

Town Planning Report

Development Application for Reconfiguring a Lot (177 lots plus 3 drainage reserves)

Lot 1 Hamlyn Road and 118-136 Hamlyn Road, Oakey
Lot 1 on SP359048 and Lot 2 on RP147827

Prepared for
VPE LB2 Pty Ltd

April 2026

Our Ref: 260101

Applicant Details

The applicant for the proposed Development Application for Reconfiguring a Lot (177 lots plus drainage reserves) is VPE LB2 Pty Ltd. It is requested that all project correspondence be addressed to VPE LB2 Pty Ltd, care of ADAMS + SPARKES.

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Document Control and Verification

This Town Planning Report has been prepared and reviewed by the identified key personnel, in accordance with the requirements of the *Planning Act 2016*.

ADAMS + SPARKES is led by Directors Cameron Adams and Pete Sparkes, who have a combined experience of over 30 years across both the public and private sectors. ADAMS + SPARKES has extensive experience in the management of development applications, including residential, commercial, retail and mixed-use developments, as well as industrial, mining and infrastructure projects.

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1. Introduction

1. This Town Planning Report has been prepared in support of a code assessable Development Application for Reconfiguring a Lot (177 lots plus drainage reserves) at Lot 1 Hamlyn Road and 118-136 Hamlyn Road, Oakey, legally described as Lot 1 on SP359048 and Lot 2 on RP147827. This report has been prepared by ADAMS + SPARKES Town Planning (hereafter 'ADAMS + SPARKES') for and on behalf of the applicant, VPE LB2 Pty Ltd.
2. The local government for the subject site is Toowoomba Regional Council. In accordance with Schedule 8 of the *Planning Regulation 2017*, Toowoomba Regional Council is the Assessment Manager for the Development Application. The applicable planning scheme is the *Toowoomba Regional Planning Scheme* (hereafter the 'Planning Scheme').
3. The *Planning Regulation 2017* defines 'reconfiguring a lot' as the rearrangement of boundaries and the creation of lots through subdivision of another lot.
4. The subject site is dual zoned. The part of the site proposed to accommodate new lots is included in the **Low Density Residential Zone (General Precinct)**, while the part of the site intended to accommodate stormwater drainage only is included in the **Rural Zone**. In accordance with Table 5.6.1 *Table of Development Assessment for Reconfiguring a Lot*, the Development Application is subject to **code assessment**.
5. Owner's consent has been provided for both Lot 1 Hamlyn Road and 118-136 Hamlyn Road, Oakey. It is highlighted that 118-136 Hamlyn Road has only been included in the application as stormwater works are proposed over a small part of it.
6. This Town Planning Report will describe the site, the proposed development, and address the relevant town planning and design issues with respect to the proposal. This report should be read in conjunction with the following supporting documentation:

Appendix 1	Title Searches
Appendix 2	Proposal Plans prepared by Arcos Group
Appendix 3	Landscape Plans prepared by Larc Landscape Architects
Appendix 4	Traffic Impact Assessment prepared by Modus Engineering
Appendix 5	Engineering Report incl. Stormwater Management Plan prepared by Arcos Group
Appendix 6	Sewer and Water Access Report prepared by H2One
Appendix 7	Agricultural Buffer Report prepared by MWA
Appendix 8	Noise Impact Assessment prepared by David Moore & Associates
Appendix 9	Soil Investigation (PFAS) Report prepared by Arcos Group
Appendix 10	Oakey Sewerage Study Planning Report

2. Site Details and Characteristics

2.1 Subject Site

7. A desktop inspection was undertaken by ADAMS + SPARKES as part of the preparation of this Town Planning Report. Observations from this inspection have been incorporated into the following sections of the report. Further, **Table 1** below, provides a summary of the details applying to the subject site.

Table 1 Site Summary Table

Address	Lot 1 Hamlyn Road and 118-136 Hamlyn Road, Oakey
Property description	Lot 1 on SP359048 Lot 2 on RP147827
Subject Site	47.717ha (development site 15.89ha)
Frontage	182m to Hamlyn Road
Zone/Precinct	Low Density Residential General Precinct
Greenfield Area	Yes
Local Plan Area	Not Applicable
Landowner	VPE LB2 PTY LTD
Easements	Nil
Sewer and Water Access	The site has access to sewer and water infrastructure on the western side of Hamlyn Road. There is also a water main on the southern side of 4AK road.
Notable site features	<ul style="list-style-type: none"> • Level topography sloping slightly from south to north • Void of vegetation and buildings/structures • Situated at approx. 415m AHD - 421m AHD • Currently utilised for cattle grazing • 118-136 Hamlyn Road presently retains a large bund for redirecting stormwater flows of the southern upstream catchment within the site to the east. Section 5.2 of the Engineering Report (Appendix 5) provides commentary of the existing stormwater drainage characteristics.

8. As aforementioned, 118-136 Hamlyn Road is only included in this application for the purpose of stormwater works. Lot 1 Hamlyn Road is depicted in **Figure 1** below.



Figure 1 Subject Site – Aerial View (Source: QLD Globe 2026)

2.2 Surrounding Land Uses

9. As shown in **Figure 1** above, the site is located on the fringe of the Oakey township, with residential development located directly to the west of the site (generally approx. 600m²-800m² lots). Larger lots are evident south of the site, of approximately 1ha in area. Land to the north and east of the site remains rural in nature and is used for casual cattle grazing.
10. The site is located approximately 1 km south of the railway line that intersects Oakey and is well serviced by the nearby Oakey Major Centre Zone (approximately 1.5 km away). The Major Centre provides a range of services and business uses, including retail shops, food and drink outlets, grocery stores, health care services, schools, and sport and recreation facilities (**Figure 2**).

