

27 April 2026

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

Attention: Mr Shen Liu  
By Email: [shen.liu@tr.qld.gov.au](mailto:shen.liu@tr.qld.gov.au)

**RECEIVED**  
27/04/2026  
**TOOWOOMBA  
REGIONAL COUNCIL**

Dear Shen

**RESPONSE TO INFORMATION REQUEST – SECTION 68, PLANNING ACT 2016 & CHAPTER 1, PART 3, SECTION 13, DEVELOPMENT ASSESSMENT RULES – COMBINED DEVELOPMENT APPLICATION - MATERIAL CHANGE OF USE – CHILD CARE CENTRE & RECONFIGURING A LOT – SUBDIVISION (1 INTO 2 LOTS) - 1A CAWDOR ROAD, HIGHFIELDS – LOT 2 SP307313, INCL. EMT A RP56980**  
(Council Ref: MCUI/2025/5337 & RAL/2025/5338)

I act on behalf of the applicant, Toddler Town Day Care Pty Ltd, in respect of the above matter.

I refer to Toowoomba Regional Council's (**Council**) Information Request, dated 28 August 2025, in respect of a Combined Development Application for a Material Change of Use for Child Care Centre and Reconfiguring a Lot - Subdivide one (1) into two (2) Lots at 1A Cawdor Road, Highfields, being that land described as Lot 2 SP307313 including Easement A RP56980.

The following advice provides a response to the matters raised in Council's Information Request. 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. BUILT FORM

#### 1.1. Issue:

**PO27 of the Highfields, Meringandan and Meringandan West Local Plan Code requires that parking areas are located to not visually dominate the frontage of the site. This is further required under Overall Outcome (2)(o) of the Low Density Residential Zone Code to support a non-residential use in the zone. The proposed carparking at the front of the building does not meet this requirement.**

**Acknowledging the water main and easement presents a challenge to changing the site design, where an alternative is proposed this must clearly demonstrate how the carparking will not be a dominant visual element.**

#### Information Required:

**Provide revised plans demonstrating that the proposed development relocates or redesigns the car parking areas to ensure they do not visually dominate the street frontage.**

## **Response**

In response to the above item, reference is made to the Amended Development Plans, prepared by VHD Studio, attached at **Appendix A**. The proposed layout has been amended to increase the landscaping buffer adjacent to the Cawdor Road frontage from 2m to approximately 8m. The increased buffer area will incorporate additional landscaping to further screen the development and ensure that the carparking areas do not visually dominate the streetscape.

It is noted that due to the complexities with this application and the items raised below, updated landscaping plans have not been prepared. These plans can be prepared once Council provides agreement to the proposed layout, particularly surrounding the water easement.

## **2. WATER INFRASTRUCTURE**

### **2.1. Issue:**

**Council's DN550 raw water trunk main runs through the subject site via a 10-metre-wide easement in a north-south direction. Council has reviewed the submitted Proposed Site Layout and associated documentation and has the following concerns:**

- **The submitted Site Plan indicates that a portion of the proposed car park is located within the easement of Council's raw water trunk main. In accordance with the TRC Planning Scheme, no works are permitted within Council's service easements except minor earthworks.**
- **The proposed children's outdoor play area is located adjacent to the western boundary of the easement. Council has significant concerns regarding this proximity. These concerns were also raised and documented in the Pre-lodgment Meeting Minutes under PREL/2024/8038. It was clearly stated that the site layout must be designed to ensure maximum separation between the water main, any structures, and any play areas. This is to minimise potential safety and operational risks associated with the Childcare Centre's location near a major water asset.**
- **The submitted Designer's Risk Assessment Report does not adequately address the risks associated with constructing a sensitive receptor in close proximity to Council's critical water infrastructure.**

**The assessment does not adequately consider the likelihood and consequences of a failure or burst of the aged (installed in 1937) DN 550 Mild Steel raw water trunk main. Council does not support Item 1.7 of the Risk Assessment, which suggests that Council is responsible for conducting a condition assessment of the existing trunk main.**

