

From: Marcus McNee <marcus@propertyprojectsaustralia.com.au>
Sent: Wednesday, 13 May 2026 9:07 AM
To: Sophie Spencer
Cc: James Juhasz; 'ppaprojects@emailworkflowmax.com'; Development
Subject: RE: Tech Park Variation Application - VSD template (J002151)

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Hi Sophie,

Just wanting to confirm that we are still working through this with the client.

We anticipate having further direction next week and will be in touch with Council next week.

On this basis, it is requested the Council do not proceed to decide the application.

Any questions, please let me know.

Thanks,

Marcus McNee
Senior Town Planner

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From: Sophie Spencer <sophie.spencer@tr.qld.gov.au>
Sent: Thursday, 26 March 2026 11:03 AM
To: Marcus McNee <marcus@propertyprojectsaustralia.com.au>
Cc: James Juhasz <james@propertyprojectsaustralia.com.au>; 'ppaprojects@emailworkflowmax.com' <ppaprojects@emailworkflowmax.com>; Development <development@tr.qld.gov.au>
Subject: RE: Tech Park Variation Application - VSD template (J002151)

Hi Marcus

Thanks for the chat last week, and your follow-up email below. As per Jo's email, our preference is that the application is withdrawn and resubmitted.

However if a changed application is pursued, it is likely the application process will be required to re-start. Chapter 1 Section 26.2(b) of the DA Rules outlines when re-notification is required. This will be determined once the details of the change are provided – in my mind this should not be determined in advance. Given the application was notified in 2018 and circumstances on and around the site have changed, it's likely re-notification will be required.

Also, as discussed over the phone, I also have concerns about the variations sought. The purpose of a VSD principally is to overcome an inconsistency or conflict with the Planning Scheme, or to create site-specific overriding provisions. The intended industrial development is consistent with the current zoning, and the variation is moving away from a 'data centre' orientated precinct. So it's unclear what conflict the VSD would be seeking to overcome or what site-specific provisions are required. In addition, making these uses Accepted Development would remove the requirement for approvals and conditions, limiting Council's ability to assess impacts or enforce compliance. To be clear, this is not a thorough assessment of the changed variation, but are my first thoughts as discussed over the phone.

Kind Regards
Sophie Spencer
Lead Senior Planner
Planning Branch

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From: Marcus McNee <marcus@propertyprojectsaustralia.com.au>
Sent: Tuesday, 24 March 2026 9:26 AM
To: Sophie Spencer <sophie.spencer@tr.qld.gov.au>
Cc: James Juhasz <james@propertyprojectsaustralia.com.au>; 'ppaprojects@emailworkflowmax.com' <ppaprojects@emailworkflowmax.com>; Development <development@tr.qld.gov.au>
Subject: RE: Tech Park Variation Application - VSD template (J002151)

[External Email] This email was sent from outside the organisation - be cautious, particularly with links and attachments.

Hi Sophie,

Thanks for your time last week.

Further to our email dated 10 March 2026 and recent discussions, we write to clarify the applicant's position regarding the ongoing need for the Variation Request and to briefly justify further marginal amendments (outlined in the "PPA Comment (Update 24 March 2026)" column within Table 1 below).

We acknowledge Council’s comments regarding the progression of development on the site and whether the VSD remains necessary. Following further review, the applicant considers that a variation framework is still warranted as it provides a consistent and streamlined assessment pathway for industrial land uses to be established within the site.

That said, the scope of the variation has been further refined to ensure it only addresses aspects that are not adequately dealt with under the Planning Scheme.

The two (2) keys goals of the variation are to:

1. Establish a framework that allows industrial buildings to be utilised for less impactful industrial land uses as accepted development*; and
2. Reduce the assessment levels for certain industrial land uses, reflecting the established industrial context and the suitability of these uses within the Charlton Wellcamp Enterprise Area.

* For example, we consider that a building that is used for high impact industry should be able to be used as low impact industry as accepted development.

Importantly, the amendments do not introduce new or intensified development outcomes and instead reduce the extent of variation previously sought.

Overall, the revised approach seeks to retain only those elements of the VSD that provide clear planning benefit, while relying on the Planning Scheme wherever possible.

On this basis, we consider the amended application represents a more appropriate and streamlined framework and would welcome Council’s confirmation as to whether this approach can be progressed without necessitating renotification.

Any questions, please let me know.

