

Our Reference: MCUI/2026/6340
CS Portal Reference: N/A
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INFORMATION REQUEST
Planning Act 2016 Section 68(1)
Development Assessment Rules Part 3

Basq One Pty Ltd
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BRISBANE QLD 4000

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6 August 2026

Dear Sir/Madam

Development Application for: Material Change of Use - Impact - Multiple Dwelling (4x2 Bedroom 13x3 Bedroom and 11x4 Bedroom Units)
Location: 51 Tourist Road, and 7-9 James Street, EAST TOOWOOMBA QLD 4350
Property Description: Lot 1 RP85455, Lot 3 RP85455, Lot 2 RP85455
Relevant Planning Scheme: Toowoomba Regional Planning Scheme 2012

Upon review of the abovementioned Development Application and supporting information, Council requires further information which demonstrates compliance with the Planning Scheme. Please provide the information requested below:-

1. BUILT FORM AND STREETSCAPE

	Issue:
1.1	Given the landmark nature of the development, with frontages to three roads, the prominent street interfaces should demonstrate a high standard of built form articulation and landscape design, while supporting active frontages, passive surveillance, and a positive pedestrian experience. The James Street interface is dominated by a 3.4 m high wall extending approximately 60m in length at street level, exceeding the maximum 32m (Medium Density Residential Code AO19.1). While the proposed bluestone finish is appropriate and the landscape treatment is of a high quality, the reduced setback of 1.5 m accentuates the wall's visual dominance and monotonous appearance. This does not adequately respond to Medium Density Residential Code PO19, and the frontage also lacks sufficient activation and opportunities for passive surveillance contrary to the Low-medium Density Residential Zone Code PO19. There is opportunity to soften the visual bulk and appearance of the long wall through improved articulation, introducing greater variation in materials and colours, and measures for greater street activation.

	The development proposes a pedestrian egress along the James Street frontage. There is an opportunity to introduce a more centrally located (potentially between Grids 11 and 12), well-defined and clearly legible pedestrian entrance to the car park to break up the length and monotony of the bluestone wall. Such an entrance would strengthen the connection between future residents and James Street, improve pedestrian accessibility, and enhance the development's presentation to the street. Consideration should also be given to locating visitor bicycle parking along the James Street frontage. This would encourage activity at the street edge, improve passive surveillance, and contribute to a more active and engaging public realm outcome. Information Required: Provide an amended design that: (a) improves the development's street-level interface with James St through the incorporation of a centrally located and clearly legible pedestrian entrance, supported by a dedicated pedestrian pathway through the parking level to the main circulation core; and (b) provides additional architectural and landscape articulation to minimise the perceived height and visual dominance of the retaining wall, thereby demonstrating compliance with the Low-medium Density Residential Zone Code PO19 and Medium Density Residential Code PO19 and PO20. The interface should also incorporate measures to support passive surveillance in accordance with CPTED principles.
1.2	Issue: <u>Street Activation / CPTED Casual Surveillance</u> There are concerns about the restriction of casual surveillance of streets and street activation: • Submitted elevations show a mostly rendered block wall planters/balustrade at ground level, on top of the 3.4m high bluestone block wall facing James Street and Tourist Road. The block wall planters on ground level are proposed for trailing plants, however they provide limited permeability contrary to CPTED principals and transparent fencing benchmarks (Medium Density Residential Code PO23/AO23.1). There is opportunity for improved casual surveillance of streets through reducing the extent of planters and provide permeable balustrades to the ground level balconies. • The proposed balustrade treatment of ground level is not shown (should show 'BA' for Aluminum balustrade / fence as per the finishes and materials legend). • The block wall on Burke Street frontage height is unknown. While screening the visitor parking is supported, a high block wall on the street frontage is contrary to CPTED principles and impedes casual surveillance / street activation. Further detail of this area is required. It is recommended a mix of block wall and permeable fencing as per the Medium Density Residential Code PO23AO23.1 is provided. Information Required: Provide amended architectural and landscaping plans showing: (a) The height and treatment type ('BA') of balustrades and planters on ground level; (b) A reduction in the extent of planters and more permeable balustrade on ground level; and (c) An inset plan of the Burke Street visitor parking interface, addressing the above.
1.3	Issue: <u>Private Open Space</u> Areas of private open space for each unit are not shown. Information Required: Provide amended architectural plans or schedule showing the area (m²) of private open space for each unit.
1.4	Issue: <u>Burke Street Pedestrian Access</u> The covered pedestrian entrance to Burke Street, well defined and distinct from vehicle access, and in this context is supported. However the awning height is not dimensioned and

