

Our Reference: MCUI/2025/7307
CS Portal Reference: N/A
Officer: Krys den Hertog
Contact: 131 872
Email: development@tr.qld.gov.au

Development Application Decision Notice
APPROVAL
Planning Act 2016 Section 63

Glenvale Land Company Pty Ltd
C/- Property Projects Australia
PO Box 3686
TOOWOOMBA QLD 4350

Email: blake@propertyprojectsaustralia.com.au
alistair@propertyprojectsaustralia.com.au

28 July 2026

Dear Sir/Madam

Location: 300 and 390 Drayton Wellcamp Road, GLENVALE QLD 4350
Property Description: Lot 4 RP225271 and Lot 13 SP346983
Relevant Planning Scheme: *Toowoomba Regional Planning Scheme 2012*

The Development Application for a Preliminary Approval for a Variation Request to Vary the Effect of the Planning Scheme, for the abovementioned property has been assessed and approved in full with Conditions. It is considered that the approved development generally complies with the relevant assessment benchmarks or can be conditioned to comply. The decision was made on 21 July 2026 at the Ordinary Meeting of Council. The following provides all the relevant details:

Details of Approval

Preliminary Approval – Variation Request to Vary the Effect of the Planning Scheme

Referral Agencies

Concurrence Agencies Name & Address: Department of State Development, Infrastructure and Planning
PO Box 825
TOOWOOMBA QLD 4350

Advice Agencies Name & Address: N/A

Conditions and Advices

Assessment Manager's Conditions: As per attached Schedule 1

Concurrence Agency Conditions: As per attached Schedule 2

Currency Period

In accordance with section 88(2) of the *Planning Act 2016* (Qld), this Development Approval lapses to the extent the development is not completed within five (5) years after this approval starts to have effect.

Variation Approval

A variation approval under Section 61 of the *Planning Act 2016* has been granted and the assessment manager has approved a variation to the local planning instrument: *Toowoomba Regional Planning Scheme 2012 (Version 28)*. Any development resulting from this approval will be assessed in accordance with the approved Variation Scheme Document.

Submissions

Number of properly made submissions: 59 (see attached list of names and addresses)

Rights of Appeal

Attached is an extract from the *Planning Act 2016* which details your appeal rights regarding this decision.

The *Planning Act 2016* is available on the Office of the Queensland Parliamentary Counsel website via:

<https://www.legislation.qld.gov.au/view/pdf/inforce/current/act-2016-025>.

Yours faithfully



Emily Hinchliffe,
A/Principal Planner, Planning Branch

SCHEDULE 1

PRELIMINARY APPROVAL FOR A VARIATION APPROVAL

APPLICATION NUMBER:	MCUI/2025/7307
APPLICANT:	Glenvale Land Company Pty Ltd
LOCATION:	300 and 390 Drayton Wellcamp Road, GLENVALE QLD 4350
PROPERTY DESCRIPTION:	Lot 4 RP225271 and Lot 13 SP346983
APPROVED USE:	Preliminary Approval for a Variation Request
ZONING / PRECINCT:	Emerging Community Zone / No Precinct

A. ASSESSMENT MANAGER'S CONDITIONS:

PLANNING

PARAMETERS OF APPROVAL

1. The *Toowoomba Regional Planning Scheme 2012* (Version 28) is varied within the Variation Area in accordance with the *Drayton-Wellcamp Road Variation Scheme Document*, prepared by Property Projects Australia Pty Ltd, dated 25 November 2025.
2. The Variation Scheme Document varies the effect of the *Toowoomba Regional Planning Scheme 2012* for the Variation Area pursuant to Section 43 of the *Planning Act 2016* as stated within the Variation Scheme Document.
3. Where the Variation Scheme Document does not state the way in which the approval will vary the effect of the Planning Scheme, the provisions contained in the *Toowoomba Regional Planning Scheme 2012* (Version 28) continue to prevail.

REQUIREMENTS FOR FUTURE DEVELOPMENT WITHIN THE VARIATION AREA

4. Unless otherwise stated, all conditions must be complied with prior to the commencement of use of development within the Variation Area or prior to Council's endorsement of the first Plan of Subdivision within the Variation Area and at all times thereafter.

