

ATTACHMENT 2

Applicant Response Table

Prepared by:

Property Projects Australia

Ref.	Council Request	Applicant Response	Reference Document
1. Conflict with Existing Preliminary Approval			
Item 1.1	Issue: There is a Preliminary Approval MCUI/2021/7376 for Variation Approval on the south-east corner of the subject premises. This Variation Approval effectively swapped the location of the Local Centre Zone from south of Foundation Street to a new designation north of Foundation Street. See figures below. Stage 3 is for Medium Impact Industry and Outdoor Sales and would be located on the relocated Local Centre designation. These uses are listed as inconsistent uses with a Local Centre under A01.2 of the Local Centre Zone Code. Furthermore, the uses are not consistent with the purpose of the Commercial Centre Precinct of the Charlton Wellcamp Enterprise Area Local Plan Code. While a description of Stage 3 operation has not been provided, it appears the development relates to large scale machinery repairs or machining and may involve the outdoor display of large machinery or vehicles. These land uses are not consistent with the purpose of the Local Centre Zone nor the Local Plan's Commercial Centre Precinct. As such, there is a fundamental conflict between the proposed development and the current Preliminary Approval, more specifically: ■ There is no material demonstrating no economic, planning and community need for a Local Centre, having regard to need for a local centre in the future as the industrial precinct develops; and	Applicant Response In response to Item 1.1 of the Information Request, the following is noted: ■ The Applicant acknowledges the current Preliminary Approval establishes an alternative planning framework over part of the subject site. The current development application does not seek to amend or rely upon that approval. Rather, should the current application be approved, the Applicant intends to separately pursue cancellation or amendment of the Preliminary Approval to remove the redundant Local Centre designation. ■ Notwithstanding the above, it is submitted that there is no longer a strategic planning or economic justification for retaining the Local Centre designation over the subject land. Since the Preliminary Approval was granted, further analysis has been undertaken regarding the commercial needs of the Charlton Wellcamp Enterprise Area. The independent Local Centre Need Assessment prepared by Colliers demonstrates that the anticipated demand for a second local centre has not materialised and is unlikely to arise within the foreseeable planning horizon. In addition, the planning assessment contained within the Town Planning Report and within the balance of this information request response confirms that the proposed industrial development represents a more appropriate and orderly use of the land, having regard to the site's zoning, surrounding industrial context and strategic role within the Charlton Wellcamp Enterprise Area. ■ Accordingly, the following response addresses Council's request from both an economic and planning perspective, demonstrating why the proposed development represents the	■ Local Centre Need Assessment (Attachment 8).

- The current application is seeking to override the Preliminary Approval without an appropriate planning mechanism e.g. Variation Request.

Two approvals that facilitate two fundamentally different developments, cannot coincide.

Consequently, this conflict must be resolved prior to deciding the current development application. It is recommended the existing preliminary approval is cancelled, meaning that the local centre returns as per the current zoning under the Planning Scheme. This will mean proposed Stage 3 will be on Medium Impact Industry Zoned land, and the conflict with the underlying zoning/designation will be removed.

Advice Note: Even if both approvals existed, it is unlikely the proposed development would be acting on / completing the Preliminary Approval MCUI/2021/7376 given the substantial differences. As such, the Preliminary Approval would lapse at the end of the 5 year currency period, and the zoning be returned into effect. If this Preliminary Approval is not being pursued, it brings to question any reason to hold onto the approval.

Information Required:

Conflict between the proposed development and the Preliminary Approval MCUI/2021/7376 as described above must be resolved, ensuring the proposed development would not compromise a local centre from being delivered to service the needs of workers in the surrounding area. It is recommended the existing preliminary approval is cancelled.

most appropriate long term planning outcome for the subject site.

Economic Response

Firstly, for context, the portion of land located within the Local Centre Zone (**Extract 1**) on the north and south of Warrego Highway will be referred to as the 'Charlton North Commercial Centre'. The portion of the subject site is affected by the Preliminary Approval will be referred to as the 'Charlton South Local Centre'.



Extract 1 – Charlton North Commercial Centre

Source – Toowoomba Regional Council

- A Local Centre Need Assessment has been prepared by Colliers to independently assess the need for the Charlton South Local Centre established under the Preliminary Approval MCUI/2021/7376. The assessment concludes that there is no economic need for the Charlton South Local Centre over the foreseeable planning horizon.