	is measured to be approximately 5.3m high. This height is excessive and does not provide practical weather protection. Awnings of a maximum 4m height are generally acceptable.
	Information Required:
	Provide amended architectural plans showing a reduced awning height for the Burke Street pedestrian entry, addressing the above.
1.5	Issue: <u>Building Height & 3D Perspectives</u> The proposed seven storeys exceeds the building height of the Low-medium Density Zone Code AO8.1, and the application material has put forward a merit based proposal against PO8. While the submitted 3D perspectives show the building from the street, these do not allow a view of the development in context of the existing surrounding development. A view on Tourist Road (from Ipswich Street) would be of particular interest being a major tourist route to Picnic Point. Additional 3D views, or alternatively superimposed photos, are required of the development showing surrounding existing buildings.
	Information Required:
	Provide additional 3D perspectives, or a series of superimposed photos, of the development in the context of surrounding development. The view must be from human eye-level, and allow a review of the development with existing nearby buildings.
1.6	Issue: <u>Architectural Plans</u> Additional detail on submitted plans is required: - The architectural plans do not show the proposed removal of all street trees as recommended in the Aboricultural Impact Assessment, including Trees 6, 9, 14, and 15. Submitted plans must be aligned. Proposed removal of Trees 10 and 11 (where recommended in an amended Aboricultural Impact Assessment - see item 6.1) must also be shown. - Section 6 of the Noise Impact Assessment recommends a 1.2m high solid barrier around the pool and spa area. It is not clear on the submitted elevations and plans that this is provided. - The total height in metres of the proposed building is not shown. An amended elevation/s is required to show the height (m) of the proposed building including roof top plant/equipment above ground level. - Vehicle crossovers are not dimensioned. - The Planning Report and Traffic Impact Assessment describes that 12 bicycle parks are proposed. The architectural plans are required to clearly annotate or otherwise identify the location of bicycle racks/spaces. - Perspectives indicate alternate battens providing articulation on the James Street and Burke Street façades. Given a singular plan is provided for upper Levels 02-05 (Dwg No. DA-103), a notation of the batten variation is required on the plan and elevations.
	Information Required:
	Provide amended architectural plans addressing the above.