Thanks,

Table 1 – Material Change of Use – TTP Preliminary Approval Area

Land Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development	PPA Comment (Update 24 March 2026)
High Impact Industry	<p>Accepted Development: If</p> <p><i>i. The reuse of an existing building used for Low Impact Industry, Medium Impact Industry, Research Technology Industry or Service Industry; and</i></p> <p><i>ii. No more than 25m2 additional Gross Floor Area is proposed.</i></p>	Not Applicable	Change Removed.
	Code Assessment	<ul style="list-style-type: none"> - Medium Impact Industry Zone Code - Environmental Standards Code 	<p>Change Proposed.</p> <ul style="list-style-type: none"> - This change reduces the category of

		<ul style="list-style-type: none"> - Integrated Water Management Code - Industry Uses Code - Landscaping Code - Transport, Access and Parking Code - Works and Services Code 	<p>assessment from impact to code.</p> <ul style="list-style-type: none"> - Given the context of the area, we do not consider that impact assessment is warranted for a material change of use for high impact industry.
Low Impact Industry	<p>Accepted Development: If</p> <p><i>i. The reuse of an existing building used for High Impact Industry, Medium Impact Industry, <u>Research and Technology Industry</u>, Service Industry and <u>Special Industry</u>; and</i></p> <p><i>ii. No more than 25m2 additional Gross Floor Area is proposed.</i></p>	Not Applicable	<p>Change Proposed (Updated).</p> <ul style="list-style-type: none"> - This change establishes additional land uses (High Impact Industry, Research and Technology Industry and Special Industry) for which the associated buildings could be utilised as Low Impact Industry as accepted development. - We consider this change is appropriate as the impacts associated with Low Impact Industry would be less impactful than High Impact Industry, Research and Technology Industry, Special Industry.
	Code Assessment	<ul style="list-style-type: none"> - Medium Impact Industry Zone Code - Environmental Standards Code - Integrated Water Management Code - Industry Uses Code - Landscaping Code - Transport, Access and Parking Code - Works and Services Code 	Change Proposed.
	Accepted Development: If	Not Applicable	Change Proposed (Updated).

<p>Medium Impact Industry</p>	<p>i. <i>The reuse of an existing building used for High Impact Industry, Research and Technology Industry, Service Industry and Special Industry; and</i></p> <p>ii. <i>No more than 25m2 additional Gross Floor Area is proposed.</i></p>		<ul style="list-style-type: none"> - This change establishes additional land uses (High Impact Industry, Research and Technology Industry, Service Industry and Special Industry) for which the associated buildings could be utilised as Medium Impact Industry as accepted development. - We consider this change is appropriate as the impacts associated with Medium Impact Industry would be less impactful than High Impact Industry, Research and Technology Industry, Service Industry and Special Industry.
	<p>Code Assessment</p>	<ul style="list-style-type: none"> - Medium Impact Industry Zone Code - Environmental Standards Code - Integrated Water Management Code - Industry Uses Code - Landscaping Code - Transport, Access and Parking Code - Works and Services Code 	<p>As per Planning Scheme.</p>
<p>Research Technology Industry</p>	<p>Accepted Development: If</p> <p>i. <i>The reuse of an existing building used for High Impact Industry; and</i></p> <p>ii. <i>No more than 25m2 additional Gross Floor Area is proposed.</i></p>	<p>Not Applicable</p>	<p>Change Removed.</p>
	<p>Code Assessment</p>	<ul style="list-style-type: none"> - Medium Impact Industry Zone Code - Environmental Standards Code - Integrated Water Management Code 	<p>Change Proposed (No Update).</p> <ul style="list-style-type: none"> - This change reduces the category of

		<ul style="list-style-type: none"> - Industry Uses Code - Landscaping Code - Transport, Access and Parking Code - Works and Services Code 	<p>assessment from impact to code.</p> <ul style="list-style-type: none"> - Given the context of the area, we do not consider that impact assessment is warranted for a material change of use for Research Technology Industry.
TTP Office	Code Assessment where the total Gross Floor Area for TTP Office uses within the TTP Preliminary Approval Area does not exceed 22,253m ² .	<ul style="list-style-type: none"> - Medium Impact Industry Zone Code - Environmental Standards Code - Integrated Water Management Code - Industry Uses Code - Landscaping Code - Transport, Access and Parking Code - Works and Services Code 	Change Proposed (No Update).
Service Industry	Accepted Development: If	Not Applicable	Change Proposed (No Update).
	<ul style="list-style-type: none"> i. The reuse of an existing building used for an Industry Activities use(s); and ii. No more than 25m² additional Gross Floor Area is proposed. 		
	Code Assessment	<ul style="list-style-type: none"> - Medium Impact Industry Zone Code - Environmental Standards Code - Integrated Water Management Code - Industry Uses Code - Landscaping Code - Transport, Access and Parking Code - Works and Services Code 	As per Planning Scheme.