VARIATION AREA

5. The Variation Area is the area identified in Figure 1 of the Approved Variation Scheme Document (as amended), encompassing all of Lot 4 RP225271 and Lot 13 SP346983.

VARIATION SCHEME DOCUMENT

6. For the assessment of development under the Variation Scheme Document, where there is any dispute or uncertainty as to the applicability of the Variation Scheme Document or an Applicable Planning Code or Policy, the applicability of the Variation Scheme Document or Applicable Planning Code or Policy must be as determined by Council.

COMPLETION PERIOD

7. In accordance with Section 88(2) of the *Planning Act 2016* (Qld), this Variation Approval lapses, to the extent the development is not completed within 5 years after the approval starts to have effect.

REQUIREMENTS FOR FUTURE DEVELOPMENT – INTERNAL ROADS

8. No through road access to Laura Court, Madison Court or Rebecca Street is permitted from future development within the Variation Area.

Note: This condition does not prevent private access, such as a driveway in an access easment, between the development land and these roads.

REQUIREMENTS FOR FUTURE DEVELOPMENT – WATER NETWORK

9. Unless otherwise agreed in writing by Council, future development within the Variation Area must not result in the cumulative water supply demand of 1,200 EP (equivalent persons) being exceeded within the Variation Area, excluding development approved under Development Permit MCUC/2024/8131 & RAL/2024/8129.

Note: The future construction of the Mount Peel reservoir and associated infrastructure may resolve the water supply limitations on future development within the Variation Area. The timing of future works may occur beyond the life of the Variation Approval.

10. Future development applications within the Variation Area must be accompanied by a Technical Note prepared by a suitably qualified RPEQ demonstrating that the requirements of Condition 9 are met.

REQUIREMENTS FOR FUTURE DEVELOPMENT – WASTEWATER NETWORK

11. Unless otherwise agreed in writing by Council, future development within the Variation Area must demonstrate that existing and approved wastewater infrastructure (including wastewater infrastructure approved under Development Permit OW/2025/5735) can be accommodated and integrated, so as to avoid unnecessary duplication or construction of excessive wastewater infrastructure.

REQUIREMENTS FOR FUTURE DEVELOPMENT – STORMWATER NETWORK

12. Stormwater from all future development within the Variation Area must be conveyed to a lawful point of discharge.
13. All future development within the Variation Area must not increase peak flow rates downstream from the subject land.
14. All future development within the Variation Area must not increase flood levels external to the subject land.
15. All future development within the Variation Area must not increase the duration of inundation external to the subject land that could cause loss or damage.
16. All future development within the Variation Area must achieve the Water Sensitive Urban Design objectives listed in PSP No. 2 and *State Planning Policy July 2017*.

B. ADVICES:

GENERAL ADVICES

FUTURE DETAILED DESIGN REQUIRED

- 1) The detailed design of the development has not been assessed. The design of any future development within the Variation Area and all works required to support future development are subject to assessment in a subsequent Development Application. Additional detail will be required

to be provided with a subsequent Development Application to demonstrate the suitability of any detailed design.

OTHER LAWS & REQUIREMENTS

- 2) This Development Approval relates to development requiring approval under the *Planning Act 2016* only. It is the approval holder's responsibility to obtain any other necessary approvals, licenses or permits required under State and Federal legislation or Council local law, prior to carrying out the development. Information with respect to other Council approvals, licenses or permits may be found on the Toowoomba Regional Council website. For information about State and Federal requirements please consult with these agencies directly.
- 3) Carrying out works on a road or interfering with the road or its operation will require a permit under *Subordinate Local Law No. 1.15 (2020)*. The application form can be found on Council's website at www.tr.qld.gov.au. For further information contact the Road Operations Branch through Council's Customer Service Centre on 131 872.
- 4) The development has only been assessed in accordance with the provisions of the *Toowoomba Regional Planning Scheme 2012*. No assessment has been made in respect of the provisions of the *Building Code of Australia* and/or the *Queensland Development Code*.

WHEN APPROVAL STARTS TO HAVE EFFECT

- 5) This Development Approval starts to have effect in accordance with the provisions of Section 71 of the *Planning Act 2016*.