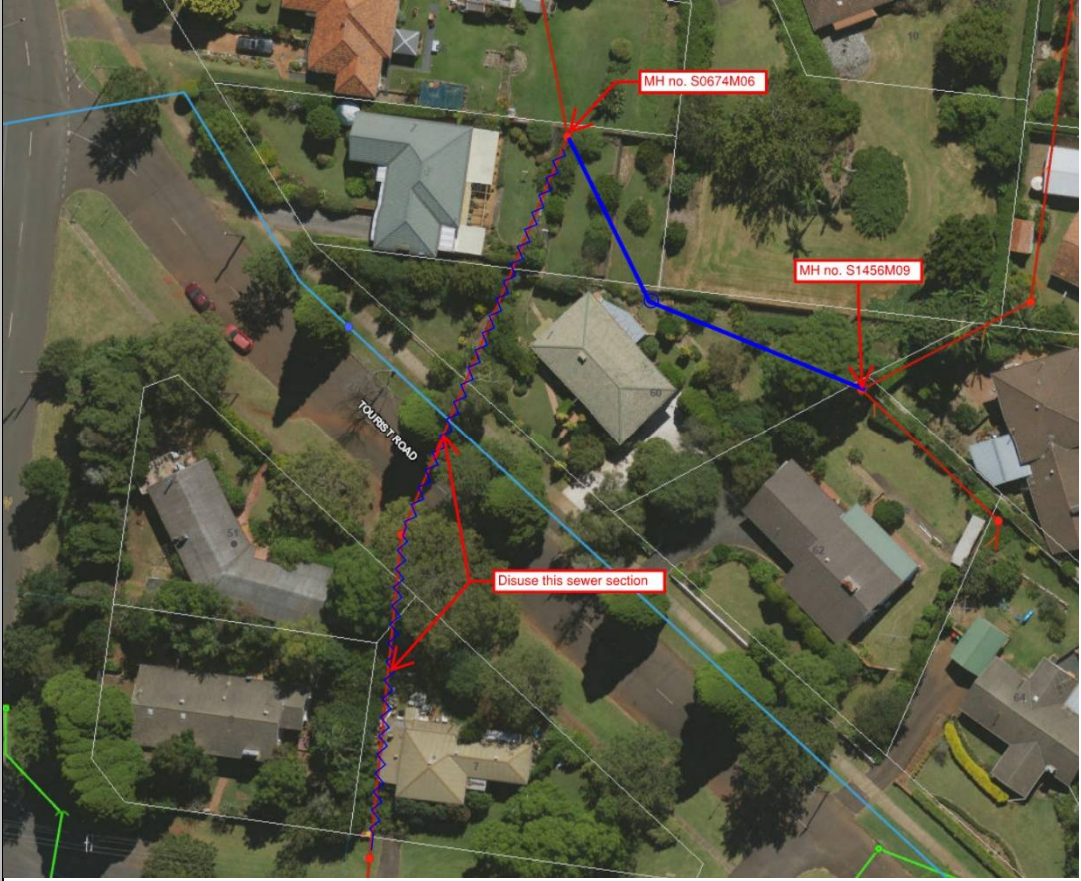
2. LANDSCAPING

	Issue: Development is required to reflect and contribute to Toowoomba's Garden City character and promote a garden streetscape character (Medium Density Residential Code Overall Outcome (2)(c)(ii) and PO5). This is further emphasised given the site's location on a major tourist route and visibility from McCafferty Park.
2.1	Given the proposed seven storeys, consideration should be given to additional landscaping to soften the built form and provide variation, specifically on the James Street and Burke Street facades. Opportunities for extended greenery, green walls and containerised planting should also be maximised. Containerised planting is supported and would be beneficial to continue beyond Level 1. In addition, accentuating and/or extruding balconies would present additional opportunity for casual surveillance and activation of the building façade reducing impacts from the proposed bulk and scale.

	Relocation of the pedestrian door on James Street will be required to be reflected in landscape plans, showing the break in frontage landscaping.
	Information Required:
	Provide amended landscape plans addressing the above.
	<i>Advice Note: The submitted Planting Strategy references Brisbane and subtropical climate conditions. This is not relevant to Toowoomba. The proposed planting strategy and palette may require revisions that are site specific and carefully considered to ensure appropriate species to Toowoomba's climate and soil typologies. This detail could be address in a detailed landscape plan endorsement process should the development be approved.</i>

3. BUILDING OVER OR NEAR COUNCIL INFRASTRUCTURE

	Issue:
	The development proposes a structure over Council's sewer main, which is not in accordance with Council's <i>Wastewater Infrastructure Policy 2.04</i> and the <i>Queensland Development Code MP1.4 – Building Over or Near Relevant Infrastructure</i> . Council does not provide discretion from the requirements of QDC MP1.4 for multi-storey buildings of this BCA class to be constructed over sewer infrastructure.
	Information Required:
	The redesign of the development is required to achieve the required clearances under <i>Queensland Development Code MP1.4 – Building Over or Near Relevant Infrastructure</i> .
3.1	If this cannot be achieved, the sewer must be relocated or diverted in accordance with Council's <i>Wastewater Infrastructure Policy 2.04</i> to achieve compliance with <i>QDC MP1.4</i>. The existing street trees particularly within Tourist Road are of high retention value and must not be impacted by a sewer relocation. <i>Advice Note: It is recommended that the Applicant investigate other options to divert sewer to avoid any build-over, one of which is shown below. The sanitary drains from dwellings on 58 and 60 tourist road would be required to connect to the new sewer. Written landowner consent would be required from the owners of the affected properties, and design drawings must include a sanitary drain realignment design for each lot that would be connected to the new sewer.</i>

	
3.2	Issue: A dimensioned concept design has not been submitted in accordance with the requirements of <i>Queensland Development Code MP1.4 – Building Over or Near Relevant Infrastructure</i>. Information Required: Please provide a concept design showing the sewer infrastructure arrangement for the selected option to achieve QDC MP1.4 compliance: - Existing sewer infrastructure, including dimensioned clearances to the proposed structure(s) and associated structural zone of influence (ZOI) clearances; or - A concept design showing the relocated/rerouted sewer, including dimensioned clearances to the proposed structure(s), structural ZOI clearances, and compliant sewer grades, cover and depths; or - A concept design showing diversion of the reticulation sewer higher in the catchment to capture all upstream connections, enabling the sewer traversing the subject site to be disconnected and made redundant.