Table 2 – Reconfiguring a Lot – TTP Preliminary Approval Area

Area	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
TTP Preliminary Approval Area	Code Assessment	<ul style="list-style-type: none"> - Reconfiguring a Lot Code

	if not resulting in lots less than 2,000m2 (excluding common property lots)	- Works and Services Code
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Marcus McNee

Senior Town Planner

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From: Marcus McNee

Sent: Tuesday, 17 March 2026 8:58 AM

To: Sophie Spencer <sophie.spencer@tr.qld.gov.au>

Cc: James Juhasz <james@propertyprojectsaustralia.com.au>; 'ppaprojects@emailworkflowmax.com' <ppaprojects@emailworkflowmax.com>; 'development@tr.qld.gov.au' <development@tr.qld.gov.au>

Subject: RE: Tech Park Variation Application - VSD template (J002151)

Morning Sophie,

Hope you have had a good start to the week.

We spoke with Alison late last week and understand this application will likely end up back with you.

Appreciating that we only provided our response to Council about a week ago, when you have a moment, could you please let me know when you think Council may have had an opportunity to review the email below?

Any questions, please let me know.

Thanks,

Marcus McNee

Senior Town Planner

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From: Marcus McNee
Sent: Tuesday, 10 March 2026 2:00 PM
To: Joseph Kirkwood <joseph.kirkwood@tr.qld.gov.au>; Alison Clark <alison.clark@tr.qld.gov.au>
Cc: James Juhasz <james@propertyprojectsaustralia.com.au>; 'ppaprojects@emailworkflowmax.com' <ppaprojects@emailworkflowmax.com>; development@tr.qld.gov.au
Subject: FW: Tech Park Variation Application - VSD template (J002151)

Hi Joe and Alison,

Thanks for your email below and patience while we worked through this application with the applicant.

Further to our recent correspondence regarding the Tech Park Variation Application, we write to confirm the applicant's proposed approach in response to Council's further advice (email dated 07 April 2022) and progressing the application.

Following further discussions with our client and a review of Council's previous feedback, the applicant intends to scale back the scope of the proposed variations to the Toowoomba Regional Planning Scheme. Refer to **Table 1** and **Table 2** at the end of this email.

In particular, the amended strategy:

- Removes a number of previously proposed design-related variations and instead rely on the relevant provisions of the Toowoomba Regional Planning Scheme; and
- Retains only a limited number of variations relating primarily to categories of assessment for specific land uses within the Variation Scheme Area.

The intent of these amendments is to ensure the variation framework is more closely aligned with the planning scheme while also providing an appropriate planning framework for the orderly development of the Toowoomba Technology Park.

Relevantly, Section 52 of the Planning Act 2016 allows an applicant to make a change to a development application at any time before the application is decided. The Development Assessment Rules then establish the process for considering whether the change requires additional public notification.

In this regard, the proposed amendments have been prepared having regard to Part 4 of the Development Assessment Rules, particularly Section 26 and Section 27, which deal with changes made to development applications after public notification.

It is submitted that the amended variation request:

- does not introduce any new or intensified development outcomes beyond those previously notified;
- reduces the extent of variation previously sought and relies more heavily on the existing planning scheme provisions; and
- responds directly to Council’s previous feedback on the application.

On this basis, it is submitted that the proposed amendments would be unlikely to attract a submission objecting to the changes if public notification were to apply, having regard to Section 26(2)(b) of the Development Assessment Rules.

Accordingly, it is our view that the amended variation request can be progressed without undertaking a further public notification period.

Moving forward, following advice from Council, we intend to provide a formal response to the further advice (email dated 07 April 2022).

In the meantime, please let us know if Council has any concerns with the proposed approach or if you would like to discuss the matter further prior to the applicant formally responding to the further advice (email dated 07 April 2022).

Any questions, please let me know.