WHEN APPROVAL LAPSES

- 6) This Development Approval will lapse in accordance with the provisions contained in Sections 85 and 88 of the *Planning Act 2016*, unless otherwise stated elsewhere within this Development Approval.

C. ATTACHMENTS:

- Concurrence Agency Conditions Schedule 2
- Approved Variation Scheme Document
- Appeal provisions pursuant to the *Planning Act 2016*.

SCHEDULE 2

CONCURRENCE AGENCY (CONDITIONS AND COMMENTS)

DEPARTMENT OF STATE DEVELOPMENT, INFRASTRUCTURE AND PLANNING

SARA reference: 2510-48923 SRA
Council reference: MCUI/2025/7307
Applicant reference: J002367

RECEIVED
02/12/2025
TOOWOOMBA
REGIONAL COUNCIL

2 December 2025

Chief Executive Officer
Toowoomba Regional Council
PO Box 3021
TOOWOOMBA QLD 4350
development@tr.qld.gov.au

Attention: Jayden Forbes-Mitchell

Dear Mr Forbes-Mitchell

SARA referral agency response— 300 & 390 Drayton Wellcamp Road, Glenvale

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 24 October 2025.

Response

Outcome:	Referral agency response – with conditions	
	Under section 56(2)(a) of the <i>Planning Act 2016</i> , SARA advises it has no requirements relating to the variation request.	
Date of response:	2 December 2025	
Conditions:	The conditions in Attachment 1 must be attached to any development approval	
Advice:	Advice to the applicant is in Attachment 2	
Reasons:	The reasons for the referral agency response are in Attachment 3	

Development details

Description:	Preliminary approval that includes a variation request	Material Change of Use – Variation Request to Vary the Effect of the Toowoomba Regional Planning Scheme 2012
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SARA role: Referral agency

SARA trigger: Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 – Development impacting on state transport infrastructure (Planning Regulation 2017)

SARA reference: 2510-48923 SRA

Assessment manager: Toowoomba Regional Council

Street address: 300 & 390 Drayton Wellcamp Road, Glenvale

Real property description: Lot 13 on SP346983 and Lot 4 on RP225271

Applicant name: Glenvale Land Company Pty Ltd ACN 674 220 994

Applicant contact details: C/- Property Projects Australia
Level 1, 618 Brunswick Street
New Farm QLD 4005
alistair@propertyprojectsaustralia.com.au

Human Rights Act 2019 considerations: A consideration of the 23 fundamental human rights protected under the *Human Rights Act 2019* has been undertaken as part of this decision. It has been determined that this decision does not limit human rights.

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 4**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Danica Clark, Senior Planner, on 3307 6175 or via email ToowoombaSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Paul Gleeson
A/Manager

cc Glenvale Land Company Pty Ltd ACN 674 220 994, C/- Property Projects Australia,
alistair@propertyprojectsaustralia.com.au

enc Attachment 1 - Referral agency conditions
Attachment 2 - Advice to the applicant
Attachment 3 - Reasons for referral agency response
Attachment 4 - Representations about a referral agency response provisions
Attachment 5 – Approved Plans

Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application)

