

Our Reference: MCUI/2026/6942  
CS Portal Reference: N/A  
Contact Officer: Shen Liu  
Contact: 07 4688 9593  
Email: [development@tr.qld.gov.au](mailto:development@tr.qld.gov.au)

**INFORMATION REQUEST**  
*Planning Act 2016 Section 68(1)*  
*Development Assessment Rules Part 3*

CLL92 Investments Pty Ltd  
C/- Alpha Planning Applications  
PO Box 764  
TOOWOOMBA QLD 4350

Email: [andrew@alphaplanning.com.au](mailto:andrew@alphaplanning.com.au)

25 August 2026

Dear Sir/Madam

**Development Application for:** Material Change of Use - Impact - Multiple Dwelling 4x4  
Bedroom Units  
**Location:** 3/51 Taylor Street, TOOWOOMBA CITY QLD 4350  
**Property Description:** Lot 3 SP184760  
**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. DRIVEWAY CROSSOVER**

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| 1.1 | <b>Issue:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|     | In accordance with PO9 of the Neighbourhood Character Overlay Code, elements within the road reserve that contribute to the established neighbourhood character must be retained. The existing driveway crossover is located partially in front of the subject site and the adjoining property, however, is not used or required for the adjoining premises which has a separate vehicle crossover. The existing access is a non-standard arrangement that is not best practices and not safe.               |
|     | <b>Information Required:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|     | Provide confirmation including the written consent of the owner of the adjoining premises (Lot 1 RP123011) that the existing crossover shared with the subject site is redundant; and                                                                                                                                                                                                                                                                                                                        |
|     | Provide amended site plans demonstrating: <ul style="list-style-type: none"><li>a) The driveway crossover and access arrangement are located wholly in front of the subject site to allow two-car movement;</li><li>b) Identify the extent of existing crossover that is redundant and to be reinstated as kerb; and</li><li>c) How elements within the road reserve that make a positive contribution to the local streetscape, including any existing bluestone kerbing and channelling, will be</li></ul> |

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|  | retained. It is recommended that blue stone kerbing that is removed for a relocated / new crossover is re-used to reinstate kerbing at the redundant crossover. |
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## 2. STORMWATER

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| 2.1 | <b>Issue:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|     | <p>The proposed development is required to meet the requirements outlined in 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> including its referenced standards. In particular, the following issues are of concern:</p> <ul style="list-style-type: none"> <li>The proposed development increases the impervious area fraction from 0% to 60%. The submitted Detailed Site-Based Stormwater Management Report does not provide a comparison of pre-development and post-development stormwater discharge from the site. No assessment has been provided to demonstrate that the downstream Council stormwater infrastructure has sufficient capacity to accommodate the increased discharge from the site; and</li> <li>It is noted that the applicant is relying on lapsed approval OW/2006/2534, which was not commenced within the relevant approval period. Council's internal mapping has been updated based on the approved plans associated with that lapsed approval. The approval was issued approximately 20 years ago, and works were not constructed. The previous assessment also does not satisfy the current requirements, including an assessment of downstream stormwater infrastructure capacity. While there may have been capacity at the time of the previous assessment, the catchment has been further developed, and it is possible downstream capacity has been reduced or taken up by other development. As such, the lapsed approval OW/2006/2534 cannot be relied upon in this current application.</li> </ul> |
|     | <b>Information Required:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|     | Provide a revised Concept Stormwater Management Plan that includes pre-development and post-development stormwater discharge rates from the site for storm events ranging from 1% Annual Exceedance Probability to 100% Annual Exceedance Probability. The revised plan must demonstrate that Council's downstream stormwater infrastructure has capacity to accommodate the increased discharge from the development without causing adverse impacts to downstream properties. This assessment must consider that the proposed development is located at the top of the existing catchment for the Council stormwater system.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 2.2 | <b>Issue:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|     | <p>It is noted that the applicant has stated that "the stormwater pipework was already installed under this operational works approval as advised by the client".</p> <p>Council records indicate that the approved works were not commenced within the approval period and the approval subsequently lapsed. Furthermore, Council records do not indicate that the works were accepted on-maintenance or off-maintenance. No security bond was lodged, and no RPEQ-certified as-constructed drawings were submitted to Council.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|     | <p>Additionally, the submitted Detailed Survey of the site does not show the installed stormwater pipework and does not cover the entire area of land subject to this application.</p> <p>As insufficient evidence has been provided to demonstrate that the stormwater infrastructure was constructed in accordance with the approved design and subsequently accepted by Council, the existence, condition and status of the infrastructure cannot be confirmed as part of this assessment.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|     | <b>Information Required:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|     | <p>a) If the applicant maintains that the stormwater infrastructure was constructed and accepted by Council, provide supporting evidence, including but not limited to:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

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|  | <ul style="list-style-type: none"> <li>○ Pre-start meeting records.</li> <li>○ RPEQ-certified as-constructed drawings.</li> <li>○ On-maintenance acceptance documentation.</li> <li>○ Off-maintenance acceptance documentation.</li> <li>○ Evidence of any security bond lodged and subsequently released by Council;</li> </ul> <p>b) Provide physical evidence demonstrating that the stormwater infrastructure has been constructed and remains in serviceable condition, including recent photographs of all relevant stormwater pipes, pits, headwalls, outlet structures and associated infrastructure; and</p> <p>c) Provide an updated engineering survey plan covering Lot CP SP184760 and identifying stormwater infrastructure and other utilities located within the driveway.</p> |
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### 3. EARTHWORKS/RETAINING STRUCTURES

