

Date: 26 May 2026
Our Reference: J002593
Your Reference: RAL/2026/2732

Attn: Jun Ong – Assessment Manager

RECEIVED
26/05/2026
**TOOWOOMBA
REGIONAL COUNCIL**

Toowoomba Regional Council
PO Box 3021
TOOWOOMBA QLD 4350

Dear Jun,

Site Address:	10609 New England Highway, Highfields QLD 4352
Property Description:	Lot 3 on RP161523
Method of Distribution:	Email [jun.ong@tr.qld.gov.au / development@tr.qld.gov.au]
Correspondence Subject:	Response to Information Request Pursuant to s.13 (Chapter 1) of the Development Assessment Rules (Version 3.0) and response to Further Advice Pursuant to s.35 (Chapter 1) of the Development Assessment Rules (Version 3.0).

We write on behalf of Highfields Sheds Pty Ltd (“the Applicant”) regarding the abovementioned development application.

On 29 April 2026, an Information Request was issued by Toowoomba Regional Council, as assessment manager. Pursuant to s.13.2(b) of the Development Assessment Rules (Version 3.0), please refer below for the Applicant’s response to the Information Request.

On 11 May 2026, a Further Advice letter was issued by Toowoomba Regional Council, as assessment manager. Pursuant to s.35 of the Development Assessment Rules (Version 3.0), please refer below for the Applicant’s response to the Further Advice.

This response addresses the Information Request, the Further Advice letter and is to be considered in conjunction with the following detailed attachments:

- **Attachment 1** – Information Request issued by Toowoomba Regional Council
- **Attachment 2** – Further Advice Letter issued by Toowoomba Regional Council
- **Attachment 3** – Revised Subdivision Plan prepared by Bones Studio
- **Attachment 4** – Water Connection Plan prepared by Concept Engineers

With this response provided, the Applicant will proceed to Part: 4 Public Notification of the Development Assessment Rules (Version 3.0).

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- As illustrated within **Extract 2**, a plan which shows the layout associated with the approved Food and Drink Outlet and the proposed easement is also provided within **Attachment 3** which clearly illustrates the siting of the easement in relation to the approved development.



Extract 2 - Approved Site Plan (with Easement)
Source - Bones Studio

- Whilst the proposed easement extends into previously approved landscaping areas, the proposed easement has been designed to maintain the functionality of the approved vehicle circulation and landscaping arrangement associated with MCUI/2025/4697. The width and extent of the common driveway and landscape areas have been determined under MCUI/2025/4697 and the granting of an access easement over this area does not permit or authorise the removal of the landscape works as the conditions of MCUI/2025/4697 still apply. Furthermore, any easement documentation will reflect the approved operational arrangement and require the retention of approved landscape areas.

As outlined above, Item 1 of the information request has been addressed.

2.0 Wastewater for Rear Lot

Issue:

Proposed Lot 2 is unsewered. Council requires the land application area and on-site sewerage facility of the existing use to be identified on Proposed Lot 2. An appropriate land application area (including compliant setbacks from site boundaries) is required to be demonstrated for the existing use on proposed Lot 2.

Information Required:

Provide amended plans indicating the location and dimensions of the on-site sewerage facility and associated land application area to demonstrate that adequate sewerage facilities can service the

existing use (Swim School) and are fully contained within Proposed Lot 2, with compliant setbacks from side boundaries.

Applicant Response

In response to Item 2 of the information request, the following is noted:

- This development application does not involve any change to the existing wastewater management arrangement on Proposed Lot 2 which will remain generally in the location highlighted in **Extract 3**.



Extract 3 - On-site Effluent Disposal Area Location
Source - Highfields Sheds Pty Ltd

- The on-site effluent disposal area utilised by the existing land use on Proposed Lot 2 is existing and fully contained within the boundaries of the lot (Proposed Lot 2) with compliant boundary setbacks to ensure an appropriate buffer to the adjoining site to the north.
- **Extract 4** clearly illustrates that the on-site effluent disposal area is fully contained within the boundaries of Proposed Lot 2.



Extract 4 - On-site Effluent Disposal Area Location and Proposed Lot Boundaries
Source - Highfields Sheds Pty Ltd / Property Projects Australia

The proposed subdivision does not increase wastewater demand or intensify the existing use on Proposed Lot 2, and the existing on-site effluent disposal area continues to operate within the lot boundaries of Proposed Lot 2.

As outlined above, Item 2 of the information request has been addressed.

3.0 Water Supply

Issue:

There is no water main located within the frontage of the property and the nearest Council's water main is situated on the opposite side of the New England Highway.

Information Required:

Provide engineering drawings to demonstrate both proposed lots will have a water supply connection to Council's water infrastructure. This may require the installation of an enveloped pipe across the New England Highway.