No.	Conditions	Condition timing
Preliminary approval for Material change of use		
Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 – Development impacting on state transport infrastructure—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following conditions:		
1.	(a) Provide a Traffic Impact Assessment (TIA) that identifies the traffic impacts associated with the ultimate development of the subject site (Lot 4 RP225271 and Lot 13 SP346983), to the Darling Downs District (Downs.South.West.IDAS@tmr.qld.gov.au), within the Department of Transport and Main Roads (DTMR). The ultimate development is to be based on the highest yield anticipated under the Drayton-Wellcamp Road Variation Scheme Document, prepared by Property Projects Australia Pty Ltd and dated 8 October 2025 or any other subsequent version of this document approved by the assessment manager. (b) The TIA must: (i) identify the impact of the ultimate development (safety and delay) on the state-controlled road network (ii) identify mitigation measures for any safety and delay impacts on the state transport network expected as a consequence of the ultimate development (iii) identify the staging or timing of the mitigation measures (iv) provide concept plans of any required mitigation works. (c) The TIA must be certified by a RPEQ and prepared in accordance with the principles and framework for undertaking a traffic impact assessment as set out within the DTMR's <i>Guide to Traffic Impact Assessment</i>. (d) All mitigation measures identified in the TIA must be designed, implemented and/or constructed in accordance with the recommendations, including timing, stated in the TIA and in accordance with DTMR's <i>Road Planning and Design Manual</i> (latest edition) and DTMR's <i>Road Safety Policy</i>.	(a) – (c) Prior to submitting the first Plan of Survey to the local government for approval, associated with this preliminary approval. (d) Prior to submitting a Plan of Survey to the local government for the relevant stage of development as identified in the RPEQ Certified TIA.
2.	(a) Provide a plan to identify a direct and efficient layout for a future bus route(s) and active transport route(s) that: (i) allows for approximately 90% of the future urban area to be within 400m of a potential bus route(s) (ii) connects to adjoining development allowing for direct and efficient bus servicing to the development and surrounding area iii. includes a safe, direct and convenient pedestrian access to the potential future bus route (iii) accommodates a single unit rigid bus of 12.5m in length. (b) Submit plan to the Darling Downs District (Downs.South.West.IDAS@tmr.qld.gov.au) within the Department of Transport and Main Roads.	Prior to submitting the first Plan of Survey to the local government for approval, associated with this preliminary approval.

Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> , its regulation or the State Development Assessment Provisions (SDAP) (version 3.3). If a word remains undefined it has its ordinary meaning.

Attachment 3—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for the SARA's decision are:

With conditions, the development complies with State code 6. Specifically, the development:

- provides public passenger transport infrastructure to enable development to be serviced by public passenger transport
- does not create a safety hazard for users of a state-controlled road
- does not result in a worsening of the physical condition or operating performance of state-controlled roads and the surrounding road network
- does not compromise the state's ability to construct, or significantly increase the cost to construct state-controlled roads and future state-controlled roads
- does not compromise the state's ability to maintain and operate state-controlled roads or significantly increase the cost to maintain and operate state-controlled roads.

Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP (version 3.3), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- section 58 of the *Human Rights Act 2019*

Attachment 4—Representations about a referral agency response provisions

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Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules¹ regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

¹ Pursuant to Section 68 of the *Planning Act 2016*

² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

Part 7: Miscellaneous

30 Representations about a referral agency response

30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.³

³ An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

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PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE



SARA ref: 2510-48923 SRA

Date: 02/12/2025

Drayton-Wellcamp Road Variation Scheme Document

Drayton-Wellcamp Road Variation Scheme Document

Prepared by Property Projects Australia Pty Ltd
Prepared for Glenvale Land Company Pty Ltd ACN 674 220 994

8 October 2025

BRISBANE OFFICE OFFICE 1 / 618-626 BRUNSWICK ST NEW FARM QLD 4005 AUSTRALIA P +61 7 3254 1566	TOOWOOMBA OFFICE 123 MARGARET ST TOOWOOMBA QLD 4350 AUSTRALIA P +61 7 4632 0516	MELBOURNE OFFICE LEVEL 1, 239 NICHOLSON STREET CARLTON VIC 3053 AUSTRALIA P +61 3 7037 0432
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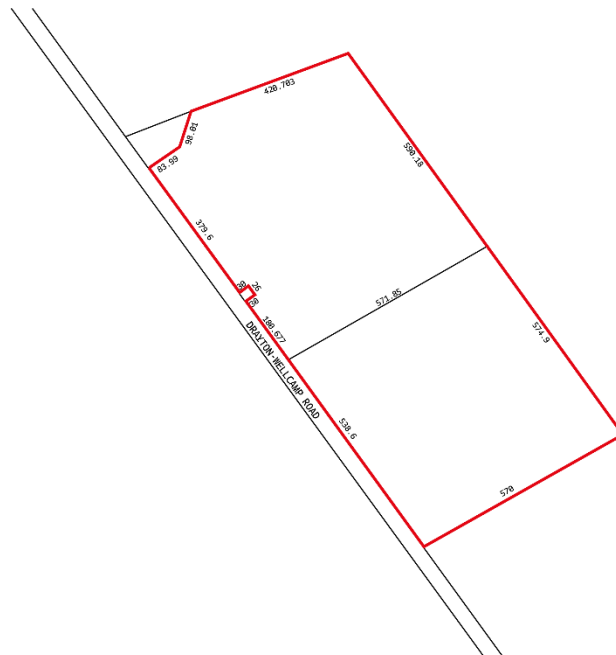
CONTENTS

