



Date: 7 July 2026
Our Reference: J002627
Your Reference: MCUI/2026/3870 and RAL/2026/3871



Attention: Sophie Spencer
Toowoomba Regional Council
PO Box 3021
Toowoomba QLD 4350

Dear Sophie,

Site Address:	39 and 53 Foundation Street, Wellcamp QLD 4350
Property Description:	Lot 14 on SP329688 and Lot 19 on SP329688
Method of Distribution:	Email [development@tr.qld.gov.au / sophie.spencer@tr.qld.gov.au]
Correspondence Subject:	Response to Information Request Pursuant to Section 13 (Chapter 1) of the Development Assessment Rules (Version 3.0)

We write on behalf of F K Gardner and Sons Pty Ltd (“the Applicant”) regarding the abovementioned development application.

On 01 June 2026, an information request was issued by Toowoomba Regional Council, as assessment manager. Pursuant to Section 13.2(b) of the Development Assessment Rules (Version 3.0), please refer below for the applicant’s response to this information request.

This information request response is to be considered in conjunction with the following attachments:

- Attachment 1 - Information Request issued by Toowoomba Regional Council
- Attachment 2 - Applicant Response Table prepared by Property Projects Australia
- Attachment 3 - Revised Proposal Plan prepared by FKG Group
- Attachment 4 - Engineering Response prepared by Kehoe Myers Consulting Engineers
- Attachment 5 - Revised Engineering Infrastructure Report prepared by Kehoe Myers Consulting Engineers
- Attachment 6 - Revised Stormwater Management Report prepared by Kehoe Myers Consulting Engineers
- Attachment 7 - Landscape Concept Plan prepared by Jackie Amos Landscape Architect
- Attachment 8 - Local Centre Need Assessment prepared by Colliers
- Attachment 9 - Category of Assessment Analysis prepared by Property Projects Australia

Under Section 13.3 of the Development Assessment Rules (Version 3.0), we request that the assessment manager proceed with assessment of this application.

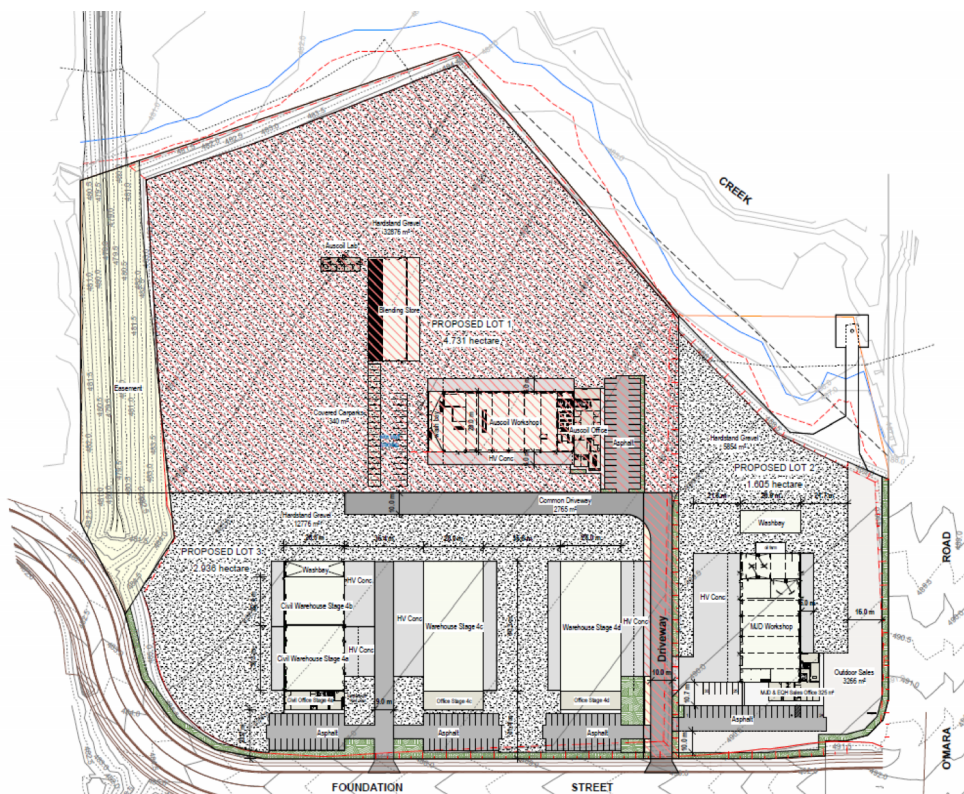
BRISBANE OFFICE LOWER GROUND/618-626 BRUNSWICK ST NEW FARM QLD 4005 AUSTRALIA P +61 7 3254 1566	TOOWOOMBA OFFICE 123 MARGARET ST TOOWOOMBA QLD 4350 AUSTRALIA P +61 7 4632 0516	MELBOURNE OFFICE LEVEL 1, 239 NICHOLSON STREET CARLTON VIC 3053 AUSTRALIA P +61 3 7037 0432
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RESPONSE OVERVIEW

In response to Council's Information Request, the Applicant provides notice to the assessment manager in accordance with Section 52 of the Planning Act 2016 ("the Act") to make a minor change to the development application.