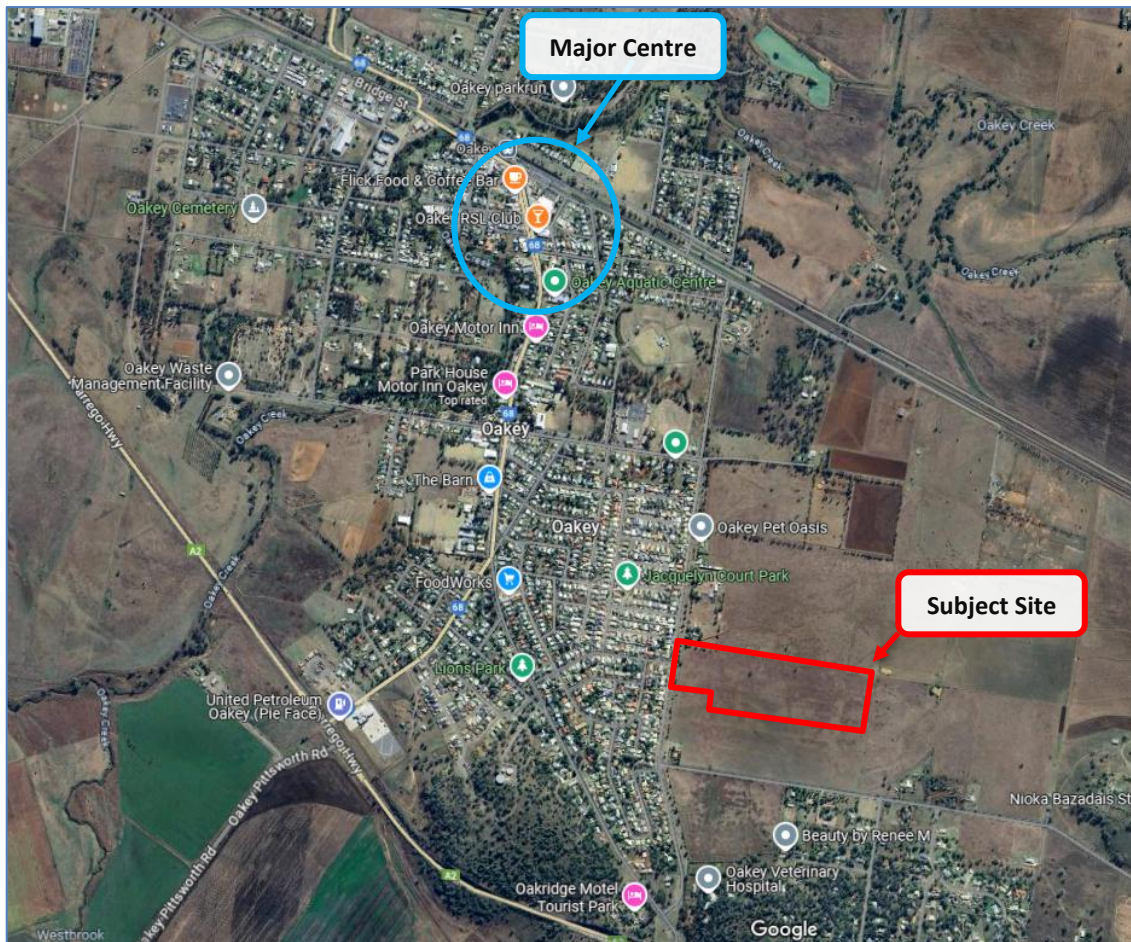


Figure 2 Surrounding Context (Source: Google Maps 2026)

2.3 Relevant Approval History

11. A Preliminary Approval overriding the Planning Scheme was granted over the site in 2007 (ref. MCUC/2006/12177) to convert then rurally zoned land to land which may be used for residential purposes (including residential subdivision). Following this, in 2008, a Development Permit was granted in accordance with the higher order Preliminary Approval for Reconfiguring a Lot to create 234 residential lots over seven (7) stages. Both the Preliminary Approval and Reconfiguring a Lot Development Permit have since lapsed and are no longer able to be acted upon.
12. The *Toowoomba Regional Planning Scheme*, which took effect in 2012, included the site in the Low Density Residential Zone (General Precinct). As the site is now included in this zone, the approval pathway no longer requires a variation approval to be sought.
13. A Development Permit for Reconfiguring a Lot (1 lot into 155 lots plus a drainage reserve and a balance lot) was granted and took effect on 19 June 2025 following the issue of a Decision Notice (Council ref: RAL/2024/8481). The approval included the creation of 155 freehold lots over three (3) stages and the creation of a large balance parcel to the north. Stage 1 sought to separate the balance parcel, which has since been acted upon and titled. The balance parcel (now Lot 1 on SP359048) forms the subject site of this application.
14. A minor change to the Development Permit for Reconfiguring a Lot was granted on 3 February 2026 (Council ref: RAL/2024/8481/A), which increased the total number of new residential lots to 163 and amended the size and shape of some lots following the receipt of survey data.