1. APPLICATION	3
2. OPERATION	5
3. VARIATIONS	6

1. APPLICATION

- 1.1 This is the Drayton Wellcamp Road Variation Scheme Document (the “VSD”) which applies to the land located at 300 and 390 Drayton Wellcamp Road (formally described as Lot 4 on RP225271 and Lot 13 on SP346983), otherwise described in Table 1 (the Variation Area, or “VA”). Figure 1 below shows identifies the VA.

Figure 1 – the Variation Area



LEGEND: — SUBJECT SITE - 300 & 390 DRAYTON WELLCAMP ROAD (LOT 4 ON RP225271 & LOT 13 ON SP346983)	PPA PROPERTY PROJECTS AUSTRALIA
SCALE: NTS SOURCE: QLD GLOBE THE CONTENT OF THIS DOCUMENT INCLUDES THIRD PARTY DATA. PROPERTY PROJECTS AUSTRALIA PTY LTD DOES NOT GUARANTEE THE ACCURACY OF SUCH DATA.	🕒

Table 1 – the Variation Area (VA) Land

Real Property Description	Area (Ha)
Lot 13 on SP346983 and Lot 4 on RP225271	67.88

- 1.2 This VSD only applies to:
- a) All development within the Variation Area where:
 - i) The Toowoomba Regional Planning Scheme (Version 28) or this VSD states the Medium Density Residential Code is a requirement for Accepted Development or an Assessment Benchmark; or

ii) is categorised as Impact Assessable development by the Planning Scheme and/or this VSD, and the Assessment Manager in undertaking an Impact Assessment under Section 45 (5) of the *Planning Act 2016*, considers the *Medium Density Residential Code* and Assessment Benchmark or a relevant matter: or

b) development that is for a Material Change of Use and/or Reconfiguring a Lot.

1.3 This VSD is designed to establish a varied planning outcome for the VA Land, that differs from that presently identified for this land in the *Toowoomba Regional Planning Scheme 2012 (version 28.0, dated 28 November 2022)*. To properly achieve this in the context of the *Planning Act 2016*, this VSD undertakes the following:

1. development for the VA as assessable or accepted development, and specifies the categories of assessment required for different types of assessable development Categorise;
2. The variation of specific provisions of the *Toowoomba Regional Planning Scheme 2012 (version 28, dated 28 November 2022)* to support the varied planning outcome for the VA; and
3. Sets out the matters (the assessment benchmarks) that an assessment manager must assess assessable development on the VA against.

2. OPERATION

- 2.1 This VSD is intended to constitute a local categorising instrument in accordance with section 43(3)(c) of the Planning Act 2016.
- 2.2 If there is any inconsistency between the provisions of this VSD and the *Toowoomba Regional Planning Scheme 2012 (version 28, dated 28 November 2022)*, or any of its future iterations or superseding local planning instruments, the provisions in this VSD prevail.
- 2.3 What is not identified in this VSD as constituting a variation to the *Toowoomba Regional Council Planning Scheme 2012 (version 28, dated 28 November 2022)*, is not the subject of a variation request. In such instances, where there is no equivalent provision in this VSD, the provisions of the *Toowoomba Regional Planning Scheme 2012 (version 28, dated 28 November 2022)* will continue to prevail (and will do so, despite any subsequent amendment to those provisions, the *Toowoomba Regional Planning Scheme 2012* or any local planning instrument).
- 2.4 The definitions of the terms used in this VSD are as per the *Toowoomba Regional Planning Scheme 2012 (version 28, dated 28 November 2022)*.

3. VARIATIONS

- 3.1 For development stated in Section 1.2(a) or (b) of this VSD, this VSD suspends the provisions of the Planning Scheme, and gives effect to the applicable VSD provisions as stated in **Table 1**.

