

26 February 2026

The Assessment Manager
Toowoomba Regional Council
PO Box 3021
TOOWOOMBA QLD 4350

RECEIVED
26/02/2026
TOOWOOMBA
REGIONAL COUNCIL

Attention: Jun Ong & Jayden Forbes-Mitchell
By Email: development@tr.qld.gov.au

Dear Jun and Jayden,

RESPONSE TO FURTHER ADVICE – SECTION 68, PLANNING ACT 2016 & CHAPTER 1, PART 7, SECTION 35, DEVELOPMENT ASSESSMENT RULES – CHANGE APPLICATION (OTHER) - MATERIAL CHANGE OF USE - REFRESHMENT SERVICE & TOURIST ATTRACTION, FUNCTION FACILITY, SHORT-TERM ACCOMMODATION - 286 SWAIN ROAD, PLAINBY – LOT 3 SP217770 (Our Ref: 2025-591; Council Ref: MCUI/2007/10724/A)

I act on behalf of the applicant, Bunnyconnellen, in respect of the above matter.

I refer to Toowoomba Regional Council's (**Council**) Further Advice correspondence, dated 16 January 2026, in respect of a Change Application (Other) for Material Change of Use for Refreshment Service & Tourist Attraction, Function Facility, Short-term Accommodation on land at 286 Swain Road, Plainby, being that land described as Lot 3 SP217770.

The following advice provides a response to the matters raised in Council's Further Advice correspondence. For ease of comprehension, each item raised in the Information Request has been reproduced in bold print followed by the associated response.

ISSUES AND RESPONSES

1. INFRASTRUCTURE CHARGES

1.1. Aspect of Development:

Council levies infrastructure charges for additional demand on trunk infrastructure networks in accordance with Charges Resolution No. 7. Credits apply for existing lawfully established development.

Further Advice:

To ensure credits and charges are calculated correctly, provide descriptions, areas and floor plans for proposed and existing buildings associated with the application.

Response

In response to the above item, reference is made to the updated Development Plans, prepared by Ikai Design, attached at **Appendix A**. In particular, reference is made to the Site Plan which includes a schedule of existing building floor areas for the site.

Based on the existing and proposed floor areas, the Infrastructure Charges should be calculated as follows:

Development Type	Units of Measure	No. of Units	Charge Rate	Amount
Existing Credit				
Residential Dwelling House	Dwelling with 2 or less bedrooms	1	\$5,238.68	\$5,238.68
Residential Caretaker's Accommodation	Dwelling with 2 or less bedrooms	1	\$5,238.68	\$5,238.68
Commercial (Retail) Food and Drink Outlet/Refreshment Service	\$/m ² of GFA	286	\$235.75	\$67,424.50
High Impact Rural Winery/Tourist Attraction	\$/m ² of GFA	285	\$26.15	\$7,452.75
Total Credits				\$85,354.61
Proposed Charge				
Accommodation (Short-Term) Short-Term Accommodation	Suite with 2 or less bedrooms	2	\$2,619.32	\$5,238.64
Commercial (Retail) Food and Drink Outlet/Refreshment Service	\$/m ² of GFA	286	\$235.75	\$67,424.50
Places of Assembly Function Facility	\$/m ² of GFA	457	\$91.75	\$41,929.75
Total Charge				\$114,592.89
Total Levied Charge				\$29,238.28

The current approval over the site allows for Tourist Attraction and Refreshment Service associated with a cellar door. Under the current land use definitions, it is considered that this development would be defined as a Winery (Tourist Attraction component) and Food and Drink Outlet (Refreshment Service component). On this basis, the credits for the existing approved uses are calculated using the High Impact Rural, for the winery processing, packaging and storage buildings (this includes the 'Existing Ceremony Building' and 'Existing Commercial Kitchen' as labelled on the Development Plans), and Commercial (Retail) for the events building.

Reference is made to the plan attached at Appendix A of the submitted Operating Statement. The proposed charges have been calculated based on the breakdown of uses identified on this plan. It is noted that the event building has been calculated at the Commercial (Retail) rate in this instance, given it is the higher charge rate, despite being subject to both the Function Facility and Food and Drink Outlet uses.

2. PEDESTRIAN PATHS

2.1. Aspect of Development:

The carparking spaces are a long distance from the larger proposed Short-term Accommodation building. Providing a pathway between the carparking area and the Short-term Accommodation buildings will achieve compliance with AO5.2 of the Centre Activities Code.

Further Advice:

Consider amending the site plan to show paths from car parking areas to accommodation areas.

Response

In response to the above item, reference is made to the updated Development Plans, prepared by Ikai Design, attached at **Appendix A**. In particular, reference is made to the Site Plan which illustrates the existing pedestrian pathways between the Short-Term Accommodation buildings and the carparking and function areas.

3. ON-SITE EFFLUENT DISPOSAL

3.1. Aspect of Development:

On-site effluent disposal system/s may need to be upgraded to suit additional demand. This could trigger the need for an Environmental Authority for Environmentally Relevant Activity ERA 63 sewage treatment.

Further Advice:

Confirm all existing on-site sewage facilities' design daily flow rates – (Litres/day). Confirm the additional daily flow rate from the proposed development – (Litres/day).

Note: If total daily peak design capacity on the lot exceeds 21EP, an Environmentally Relevant Activity referral (ERA 63) to the State will be required for approval.

Response

In response to the above item, the site is currently operating at the proposed maximum capacity and the existing on-site effluent system is suitable to cater for the demands of the development.

Notwithstanding this, the applicant is agreeable to Council imposing a condition which requires the development to be serviced by appropriate on-site effluent disposal infrastructure in accordance with the relevant plumbing and drainage requirements.

It is noted that Environmentally Relevant Activity (**ERA**) 63 is a non-concurrent ERA. Accordingly, in the event the peak design capacity exceeds 21EP, this can be applied for separately to the planning process.

4. CARPARKING

4.1. Aspect of Development:

Proposed car parking numbers are below the rate identified in the Planning Scheme for the uses. Additional space is available on grassed areas adjacent to the tree-lined entrance driveway and currently used informally for overflow.

Further Advice:

Consider amending the site plan to clearly show the grassed parking areas adjacent to the tree-lined entrance driveway.

Response

In response to the above item, reference is made to the updated Development Plans, prepared by Ikai Design, attached at **Appendix A**. In particular, reference is made to the Site Plan which illustrates the location of the proposed informal grass parking areas along the access driveway. It is noted that these parking areas will only be used for overflow parking and are not regularly used given that most events utilise buses to transport people to/from the site.

SUMMARY

The above responses address each of the items raised in Council's Further Advice correspondence. Having regard to the information provided, we request that Council proceed with the assessment of the application.

Should you require any additional information or clarification please do not hesitate to contact the undersigned on phone 07 4632 2535, mobile 0481 127 412 or by email at james@precinctplan.com.au.

Yours sincerely

A handwritten signature in black ink, appearing to read "J Williams", with a long horizontal stroke above the name.

James Williams
Precinct Urban Planning