Applicant Response

In response to Item 3 of the information request, the following is noted:

- A Water Connection Plan has been prepared by Concept Engineers (**Attachment 4**) which illustrates that both lots can be serviced by the existing water infrastructure on the north western side of the New England Highway via the existing service conduit that runs under the road.

- Two (2) new water meters will be installed along the road frontage of the site to service the two (2) lots.
- The Applicant acknowledges that conditions may be imposed requiring connection to Council infrastructure in accordance with Council standards.

As outlined above, Item 3 of the information request has been addressed.

Further Advice – Reverse Amenity for a Dwelling House on Proposed Lot 2

Aspect of Development:

The proposal seeks to subdivide the parent lot into two (2) separate lots which comprise two (2) existing non-residential uses in the Low Density Residential Zone, Park Residential Precinct. Proposed lot 1 is approved for a Food and Drink Outlet with a Drive-through Facility (MCUI/2025/4697). A Dwelling House may be established on Proposed Lot 2 in future that would be a sensitive receptor subject to noise amenity impacts from adjoining non-residential uses, including Proposed Lot 1. The proposed subdivision has not provided a building envelope within proposed Lot 2 that complies with P033, P042 and P043 of the Reconfiguring a Lot Code.

Information Required:

Submit an Acoustic Impact Assessment, completed by a suitably qualified person, that assesses reverse amenity impacts on a potential sensitive receptor from Road Noise activities and any other surrounding non-residential uses. The report should include at minimum:

- Description of surrounding noisy activities that includes:
 - Operational activities;
 - Vehicle movements; and
 - Regulated noise devices integral to site operations;
- Location of proposed sensitive receptors relative to the noise sources;
- Monitoring of background noise from surrounding land uses;
- Assessment criteria for compliance including day, evening and night time limits for clearly defined normal operating hours;
- Modelling of reverse amenity impacts on the proposed new receptors; and
- Descriptions of specific mitigation measures and building treatments that may be required to ensure future residences are not deleteriously impacted by the existing lawful uses.

Applicant Response

In response to the Further Advice, the following is noted:

- The current application is limited to a one (1) lot into two (2) lot subdivision only. The application does not seek approval for any new use on Proposed Lot 2.
- Importantly, no change in land use is being sought to the existing land use operating on Proposed Lot 2, being the existing swim school. The subdivision primarily seeks to formalise the existing land use arrangement on the site with an access easement.
- The development application does not seek approval for a Dwelling House or any other sensitive land use. Accordingly, there is presently no defined building footprint, siting arrangement or architectural design requiring detailed acoustic assessment.

- Whilst it is highlighted that a Dwelling House is not proposed as part of this development application, where the rear lot (Proposed Lot 2) is a hatchet lot, any future Dwelling House must comply with the relevant acceptable outcomes under the Medium Density Residential Code or a code assessable development application would be required.
- Notwithstanding, Proposed Lot 2 features a site area of 5,498.34m² with substantial dimensions which, if required, could accommodate a residential land use that aligns with the intent of the relevant performance outcomes under the Reconfiguring a Lot Code, including performance outcomes P033, P042 and P043.
- In relation to performance outcome P033, the proposed subdivision maintains separation between the existing and approved non-residential activities and ensures sufficient area remains available within Proposed Lot 2 to accommodate future building siting and buffering measures, if required.
- With respect to performance outcome P042 and acceptable outcome A042.1, the proposed lot dimensions and configuration are considered sufficient to facilitate future dwelling design and siting outcomes capable of appropriately managing road traffic and surrounding activity noise.

Given the nature and scope of the current application, it is considered that the preparation of an Acoustic Impact Assessment for a hypothetical future sensitive receptor is unnecessary and more appropriately addressed at the time any future sensitive land use is proposed.

Importantly, the proposed subdivision does not introduce any additional sensitive land use into the locality, nor does it alter the lawful operation of existing surrounding uses.

The suitability of any future dwelling house, including siting, design and acoustic treatment measures (if required), can be appropriately assessed at the time such development is proposed.

As outlined above, the further advice has been addressed.

SUMMARY

In accordance with s.13.2(a) of the Development Assessment Rules (Version 3.0), this correspondence represents all of the information requested by the assessment manager and we hereby request that the assessment of this development application now continues.

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 Ollie O'Callaghan or the undersigned on (07) 3254 1566.

Yours faithfully,

Property Projects Australia Pty Ltd



Marcus McNee

Senior Town Planner

- Enc. **Attachment 1** - Information Request
 Attachment 2 - Further Advice
 Attachment 3 - Revised Subdivision Plan
 Attachment 4 - Water Connection Plan