Thanks,

Table 1 – Material Change of Use – TTP Preliminary Approval Area

Land Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
High Impact Industry	<p>Accepted Development: If</p> <p><i>i. The reuse of an existing building used for Low Impact Industry, Medium Impact Industry, Research Technology Industry or Service Industry; and</i></p> <p><i>ii. No more than 25m2 additional Gross Floor Area is proposed.</i></p>	Not Applicable
	Code Assessment	<ul style="list-style-type: none"> - Medium Impact Industry Zone Code - Environmental Standards Code - Integrated Water Management Code - Industry Uses Code - Landscaping Code - Transport, Access and Parking Code - Works and Services Code
Low Impact Industry	<p>Accepted Development: If</p> <p><i>i. The reuse of an existing building used for Service Industry or Medium Impact Industry; and</i></p>	Not Applicable

	<p>ii. <i>No more than 25m2 additional Gross Floor Area is proposed.</i></p>	
	Code Assessment	<ul style="list-style-type: none"> - Medium Impact Industry Zone Code - Environmental Standards Code - Integrated Water Management Code - Industry Uses Code - Landscaping Code - Transport, Access and Parking Code - Works and Services Code
Medium Impact Industry	<p>Accepted Development: If</p> <p>i. <i>The reuse of an existing building used for High Impact Industry or Research and Technology Industry; and</i></p> <p>ii. <i>No more than 25m2 additional Gross Floor Area is proposed.</i></p>	Not Applicable
	Code Assessment	<ul style="list-style-type: none"> - Medium Impact Industry Zone Code - Environmental Standards Code - Integrated Water Management Code - Industry Uses Code - Landscaping Code - Transport, Access and Parking Code - Works and Services Code
Research Technology Industry	<p>Accepted Development: If</p> <p>i. <i>The reuse of an existing building used for High Impact Industry; and</i></p> <p>ii. <i>No more than 25m2 additional Gross Floor Area is proposed.</i></p>	Not Applicable
	Code Assessment	<ul style="list-style-type: none"> - Medium Impact Industry Zone Code - Environmental Standards Code - Integrated Water Management Code - Industry Uses Code - Landscaping Code - Transport, Access and Parking Code - Works and Services Code
TTP Office	Code Assessment where the total Gross Floor Area for TTP Office uses within the TTP Preliminary Approval Area does not exceed 22,253m2.	<ul style="list-style-type: none"> - Medium Impact Industry Zone Code - Environmental Standards Code - Integrated Water Management Code - Industry Uses Code - Landscaping Code - Transport, Access and Parking Code - Works and Services Code
Service Industry	<p>Accepted Development: If</p> <p>i. <i>The reuse of an existing building used for an Industry Activities use(s); and</i></p> <p>ii. <i>No more than 25m2 additional Gross Floor Area is proposed.</i></p>	Not Applicable
	Code Assessment	<ul style="list-style-type: none"> - Medium Impact Industry Zone Code - Environmental Standards Code

		<ul style="list-style-type: none"> - Integrated Water Management Code - Industry Uses Code - Landscaping Code - Transport, Access and Parking Code - Works and Services Code
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Table 2 – Reconfiguring a Lot – TTP Preliminary Approval Area

Area	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
TTP Preliminary Approval Area	Code Assessment if not resulting in lots less than 2,000m ² (excluding common property lots)	<ul style="list-style-type: none"> - Reconfiguring a Lot Code - Works and Services Code

Marcus McNee
Senior Town Planner

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From: Joseph Kirkwood <Joseph.Kirkwood@tr.qld.gov.au>
Sent: Monday, 9 March 2026 10:47 AM
To: Marcus McNee <marcus@propertyprojectsaustralia.com.au>
Cc: Sophie Spencer <Sophie.Spencer@tr.qld.gov.au>; Alison Clark <Alison.Clark@tr.qld.gov.au>; James Juhasz <james@propertyprojectsaustralia.com.au>; Sonya Anderson <Sonya.Anderson@tr.qld.gov.au>
Subject: RE: Tech Park Variation Application - VSD template

Good morning Marcus,

Did you have a summary of what is now being changed under the application?

Please note that given the time which has elapsed since the Further Advice was issued and that development has continued to progress over the subject land under the current planning scheme since public notification occurred, any lodgement of new material will likely be considered a “changed application”. Depending on the extent of changes, this may restart the assessment process, introduce new fees, and warrant renotification.

Council's preference would be that the application is withdrawn and consideration is given to the development permits which have occurred since the VSD was lodged. It would be good to understand whether the VSD is still required, or whether the planning scheme (and proposed new scheme) is adequate in addressing the applicant's intention for the land?

Kind regards,

Joe Kirkwood
Manager Planning
Planning Branch
Planning & Development Group

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From: Marcus McNee <marcus@propertyprojectsaustralia.com.au>
Sent: Wednesday, 4 March 2026 2:03 PM
To: Alison Clark <Alison.Clark@tr.qld.gov.au>
Cc: Info Mailbox <Info@propertyprojectsaustralia.com.au>; James Juhasz <james@propertyprojectsaustralia.com.au>; Joseph Kirkwood <Joseph.Kirkwood@tr.qld.gov.au>
Subject: RE: Tech Park Variation Application - VSD template

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Hi Alison,

Just following on from my earlier voice message, we provide the following update:

- We have now received direction from the applicant and will be progressing with this application, however, in a simpler more straightforward form.
- We will be responding to Council's further advice (email dated 07 April 2022) within one (1) week being before close of business day Wednesday 11 March 2026.