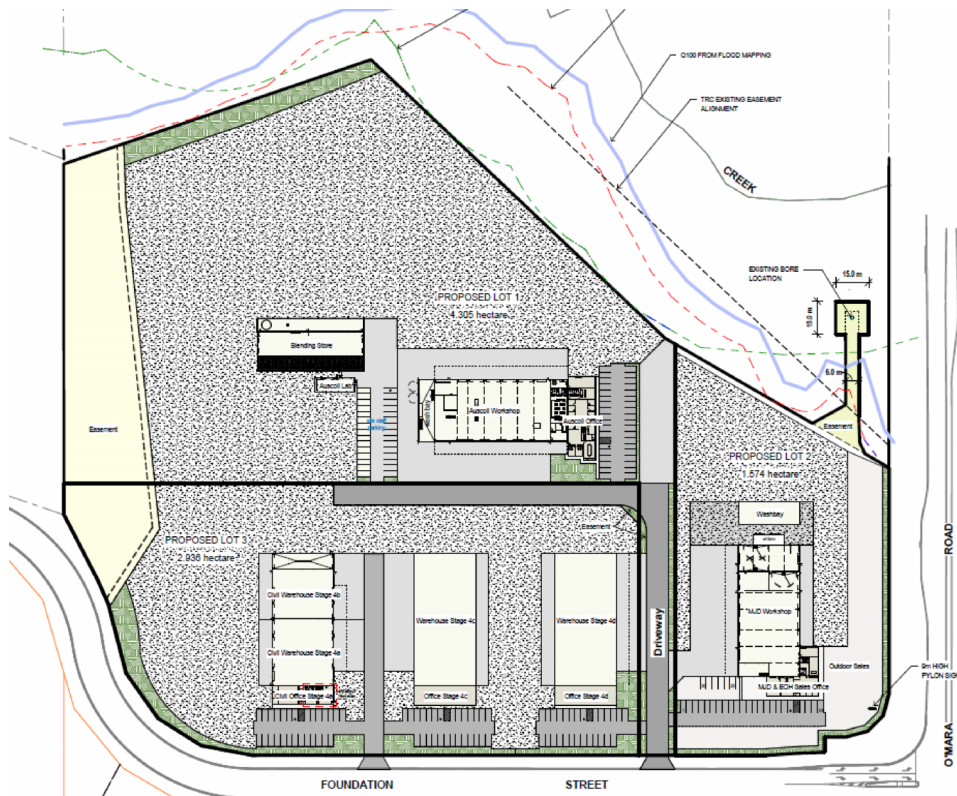
The changes are reflected in the Revised Proposal Plans prepared by FKG Group at **Attachment 3** and are further addressed in the Applicant Response Table at **Attachment 2**.

For clarity, the key change is illustrated within **Extract 2**, **Extract 4** and is primarily associated with the northern boundary of Proposed Lot 1 and Proposed Lot 2 which have been revised. Specifically, the area of Proposed Lot 1 has been reduced by 4,260m² from 47,310m² to 43,050m² and the area of Proposed Lot 2 has been reduced by 310m² from 16,050m² to 15,740m².