		■ The assessment demonstrates that the local market is characterised by a very limited resident population and a worker catchment that is insufficient to support two (2) commercial centres within the Charlton Wellcamp Enterprise Area. Key findings include: ○ The residential catchment comprises approximately 793 residents, with no significant residential growth forecast to 2046 due to the absence of major residential development opportunities within the catchment. Retail expenditure generated by this population is correspondingly limited. ○ Although the surrounding industrial precinct accommodates approximately 2,350 workers, worker expenditure is predominantly convenience-based and is insufficient to support a second local centre in addition to existing and approved commercial facilities. ○ The Charlton North Commercial Centre already contains existing convenience retail and food and drink uses, together with an approved mixed-use development incorporating a supermarket, specialty retail, food and drink outlets, motel, tavern and associated commercial activities. This approved development is capable of servicing both the resident and worker populations within the Charlton Wellcamp Enterprise Area. ○ The Charlton North Commercial Centre is considered the preferred commercial location due to its direct exposure to the Warrego Highway, significant passing traffic volumes and superior accessibility. Conversely, the subject site is internalised within the industrial estate and lacks the visibility and commercial attributes typically required to support local centre activities. ○ While there may be limited demand for small scale convenience retail or food and drink outlets within the	
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		broader catchment, the available demand is only sufficient to support one (1) commercial centre. The economic assessment concludes that this demand is more appropriately accommodated within the Charlton North Commercial Centre, leaving no demonstrable economic justification for the Charlton South Local Centre. ■ Accordingly, the economic assessment concludes that the Local Centre designation over the subject land is not required to meet the present or future retail and commercial needs of the Charlton Wellcamp Enterprise Area. Rather, the continuation of the Local Centre allocation would result in an unnecessary oversupply of commercially zoned land that is unlikely to be developed during the planning horizon. <u>Planning Response</u> ■ From a planning perspective, the proposed development represents a logical and orderly extension of the established industrial precinct and aligns with the strategic planning intent for the broader Charlton Wellcamp Enterprise Area. The Town Planning Report demonstrates that the proposal is appropriate having regard to the applicable planning framework notwithstanding the existing Preliminary Approval. ■ The subject site is predominantly located within the General Industry Precinct of the Medium Impact Industry Zone and forms part of an established industrial area characterised by medium impact industry, warehousing, logistics and associated employment uses. The proposal comprises Medium Impact Industry, Outdoor Sales and Warehouse uses, all of which are consistent with the strategic role and intended function of the surrounding industrial precinct. ■ The Town Planning Report identifies that:	
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		○ the proposed land uses are expressly contemplated within the Medium Impact Industry Zone and reinforce the intended industrial function of the locality; ○ the development maintains the land for employment-generating industrial activities without introducing incompatible sensitive land uses; ○ the site is appropriately serviced by existing road, water, sewer, stormwater and utility infrastructure; and ○ the proposal leverages the site's strategic location adjacent to the Warrego Highway and Toowoomba Bypass, consistent with the objectives of the Charlton Wellcamp Enterprise Area Local Plan. ■ In relation to the portion of the site affected by Preliminary Approval MCUI/2021/7376, it is acknowledged that Stage 3 includes an Outdoor Sales component within the Commercial Centre Precinct. While the proposal is not a conventional local centre development, the Town Planning Report concludes that the Outdoor Sales use exhibits a commercial and display-based character that provides an appropriate transition between the industrial development and the intended function of the Commercial Centre Precinct. Importantly, the proposal does not undermine the viability or function of higher order centres or prejudice the delivery of commercial services elsewhere within the locality. ■ Since the Preliminary Approval was granted in 2022, there has been no material evidence demonstrating that commercial development within the Charlton South Local Centre has become economically viable. Instead, the independent economic assessment confirms that commercial demand is more appropriately directed toward the Charlton North Commercial Centre. In these circumstances, the continuation of the Local Centre designation over the subject land would not result in a more efficient or	
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		orderly planning outcome than the proposed industrial development. Having regard to both the planning assessment and the independent economic evidence, the proposed development does not compromise the orderly planning of the Charlton Wellcamp Enterprise Area. Rather, it facilitates development that is consistent with the established industrial character of the locality, efficiently utilises serviced industrial land, and reflects current market conditions and demonstrated demand. Accordingly, the applicant considers there is no longer a strategic planning or economic justification for retaining the Local Centre allocation established under Preliminary Approval MCUI/2021/7376. The evidence supports the removal of the Preliminary Approval and the continuation of the subject land for industrial purposes, thereby resolving the conflict identified by Council while maintaining the planned commercial role of the Charlton North Commercial Centre as the primary convenience centre serving the surrounding employment precinct. Further to the above, a Category of Assessment Analysis has been prepared by Property Projects Australia within Attachment 9. The analysis seeks to establish the key differences between the category of assessment associated with development within the Medium Impact Industry Zone (General Industry Precinct) and development within the Local Centre Zone (Commercial / Centre Precinct) within the Charlton Wellcamp Enterprise Area Local Plan area. Based on the analysis, the category of assessment for the following land uses would decrease from impact under the Medium Impact Industry Zone (General Industry Precinct) to code under	
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		the Local Centre Zone (Commercial / Centre Precinct) (i.e. under the Preliminary Approval): ■ Car Wash ■ Child Care Centre ■ Food and Drink Outlet ■ Indoor Sport and Recreation ■ Office (If the gross floor area does not exceed 250m²) ■ Shop (If not a Department Store or Discount Department Store and if the gross floor area does not exceed 250m²) Given the limited residential population and predicted residential growth in the catchment, there is no need for a Child Care Centre or Indoor Sport and Recreation in this location. Further, any Indoor Sport and Recreation would be more appropriately located along the Warrego Highway within the Charlton North Commercial Centre the nature of the land use relies on exposure and accessibility. Further, given the location of the site within an industrial precinct, there is no need for a standalone Office (gross floor area less than 250m²) or Shop (gross floor area less than 250m²). If there was a need for a Shop, it would be better suited to be located within the Charlton North Commercial Centre given there is a surplus of land within that precinct. Again, given the nature of the location, it is likely that any office development would occur as an ancillary development to an industrial facility. Any Food and Drink Outlet would be more appropriately located within the Charlton North Commercial Centre given the greater exposure and accessibility to people passing along Warrego Highway. Based on the information provided above, Item 1.1 of the information request has been addressed.	
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2. Plan Details & Underlying Subdivision Approval