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|     | <p><b>Issue:</b></p> <p>The proposed development is subject to the earthworks requirements outlined in the <i>Toowoomba Regional Planning Scheme 2012, Works and Services Code and PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure</i>. The information provided has not satisfactorily demonstrated that these requirements will be achieved. In particular, the proposed retaining walls do not take into account existing nearby retaining walls, footings, and likely earthworks and loadings during construction and post-construction.</p> |
| 3.1 | <p><b>Information Required:</b></p> <p>Provide the following:</p> <ul style="list-style-type: none"> <li>a) Amended plans demonstrating that the proposed retaining walls take into account existing nearby retaining walls, footings, and likely earthworks and loadings during construction and post construction; and</li> <li>b) Amended cross section C showing existing retaining wall and distances.</li> </ul>                                                                                                                                                 |

### 4. WASTEWATER INFRASTRUCTURE

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|     | <p><b>Issue:</b></p> <p>The proposed development is required to comply with the requirements of the <i>Toowoomba Regional Planning Scheme 2012, Schedule 6 Planning Scheme Policies, SC6.3 PSP No. 3 – Engineering Standards – Water and Wastewater Infrastructure</i>. In particular, the following matters are of concern:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 4.1 | <ul style="list-style-type: none"> <li>• Council notes that the submitted site plan shows proposed Unit 1 encroaching over an existing Council 150 mm sewer main. Unit 1 is proposed as a double-storey building, with part of the building shown as single storey.</li> <li>• <i>Queensland Development Code Mandatory Policy 1.4 – Building Over or Near Relevant Infrastructure</i> does not permit buildings over sewers. As a referral agency, Council assesses build over sewer applications on a case-by-case basis. Before a build over sewer application will be considered, the applicant must demonstrate that the following options have been fully investigated: <ul style="list-style-type: none"> <li>○ Building relocation: Revise the building layout so that no part of the proposed building is located over the existing sewer main and all required clearances are achieved;<br/><i>Note: If this option is not possible, Council may consider diversion of the sewer main.</i></li> <li>○ Sewer main diversion: Relocate the existing sewer main, at the applicant's cost, so that the proposed building is clear of the sewer infrastructure and the diverted sewer can be serviced and maintained by Council;</li> <li>○ Redesign as a single-storey development for build over sewer consideration: Only where Options 1 and 2 have been demonstrated to be impracticable will Council consider a build over sewer application;</li> </ul> </li> <li>• Council does not permit multi-storey buildings over sewer infrastructure in accordance with Clause 4.2.4 of Council's Wastewater Infrastructure Policy 2.04. Although the</li> </ul> |

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|  | <p>portion of Unit 1 directly above the sewer appears to be single storey, it forms part of a double-storey building and is therefore considered a double-storey structure. This includes structures under the same roofline as, or structurally integrated with, the main building; and</p> <ul style="list-style-type: none"> <li>Should the applicant wish to pursue a build over sewer application, the development must be redesigned as a genuine single-storey structure and a Sewer Siting Approval, also referred to as a Build Over Sewer Approval, must be obtained from Council. Structural engineering plans demonstrating compliance with Council's requirements and QDC MP 1.4 must also be submitted.</li> </ul> <p><i>Note: Council considers that it may be possible to redesign the building layout, relocate the sewer main, or use a combination of both options to avoid building over the sewer.</i></p> <p><b>Information Required:</b></p> <p>Provide amended plans that address the wastewater infrastructure matters identified above.</p> <p><i>Note: Internal wastewater pipework north of Council's maintenance hole Asset ID S9006M10A on the primary sewer main is privately owned. This wastewater pipework was not handed over to Council through an approved operational works process and has not been formally accepted by Council as an asset. Council may consider on-grade sewer connections for approval, provided the relevant plumbing requirements can also be met.</i></p> |
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## 5. WASTE MANAGEMENT

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|  | <p><b>Issue:</b></p> <p>The proposed development will require waste storage at each residential unit and kerbside collection services via Council's waste contracted services along Taylor Street.</p> <p>From the submitted site plans (dwg 25.061, sheet 01), there is sufficient space to accommodate two 240L wheelie bins at each unit, with sufficient separation from each dwelling on and offsite.</p> <p>Taylor Street kerbside has a total frontage of approximately 15.9m with an existing driveway crossover of 3.40m. The existing driveway crossover does not extend to the full 5.8m width of the driveway entrance.</p> <p>As per requirements from Council's Planning Branch (<b>refer to Item1.1</b>) the applicant is required to modify the driveway crossover. Due to this requirement, there may be insufficient space on Taylor Street kerbside to accommodate the total number of bins for the site. If this is the case, the applicant will be required to present to Council an alternate solution to overcome this restriction, that aligns with Council's <i>Technical Guideline for New Development</i> and Engineering requirements.</p> <p><b>Information Required:</b></p> <p>Provide an amended plan to confirm adequate kerb for bins or present an acceptable solution that aligns with the <i>Technical Guideline for New Developments</i> and engineering requirements.</p> |
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## 6. BUILDING HEIGHT

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|  | <p><b>Issue:</b></p> <p>Under the <i>Toowoomba Regional Planning Scheme 2012</i>, building height is measured as the vertical distance, in metres, between the natural ground level and the highest point of the building. The submitted elevation drawings identify ceiling heights only and do not demonstrate the maximum building height relative to natural ground level. Consequently, compliance with the applicable building height provisions cannot be verified.</p> <p><b>Information Required:</b></p> <p>Provide amended elevation plans that clearly identify the maximum building height of each proposed building in metres, measured as the vertical distance between natural ground level and the highest point of the building.</p> |
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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



Sophie Spencer  
Lead Senior Planner, Planning Branch

CC      CLL92 Investments Pty Ltd  
         4/35 Vanity Street  
         ROCKVILLE QLD 4350