Please feel free to give me a call back to discuss further.

Any questions, please let me know.

Thanks,

Marcus McNee
Senior Town Planner

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From: Alison Clark <Alison.Clark@tr.qld.gov.au>
Sent: Monday, 2 March 2026 11:16 AM
To: Marcus McNee <marcus@propertyprojectsaustralia.com.au>
Cc: Info Mailbox <Info@propertyprojectsaustralia.com.au>; James Juhasz <james@propertyprojectsaustralia.com.au>; Joseph Kirkwood <Joseph.Kirkwood@tr.qld.gov.au>
Subject: RE: Tech Park Variation Application - VSD template

Hi Marcus,

Yes email received apologies for not responding sooner, I was unexpectedly out of the office last week.

My understanding was that a response to the Further Advice was being provided by the end of February, is this no longer the case?

Alison

Alison Clark
Lead Senior Planner
Planning

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From: Marcus McNee <marcus@propertyprojectsaustralia.com.au>
Sent: Monday, 2 March 2026 10:53 AM
To: Alison Clark <Alison.Clark@tr.qld.gov.au>
Cc: Info Mailbox <Info@propertyprojectsaustralia.com.au>; James Juhasz <james@propertyprojectsaustralia.com.au>; Joseph Kirkwood <joseph.kirkwood@tr.qld.gov.au>
Subject: RE: Tech Park Variation Application - VSD template

[External Email] This email was sent from outside the organisation - be cautious, particularly with links and attachments.

Hi Alison,

Hope you had a good weekend.

Just wanting to confirm that you received the email below and Council is ok if provide direction to Council later today / tomorrow.

Any questions, please let me know.

Thanks,

Marcus McNee
Senior Town Planner

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From: Marcus McNee
Sent: Thursday, 26 February 2026 12:25 PM
To: Alison Clark <Alison.Clark@tr.qld.gov.au>
Cc: Info Mailbox <Info@propertyprojectsaustralia.com.au>; James Juhasz <james@propertyprojectsaustralia.com.au>; Joseph Kirkwood <joseph.kirkwood@tr.qld.gov.au>
Subject: RE: Tech Park Variation Application - VSD template

Hi Alison,

Hope you are having a good week.

Quick update on our end. We are just waiting on final direction from our client and expect to be able to respond to Council on Monday or Tuesday next week.

Any questions, please let me know.

Thanks,

Marcus McNee
Senior Town Planner

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E marcus@propertyprojectsaustralia.com.au

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From: Joseph Kirkwood <joseph.kirkwood@tr.qld.gov.au>
Sent: Thursday, 29 January 2026 2:13 PM
To: James Juhasz <james@propertyprojectsaustralia.com.au>; Alison Clark <Alison.Clark@tr.qld.gov.au>
Cc: Info Mailbox <Info@propertyprojectsaustralia.com.au>; Marcus McNee <marcus@propertyprojectsaustralia.com.au>
Subject: RE: Tech Park Variation Application - VSD template

Hi James,

Thanks for the update. Alison is currently out of the office, but I will flag with the team that they can anticipate the response by late February.

Kind regards,

Joe Kirkwood
Manager Planning
Planning Branch
Planning & Development Group

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www.tr.qld.gov.au

From: James Juhasz <james@propertyprojectsaustralia.com.au>
Sent: Thursday, 29 January 2026 1:13 PM
To: Alison Clark <Alison.Clark@tr.qld.gov.au>
Cc: Info Mailbox <Info@propertyprojectsaustralia.com.au>; Joseph Kirkwood <joseph.kirkwood@tr.qld.gov.au>; Marcus McNee <marcus@propertyprojectsaustralia.com.au>
Subject: Re: Tech Park Variation Application - VSD template

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Hi Alison,

Following on from the below, we have now received an update from our client and we would like to proceed to respond to the outstanding Further Advice Letter (and in doing so scale back the proposed variations) prior to proceeding to a decision on the application.

We propose to amend the application in response to the Further Advice Letter to:-

- Reduce the proposed variations to the planning scheme. In particular, design variations will be removed and will default to standard planning scheme provisions and the variations will include changes to categories of assessment for a reduced list of land use and changes to minimum lot sizes.
- Amend the masterplan to reflect the current approved subdivision within the Variation Approval Area.