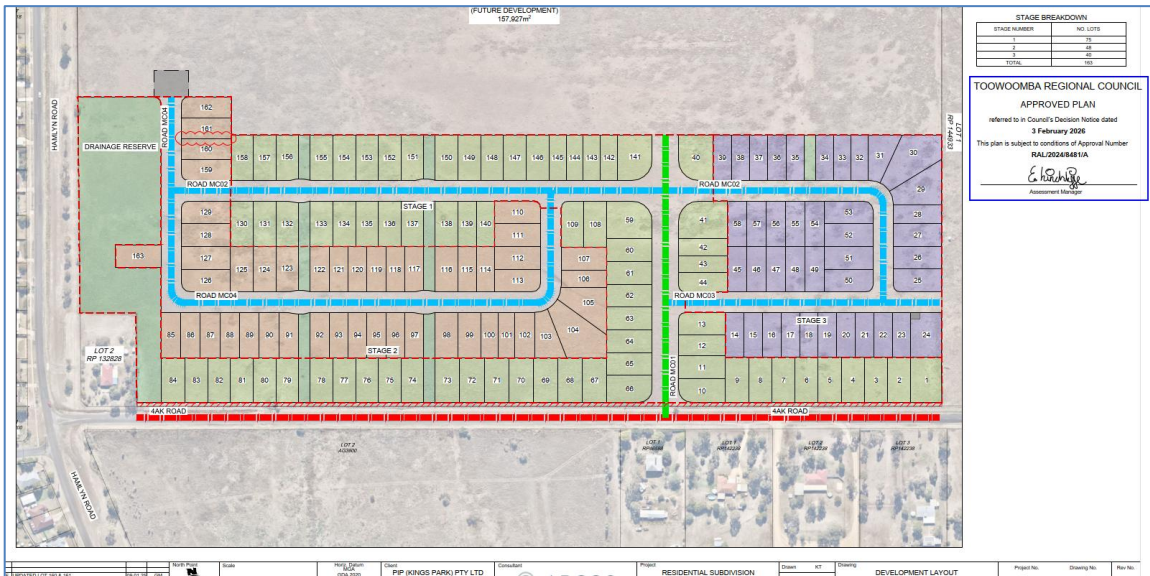


Figure 3 Approved Subdivision Layout under Council ref: RAL/2024/8481/A

- 15. An associated Operational Works Application seeking Roadwork, Stormwater Infrastructure, Drainage Work, Earthworks and Sewer Infrastructure was approved by Council on 18/11/2025 (Council ref: OW/2025/5353).

3. Proposed Development

3.1 Proposal Overview

16. The proposed development seeks to reconfigure the site to create 177 residential lots, three drainage reserves. The lots are proposed to be delivered over three stages, with Stage 1 delivering lots in the western part of the site (closest to Hamlyn Road) and Stage 3 delivering lots in the eastern part of the site. The proposed Subdivision Layout and preliminary Civil Plans are provided in **Appendix 2**.
17. As noted above, works proposed over 118–136 Hamlyn Road are limited to stormwater works, and the creation of new lots is limited to Lot 1 Hamlyn Road only. The stormwater works that are to be undertaken on 118–136 Hamlyn Road include only earthworks to create swales to accept and manage stormwater flows from the development site. There is an existing bund over 118-136 that diverts flows to the north-east.
18. With the exception of three (3) irregular lots (Lots 7, 8 and 9) located at a road bend in the north-eastern corner of the site, the proposed lots are regular in shape and no narrow lots are proposed. All lots have an area of at least 500m² and generally exhibit a width greater than 15m. The proposed lots range from 500m² to 1,149m² to facilitate a range of dwelling types and can be categorised into several distinct lot types.
19. The proposed subdivision will be visually consistent with the similarly sized lots in the surrounding residential area to the west and those approved to the south. All lots will be connected to required urban services including sewer, water, telecommunications and electricity, with all required infrastructure being delivered in line with the stage being constructed.
20. The proposed lots would be served by a new internal road network that connects to Hamlyn Road and continues the approved road connection points to land immediately south of the site (Council ref: RAL/2024/8481/A). The internal road network has been designed to reflect the minimum standards referenced in the Planning Scheme Policy – Engineering Standards – Roads and Drainage Infrastructure. A temporary WCV turnaround is also proposed at the end of Road MC01.
21. The proposed development provides for the continuation of several cross-block pedestrian links that connect to those established under Council ref: RAL/2024/8481/A. These links would provide new lots and approved lots to the south with convenient connections to the formed road network at Hamlyn and 4AK Road. The block layout has been optimised to minimise block lengths wherever practicable.
22. An excerpt of the proposed lot and internal road layout is shown in **Figures 4–6** below.