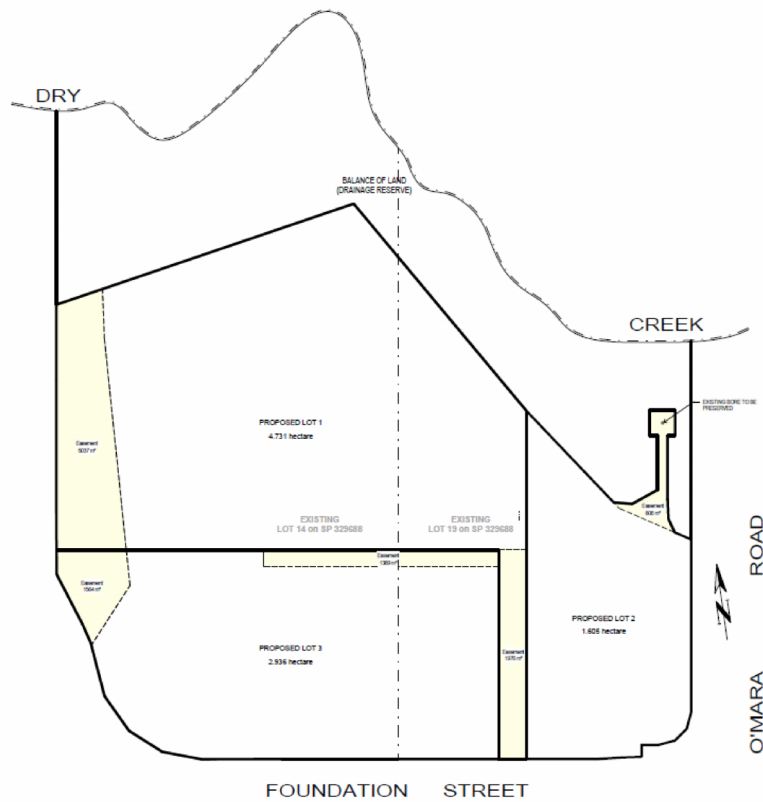


Extract 1 - Previous - Site Plan (2570-001 Issue B)

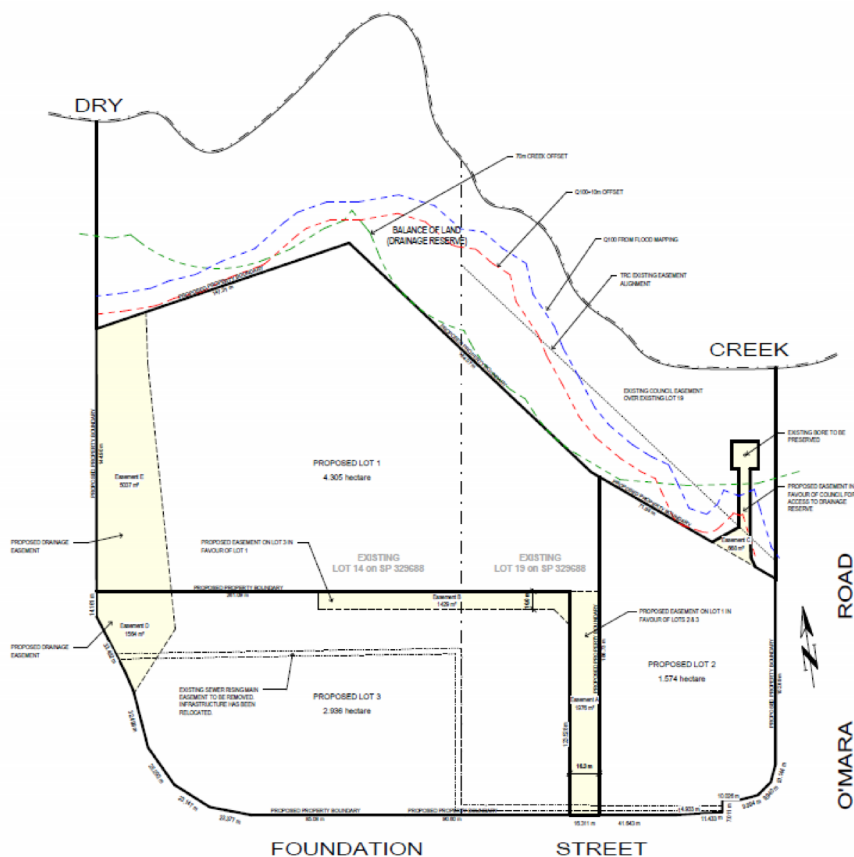
Source - FKG Group



Extract 2 - Revised - Site Plan (2570-001 Issue D)
Source - FKG Group



Extract 3 - Previous - RAL Configuration Plan (2570-002 Issue B)
Source - FKG Group



Extract 4 - Revised - RAL Configuration Plan (2570-002 Issue D)
Source - FKG Group

The refinement to the northern boundary of the site is required to ensure the resulting lots are appropriately setback from Dry Creek. Within **Extract 5** and **Extract 6**:

- The blue line represents the Q100 level;
- The red line represents the Q100 level plus 10.0m; and
- The green line represents the creek centreline plus 70.0m.