We propose to make these amendments and submit a response to the Further Advice Letter by the end of February.

Please let me know if you foresee any issues with the above, otherwise, we will proceed to finalise a response.

Joe, just copying you in for reference as I know Cam was due to provide you an update on the same application.

Thanks,
James.

James Juhasz
Director

M 0427 554 717
P 07 4632 0516 EXT 003
E james@propertyprojectsaustralia.com.au

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From: Alison Clark <Alison.Clark@tr.qld.gov.au>
Sent: Wednesday, 21 January 2026 4:05 PM
To: James Juhasz <james@propertyprojectsaustralia.com.au>; Marcus McNee <marcus@propertyprojectsaustralia.com.au>
Cc: Info Mailbox <Info@propertyprojectsaustralia.com.au>
Subject: RE: Tech Park Variation Application - VSD template

Hi James,

Thank you for your response. We can facilitate additional time for you to discuss with your client and consider their final position.

We do need to ensure that we have some resolution on the application so please confirm in writing, return email is fine, how you intend to proceed by close of business on 30 January 2026.

Should you wish to discuss this further, please give me a call.

Kind regards,

Alison

Alison Clark
Lead Senior Planner
Planning

Toowoomba Regional Council
PO Box 3021, Toowoomba QLD
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alison.clark@tr.qld.gov.au
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From: James Juhasz <james@propertyprojectsaustralia.com.au>
Sent: Wednesday, 21 January 2026 2:45 PM
To: Alison Clark <Alison.Clark@tr.qld.gov.au>; Marcus McNee <marcus@propertyprojectsaustralia.com.au>
Cc: Info Mailbox <Info@propertyprojectsaustralia.com.au>
Subject: Re: Tech Park Variation Application - VSD template

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Hi Alison,

Apologies for the delayed response; I've been waiting an update from the client.

In short, could we please have until 30 Jan to come back to you with a final position? This will allow the client to have a final consideration within the context of the current development plan, which has changed since this application was originally lodged.

Thanks,

James Juhasz
Director

M 0427 554 717
P 07 4632 0516 EXT 003
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From: Alison Clark <Alison.Clark@tr.qld.gov.au>
Sent: Wednesday, 14 January 2026 1:26 PM
To: James Juhasz <james@propertyprojectsaustralia.com.au>; Marcus McNee <marcus@propertyprojectsaustralia.com.au>
Subject: FW: Tech Park Variation Application - VSD template

Afternoon James and Marcus,

Marcus thanks for the quick call today, appreciate you taking the time to speak with me. As discussed, Sophie is currently on leave so I am looking after this application. I understand that you have had numerous discussions with Sophie and our current advice is that you are preparing an amended VSD to address the items listed below in Sophie's email.

In the interest of progressing the application could you please confirm your clients' intentions with this application.

It appears there have been applications decided over the land that this variation application relates to, so the VSD may no longer be required? If you do wish to proceed with the application, we will need to negotiate a deadline for the submission of the amended VSD.

This is quite a complex application that has been with Council for quite a number of years so please feel free to give me a call to discuss or provide clarification on the progress of the application. Alternatively if you have a clear direction with the application can you please advise by Friday 16th January of your intentions and we can arrange a discussion on the next steps to progress.

Kind regards,

Alison

Alison Clark
Lead Senior Planner
Planning

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From: Sophie Spencer

Sent: Thursday, 7 April 2022 2:54 PM

To: James Juhasz <james@propertyprojectsaustralia.com.au>

Cc: Info Mailbox <Info@propertyprojectsaustralia.com.au>; Krys den Hertog <Krys.denHertog@tr.qld.gov.au>; Geoff Broadbent <Geoff.Broadbent@tr.qld.gov.au>

Subject: RE: Tech Park Variation Application - VSD template

Hi James

Following our meeting on 29 March 2022 about the use of a VSD Template, please see the below list of variations in the submitted Revised PAD that are not supported, as requested. I've also included variations that we see merit in supporting, and some points for further clarification / further discussion. This is based on the VSD Template being used, which sets up the framework for the VSD, meaning that early parts of the Revised PAD specifically Chapter 2.0 'Tables of Assessable' are not carried forward into the new VSD.

These are higher-level comments, rather than making tracked-changes or specific comments on the submitted Revised PAD.