**The existing water main is currently fit for purpose. However, this in no way indemnifies the lot for the lifetime of this childcare centre. This would require that the business be closed for the entire length of repair of this main as the excavation required would remove access.**

**Council maintains the right to enter this easement to maintain or replace the existing infrastructure at Council's discretion under the requirements of the existing easement.**

### **Information Required:**

**Provide the following:**

- (a) Amended Plans showing no car park is proposed over Council's service easement.**
- (b) Amended Plans demonstrating that separation is maintained between the service easement and outdoor play area ensuring that the potential safety and operational risks are minimised. Council may consider fencing subject to assessment of fence details.**
- (c) Further justification certified by an RPEQ-Civil demonstrating that the potential risk of constructing a sensitive receptor in close proximity to high pressure water main are considered. Furthermore,**

**documentation is required demonstrating safety protocols to be implemented during the event of outburst ensuring the safety of children, staff and bystanders in and around the premises. Documentation managing the operation of the use where interrupted due to maintenance works is also required.**

### **Response**

In response to items (a) and (b), reference is made to the Amended Development Plans, prepared by VHD Studio, attached at **Appendix A**. The updated site layout ensures that all carparking areas are located outside of the water easement, with only the driveway traversing the easement. Additionally, the nursery and kindy/pre-prep outdoor play areas are now separated approximately 15.7m and 3m from the easement respectively.

In respect to item (c), reference is made to the Engineering Response Letter, prepared by Burchills Engineering Solutions, dated 24 April 2026 and attached at **Appendix B**. This letter provides a detailed response to this item.

## **3. STORMWATER MANAGEMENT**

### **3.1. Issue:**

**The proposed development is required to meet the requirements outlined in the Toowoomba Regional Planning Scheme 2012, PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure including its referenced standards and the State Planning Policy July 2017 (SPP). The Conceptual Stormwater Management Plan submitted does not satisfy the requirements of the Planning Scheme Policy. In particular, the following issues are of concern:**

- **Council is concerned that the proposed retaining wall adjacent to the existing Council's easement will divert the existing overland flow.**
- **Council does not agree that development does not trigger the requirements of State Planning Policy. Highfields is considered urban and the development with lots sizes greater than 2,500m<sup>2</sup> are required to comply with the SPP 2017 requirements and provide on-site stormwater quality treatment measures.**
- **Post-development catchment A1 has not been properly identified. Council requires further information on the portions of stormwater discharging to Cawdor Road, catchment A3 and the adjoining Lot 6 on SP307313 from the catchment A1.**
- **No easement has been shown over the proposed swale that conveys stormwater from the proposed northern balance lot through the lot where Childcare Centre is proposed.**
- **The proposed stormwater discharge to a lawful point of discharge through the adjoining property (Lot 10 SP239919) is likely to be adversely impacted by the concentrated stormwater flows. No information or evidence has been provided as to why an easement cannot be obtained to convey stormwater from the development to Bernard Court kerb and channel.**
- **Submitted plans show stormwater from catchment A1 conveyed into Sub-surface Wastewater Irrigation Zone in catchment A3 through a diversion swale. However, the Effluent Disposal Report states that stormwater must be diverted away from land application. It is unclear how the required 10m offset from the irrigation zone will be maintained.**

### **Information Required:**

**Provide amended Conceptual Stormwater Management Plan demonstrating the following as per Toowoomba Regional Planning Scheme 2012, PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure including its referenced standards and the State Planning Policy July 2017 (SPP):**

- Existing overland flow path is maintained, and no retaining walls are provided adjacent to the service easement.
- Stormwater Quality is addressed and on-site stormwater quality measures as per the requirements of State Planning Policy 2017.
- The post development catchment boundaries are consistent with the statements in the report and there will be no actionable nuisance to the adjoining property Lot 6 SP307313 due to concentrated stormwater and increased flows.
- An easement for stormwater drainage purpose is provided in favour of the proposed northern balance lot against the title of proposed lot with the Childcare Centre to convey stormwater through the swale.
- An easement is provided over the downstream property Lot SP239919 to convey stormwater from the development to legal point of discharge being the kerb and channel at Bernard Court. Owner's consent from the owner of the downstream property is required to be provided.
- Minimum of 10m clearance between the wastewater irrigation zone and the proposed swale has been provided ensuring no overland stormwater sheet flow into the irrigation zone. Furthermore, any concentrated stormwater flow discharge into the irrigation zone is to be avoided.