Item	Issue:	Applicant Response	
2.1	Amended and additional plans are required: <u>Material Change of Use & Reconfiguring a Lot Plans:</u> ■ Zoning & Local Centre Area: The site is subject to the Medium Impact Industry Zone and Open Space Zone, and a Local Centre Area authorised under Preliminary Approval MCUI/2021/7376. No MCU or RAL plan overlays the proposed development against the underlying zoning and Local Centre Area. ■ Proposed Drainage Reserve: The development application seeks to resolve the extent of the drainage reserve, however does clearly label or otherwise identify key information e.g. Q100 flood line, 10m buffer, 70m buffer from creek centreline, and the existing drainage easement. Refer to Item 3.1 below for Council's requirement about the drainage corridor. ■ Easements: The plans do not show all existing easements which affect the premises, including the sewer rising main easement and drainage easement, and doesn't distinguish between existing and proposed easements. <i>Advice note: Where the sewer rising main re-routing confirmed, extinguishing the easement will be required prior to building over the previous alignment.</i> ■ Proposed Access Easements: The proposed access easements do not appear to include the turn manoeuvre at the corner of proposed Lots 1 and 3. Ensure the proposed access easements cover the entirety of shared driveway space, by providing swept path diagrams of service vehicles for each proposed Lot.	In response to Item 2.1 of the Information Request, the following is noted: <u>MCU and RAL Plans:</u> ■ Zoning & Local Centre Area: Figure 2 within the Town Planning Report illustrates the site layout (MCU and RAL) within the planning scheme context. Specifically, Figure 2 illustrates the Medium Impact Industry Zone, the Open Space Zone, and the Local Centre Area (Preliminary Approval MCUI/2021/7376). ■ Proposed Drainage Reserve: The Site Plan (2570.001 Issue D) within Attachment 3 has been revised to include the Q100 flood line, 10m buffer, 70m buffer from creek centreline, and the existing drainage easement. ■ Easements: The RAL Configuration Plan (2570.002 Issue D) within Attachment 3 has been revised to include Easement A on SP285240 and Easement B on SP285241. ■ Proposed Access Easements: The RAL Configuration Plan (2570.002 Issue D) within Attachment 3 has been revised to include an easement which covers the area associated with the vehicle manoeuvring at the corner of Proposed Lot 1 and Proposed Lot 3. Additionally, the Vehicle Manoeuvring Layout Plan (VM07 Issue P2) within the Revised Engineering Infrastructure Report (Attachment 5) demonstrates that the proposed easement is of a sufficient size and configuration to facilitate B-Double movements. <u>MCU Plans:</u> ■ Staging Plans: The Revised Proposal Plans within Attachment 3 include a separate plan for each stage of the development (Stage 2A, Stage 2B, Stage 3, Stage 4A / Stage 4B, Stage 4C and Stage 4D).	■ Revised Proposal Plans (Attachment 3). ■ Revised Engineering Infrastructure Report (Attachment 5). ■ Landscape Concept Plan (Attachment 7).