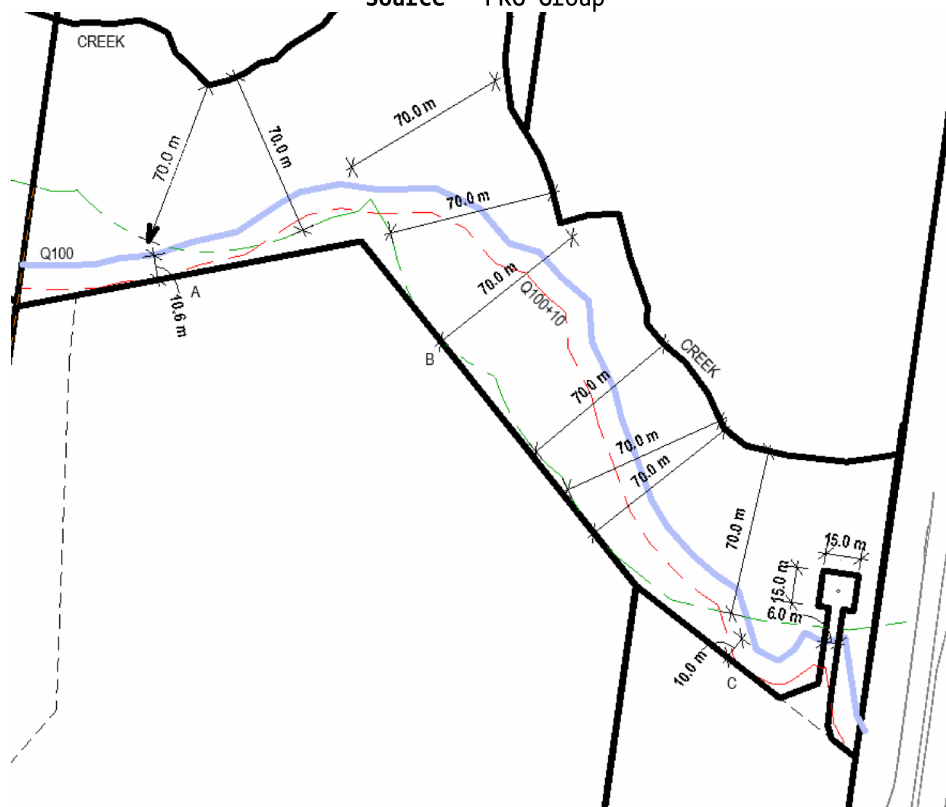
For the purposes of demonstrating to Council how the location of the northern boundary has been determined, the northern boundary of the site has been split into three (3) sections being Section A, Section B and Section C. The location of each section of the northern boundary has been determined as follows:

- Section A has been dictated by the Q100 level plus 10.0m;
- Section B has been dictated by the 70.0m offset from the creek centreline; and
- Section C has been dictated by the Q100 level plus 10.0m.



Extract 5 - Revised - Northern Boundary (Plan 1)

Source - FKG Group



Extract 6 - Revised - Northern Boundary (Plan 2)

Source - FKG Group

As illustrated above, the resulting lot boundaries all sit outside the greater of the Q100 level plus 10.0m line or the 70.0m offset from the creek centreline.

For completeness, this overview is not intended to replace the detailed item by item response to Council's Information Request. A full response to each matter raised by Council, including the relevant planning justification, technical responses and supporting documentation, is provided in the Applicant Response Table at **Attachment 2**.

The information within **Attachment 2** should be considered in conjunction with the Revised Proposal Plans at **Attachment 3** and the supporting documentation provided within **Attachment 4** to **Attachment 8**.

ASSESSMENT PROCESS

In accordance with Section 52(3) of the Act, a minor change does not affect the development assessment process.

Despite this, if the assessment manager is not satisfied the changes are minor, Section 26.1(c) (Chapter 1) of the Development Assessment Rules (Version 3.0) states that the development assessment process does not stop where changes are made in direct response to an information request. In this regard, we note that all amendments are made in response to the information request.

Based on the above, we request that the assessment manager now proceed to:

- give notice to the referral agency and advise the referral agency that the development assessment process will not stop following notice of the changed application under Section 25.1(b) of the Development Assessment Rules (Version 3.0); and
- finalise its assessment of the development application and resolve to approve the development application, subject to reasonable and relevant conditions.

SUMMARY

In accordance with Section 13.2(b) of the Development Assessment Rules (Version 3.0), this correspondence represents part of the information requested and we request the assessment manager continue their assessment of the development application.

Whilst we trust this information is sufficient to enable you to progress with the assessment of this development application, should you have any queries please do not hesitate to contact James Juhasz or the undersigned on (07) 4632 0516.

Yours faithfully,
Property Projects Australia Pty Ltd



MARCUS MCNEE
Senior Town Planner

Enc. As Above.