#### **Response**

In response to the above item, reference is made to the Engineering Response Letter, prepared by Burchills Engineering Solutions, dated 24 April 2026 and attached at **Appendix B**. This letter provides a detailed response to this item.

#### **4. TRAFFIC IMPACT ASSESSMENT**

##### **4.1. Issue:**

The development is subject to requirements of Performance Outcomes under Transport, Access and Parking Code. However, the submitted Traffic Impact Assessment (TIA) does not satisfactorily demonstrate that the relevant performance outcomes can be achieved. In particular:

- No assessment has been provided regarding the practicality of providing a vehicle access to the proposed northern balance lot or whether a single shared vehicle access for both lots would be a more appropriate arrangement. The application does not adequately demonstrate how appropriate vehicular access can be achieved to the proposed northern balance lot given the existing site constraints, such as, existing power poles, and existing fencing on the verge.
- No information has been provided demonstrating the turn warrant assessment for the access to/from the site.
- The traffic generation rate assumptions do not consider for the traffic generated by FTE staffs.
- No swept path diagram has been provided for the B85 and B99 vehicles demonstrating that the vehicles can traverse through the site.
- Council notes that tandem parking is proposed and is designated for staff car parking. However, no Car Parking Management Plan has been provided demonstrating the feasibility of the proposed tandem car parking.

#### **Information Required:**

Provide amended Traffic Impact Assessment (TIA) addressing the following:

- Vehicle access for the proposed northern balance lot which complies with required separation from infrastructure (e.g. power pole). A plan showing the vehicle access, infrastructure relocation, earthworks within the verge and required separation must be provided;

- *Turn warrant assessment has been carried out for the development in accordance with AUSTRROADS Guide to Road Design Part 4;*
- *Traffic generation rates considering the FTE staff;*
- *Swept path diagrams demonstrating that the B85 and B99 vehicles can traverse and manoeuvre through the site; and*
- *Car Parking Management Plan demonstrating the feasibility of the proposed tandem car parking for staff.*

### **Response**

In response to the above item, reference is made to the Engineering Response Letter, prepared by Burchills Engineering Solutions, dated 24 April 2026 and attached at **Appendix B**. This letter provides a detailed response to this item.

## **5. LANDSCAPING**

### **5.1. Issue:**

*There are discrepancies between landscape plans and stormwater plans. The stormwater plans show batters ranging from 1:2 to 1:6 within outdoor play spaces, rendering these areas of outdoor space unusable for play function. The battering to the nursery outdoor space also appears to result in a depression which may fill with water in rain events.*

*The swale locations shown on landscape plans do not correlate with those on the stormwater plans including a proposed drainage swale through the wastewater irrigation zone.*

*Additionally, the shade tree planting within the carparking areas has not been evenly distributed to provide shading to the extent of the carpark required by Landscaping Code PO6. Please note the above earlier requirement to ensure the carpark does not form a dominant visual feature of the site.*

### **Information Required:**

- Provide an updated set of development plans which ensure these are consistent with each other;*
- Provide an updated set of development plans which demonstrates functional outdoor play space which meets regulatory requirements specifically in relation to batters; and*
- Provide updated site and landscape plans which demonstrate shade tree planting evenly distributed throughout the car park. This may be achieved by adding shade tree planting between car park rows 10-16 and S1-S7.*

### **Response**

In response to the above item, reference is made to the Engineering Response Letter, prepared by Burchills Engineering Solutions, dated 24 April 2026 and attached at **Appendix B**. This letter provides a detailed response to this item.