Material Change of Use Plans: ■ Staging Plans: The MCU development is proposed in stages. Plans of each stage must be provided which shows the extent of development and infrastructure to be delivered at each stage, including shared driveways and manoeuvring spaces, storage areas, and the like. Amend plans to label stages 4a to 4d. ■ Waste: The Combined Site Plan does not show any waste storage areas and collection. P023/A023.1 Works and Services Code requires waste storage on an imperviously sealed pad. ■ Landscaping: No conceptual landscape plan has been provided, and landscaping is not dimensioned on the Combined Site Plan. Having regard to the scale of the development, a Conceptual Landscape Plan must be provided which incorporate the landscaping requirements of the Planning Scheme including: a minimum 3m width landscape strip along all road frontages, 1 shade tree per 3 car spaces, 2m high and wide screen landscaping of outdoor storage/hardstand areas so as not dominate streetscapes, and minimum 5% landscaped site area. Refer to the Local Plan Code P025/A025.1 - P026/A026.1-26.5 and Medium Impact Industry Zone Code P015/A015.3. Consider screen landscaping behind 'outdoor display / outdoor sales' area, to visually screen large hardstand areas. ■ Plan legibility: It is unclear what the yellow shaded area and red cross-hatching on the Combined Site Plan represents. ■ Earthworks and Retaining: The Combined Site Plan (Dwg No. 2570.001 Issue B) shows earthwork batters within the shared internal driveway and carparking,	■ Waste: The staging plans identify dedicated waste storage areas located on imperviously sealed pads consistent with the Works and Services Code. ■ Landscaping: A Landscape Concept Plan has been prepared by Jackie Amos Landscape Architect (Attachment 7). The plan shows a high number of shade trees within proximity to car parking areas, a 3.0m wide landscaping buffer along the Foundation Street and O'Mara Road frontages to ensure the ultimate development appropriately interacts with the streetscape. The Revised Proposal Plans within Attachment 3 illustrate that the ultimate development features 4,687m² of landscaping across the site which equates to 5.32% of the site area. Accordingly, the proposal exceeds the minimum 5% landscaped site area required by acceptable outcome A015.3. ■ Plan legibility: The yellow shading has been removed from the plans. ■ Earthworks and Retaining: The line work on the plans that indicate batters within the shared internal driveway and carparking, and the Foundation Street / O'Mara Road intersection have been removed. ■ Surfacing of vehicle areas: In response to the information request, all frequently trafficked parking areas, circulation aisles and manoeuvring areas will be sealed in accordance with the Environmental Standards Code and the Transport Access and Parking Code. Gravel surfacing is limited to long-term external laydown/storage areas only. ■ External use areas: The intended use of the hardstand gravel area has been clarified within the Revised Proposal Plans within Attachment 3. Specifically, the area is intended to be used for 'External Laydown and Storage'. The 1.5% of the site area of landscaping proposed in Proposed Lot 1 does not include the existing vegetation within the drainage easement along the western boundary. Despite the above, a	
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	and the Foundation Street/O'Mara Road intersection. No conceptual earthworks and retaining plans and sections have been provided. ■ Surfacing of vehicle areas: The majority of the external use areas are proposed as gravel. Areas frequently used by vehicles must be sealed under P020/A020.1 Environmental Standards Code and P019/A019.1 Transport Access and Parking Code. Furthermore, Vehicle Manoeuvring Layout Sheet 7 shows an incomplete vehicle swept path. Show the complete swept path of vehicles entering and leaving in forward gear, including turnarounds on-site, and leaving and exiting workshop bays, wash bays, and loading zones etc. Show frequently used areas with a sealed surface, and show the surface of the 'outdoor sales' area. It is unclear why carparking is covered and yet gravel surfaced. All car parks and manoeuvring areas must be sealed. <i>Advice note: Gravel surfacing is acceptable on longer-term laydown areas/external storage.</i> ■ External use areas: The intended use of the 'hardstand gravel' is not identified. Provide amended plans showing the activity/use of external areas e.g. external storage/laydown, vehicle manoeuvring, parking, loading, landscaping, and stormwater infrastructure. Further, the development does not achieve the minimum 5% landscaped site cover, for example, proposed Stage 2 on proposed Lot 1 has a 1.5% landscaped site cover. As such, minimise gravel hardstand to allow stormwater infiltration and meet the minimum 5% landscaped site cover. ■ GFA and Plans: The GFA schedule identifies a 'Covered Outdoor Area' in Stages 3 and 4, however	landscaping zone has been established along the northern boundary of Proposed Lot 1. ■ GFA and Plans: The covered outdoor area associated with Stage 3 is shown on the MJD – Workshop and Office Ground Floor Plan (2570-B101 Issue C) and labelled 'Outdoor Breakout'. The covered outdoor area associated with Stage 4 is shown on the Warehouse, Office and Residence Plan (2570-C101 Issue C) and labelled 'Outdoor Breakout'. ■ Caretakers Accommodation: The location of the caretaker's accommodation is highlighted on the Site Plan (2570-001 Issue D). <u>RAL Plan:</u> ■ Bore and access strip: The Site Plan (2570-001 Issue D) includes further information on the access strip to the bore. ■ Plan Details: The RAL Configuration Plan (2570.002 Issue D) within Attachment 3 has been revised to include the relevant dimensions and areas of the proposed lots, proposed easements, and drainage reserve.	
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	are not shown on floor plans. GFA calculations particularly for Office spaces do not appear to align with the GFA schedule. Provide floor plans showing dimensioned covered outdoor areas, and a plan confirming GFA and impervious calculations and shading areas used in the calculation. ■ Caretakers Accommodation: The caretakers accommodation unit appears to be on the upper level/mezzanine over the Stage 4a Office, however this is not legible on the site plans. Provide amended plans clearly outlining the location of the caretakers accommodation (on upper level) on the site plan. <u>Reconfiguring a Lot Plan:</u> ■ Bore and access strip: Dimensions of the access strip to the bore is not shown. Show dimensions as required under Item 3.1 below. ■ Plan Details: Dimensions and areas of the proposed Lots, proposed easements, and Drainage Reserve is required. Information Required: Provide amended plans addressing the above.		
Item 2.2	Advice Only Relationship with Underlying Subdivision The proposed reconfiguration of 2 into 3 lots and access easements conflicts with Stage 3 of the underlying RAL Approval (change application RAL/2022/2513/D currently under assessment). It is expected that both the subject application and the change application RAL/2022/2513/D may be decided concurrently, and ultimately only one of the approvals could be carried out.	Applicant Response The applicant acknowledges this advice note and has no issue with the applications being decided concurrently.	Not Applicable
3. Stormwater Drainage Reserve			

Item	Issue:	Applicant Response	
3.1	The submitted plans appear to show the proposed north-eastern boundaries for proposed Lots 1 and 2 within the drainage reserve to be dedicated to Council. A drainage reserve is required under the Charlton Wellcamp Enterprise Area Local Plan Code, P04/A04.2 as the greater of a 10m buffer to the Q100 flood line or 70m buffer from the Dry Creek centreline. This is also required in accordance with Condition 13A of Decision Notice (Ref RAL/2022/2513/C) dated 17 July 2023 over the same property, stating: <i>13A. The land area defined as drainage reserve adjacent to Dry Creek must be dedicated as drainage reserve in accordance with the requirements of the Department of Resources. Unless otherwise agreed by Council, the extent of the drainage reserve must include the greater of the 10m buffer to the Q100 flood line or the 70m buffer to the Dry Creek centreline.</i> <i>Note: The existing stormwater easement on existing Lot 19 SP268924 will be relinquished upon dedication of the drainage reserve.</i> A reduced corridor will compromise Council's plan for flood mitigation and upgrade works by Council. There are no annotations on submitted Site Plan number 2570.001 issue B to indicate the Creek centre line, the Q100 flood line, Q100 plus 10m buffer line and 70m buffer to the Dry Creek centreline. <i>Advice note: Consider overlaying an aerial image behind the Site Plan to demonstrate that the Dry Creek centreline and 70m buffer is accurately drawn on the plans.</i> Council acknowledges that the landowner has existing infrastructure within this area of concern, and	In response to Item 3.1 of the Information Request, the following is noted: ■ (A): The Site Plan (2570.001 Issue D) and RAL Configuration Plan (2570.002 Issue D) within Attachment 3 have been revised to include the Q100 flood line, 10m buffer, 70m buffer from creek centreline, and the existing drainage easement. ■ (B): The Site Plan (2570.001 Issue D) and RAL Configuration Plan (2570.002 Issue D) within Attachment 3 have been revised to illustrate that the land to be dedicated to Council includes the greater of the Q100 + 10m line and the 70m buffer from the Dry Creek Centreline. Additionally, a 15m x 15m easement is shown over the existing bore with a 6.0m wide access strip aligned parallel to O'Mara Road. A standard condition can be imposed to ensure the easement is registered in the manner described by Council. ■ (C): The Site Plan (2570.001 Issue D) and RAL Configuration Plan (2570.002 Issue D) within Attachment 3 have been revised to illustrate that all earthworks, retaining, and outdoor use areas will be contained within Proposed Lot 1 and Proposed Lot 2 outside the greater of the Q100 + 10m line and the 70m buffer from the Dry Creek Centreline. ■ A detailed response to Item 3.1 of Council's Information Request is provided within the Engineering Response (Attachment 4). Accordingly, the revised plans fully implement the drainage reserve arrangement previously discussed with Council and ensure future flood mitigation opportunities are preserved.	■ Revised Proposal Plans (Attachment 3). ■ Engineering Response (Attachment 4). ■ Revised Stormwater Management Report (Attachment 6).