4. PEDESTRIAN CONNECTIONS

4.1	Issue: Plans show the proposed and existing pedestrian pathways leading to the bin collection point / existing turn around. Pedestrian movement on streets must not be impeded by bins / bin collection and development must ensure safe movement of pedestrians. Information Required: Provide amended plans showing pedestrian pathways around the turnaround / bin collection point, and connecting with the existing pathway north-west and south-east of the turnaround.
4.2	Issue: The submitted Traffic Impact Assessment (TIA) proposes a pedestrian crossing of Burke Street near the roundabout with James Street including new kerb ramps and a median cut-through treatment for the northern splitter island. The TIA includes an assessment of

	pedestrian sight distances and a statement that the proposed pedestrian crossing is a safe and compliant pedestrian crossing arrangement. There are concerns about pedestrian safety at the proposed crossing. It is considered the submitted documentation does not sufficiently demonstrate that safe pedestrian crossings will be provided between the proposed development, the shopping centre and McCafferty Park across Burke Street. As the development is expected to significantly increase pedestrian movements to these destinations, it is requested a wombat crossing would be the most appropriate treatment.
	Information Required:
	Provided amended plans to include a wombat crossing.

5. WASTE

	Issue:
5.1	The applicant submitted a Waste Management Plan (WMP). The following issues from the WMP are as follows: - The general waste room in the basement is triangular and it is unclear from site plans and s4.2 of the WMP if there is room for the bin to sit underneath the outlet of the chute. - It is not clear how bins are to be moved to the proposed collection area. Bins are heavy and safe transport is required, and would need to be hauled up a long carpark ramp when loaded. It is recommended a tug is proposed to assist with bin hauling. - Can larger bulk bins be included so the collection frequency is lower? A 2m³ bin is not significantly longer or wide and may still fit in the proposed bin room. - The bulk bins will need to be carted along a public footpath and then onto a public road. Provide the width of the footpath and kerb ramp to ensure this will allow bin and tug movement.
	Information Required:
	Submit a revised Waste Management Plan which addresses the issues noted above.

6. DEVELOPMENT IMPACTS ON STREET TREES

	Issue:
6.1	The Arboricultural Impact Assessment (AIA) does not provide adequate detail, consistent with AS4970-2025 <i>Protection of Trees on Development Sites</i> to demonstrate that trees identified for retention is possible during construction works. (a) As such, a Tree Protection Specification (TPS) and Tree Protection Plan (TPP) are required to be prepared in accordance with the requirements outlined for these documents in AS4970-2025. Include the TPS and TPP within an Amended AIA; (b) Pruning to property boundary for trees on Tourist Drive will not be supported by Council without further detail. A Pruning Plan is required, consistent with AS4373 <i>Pruning of Amenity Trees</i> that provides detail as to the extent of pruning and the tree health outcomes as a result of the pruning. Include the Pruning Plan within an Amended AIA; and (c) An Amended AIA is required to incorporate the above, and ensure it describes all impacts on street trees, including and not limited to the 800-1000mm excavation for bioretention basin within the Notational Root Zone (NRZ) of Tree 20 and undercroft parking and excavation impacting the NRZ of Trees 18 and 16, and the construction methodologies recommended for works within the NRZ. No works within the Structural Root Zone of retained trees is to occur. An Amended AIA should also ensure it is aligned with updated development plans and review whether the removal of Trees 10 and 11 is required. The AIA identifies Trees 10 and 11 as having a low retention value. These trees are located adjoining the property boundary and would be impacted by the proposed Burke Street driveway.

	Information Required: Provide the reporting as required above.
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Note on Alternative Solutions

Where an alternative solution to the Acceptable Outcome is proposed, justification demonstrating how the correlating Performance Outcome has been met must be provided. Requesting an alternative solution without demonstrating how the Performance Outcome has been satisfied, does not oblige Council to favourably consider the alternative solution.

Options Available in Response to this Information Request

In accordance with section 13.2 of the *Development Assessment Rules*, you may respond to this request for information by providing Council with:

- 1) all of the information requested; or
- 2) part of the information requested; or
- 3) a notice stating that none of the information will be provided.

In your response, advise Council which option you are supplying. If you choose 2) or 3), you may also advise Council to proceed with its assessment of the application.

Provide one electronic copy of the response to Council, including any plans or supporting information.

In accordance with section 13.1 of the *Development Assessment Rules*, you must respond to this information request within **three months** of the date the information request was made, or a further period agreed between the applicant and Council. If there is no response to the information request within the period described, Council will proceed with the assessment of the application based on the information currently available.

Yours faithfully



Matthew Coleman
Principal Planner, Planning Branch

CC Amanda Flynn Foundation Pty Ltd
 As Trustee
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 NEWSTEAD QLD 4006