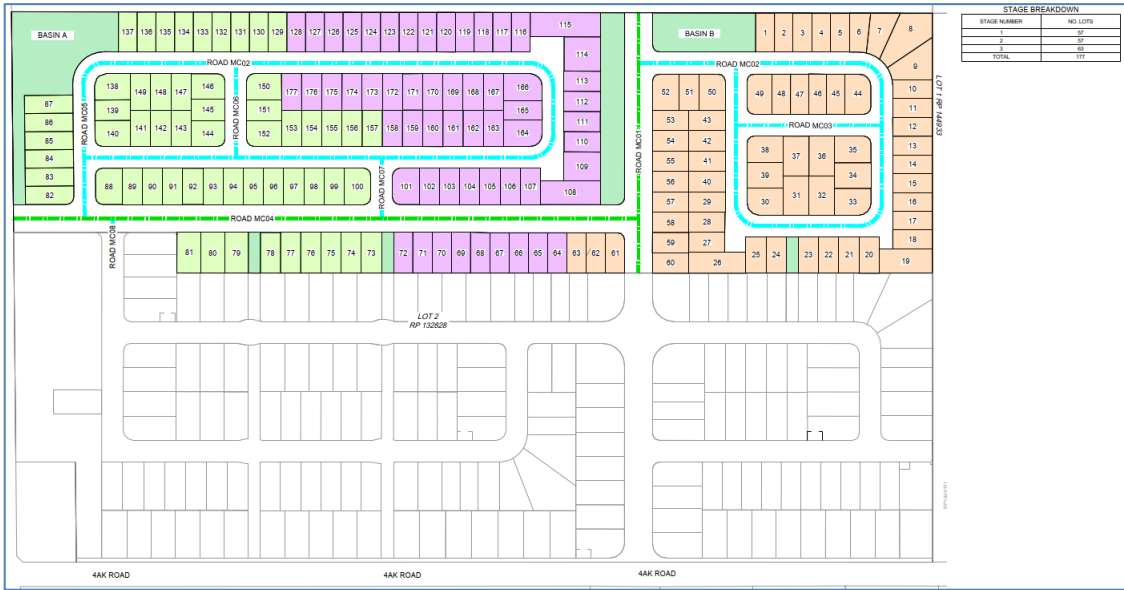


Figure 4 Subdivision Layout Plan (Source: Arcos Group 2026)



Figure 5 Western section of site plan



Figure 6 Eastern section of site plan

3.2 Engineering

23. The following engineering reports and plans have been prepared in support of the application, which demonstrate the suitability of the proposal:

- Civil Engineering Plans prepared by Arcos Group – **Appendix 2**
- Engineering Report incl. Stormwater Management Plan prepared by Arcos Group – **Appendix 5**
- Sewer and Water Access Report prepared by H2One – **Appendix 6**

24. The existing site is located above the adjacent road pavement level and gently slopes towards the road. The internal site levels range between 415m AHD in the northwest corner to 421m AHD in the southeast. All cutting and filling are to be carried out in accordance with AS3798:2007 Guidelines on Earthworks for Commercial and Residential Developments. Any site filling will be from site spoil (subject to Geotechnical Investigation), provided it meets the requirements of AS3798 and is placed with controlled compaction. Impacts of proposed earthworks on overland flow conditions will not adversely affect adjacent or downstream properties. Proposed earthworks will not encroach on adjacent properties or affect the function of stormwater catchments external to the site.

25. The Engineering report (**Appendix 5**) demonstrates that the proposed development pipes stormwater flows through the development to two (2) bio retention basins, then distributing flows to the 118-136 Hamlyn Road via swales. The stormwater strategy has been designed to achieve a non-worsening outcome to 118-136 Hamlyn Road, demonstrated to be equivalent to pre-development conditions. Consent from the owner of 118-136 Hamlyn Road to undertake these works within the adjoining property has been provided as part of this application.

26. Consistent with the conditions of the approved development to the south (Council ref: RAL/2024/8481/A), no further upgrade of Hamlyn Road is required or proposed.

3.3 Traffic

27. A Traffic Impact Assessment has been prepared by Modus Traffic Engineering, detailing road design, intersection design and impact to the external road network (**Appendix 4**).
28. The development proposes a Collector Road (Road MC01) that would be extended from the adjacent Stage 1 development and will connect to the proposed collector road (road MC04) from Hamlyn Road (west-east) into the site. The remaining roads are to be provided as Local Access Roads. All new roads have a width compliant with *Planning Scheme Policy 2 – Engineering Standards Roads and Drainage Infrastructure*. Specific construction details of roads will be provided in a subsequent Operational Works application.
29. The Traffic Impact Assessment includes commentary on the impact of the proposal to the external road network, finding that the external road network has sufficient capacity to accommodate additional traffic demand. The assessment confirms that the additional traffic generated by the development can be accommodated on the external road network, including Hamlyn Road, 4AK Road, Toowoomba Road and the Warrego Highway, without material impact. Intersection modelling demonstrates that all assessed external intersections operate within acceptable performance thresholds for existing, opening year and 10-year horizon scenarios, with low degrees of saturation, minimal delays and negligible queuing. The development results in a negligible increase in network delay (approximately 0.10%), satisfying the “no net worsening” requirement of the TMR Guide to Traffic Impact Assessment. Accordingly, the proposed development is acceptable with respect to impacts on the external road network.
30. Driveway locations will be provided in a subsequent Operational Works stage, however the lot layout and widths allow for driveways to be located at least 1m from other driveways and 6m from boundaries of an intersecting road.