further acknowledges the Further Advice letter dated 5 December 2024 in relation to change application RAL/2022/2513/D. The site plan and reconfiguration plan is not dimensioned, and there is concern the access and easement arrangement is not as per Council's Further Advice (which is reiterated in the information request below). It is further acknowledged that the drainage reserve dedication may require correction of previous earthworks and retaining.

Information Required:

Submit amended plans to:

- (a) Include annotations that show the location of the Dry Creek centreline, the Q100 line, the Q100 plus 10m buffer, and the 70m buffer from the Dry Creek centreline. Consider including an aerial image layer to demonstrate the accuracy of the Dry Creek centreline; and
- (b) Demonstrate that the land to be dedicated to Council as Freehold Trust for Drainage purposes will include the greater of Q100 + 10m or a 70m buffer from the Dry Creek Centreline, with the exception of a 6m wide access strip aligned parallel to O'Mara Road to access, include and end at the existing bore. Show dimensions and areas (m²). An easement no more than a 15m x 15m square over the existing bore must be demonstrated benefitting the lot associated with the water license for the purpose of access and maintenance of the existing bore and burdening the new Council Freehold Trust land for Drainage purposes. An easement for drainage purposes benefitting Council and burdening the lot associated with the water license must be demonstrated to the extent of the

	greater of Q100 + 10m or a 70m buffer from the Dry Creek Centreline. (c) Reflect changes necessitated to earthworks, retaining, and outdoor use areas (e.g. laydown, external storage), to be contained within the proposed industrial lots.		
4. Stormwater Infrastructure			
Item	Issue:	Applicant Response	
4.1	The Concept Stormwater Management Plan (CSWMP) report submitted does not satisfactorily address the requirements of the <i>Toowoomba Regional Planning Scheme 2012, Schedule 6 Planning Scheme Policy (PSP), SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure</i>. In particular, the following issues are of concern: ■ The hydrology section of the report states that no on-site detention storage is proposed and that each of the three proposed Lots will be provided with a new connection manhole, discharge pipe and headwall to discharge stormwater into the adjacent stormwater channel (west of proposed Lot 1 and 3) or directly to the Dry Creek drainage reserve. Although no detention storage was approved as part of the original industrial subdivision (TRC Ref RAL/2022/2513), no runoff calculations have been provided in the submitted stormwater management plan report to demonstrate what the discharge flow rate will be for different storm events. ■ Also, no information has been provided to demonstrate what the discharge pipe size are for each Lot, the extent of scour protection that will be required to prevent any scour from occurring in	A detailed response to Item 4.1 of Council's Information Request is provided within the Engineering Response (Attachment 4) which is to be considered in conjunction with the Revised Stormwater Management Report (Attachment 6).	■ Engineering Response (Attachment 4). ■ Revised Stormwater Management Report (Attachment 6).

	the drainage channel and Dry Creek drainage reserve. ■ It has not been demonstrated that the proposed development will not cause any actionable nuisance flows, worsening effects, or quantifiable loss to downstream properties or the discharge location. Information Required: Amend the CSWMP report to include stormwater quantity calculations to a concept design level and demonstrate what the pre- and post-development stormwater runoff is estimated to be for each of the proposed Lawful Points of Discharge (LPD) from the subject site. Stormwater pipe sizes, discharge headwall locations and scour protection areas must be included on the plans and it must be demonstrated that each of the proposed Lots would be able to drain to the proposed LPD. The extent of internal and external stormwater works must be demonstrated to a concept level to show what the works footprint will be when considering headwall setback, discharge channel from the headwall apron, the required energy dissipators and scour protection works. Include a longitudinal section for each on-site drainage pipe to demonstrate that the concept design offers a workable solution for allotment drainage. The concept design must demonstrate that there will be no actionable nuisance flows, worsening effects, or quantifiable loss to downstream properties or the discharge location.		
Item 4.2	Issue: The CSWMP report propose that Council accepts a monetary contribution from the Applicant for stormwater quality works to be undertaken elsewhere. The stormwater management plan submitted with the	Applicant Response A detailed response to Item 4.2 of Council's Information Request is provided within the Engineering Response (Attachment	■ Engineering Response (Attachment 4). ■ Revised Stormwater Management Report (Attachment 6).