The updated site layout and carparking configuration ensures that most carparking spaces are adjacent to landscaping areas. Accordingly, the proposed development can incorporate shade tree planting at a rate of 1 tree per 8 spaces (i.e. 5 trees). These trees will be illustrated on the landscape plans once updated.

It is noted that due to the complexities with this application and the items raised below, updated landscaping plans have not been prepared. These plans can be prepared once Council provides agreement to the proposed layout, particularly surrounding the water easement.

## 6. RECONFIGURING A LOT - VEHICULAR ACCESS & ROAD INFRASTRUCTURE

### 6.1. Issue:

*The proposed development is required to meet the requirements outlined in the Toowoomba Regional Planning Scheme 2012, Transport, Access and Parking Code, Reconfiguring a Lot Code and Schedule 6 Planning Scheme Policy (PSP), SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure including its referenced standards. As the road hierarchy of Cawdor Road is a Distributor, land dedication is required for the full frontage of the development to achieve 12.5m of road reserve width from the centre line.*

#### Information Required:

*Provide amended plans showing a land dedication is provided for the full frontage of the development to achieve a 12.5m road reserve width as per Schedule 6 Planning Scheme Policy (PSP), SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure for a Distributor Road.*

*Note: Where the development is approved, Council may require road works for the Cawdor Road widening as per Council's standards and any required turn treatments subject to the recommendations of the Traffic Impact Assessment.*

#### Response

In response to the above item, reference is made to the Engineering Response Letter, prepared by Burchills Engineering Solutions, dated 24 April 2026 and attached at **Appendix B**. Reference is also made to the amended Site Plan, prepared by VHD Studio and attached at **Appendix A**, which illustrates the required road dedication.

## 7. ONSITE EFFLUENT FACILITY

### 7.1. Issue:

*There is concern that the proposed onsite effluent facility and application area does not achieve the requirements of the Queensland Plumbing and Wastewater Code. The stormwater drainage swale indicated on the Landscape Concept Plan is not likely to be completed as this conflicts with the On-Site Wastewater and Effluent Disposal System Design and required setback distances under Qld Plumbing and Wastewater Code.*

#### Information Required:

*Provide amended plans demonstrating that the proposed onsite effluent facility complies with the setbacks and design in accordance with Queensland Plumbing and Wastewater Code.*

#### Response

In response to the above item, reference is made to the On-site Wastewater and Effluent Disposal System Design, prepared by Taylor Environmental, dated 21 January 2026 and attached at **Appendix C**. This report provides an updated effluent design based on the amended site layout and engineering requirements.

Reference is also made to the Engineering Response Letter, prepared by Burchills Engineering Solutions, dated 24 April 2026 and attached at **Appendix B**. The updated Stormwater Management Plan contained in this response considers the amended effluent design through the use of underground pipes and relocation of open drainage swales.

## 8. ACOUSTICS

### 8.1. Issue:

*The proposed northern balance lot has been identified in the application for residential purposes. The submitted Noise Assessment Report does not include the proposed northern balance lot as a sensitive receptor, despite that the development proposes a Reconfiguring a Lot to create this as a separate residential lot.*

### Information Required:

*Provide an amended Noise Assessment Report including a dwelling envelope on the proposed northern balance lot as a sensitive receptor, and recommend any mitigation measures.*

### Response

In response to the above item, reference is made to the Noise Assessment Report, prepared by Noise Measurement Services, dated 3 February 2026 and attached at **Appendix D**. This report has been updated to consider the amended site layout and also consider a potential new dwelling on the proposed northern residential lot.

### **SUMMARY**

Pursuant to Section 68(1) of the *Planning Act 2016* and Chapter 1, Part 3, Section 13 of the *Development Assessment Rules*, we hereby confirm that this response provides a response to all of the items included in the Information Request. 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](mailto:james@precinctplan.com.au).

Yours sincerely

A handwritten signature in black ink, appearing to read "James Williams".

**James Williams**  
**Precinct Urban Planning**