3.4 Servicing and Trunk Works

31. The site is identified within the Priority Infrastructure Area under Council’s LGIP Mapping and as an urban development must be connected to a full suite of urban services. The site will be connected to the existing external road, power and telecommunications network. As detailed in the Sewer and Water Access Report (**Appendix 6**), the development is capable of being serviced by the water supply network and subject to one upgrade of the trunk gravity main on Lorrimer Street, can be serviced by the existing sewer network. The proposal will be connected to all other necessary infrastructure networks in line with conditions of a decision.
32. The current Local Government Infrastructure Plan is informed by the Wastewater Network Extrinsic Material Report 2022 (WNEMR). In the report, Oakey is identified in the Toowoomba (bulk sewerage) service catchment, with a series of sewerage pump stations (SPS) directing water to the Wetalla Water Reclamation Facility. The WNEMR references the works identified in the now superseded, Oakey Sewerage Study Planning Report 2015 (**Appendix 10**), adopted at Council meeting on 14 July 2015. The Oakey Sewerage Study Planning Report identified a series of Augmentation Works which were required to accommodate the projected growth of Oakey. Specifically referenced in the executive summary, was that development on the eastern side of Hamlyn Road required upgrades to the trunk gravity main on Lorrimer Street. The report recommended that all augmentation works were captured within the Local Government Infrastructure Plan.
33. Condition 74 of the Decision Notice for RAL/2024/8481/A, required that the gravity sewer main requiring upgrade within Lorrimer Street (as identified in the Oakey Sewerage Study Report May 2015) was

required to be completed by the applicant prior to a survey plan Stages 2 onward of the approval being endorsed. The condition additionally referenced that the condition was made under s145 of the *Planning Act 2016*, relating to non-trunk works.

34. As established, these works are identified as trunk works in the Oakey Sewerage Study Report 2015 (**Appendix 10**) and are captured in the Toowoomba Regional Council Local Government Infrastructure Plan. The reference of Condition 74 in RAL/2024/8481/A to s145 of the *Planning Act 2016* is in the applicant's view incorrect. Instead, these works should have been identified as Necessary Infrastructure and referenced s128 of the *Planning Act 2016*. Consequentially, the cost of these works should have been used to offset the infrastructure charges notice of RAL/2024/8481/A.
35. The attached Sewer and Water Access Report (**Appendix 6**) clearly agrees with the necessity of the upgrade works to the Lorrimer Street Main. It is however requested that these works are clearly identified necessary trunk infrastructure works in any forthcoming decision, making reference s128 of the *Planning Act 2016*.

3.5 Soil Investigation Report

36. To gauge the presence of Per- and polyfluoroalkyl substances (PFAS) onsite, a Soil Investigations (PFAS) Report (**Appendix 9**) was prepared. The investigation involved field work and six (6) boreholes were drilled to test for PFAS contamination in ground water, all were backfilled following testing. The report found no contamination of PFAS within the boreholes.

3.6 Landscaping

37. Landscape Plans have been prepared in support of the application (**Appendix 3**), which demonstrate the provision of street trees throughout all new roads of the development, the landscaping of drainage reserves and provision of footpaths. The Landscaping plans nominate the placement and species type of street trees. All selected street tree species have been selected to accord with the preferred species listed in Section 8 of the Toowoomba Regional Council Street Tree Masterplan as the preferred type of Oakey. The selected street trees are all commercially available via wholesalers.
38. In its assessment of the approved subdivision to the south (Council ref: RAL/2024/8481/A), Council identified there was no requirement for the provision of a new supplementary local park. Consequentially, this application takes a consistent approach and has not proposed areas of open space. Several drainage reserves are proposed for stormwater quality and quantity management and are proposed to be landscaped in accordance with the Landscape Concept Plan (**Appendix 3**).

39. Additional detail will be provided at Operational Works stage.

3.7 Noise

40. As the proposed development would result in sensitive land uses adjoining a Council-controlled arterial road, an assessment of potential noise impacts is required. Please refer to the Noise Impact Assessment prepared by David Moore & Associates (**Appendix 8**), which was prepared for the adjoining application, but is still relevant to the proposed development.
41. The Environmental Traffic Noise Level Impact Assessment referenced in the approved development to the south (Council ref: RAL/2024/8481/A) is being used in this application to demonstrate compliance with PO11 of the Environmental Standards Code.

42. The findings and recommendations from the existing report are transferrable to this application for the following reasons:

- The approved application to the south and this application are promoted by the same project team.
- The report included a testing location along Hamlyn Road (**Figure 7**), which was 19m from the closest edge of Hamlyn Road and is directly adjacent to the proposed lots.
- The report adopted the methodology listed in Council’s Environmental Protection (Noise) Policy 2019 that accounted for an increase in traffic over a 10 year horizon.
- The ultimate traffic noise level at monitoring location 1 was found to be 55.8dB(A) $L_{A10, 18H}$ free field.
- The proposal plans considered (**Figure 8**) within the approved Noise Report included lots with a setback of 6m from the western boundary to Hamlyn Road reserve. Albeit these were not the ultimate plans approved, the report did find the maximum traffic noise level reduction for the closest future residences to be 20dB(A), which could be achieved through standard materials of construction.
- This application seeks lots with a 10m setback from the Hamlyn Road reserve. Therefore, the findings will remain consistent, in that via standard building materials, the acoustic impacts of vehicle traffic on Hamlyn Road will be sufficiently mitigated.