	original 7 Lot subdivision (TRC Ref RAL/2022/2513) indicated that each of the proposed Lots will be providing on-site stormwater quality improvement devices. Since the proposed Lots are located adjacent to Dry Creek and on the outskirts of the urban area, there is no opportunity for Council to undertake stormwater quality works within this stormwater catchment. As such, Council will require on-site stormwater quality improvement works on each of the proposed Lots. Information Required: Amend the CSWMP report to include on-site stormwater quality works that will achieve the pollutant reduction targets as required by the State Planning Policy (SPP) July 2017. Show the stormwater quality works on the engineering plans.	4) which is to be considered in conjunction with the Revised Stormwater Management Report (Attachment 6).	
5. Vehicular Access & Parking			
Item 5.1	Issue: Some of the shared driveway pavement near the edge return radius at the corner of proposed Lots 1 and 3 are not included in the proposed easement area. The proposed easements on the RAL configuration plan number 2570.002 Issue B are not dimensioned. Information Required: Amend the access easement for all of the shared driveway pavement to be included within the easement. Also update the RAL configuration plan number 2570.002 Issue B with dimensions for all proposed easements and annotate easement numbers as described in the planning report.	Applicant Response In response to Item 5.1 of the Information Request, the following is noted: ■ The RAL Configuration Plan (2570.002 Issue D) within Attachment 3 has been revised to include an easement which covers the area associated with the vehicle manoeuvring at the corner of Proposed Lot 1 and Proposed Lot 3. Additionally, the Vehicle Manoeuvring Layout Plan (VM07 Issue P2) within the Revised Engineering Infrastructure Report (Attachment 5) demonstrates that the proposed easement is of a sufficient size and configuration to facilitate B-Double movements. ■ The RAL Configuration Plan (2570.002 Issue D) has also been updated to include easement names.	■ Revised Proposal Plans (Attachment 3).
Item 5.2	Issue:	Applicant Response	■ Revised Proposal Plans (Attachment 3).

	The submitted plans do not include a dimensioned carpark and driveway plan that demonstrates how the proposed car parking and circulation roadways design comply with all the AS 2890 requirements. Swept path diagrams do not satisfactorily demonstrate that the design vehicle's access to service bays and turnaround area within the site. Information Required: Provide a car park and driveway layout plan for each of the proposed Lots to demonstrate how the proposed development complies with AS 2890 requirements, and swept paths for design vehicles demonstrating access to service bays (entry and exit) and turnaround areas. Templates are to be drawn using recognised industry standard software. Include all stage boundaries on the plans and vehicle control measures such as signage and pavement marking to safely manage vehicle movements within shared driveway and circulation roadways.	In response to Item 5.2 of the Information Request, the following is noted: ■ The Revised Proposal Plans (Attachment 3) now include further detail on the car parking areas and the layout of the driveways. ■ The Vehicle Manoeuvring Layout Plans within the Revised Engineering Infrastructure Report (Attachment 5) demonstrates that a Heavy Rigid Vehicle, B-Double and Articulated Vehicle can safely access and manoeuvre the site. A standard condition of approval can be imposed to ensure compliance with the relevant requirements.	
Item 5.3	Issue: Parking for people with disabilities is not designed in accordance with AS 2890.6:2009 Parking facilities – Off-street parking for people with disabilities. The submitted plans do not show a PWD parking space for each development on each lot. Information Required: Revise the plans to provide parking for people with disabilities in accordance with AS 2890.6:2009 Parking facilities – Off-street parking for people with disabilities. A minimum of one PWD parking space must be provided for each development on each lot. The revised plans must also show: ■ shared space(s) to be provided;	Applicant Response In response to Item 5.3 of the Information Request, the following is noted: ■ The Revised Proposal Plans (Attachment 3) now include further detail on the car parking areas, including, number of PWS spaces. A standard condition of approval can be imposed to ensure compliance with the relevant requirements.	■ Revised Proposal Plans (Attachment 3).

	■ PWD space(s) must be located as close as practicable to the building's main entrance; ■ A compliant path of travel must be provided between the PWD space(s) and the main entrance.		
Item 5.4	Issue: There are no shade trees within the car parking areas. Information Required: Provide a revised plan showing shade trees within the car park as required in P026/A026.1- 26.5 of the Charlton Wellcamp Enterprise Area Local Plan Code.	Applicant Response In response to Item 5.4 of the Information Request, the following is noted: ■ a Landscape Concept Plan has been prepared by Jackie Amos Landscape Architect (Attachment 7). ■	■ Revised Proposal Plans (Attachment 3). ■ Landscape Concept Plan (Attachment 7).
Item 5.5	Issue: The submitted plans show the proposed Lot 2 northern boundary includes an access area to the existing bore which is located in the drainage reserve. No information has been provided to inform TRC of what infrastructure will be constructed within the access easement. The access to the bore is located within the Dry Creek drainage reserve and any infrastructure that is constructed within the access easement must be able to withstand impacts due to flood waters and/or debris in the floodwaters. Furthermore, the civil infrastructure to be constructed within this access easement must not prevent Council from obtaining access to the Dry Creek drainage reserve, even during flood situations. The submitted plans also do not show how Council's existing vehicle access to the Dry Creek drainage reserve from O'Mara Road will be maintained, it appears that the access will be removed by the proposed outdoor sales area within proposed Lot 2. Information Required:	Applicant Response In response to Item 5.5 of the Information Request, the following is noted: ■ This development application does not involve any new infrastructure within the easement associated with the bore. ■ This development application does not involve any sealed access within the easement associated with the bore. ■ In terms of how Council will access the Dry Creek drainage reserve, we will highlight that there is an existing vehicle access point from the cul-de-sac at the western end of Foundation Street.	■ Revised Proposal Plans (Attachment 3).