For development subject to this VSD the provisions of the Planning Scheme apply as if references to the *Emerging Community Zone* or *Emerging Community Zone Code* are a reference to the Low-medium Density Residential Zone and Low-medium Density Residential Zone Code respectively.

Table 1 – Effect of this VSD for development stated in Section 1.2(a)(i) or (ii) of this VSD

Development Type	Suspended planning Provisions	Applicable Provisions
Any development: a) that Part 5 of the Planning Scheme states the Medium Density Residential Code is an Assessment Benchmark and a requirement for Accepted Development; or b) categorised as Impact Assessable development by the Planning Scheme and/or this TLPI, and the Assessment Manager in undertaking an Impact Assessment under Section 45 (5) of the Planning Act 2016, considers the Medium Density Residential Code an Assessment Benchmark or a relevant matter.	Part 9, Section 9.3, Subsection 9.3.7, Table 9.3.7:1 – Medium Density Residential Code – Requirements for accepted development and assessment benchmarks for assessable development: a) Performance Outcome P021 and Acceptable Outcome A021.1; and b) Performance Outcome P024 and Acceptable Outcome A024.1. AND/OR Part 9, Section 9.3, Subsection 9.3.7, Table 9.3.7:2 – Medium Density Residential Code – Assessment benchmarks for assessable development Performance Outcome	Table 2 - Medium Density Residential Code – Requirements for accepted development and assessment benchmarks for assessable development (VSD).

	P024 and Acceptable Outcome A024.1.	
Material Change of Use	Part 5, Section 5.5, Table 5.5:15 – Categories of development and assessment – Material Change of Use – Emerging Community Zone	Part 5, Section 5.5, Table 5.5:2 – Categories of development and assessment – Material Change of Use – Low – medium Density Residential Zone
Reconfiguring a Lot	Part 5, Section 5.6, Table 5.6:2 – Minimum Lot Sizes, row corresponding with 'Emerging Community Zone' in the column headed 'Zone (Precinct).	Table 3 – Minimum Lot Sizes (VSD).
Material Change of Use and/or Reconfiguring a Lot that is categorised as Assessable Development by the Planning Scheme or this TLPI	Nil	Table 4 – TLPI Additional Requirements assessment benchmarks for assessable development (VSD)

Table 2 – Medium Density Residential Code – Requirements for accepted development and assessment benchmarks for assessable development (VSD)

Performance outcomes	Acceptable outcomes
P01 Stormwater discharge from the site is to a lawful point of discharge as defined in the Queensland Urban Drainage Manual (QUDM) and not to private land other than to an easement for stormwater purposes benefitting the site and allowing discharge to a lawful point of discharge in land over which Council has tenure or control.	A01.1 The site: (a) has a natural surface with an elevation that is higher than the abutting road and enables stormwater to drain gravitationally to the abutting road via subsurface pipes; or (b) has a natural surface with an elevation that is higher than Council's stormwater drainage network in the abutting road and enables stormwater to drain gravitationally to the stormwater drainage network in the abutting road via subsurface pipes; or (c) has lawful access to an inter allotment drainage network with available capacity

	to meet the requirements of the development; or (d) Uses a pumped pipe system designed and certified by an RPEQ to discharge stormwater to the kerb and channel of the adjoining road; and (e) Design of the pumped pipe system meets the following requirements: Design of the pumped pipe system meets the following requirements: i) there is a gravity flow across the road reserve from the property boundary to the street gutter to preclude the possibility of street water backflow; ii) if malfunction or overflows occur the flows do not cause an actionable nuisance; iii) redundancy for pumps and power supply in case of mains supply failure; iv) incorporation of failure notification; v) storage volumes equate to 50mm of rain on impervious surfaces; vi) a check of road capacity and existing drainage system is required to demonstrate that there are no adverse impacts; vii) the pump capacity has the ability to empty the storage volume within 10hrs or less; and viii) the system is designed to eliminate mosquito nuisance. (f) A maintenance plan for the pumped pipe system is provided and incorporated into any Community Management Statement for the development.
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Table 3 – Minimum Lot Sizes (VSD)

