to result in a substantially different development if the proposed change:

<i>a. involves a new use; or</i>	Complies The proposal does not include a new land use. The ancillary office is incidental to and necessarily associated with the primary land use, being the Function Facility.
<i>b. results in the application applying to a new parcel of land; or</i>	Not Applicable The proposal does not apply to a new land parcel.
<i>c. dramatically changes the built form in terms of scale, bulk and appearance; or</i>	Complies The proposed change does not result in a built form which is dramatically different to the current approval in terms of bulk, appearance and scale. The proposed building is an extension to the main building and located in an area that has already been developed to establish a car parking area.

<i>d. changes the ability of the proposed development to operate as intended; or</i>	Not Applicable The proposed change remains for an extension to the existing facility and does not change the ability for the approval to operate as originally intended, being a Function Facility, Food and Drink Outlet and Short-term Accommodation. The ancillary area is required to improve the functionality of the existing business that is operating from the premises.
<i>e. removes a component that is integral to the operation of the development; or</i>	Not Applicable The proposed change remains for an extension to the existing facility and does not change the ability for the approval to operate as originally intended, being a Function Facility, Food and Drink Outlet and Short-term Accommodation.
<i>f. significantly impacts on traffic flow and the transport network, such as increasing traffic to the site; or</i>	Complies The proposed extension is associated with back-of-house operations and does not increase the capacity for visitors or guests or result in the requirement for additional car parking. Accordingly, the proposed change will not materially impact traffic flow or the transport network.
<i>g. introduces new impacts or increase the severity of known impacts; or</i>	Complies The proposed change does not introduce new impacts or increase the severity of known impacts. The proposed extension is associated with back-of-house, administrative operations and does not increase the capacity for visitors or guests.
<i>For development prescribed by the Planning Regulation as requiring social impact assessment as identified under section 106T of the Act:</i> <i>h. Introduces new social impact or increase the severity of known social impacts; or</i>	Not Applicable The proposed development does not require social impact assessment as identified under section 106T of the Act.
<i>i. removes an incentive or offset component that would have balanced a negative impact of the development; or</i>	Complies The proposed change does not remove and offset or a component of an offset that applied to the original approval. As above, the proposed extension is located within an area that is disturbed and maintains key elements that were established to manage impacts to the east, including the acoustic

	fencing and mature vegetation along the common boundary.
<i>j. impacts on infrastructure provisions.</i>	Complies The proposal does not cause any substantive impacts on the existing infrastructure provisions.

3.2. Confirmation of Responsible Entity and Affected Entity

In accordance with s.78A(1)(b) of the *Planning Act 2016*, the responsible entity for this change application is Toowoomba Regional Council.

In accordance with Section 80(1)(a) of the *Planning Act 2016*, no affected entities are required to be notified of this minor change application.

3.3. Matters to be considered by Responsible Entity

In accordance with s.81 of the *Planning Act 2016*, the responsible entity must consider a range of items in assessing this change application. Please refer to Table 6 below which provides an assessment of the proposal's compliance with each of these considerations.

Table 6 - Assessment against s.81 of the Planning Act 2016

Relevant Provision	Assessment
<i>(2) In assessing the change application, the responsible entity must consider -</i>	
<i>a. The information the applicant included with the application;</i>	Noted This change application is supported by a cover letter and amended proposal plans. The proposed activities relate to administration functions and, to this end, there is no requirement to provide updated technical reporting, such as acoustic assessment, as the primary activity will remain unchanged.
<i>b. if the responsible entity is the assessment manager—any properly made submissions about the development application or another change application that was approved;</i>	Noted The original development application (Council reference: MCUI/2019/3685) was subject to public notification and properly made submissions were received. The subsequent change application (Council reference: MCUI/2019/3685/A) was made within one (1) year of the original decision and therefore the submissions from that application were applied to the change application. Notwithstanding, the proposed change does not conflict or increase the severity of any matters raised within the submissions.

<i>c. any pre-request response notice or response notice given in relation to the change application; and</i>	Not Applicable No pre request response notice has been sought and no pre request or response notice has been issued.
<i>d. if the responsible entity is, under section 78A(3), the Minister—all matters the Minister would or may assess against or have regard to, if the change application were a development application called in by the Minister; and</i>	Not Applicable The responsible Entity is not the Minister.
<i>e. if the responsible entity is, under section 78(4)(a), the chief executive – all matters the chief executive would or may assess against or have regard to, if the change application were a development application; and</i>	Not Applicable The responsible entity is not The Chief Executive.
<i>f. if paragraphs (d) and (e) do not apply—all matters the responsible entity would or may assess against or have regard to, if the change application were a development application; and</i>	Noted The material submitted as part of this minor change application appropriately considers all relevant matters which would be applicable if the change were a development application.
<i>g. another matter that the responsible entity considers relevant.</i>	Noted The relevant development application was made under Version 24 of the Toowoomba Planning Scheme 2012. The current version of the planning scheme is Version 29. A review of Appendix 2 of the current planning scheme demonstrates that:- ■ Version 25 of the Planning Scheme was an Interim Amendment to the LGIP; ■ Version 26 of the Planning Scheme was a Major Amendment but did not include changes that relevant to the Rural Zone, save for amendments to water storages, which are not proposed in this development application; ■ Version 27 of the Planning Scheme was an Administrative Amendment and did not include changes relevant to the proposal ■ Version 28 and Version 29 were Interim LGIP Amendments and did not include changes that are relevant to the proposal. The proposal continues to maintain compliance with the assessment benchmarks and the planning scheme in