	Provide a concept design plan that shows the proposed civil infrastructure within the access easement to the existing bore within proposed Lot 2. Also demonstrate on this same plan how Council will be provided with a vehicle access into the Dry Creek drainage reserve from O'Mara Road.		
6. Wastewater Infrastructure			
Item 6.1	Issue: The proposed development is required to meet the requirements outlined in the Toowoomba Regional Planning Scheme 2012, Schedule 6 Planning Scheme Policies (PSP), SC6.3 PSP No. 3 – Engineering Standards – Water and Waste Water Infrastructure. In particular, the following issue is of concern: As per Council policy, a minimum of 80% of the served property must be drained to the service point. However, the proposed Lots 1 & 2 does not meet this requirement. Information Required: Demonstrate that proposed Lots 1 & 2 can be connected and effectively serviced minimum 80% of land area through the existing sewer reticulation in accordance with Council wastewater policy.	Applicant Response A detailed response to Item 6.1 of Council's Information Request is provided within the Engineering Response (Attachment 4) which is to be considered in conjunction with the Revised Engineering Infrastructure Report (Attachment 5).	■ Engineering Response (Attachment 4). ■ Revised Engineering Infrastructure Report (Attachment 5).
7. Environment			
Item 7.1	Issue: <u>Waste Storage and Collection</u> The proposed use will require waste storage and collection services for a variety of activities proposed across the development site. The Planning Report provides only a high-level response regarding waste storage and collection, confirming that space is available on-site and that waste collection can be undertaken by appropriate vehicles. However, it does	Applicant Response In direct response to Item 7.1 of Council's Information Request ■ The development site features a significant site area with ample space to accommodate refuse storage areas and containers of sufficient capacity to service the ultimate development. ■ Each of the individual staging plans highlight an area which can accommodate a waste storage area which is a suitable to	■ Revised Engineering Infrastructure Report (Attachment 5).

	not provide sufficient detail to demonstrate compliance with P028 of the Environmental Standards Code. Information Required: Provide a Detailed Waste Management Plan demonstrating compliance against Performance Outcome P028 of the <i>Environmental Standards Code</i> that includes the following information: ■ Calculate waste generation rates for each proposed use, split into quantifiable streams; ■ Specify the location and size of refuse storage areas; ■ Define the size, mix and capacity of any bins that are needed to accommodate the type and quantity of waste likely to be generated from the development; ■ Specify the frequency of collection and location of the collection point/s; and ■ Provide swept path diagrams for an appropriate waste collection vehicle for both traversing the site and for side or front lift collection arm movements. ■ Clearance heights for front lift or side lift waste collection vehicles; and ■ Ingress and egress from the property. For further advice, please refer to Council's <i>Technical Guidelines for New Developments Waste Storage and Collection Requirements</i>.	size to accommodate the number of bins required to service each state. ■ The Vehicle Manoeuvring Plans within the Revised Engineering Infrastructure Report (Attachment 5) demonstrate that a Heavy Rigid Vehicle, B-Double and Articulated Vehicle can all safely and efficiently access and manoeuvre through the site. On this basis, it is anticipated that a front lift or side lift waste collection vehicle could also safely and efficiently access and manoeuvre through the site. Based on the above, the requirement to provide a detailed waste management plan can be conditioned by Council to be prepared, lodged and endorsed by Council prior to the commencement of the use.	
Item 7.2	Issue: <u>Environmental Management Plan</u> The Planning Report identifies the proposed uses broadly (Medium Impact Industry, Warehouse, Outdoor Sales), but does not specify the detailed nature of	Applicant Response In response to Item 7.2 of the Information Request, it is submitted that the detailed requirements of an Environmental Management Plan are more appropriately addressed by condition, as the document should reflect the final approved design,	