43. Accordingly, the proposal complies with PO11 of the Environmental Standards Code.



Figure 7 Monitoring locations from approved Noise Impact Assessment used under (Council ref: RAL/2024/8481/A)



Figure 8 Proposed Plan referenced in Approved Noise Impact Assessment

3.8 Infrastructure Charges

44. The charge levied for the Infrastructure Charges Notice of the approved development of the southern lot under RAL/2024/8481/A allocated the ‘Township’ charge area upon the approved development. Noting that this site was formed under RAL/2024/8481/A, the same charge category should be allocated in a forthcoming Infrastructure Charges Notice.
45. Although the site is included in the priority infrastructure area under LGIP map SC3:3:7, it is excluded from the service catchment area for the Parks and land for community facilities network. In accordance with Section 3.3 (d) of Council’s Infrastructure Charges Resolution 7, a 25% discount is applied for each network not planned to serve a development where the township category applies. Consequentially, a 25% discount should be reflected in Council’s infrastructure charges notice, pursuant with Council’s Infrastructure Charges Resolution 7.
46. Table 2 below provides an overview of the discounted charges.

Table 2 Infrastructure Charges Discount

Applicable Charges Rate (excluding CPI)			
Charge category	Max charge <i>Planning Regulation 2017</i>	Township Rate (80% of max charge)	25% discount as site not planned to be served by Parks network.
Residential Lot	\$36,670.70	\$29,336.56	\$22,002.42
Estimated Charge (excluding CPI)			
Per lot charge rate	Number of lots	Less credit for existing lot	Total approximate charge
\$22,002.42	177	-\$22,002.42	\$3,872,425.92

3.9 Summary

47. Overall, the proposed development provides a positive infill development outcome for the subject site and is generally compliant with the relevant provisions of the Planning Scheme. The proposed lots are consistent with the character of surrounding residential development in the immediate area.

4. Statutory Framework

48. **Table 3** below outlines the applicable State matters requiring consideration as part of this Town Planning Report, including whether the application triggers referral to any referral or advice agencies.

Table 3 Statutory Framework Mapping Layers

State Planning Policy Benchmark Mapping	<ul style="list-style-type: none"> ▶ Agriculture <ul style="list-style-type: none"> ○ Agricultural land classification - class A1 ○ Important agricultural areas ▶ Natural Hazards Risk and Resilience <ul style="list-style-type: none"> ○ Flood hazard area - Local Government flood mapping area ▶ Strategic Airports and Aviation Facilities <ul style="list-style-type: none"> ○ Lighting area buffer 6km ○ Wildlife hazard buffer zone ○ Height restriction zone 15m ○ Aviation facility
Regional Plan	The site is not located in an area covered by a Regional Plan.
SARA DA Mapping	<ul style="list-style-type: none"> ▶ Water resources <ul style="list-style-type: none"> ○ Water resource planning area boundaries ○ Great artesian water resource plan area
Non-SARA DA Mapping	Nil
Referrals	SARA – Development Impacting on State Transport infrastructure and thresholds (>50 lots in Local Government Area 2)

4.1 State Planning Policy

4.1.1 Mapping Triggers

49. The following relevant parts of various State Planning Policies are identified as being reflected in the current version of the Planning Scheme (Version 28, commenced on 28 Nov 2022):

- SPP1/92 - Matters relating to mapped Agricultural land
- SPP1/02 - Matters relating natural hazards, risk and resilience (those parts related to flooding specifically)
- SPP July 2017 amended 21 August 2020 - Development in the vicinity of certain airports and aviation facilities

50. Notably, the July 2017 version of the SPP is identified as being reflected in the Planning Scheme with respect to flooding. As such, the elements of the State Planning Policy relating to flooding are not directly applicable to the development of the site. Commentary is provided below regarding the elements of the July 2017 version of the SPP relating to Agricultural land and development in the vicinity of certain airports and aviation facilities.

51. The site is mapped by the SPP as being within proximity to an airport/aviation facility, being the Oakey Army Aviation Centre. The proposed subdivision will not result in the construction of buildings exceeding 15 metres in height (future dwellings are subject to the height limits of the Planning Scheme). The use of

the site for residential purposes will not attract wildlife or result in significant lighting impacts. A Soil Investigation (PFAS) Report (**Appendix 9**) has been prepared, which found no contamination present onsite. The proposal sufficiently addresses the assessment benchmarks relating to strategic airports and aviation facilities prescribed by the SPP (July 2017).

52. The site is mapped by the SPP as being within an important agricultural area and containing Agricultural land (class A1). The inclusion of the site within the Low Density Residential Zone under the Planning Scheme marks a clear policy position against the retention of the site for farming and agricultural use. As such, the proposed development does not interfere with the planned supply of good quality farm land.

4.1.2 Stormwater Management

53. Table 5.6.1 *Table of Development Assessment for Reconfiguring a Lot* under the Planning Scheme requires Development Applications involving the subdivision of land to be assessed against the *State Planning Policy (July 2017) - Appendix 2 – Stormwater management design objectives*. Please refer to the Civil Engineering Plans in **Appendix 2** and the Engineering Report Incl. Stormwater Management Plan in **Appendix 5**, which demonstrate compliance with the objectives sought.

4.2 State Interests (State Assessment Referral Agency)

54. The State Assessment and Referral Agency (SARA) provides a single State agency lodgement and assessment point for development applications, where the State has an interest under Schedule 10 of the *Planning Regulation 2017*.
55. A review of Schedule 10 of the *Planning Regulation 2017* confirms that the application is required to be referred to SARA for matters relating to State Transport Generally (Schedule 10, Part 9, Division 4, Subdivision 1). Toowoomba falls within the Local Government Category 2 and the proposed development seeks a Reconfiguring a Lot that would create more than 50 dwellings.