Supported variations:

- A Variation Scheme Area (VSA) specific purpose and overall outcomes for the site, including vision for precincts within the VSA. There is obvious merit in having a particular development intention for the site, particularly considering the unique type of development (not anticipated by the planning scheme) and its nexus with the data centre. This will have to be articulated. It seems the intention is that development allows for an integrated industrial / tech park, where Uses have a direct nexus to the data centre and which take advantage of the strategic location of the site relative to key transport infrastructure and digital infrastructure.
 - Adding to the existing codes of the TRPS, e.g. the Charlton Wellcamp Enterprise Area Local Plan Code, would be supported.
 - Please ensure that there is vertical alignment between the POs and AOs of the Tech Park Code and the purpose and overall outcomes. E.g. where the purpose and overall outcomes describe that walking and cycling is supported by development, ensure the POs and AOs and any cross sections of internal roadways / driveways including pedestrian pathways and shade trees (equivalent to street trees).
- Re-use of industrial buildings for similar uses is supported.
- In principal, the concept of communal car parking is supported, given the intent of the development is to have an integrated site with support Uses for on-site workers (e.g. child care). Each DA will have to identify communal parking. Council Officers are willing to continue discussion on this, to ensure a mix of communal parking will be delivered appropriately as development occurs, and appropriate car parking at the Use where appropriate. This will have to ensure carparking is still appropriate for some of the intended uses, such as child care centre (allowing for parent drop off close to the centre, but perhaps staff parking could be in the communal car park). Happy to discuss this further.
- Uses in Precinct B, as a centralised precinct, to provide for non-industrial Uses only where these support Uses in the VSA, e.g. a child care centre, food and drink outlet.

- Food and Drink Outlet in Precinct B (the centralised support Uses precinct) from Impact to Code is supported.

Variations not supported:

- There seems little merit in removing codes of the TRPS. Refining the applicability of codes naturally occurs in development assessment. It appears some provisions of the TRPS codes have been included, presuming that the development will occur by way of CTS. Also, it seems the Revised PAD does not include provisions about screening unsightly areas, shade trees within car parking areas, does not adequately provide for service vehicles, no service vehicles are required on lots less than 2500m², and typical driveway sections don't show pedestrian pathways or shade trees (equivalent to street trees). Council can't prohibit development and can't control a future applicant from proposing development which may be outside the current intended development. That is, things may change in the future, so the assessment provisions must account for any type of development on the site e.g. a standard subdivision etc. We would like to see the Variation Document add to the TRPS assessment benchmarks, and replace / remove POs and AOs only where necessary.
- Including developer preferences are not supported, particularly those matters which should be within a CTS document or other agreement. E.g. specific fencing preferences, colour preferences, architectural style of buildings.
- Indicative layout plans are not supported.
- Rounding down car parking rates is contrary to the TRPS standard and not supported. Not providing for service vehicles on lots less than 2500m² is not supported.

Clarification required:

I also have some questions about some of the proposed assessment provisions / variations, albeit some of these may fall away with a refined VSD:

- Changing the level of assessment for Caretakers Accommodation from Accepted development subject to requirements to Code Assessable appears redundant since an application could be made under the planning scheme.
- Why is Community Use and Function Facility listed as a consistent Use in Precinct B (AO19.1)? I can't find this in my review through the FKG *Economic Need Report* (January 2020) and the Lawrence Consulting *Toowoomba Technology Park: Location Analysis and Economic Impact Assessment* (March 2018). Could you direct me to where need for these are addressed. Community Use (in Precinct B) is not listed in AO1.1 as a consistent use, and not all the support Uses are listed in overall outcomes (5)(b) or (7)(c).
- What is a "reverse amenity report" in PO14?
Why have multiple precincts, when many seems to have the same intent and development provisions? The Precincts are mentioned in the code overall outcomes and POs and AOs, but there is no outline of the intent of the precincts. Precinct B appears to have a particular intent and function, however the intent and function of Precincts A, C and D is unclear (apart from accommodating larger buildings or land areas) however they appear similar. Why not combine Precincts A, C and D?
- The need for some definitions is not clear:
 - It is not clear what a Principal Driveway Frontage and Secondary Driveway Frontage is? "Driveway Plan" is referenced but not defined – is this just meant to refer to the master site plan.
 - Why define a "Lot"? Isn't this defined in Land Title Act 1994, and includes a CTS lot but exclude common property?
- Table 9 of the TTP Advertising Devices Code seems to indicate only 1 pole sign could be placed on the premises (if considered a single site if CTS).
- Having a definition of TTP Office is supported. However, MCU for Office could still be applied for. Retaining the existing TRPS codes should ensure this particular Use is not encouraged.