	accordance with the change application and original application. There are no changes proposed that would conflict with the development outcome on the site which was deemed to comply with the relevant statutory instruments.
<i>(3) Subsections (4) and (5) apply if the responsible entity must, in assessing the change application under subsection (2)(d), (e) or (f), consider–</i> <i>(a) a statutory instrument; or</i> <i>(b) another document applied, adopted or incorporated (with or without changes) in a statutory instrument.</i>	
<i>(4) The responsible entity must consider the statutory instrument, or other document, as in effect when the development application for the development approval was properly made.</i>	Noted The change application (Council reference: MCUI/2019/3685/A) was properly made when the Toowoomba Regional Planning Scheme (Version 24) was in effect. Currently, the Toowoomba Regional Planning Scheme (Version 29) is in effect. Based on a review of both planning schemes, no considerable amendments to the applicable assessment benchmarks have been made since the original development application was assessed and subsequently approved.
(5) However, the responsible entity may give the weight the responsible entity considers is appropriate, in the circumstances, to – a) the statutory instrument or other document as in effect when the change application was made; or b) if the statutory instrument or other document is amended or replaced after the change application is made but before it is decided—the amended or replacement instrument or document; or c) another statutory instrument— (i) that comes into effect after the change application is made but before it is decided; and (ii) that the responsible entity would have been required to consider if the instrument had been in effect when the development application for the development approval was properly made.	Noted The relevant development application was made under Version 24 of the Toowoomba Planning Scheme 2012. The current version of the planning scheme is Version 29. A review of Appendix 2 of the current planning scheme demonstrates that:– ■ Version 25 of the Planning Scheme was an Interim Amendment to the LGIP; ■ Version 26 of the Planning Scheme was a Major Amendment but did not include changes that relevant to the Rural Zone, save for amendments to water storages, which are not proposed in this development application; ■ Version 27 of the Planning Scheme was an Administrative Amendment and did not include changes relevant to the proposal ■ Version 28 and Version 29 were Interim LGIP Amendments and did not include changes that are relevant to the proposal. Based on the above, there are no changes proposed that would conflict with the development outcome on

	the site which was deemed to comply with the relevant statutory instruments.
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3.4. Infrastructure Charges

In accordance with s.119(6) of the *Planning Act 2016*, a local government may give an amended infrastructure charges notice to the applicant in approving a change application.

The proposed changes to the Existing Approval give rise to changes in demand of that require reconsideration of the original infrastructure charges notice.

The adopted infrastructure charges for the approved development administered under Toowoomba Regional Council's Charges Resolution No. 7 are as follows:

- Places of assembly – \$91.75 * m²

In accordance with item 3.3(g) of the Toowoomba Regional Council's Charges Resolution No. 7, we note the following:

If non-residential development located in the Urban charge area or the Township charge area or Rural charge area is not planned to be serviced by any of the following trunk infrastructure networks, the adopted charge for GFA for that development stated in Table 3 is to be reduced by thirty three percent (33%) for each network that is not planned to service the development:

- (i) *Water supply*
- (ii) *Sewerage*

Accordingly, where the proposed development is serviced by neither the water supply nor the sewerage network, a 66% reduction applies to the adopted charge, and the levied charge is calculated as follows:

- Places of assembly – \$31.19 * m² gross floor area
- \$31.19 * 183.80m²
- \$5,732.72

Accordingly, the total levied charge payable for the change application is \$5,732.72.

We request that the Council issue an amended infrastructure charges notice to the applicant, in line with the above.

3.5. Other Requirements for Change Applications

In accordance with s.79 of the *Planning Act 2016*, this change application for a Minor Change includes the applicable mandatory information, as follows:-

- The application is accompanied by the approved form;
- The written consent of the owner of the premises is provided at **Attachment 1**; and
- The applicant will make payment of the required fee (\$3,420.00) to Council, upon receipt of a tax invoice / fee quote.

On this basis, we request that the responsible entity proceed to assess the Minor Change and issue the notice of the decision at the earliest opportunity.

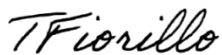
4. SUMMARY

This change application is lodged with the responsible entity and identifies the amendments that are sought to the Existing Approval. As demonstrated above, the amendments are a Minor Change to the Existing Approval and, therefore, the responsible entity should proceed to make the requested changes and issue an amended development approval at the earliest opportunity.

Whilst we trust that this information is sufficient for your purposes, should you require any further information or clarification, please do not hesitate to call the undersigned on 07 4632 0516.

Yours faithfully,

Property Projects Australia Pty Ltd



Toby Fiorillo

Town Planner

Enc. As Above.