Applicable land	Minimum Lot Size
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All land subject to this VSD	(a) 300m ² where connected or proposed to be connected by the related RAL application, to reticulated wastewater infrastructure; otherwise (b) 10 hectares.
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Table 4 – VSD Additional Requirements for assessment benchmarks for assessable development (VSD)

Performance outcome	Acceptable outcome
For Assessable Development that is a material change of use with a site area greater than 10 hectares or reconfiguring a lot creating more than one additional lot	
P01 Development does not limit or preclude the long-term use of the site for urban purposes and use of nearby land for its intended purpose having regard to: (a) the scale and nature of the activity and its likely impacts; (b) the Precinct in which the site and nearby land is located as identified in this TLPI; and (c) the zone in which the nearby land (not subject to this VSD) is located.	A01.1 For a material change on a site area greater than 10 hectares in area or reconfiguring a lot creating more than one additional lot, a Master Plan: (a) identifies how the site is proposed to be developed; (b) demonstrates how the development facilitates the delivery of any public infrastructure or community purpose proposed by a Structure Plan identified in the West Toowoomba Land use Investigations (provided at Appendix A); (c) facilitates the logical and sequential development of the site and all adjoining land, for its intended purpose in accordance with any Structure Plan identified in the West Toowoomba Land use Investigations (provided at Appendix A); and (d) provides details about how it has been prepared in accordance with the PSP No. 4 - Master Planning.

List of Submitters:-

Laura Wagner
4 Madison Court
GLENVALE QLD 4350

Bernadette Wagner
4 Madison Court
GLENVALE QLD 4350

Sophie Wagner
4 Madison Court
GLENVALE QLD 4350

Karen Anne Graham
15 Rebecca Street
GLENVALE QLD 4350

Robert John Wagner
4 Madison Court
GLENVALE QLD 4350

Kaylene Ann Stevenson
22 Rebecca Street
GLENVALE QLD 4350

Sean Thompson
8 Rebecca Street
GLENVALE QLD 4350

Kate Rachael Johnston
671 Boundary Street
GLENVALE QLD 4350

David Kenneth Waters
3 Daniel Street
GLENVALE QLD 4350

Lee Elizabeth Hicks
9 Jacqueline Street
GLENVALE QLD 4350

Shane Crosby Graham
15 Rebecca Street
GLENVALE QLD 4350

Rayda Yvonne Goodall
9 Laura Court
GLENVALE QLD 4350

Dianna M Thompson
8 Rebecca Street
GLENVALE QLD 4350

Colleen Dell Mundt
10 Laura Court
GLENVALE QLD 4350

Patrick Edward Smith and Jill Marie Smith
265-271 Hursley Road
TORRINGTON QLD 4350

Adrian Kingsley Lewis Walker
19 Rebecca Street
GLENVALE QLD 4350

Deborah Tokar
29 Rowbotham Street
RANGEVILLE QLD 4350

Neil S Thompson
8 Rebecca Street
GLENVALE QLD 4350

Scott Cameron Mc Loughlin
1 Madison Court
GLENVALE QLD 4350

Craig Noel Reis
22 Cary Road
GLENVALE QLD 4350

Nick Stuart and Penny Stuart
5 Rebecca Street
GLENVALE QLD 4350

Lionel R Johansen
14 Rebecca Street
GLENVALE QLD 4350

Patrina Catherine Kuhnemann
2 Rebecca Street
GLENVALE QLD 4350

Kurt John Garske and Melissa Garske
11 Cary Road
GLENVALE QLD 4350

Ahri Jonah Tallon
C/- Darling Downs Environmental Council
1A Heller Street
RANGEVILLE QLD 4350