- Referencing of Appendix A Concept Masterplan and Appendix B Structure Plan earlier in the document.
- There are some previous comments about driveway cross-sections, swept paths shown on concept plan, etc, which are still outstanding.

As I mentioned, these are higher-level comments, so I haven't gone into detail about all the issues.

I suggest that we have a meeting when you have prepared a draft VSD based on the template. Let me know when would suit. In the meantime, don't hesitate to call about the above points.

Kind Regards

Sophie Spencer

Senior Planner

Development Services

Toowoomba Regional Council
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From: Sophie Spencer

Sent: Thursday, 7 April 2022 9:21 AM

To: James Juhasz <james@propertyprojectsaustralia.com.au>

Cc: Info Mailbox <Info@propertyprojectsaustralia.com.au>; Krys den Hertog <Krys.denHertog@tr.qld.gov.au>; Geoff Broadbent <Geoff.Broadbent@tr.qld.gov.au>

Subject: RE: Tech Park Variation Application - VSD template

Hi James

Thanks for the email. Yes, I will get this to you today.

Sophie Spencer

Senior Planner

Development Services

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From: James Juhasz <james@propertyprojectsaustralia.com.au>
Sent: Wednesday, 6 April 2022 8:52 PM
To: Sophie Spencer <Sophie.Spencer@tr.qld.gov.au>
Cc: Info Mailbox <Info@propertyprojectsaustralia.com.au>; Krys den Hertog <Krys.denHertog@tr.qld.gov.au>; Geoff Broadbent <Geoff.Broadbent@tr.qld.gov.au>
Subject: RE: Tech Park Variation Application - VSD template

Hi Sophie,

Just checking in to see whether we are able to have this list tomorrow?

Thanks

James Juhasz
Director

M 0427 554 717
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E james@propertyprojectsaustralia.com.au



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From: Sophie Spencer <Sophie.Spencer@tr.qld.gov.au>
Sent: Wednesday, 30 March 2022 2:54 PM
To: James Juhasz <james@propertyprojectsaustralia.com.au>
Cc: Info Mailbox <Info@propertyprojectsaustralia.com.au>; Krys den Hertog <Krys.denHertog@tr.qld.gov.au>; Geoff Broadbent <Geoff.Broadbent@tr.qld.gov.au>
Subject: RE: Tech Park Variation Application - VSD template

Hi James

Likely next week based on workload.

Sophie Spencer
Senior Planner
Development Services

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From: James Juhasz <james@propertyprojectsaustralia.com.au>
Sent: Wednesday, 30 March 2022 12:57 PM
To: Sophie Spencer <Sophie.Spencer@tr.qld.gov.au>
Cc: Info Mailbox <Info@propertyprojectsaustralia.com.au>; Krys den Hertog <Krys.denHertog@tr.qld.gov.au>; Geoff Broadbent <Geoff.Broadbent@tr.qld.gov.au>
Subject: RE: Tech Park Variation Application - VSD template

Hi Sophie,

Thanks for your time yesterday. We'll review the template provided but, from a first pass, see merit with the approach as I expressed on the call.

Looking ahead, I'm wanting to schedule time to discuss the below with FKG.

Do you think the summary of objections is something that will come through this week or next?

Thanks,
James.

James Juhasz
Director

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P 07 4632 0516

E james@propertyprojectsaustralia.com.au



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From: Sophie Spencer <Sophie.Spencer@tr.qld.gov.au>
Sent: Tuesday, 29 March 2022 1:56 PM
To: James Juhasz <james@propertyprojectsaustralia.com.au>
Cc: Krys den Hertog <Krys.denHertog@tr.qld.gov.au>; Geoff Broadbent <Geoff.Broadbent@tr.qld.gov.au>
Subject: Tech Park Variation Application - VSD template

Hi James

Thanks for meeting earlier.

Attached is the VSD template discussed, as well as the guidance material.

The framework for a variation is prepared in the VSD template. So where this template is used, Council Officers would not be reviewing the 'mechanics' of the variation, or the statutory / procedural effect of the variation. Rather Council and applicant can then just focus on the actual variations to the TRPS (level of assessment and assessment benchmarks).

I see there is merit for having a variation for this site, but there are some aspects of the recent PAD which we question and some we're not willing to accept. As you said, the existing PAD has been altered over quite a few years. So now is also a good opportunity to reconsider the kind of development the applicant wants to achieve on the site.

As requested, I will email you of the particular aspects of the existing PAD that Council Officers are not willing to accept.

Using the template would streamline this for both applicant and council. I'm confident this can result in a good outcome for Council and your client.

Kind Regards
Sophie Spencer
Senior Planner
Development Services

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