4.3 Planning Regulation 2017 - Schedule 12A

56. Schedule 12A of the Planning Regulation is relevant as the proposed development seeks the creation of 2 or more lots, the lots being created are in a prescribed zone (Low Density Residential Zone), are intended for a residential purpose and is associated with the creation of new roads. An assessment against the relevant parts is provided below.
57. **(4) Connectivity** - The proposed development is in a general grid formation that is responsive to topography and constraints. The proposed internal road network connects to the existing external road network, as well as the approved road and footpath connection points approved over Lot 2 on SP359048 (Council ref: RAL/2024/8481/A).
58. **(5) Maximum length of particular blocks** - A response to the maximum block length is provided in section 5.4.2 of this report).
59. **(6) Street Trees** - Street trees will be delivered to the proposed internal road network via future operational works, in line with reasonable and relevant conditions of approval.
60. **(8) Parks and other areas of open space** - The provision of parks was not required over adjoining approved development over Lot 2 on SP359048 (Council ref: RAL/2024/8481/A) and is not a reasonable requirement of this development.

5. Local Planning Instrument – Toowoomba Regional Planning Scheme

61. **Table 4** below, provides a breakdown of the planning scheme particulars that relate to the subject site and proposed development.

Table 4 Planning Scheme Particulars

Planning Instrument	<i>Toowoomba Regional Planning Scheme</i>
Zone/Precinct	Low Density Residential General Precinct
Local Plan	N/A
Overlays	<ul style="list-style-type: none"> • Airport environment - Lighting Area Buffer (6 km), 8km Wildlife Hazard Buffer Zone and Obstacle Height Restriction Zone (Area C 15m) • Agricultural land (edge of eastern boundary only)

5.1 Assessment of Development Application

62. As part of this development application, the following codes have been addressed:

- ▶ Low Density Residential Zone Code
- ▶ Reconfiguring a Lot Code
- ▶ Overlay Codes:
 - Agricultural Overlay Code
 - Airport Environs Overlay Code

63. The proposed development generally complies with the Assessment Benchmarks of all applicable codes. The pertinent issues identified throughout the assessment of the application are detailed below. Where the below sections are silent in relation to an assessable element, the development is seen to comply with that relevant assessment criteria and no further assessment is required.

5.2 Overlay Codes

64. The *Toowoomba Regional Planning Scheme 2012* includes a number of Overlays, which recognise features and constraints within the Toowoomba. **Table 5** below provides an assessment against all relevant Overlay Codes.

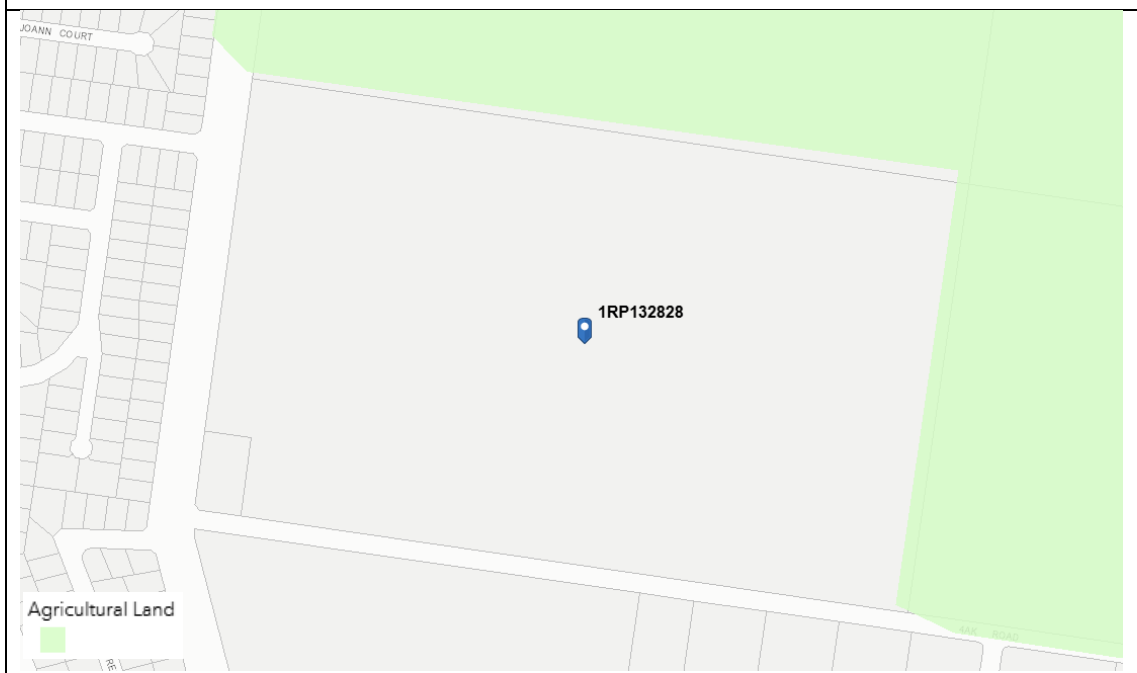
Table 5 Assessment Against Overlay Codes

