

Our Reference: MCUI/2026/2933
 CS Portal Reference: N/A
 Contact Officer: Elliott Barber
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INFORMATION REQUEST
Planning Act 2016 Section 68(1)
Development Assessment Rules Chapter 1, Part 3

Dung Thi Le
 C/- Precinct Urban Planning
 PO Box 3038
 TOOWOOMBA QLD 4350

Email: james@precinctplan.com.au

13 May 2026

Dear Sir,

Development Application for: **Material Change of Use - Impact - Multiple Dwelling (Two (2) x Two (2) Bedroom and One (1) x Four (4) Bedroom Units)**
Location: **9 & 1-2/9 Benjamin Street, MOUNT LOFTY QLD 4350**
Property Description: **Lots 0, 1 and 2 BUP101164**
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. CARPARKING

	Issue: Quantity of Carparking Spaces
	Onsite parking spaces have not been provided in accordance with Table 9.4.6:3 – Vehicle Provision Rates as required by AO _{2.2} of the Transport Access and Parking Code.
	Existing Units 1 and 2 are provided with one (1) parking space per unit, plus one (1) or more parking space/s at the front of the site, totalling at least three (3) carparking spaces.
1.1	Proposed Unit 3 requires two (2) carparking spaces under Table 9.4.6:3 – Vehicle Provision Rates. A shortfall of parking spaces is not supported.
	Information Required:
	Provide amended plans and documentation showing compliant car parking including two (2) onsite carparking spaces for proposed Unit 3, with compliant swept path diagrams for Unit 3.
	Note: <i>There appears to be enough space on site for car parking where the existing front parking bay accommodates or is modified to accommodate two (2) spaces.</i>

2. PRIVATE OPEN SPACE

2.1	Issue: Private Open Space Area
	Acceptable Outcome AO _{8.1} of the Medium Density Residential Code requires an area of 16m ² as Private Open Space for each unit. Associated Performance Outcome PO ₈ requires adequate and suitable private open space to meet the needs of occupants for privacy, relaxation and entertainment and to accommodate visitors. Insufficient information has been provided to determine if each unit is provided with appropriate Private Open Space.
	Information Required: Provide amended plans showing an area of 16m ² of Private Open Space for each unit or demonstrate how the development otherwise complies with Performance Outcome PO ₈ of the Medium Density Residential Code.

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



Krys den Hertog
Principal Planner, Planning Branch

CC Huntham Close Bup and Dung Thi Le
9 Benjamin Street
MOUNT LOFTY QLD 4350