all future industrial activities. While generic commitments are made regarding compliance with environmental policies (noise, air quality, odour, stormwater, etc.), these rely on standard conditions and do not provide a site-specific, whole-of-development management framework. The Planning Report outlines a staged industrial development comprising a range of uses including: ■ Industrial processing and material handling (AUSCOIL blending, storage and laboratory activities) ■ Workshops and washdown (including wash bays and servicing areas) ■ Outdoor sales, storage and display of equipment and machinery ■ Warehousing, distribution and logistics operations (including heavy vehicle movements and B-double access) ■ Proposed 24-hour operations The following is noted: ■ The diverse mix of industrial, storage, processing and outdoor activities proposed across multiple stages ■ The inclusion of wash bays, blending/storage of materials, and outdoor sales areas ■ Ongoing heavy vehicle movements, servicing and loading operations ■ The potential for future tenants to undertake a broad range of Medium Impact Industry activities within approved land use definitions ■ The scale of the development (12.4ha multi-lot industrial estate)	operational arrangements and any conditions of approval. Accordingly, the Applicant has no objection to a condition requiring an Environmental Management Plan, prepared by a suitably qualified person, to be submitted to and endorsed by Council prior to the commencement of the approved use. This approach ensures Council retains full oversight of the EMP while allowing it to be prepared with the appropriate level of operational detail.	
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	Having regard to the above, there is insufficient detail to demonstrate that all likely site activities (current and future) can be appropriately managed without adverse environmental impacts. A detailed description of the activities is also required to inform conditions should the development be approved. Information Required: Provide a site-specific Environmental Management Plan (EMP) that applies across all stages and is capable of being applied to current and future tenants undertaking: ■ Medium Impact Industry (including processing, blending, storage and workshop uses) ■ Warehouse and distribution ■ Outdoor sales, storage and servicing The EMP must clearly demonstrate how environmental impacts associated with the actual and anticipated industrial activities on site will be avoided or appropriately managed. The EMP is to address, at a minimum: Activity-specific environmental controls: ■ Industrial processes and material handling (including blending operations, storage of raw and finished products, and laboratory activities) ■ Workshop and washdown operations, including containment and treatment of wash water and contaminants ■ Outdoor storage and sales areas, including management of exposed materials, runoff and visual amenity		
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■ Heavy vehicle movements, loading/unloading and internal circulation, including noise, ■ dust and tracking of sediments Environmental impact management: ■ Noise emissions, including 24-hour operations, plant, loading/unloading, and vehicle movements, demonstrating compliance with the <i>Environmental Protection (Noise) Policy 2008</i> ■ Air quality and dust, including emissions from material storage, vehicle movements and outdoor areas ■ Odour, including storage, processing and waste handling activities ■ Waste management, including industrial, commercial and liquid wastes, and wash bay residues ■ Hazardous substances, including storage, bunding, spill containment and emergency response ■ Stormwater quality, including treatment of runoff from hardstand, washdown and storage areas, and protection of downstream receiving environments ■ External lighting, particularly for 24-hour operations, including spill and glare impacts Management framework: ■ Site-wide environmental management procedures applicable to all tenants ■ Monitoring and reporting regime (e.g., noise, dust, water quality where relevant) ■ Incident and complaint management procedures ■ Tenant induction and compliance requirements to ensure consistent environmental performance across the estate		
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8. Landscaping

Item	Issue:	Applicant Response	
8.1	Insufficient information has been provided on plans to demonstrate landscaping outcomes for the site. Landscaping is required to site frontages and to provide shade to carparking areas. The plans provided appear that some allowance may have been made, but this is not clear. Information Required: Provide updated plans including dimensions for all planting areas which demonstrate the following landscape outcomes: a) Shade tree planting to all carparking areas to address Landscaping Code P06 and Charlton Wellcamp Enterprise Area Local Plan Code P026/A026.5; b) Minimum 3m wide landscape strip to both the O'Mara Rd site frontage and Foundation St site frontage to address Charlton Wellcamp Enterprise Area Local Plan Code P025/A025.1; and c) Landscaping screening a minimum width and height of 2m to screen outdoor storage areas to address Charlton Wellcamp Enterprise Area Local Plan Code P025/A025.1(c). Consider screen landscaping behind 'outdoor display / outdoor sales' area, to visually screen large hardstand areas.	In response to Item 8.2 of Council's Information Request, a Landscape Concept Plan has been prepared by Jackie Amos Landscape Architect (Attachment 7). In addition, the following is noted: ■ (A): Each car parking area features several shade trees which will provide an appropriate level of shade to users. ■ (B): A 3.0m wide landscaping buffer has been provided along both street frontages. ■ (C): The extent of landscaping across the site is sufficient to screen any unsightly elements from the streetscape. Overall, the proposed landscaping aligns with the relevant aspects of the Landscaping Code and the Charlton Wellcamp Enterprise Area Local Plan Code as follows: ■ The proposed landscaping has been designed to complement the scale and function of the industrial development by incorporating landscaping along all road frontages, within boundary setbacks and throughout the site. This assists in softening the appearance of buildings and hardstand areas, screening outdoor work and storage areas where appropriate, and enhancing the overall streetscape presentation. ■ Landscaping has been integrated throughout the car parking areas and internal road network, including the provision of shade trees and planting islands, to improve visual amenity, provide shade for parked vehicles, and create a safe and attractive environment for employees and visitors while maintaining appropriate sightlines for vehicles and pedestrians. ■ The landscape design responds to the site's physical characteristics, including existing drainage corridors, infrastructure and access arrangements, ensuring that landscaping complements the site's natural attributes, does	■ Landscape Concept Plan (Attachment 7).

		not impede solar access or ventilation, and maintains clear sightlines at driveways, intersections and pedestrian paths. ■ The plant species selected are durable, drought-tolerant and appropriate for an industrial environment, with low maintenance requirements, non-invasive root systems and minimal litter or limb shedding. The landscaping will be established and maintained to ensure its ongoing effectiveness in providing visual buffering, shade and amenity throughout the life of the development.	
Item 8.2	Issue: A landscape plan has not been provided. For Council to undertake an assessment and provide advice the applicant is required to submit a landscape concept plan for review. A landscape plan will ensure resolution of landscaping requirements and demonstrate how the application complies with the applicable codes. Where a detailed landscape plan is provided through the development application process which addresses the code requirements, it forms part of the approved plans and no post approval endorsement process or fee is then required. Information Required: Submit a landscape plan that demonstrates how the application complies with the codes. Refer Toowoomba Regional Council's <i>Landscaping Codes</i> and Landscape plans Toowoomba Regional Council for landscape plan requirements.	Applicant Response In response to Item 8.2 of Council's Information Request, a Landscape Concept Plan has been prepared by Jackie Amos Landscape Architect (Attachment 7). The landscaping plan has been prepared in accordance with the relevant requirements under the planning scheme.	■ Landscape Concept Plan (Attachment 7).