Warren Bloomfield and Jennifer Lee Bloomfield
5 Rebecca Street
GLENVALE QLD 4350

Warwick John Easdown
1 Casuarina Court
HIGHFIELDS QLD 4352

John Murray Goodall
9 Laura Court
GLENVALE QLD 4350

Jo Winston
14 King Street
TOOWOOMBA CITY QLD 4350

Patricia Lyn Quattromani
34 Harvey Road
GLENVALE QLD 4350

Emily Rose Carr
3 Harvey Court

GLENVALE QLD 4350

Sammy Silvio Quattromani
34 Harvey Road
GLENVALE QLD 4350

Rebecca Hope Rowe
34 Harvey Road
GLENVALE QLD 4350

Pamela Joy Shipman
13 Voll Road
GLENAVEN QLD 4355

Nadine Lobwein and Wayne A Lobwein
7 Jacqueline Street
GLENVALE QLD 4350

Marianne McMillan
18 Rebecca Street
GLENVALE QLD 4350

Patricia Mary Forbes
13 Rebecca Street
GLENVALE QLD 4350

Ashley Owen Mundt
8 Jacqueline Street
GLENVALE QLD 4350

Maree Mc Sweeney
71 Ipswich Street
EAST TOOWOOMBA QLD 4350

David Isherwood
7 Gordon Crescent
WITHCOTT QLD 4352

David Fowler
321/108 Woolmer Road
HIGHFIELDS QLD 4352

Maria Arranz
8 Anita Road
BLACKBUTT NORTH QLD 4314

Michelle Annette Ford
43 Vonhoff Road
PIERCES CREEK QLD 4355

Stacey Joy Devine
18 Northland Street
NEWTOWN QLD 4350

Ian Peter Stevenson
22 Rebecca Street
GLENVALE QLD 4350

Athol James Knox and Cheryl Ann Knox
10 Rebecca Street
GLENVALE QLD 4350

Vincent Gerard Burke and Eve Suzanne Burke

17 Carys Road
GLENVALE QLD 4350

Duane Robert Richardson and Karen L Richardson
16 Rebecca Street
GLENVALE QLD 4350

Carolyn Jane Gaschk
3 Jacqueline Street
GLENVALE QLD 4350

Michael Gaschk
3 Jacqueline Street
GLENVALE QLD 4350

Cheryle D Groves and Peter Keith Groves
11 Rebecca Street
GLENVALE QLD 4350

Trenton James Humphrys
3 Madison Court
GLENVALE QLD 4350

Cherie Majella Humphrys
3 Madison Court
GLENVALE QLD 4350

Elizabeth Rose Dwan
20 Rebecca Street
GLENVALE QLD 4350

Jon Michael Dwan
61 Broadfoot Street
KEARNEYS SPRING QLD 4350

Wendy Higgins
PO Box 6559
CLIFFORD GARDENS QLD 4350

Michelle Nicolle Lucas and Darren William Lucas
8 Laura Court
GLENVALE QLD 4350

Karen Lee Smith
2 Madison Court
GLENVALE QLD 4350

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
 - (a) matters that may be appealed to—
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) the person—
 - (i) who may appeal a matter (the **appellant**); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The **appeal period** is—
 - (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
 - (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
 - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
 - (f) for an appeal relating to the *Plumbing and Drainage Act 2018*—
 - (i) for an appeal against an enforcement notice given because of a belief mentioned in the *Plumbing and Drainage Act 2018*, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or
 - (ii) for an appeal against a decision of a local government or an inspector to give an action notice under the *Plumbing and Drainage Act 2018*—5 business days after the notice is given; or
 - (iii) for an appeal against a failure to make a decision about an application or other matter under the *Plumbing and Drainage Act 2018*—at anytime after the period within which the application or matter was required to be decided ends; or
 - (iv) otherwise—20 business days after the day the notice is given; or
 - (g) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note— See the P&E Court Act for the court's power to extend the appeal period.
- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund—
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to—
 - (a) the respondent for the appeal; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under

schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and

- (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and
 - (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
 - (f) for an appeal to the P&E Court—the chief executive; and
 - (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The **service period** is—
 - (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
 - (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
 - (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.
- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

231 Non-appealable decisions and matters

- (1) Subject to this chapter, section 316(2) schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section—

decision includes—

 - (a) conduct engaged in for the purpose of making a decision; and
 - (b) other conduct that relates to the making of a decision; and
 - (c) the making of a decision or the failure to make a decision; and
 - (d) a purported decision; and
 - (e) a deemed refusal.

non-appealable, for a decision or matter, means the decision or matter—

- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, any tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.