<i>Airport Environs Overlay</i>
<p>The subject site is located within the Airport Environs Overlay (Lighting Area Buffer 6 km, 8km Wildlife Hazard Buffer Zone and Obstacle Height Restriction Zone (Area C 15m)). The subject application is therefore required to address the Airport Environs Overlay Code.</p>
<p>The proposed subdivision complies with all outcomes of the Airport Environs Overlay Code, as it will not impact the operation of the nearby aviation facility in any way and will not result in the construction of buildings exceeding 15 metres in height (future dwellings are subject to the provisions of the Planning Scheme). Further, the use of the site for residential purposes will not attract wildlife or result in significant lighting impacts. Please find enclosed a Soil Investigation (PFAS) Report in Appendix 9, which addresses the potential of site contamination resultant from the proximity of the site to the aviation facility. Accordingly, the development complies with the Airport Environs Overlay Code.</p>

Agricultural Land Overlay Code

As shown in the image below, the eastern edge of the site is mapped within the Agricultural Land Overlay. This appears to be a mapping anomaly, with the overlay boundary not aligning accurately with cadastral boundaries on the interactive map. In any case, the Planning Scheme includes the site within the Low Density Residential Zone and, at a policy level, designates the land for residential development. An Agricultural Buffer Assessment has been provided to demonstrate that the proposed development is compatible with the adjoining ongoing use of agricultural land for cattle grazing. This is the same report relied upon under RAL/2024/8481/A and remains applicable.

The proposed subdivision complies with the applicable parts of the Agricultural Land Overlay Code.



5.3 Low Density Residential Zone Code

65. The subject site is located in the General Precinct of the Low Density Residential Zone. The proposed subdivision complies with the Purpose and Overall Outcomes of the Zone Code by contributing to a mix of low density housing types and contributing to regional land supply. A mix of housing types are possible via the range of lot size created. Albeit no narrow lots are proposed, several key lot types can be identified and larger lots have been distributed throughout. The proposed lots comply with the minimum lot size requirement of 500m² and produces a pattern of development consistent with character of the local area, and that preferred within Low Density Residential Zone more generally.

66. The proposed development complies with the relevant Assessment Benchmarks of the Low Density Residential Zone Code for the following reasons:

Table 6.2.1:1

- Future dwellings constructed on the proposed lots will be required to comply with design and siting provisions of the Code (AO10.1);

- Refer to the Sewer and Water Access Report in **Appendix 6**, which confirms that the proposed lots can be connected to sewer and water infrastructure (AO7.1–AO8.1);
- The proposed lots will be connected to electricity and telecommunications infrastructure (AO9.1);
- Refer to the Civil Engineering Plans in **Appendix 2** and the Engineering Report incl. Stormwater Management Plan in **Appendix 5**, which demonstrate compliance with the stormwater management outcomes sought by the Code (AO10.1); and,
- All new lots are sufficient in size to accommodate bin store areas for 240L waste bins (X3), screened from street view (AO11.1).

Table 6.2.1:3

- All lots comply with the minimum lot size of 500m² and are suitable in size and dimension to accommodate a dwelling house. Some larger lots exceeding 700m² are provided, that are capable of accommodating dual occupancy development (AO1.1, AO4.1);
- Higher density development is not proposed (PO4);
- Future dwellings constructed on the proposed lots will be required to comply with design and siting provisions of the Code (AO6.1-AO11.1, AO16.1-AO18.1);
- Pedestrian connections are provided to Hamlyn Road (PO13);
- The proposed development is responsive to nearby agricultural land. An Agricultural Buffer Report has been prepared and is provided in **Appendix 7** (PO14);
- The proposed subdivision responds sensitively to the land, surrounding drainage patterns and infrastructure services. Refer to the Civil Engineering Plans in **Appendix 2**, the Engineering Report incl. Stormwater Management Plan in **Appendix 5** and the Sewer and Water Access Report in **Appendix 6** (PO14);
- The proposed lots are sufficient in size and dimension to accommodate future development that maintains a high level of residential amenity. A Noise Impact Assessment is provided in **Appendix 8** (PO15); and,
- The site is not located nearby to industrial zoned land or railway corridors (min 1km from railway) (PO20, PO21).

67. As such, the proposed subdivision complies with the relevant Assessment Benchmarks of the Low Density Residential Code. The proposed lots are consistent with the settlement pattern of the local area, as well as the preferred character of new residential lots in the Low Density Residential Zone.

5.4 Reconfiguring a Lot Code

68. A review of the proposal against the Reconfiguring a Lot Code confirms that the proposal to subdivide the site into 177 lots (plus three (3) drainage reserves) generally complies with the relevant assessment benchmarks of the Code on the following basis:

Table 9.4.5:1

- Boundary realignment is not proposed (AO1.1, AO3.1).

Table 9.4.5:2

- The development is proposed over three key stages, with the first closest to Hamlyn Road (west), and the third, the furthest (east). An indicative mater plan was submitted as a part of the assessment of RAL/2024/8481/A and as a result key pedestrian links were included. This proposal continues pedestrian, road and stormwater links through the site. The neighbouring sites are included in the rural zone and at this time are not able to be developed, therefore no further structure planning is proposed (PO1). In their assessment of RAL/2024/8481/A, TRC confirmed that there was no requirement to deliver a Local supplementary park onsite. Given

the similarity between RAL/2024/8481/A and this application, it is anticipated a consistent approach will be taken under the assessment of this application.

- The proposed development will be provided with all necessary infrastructure networks including sewer, water, electricity and telecommunications. Refer to the Civil Engineering Plans in **Appendix 2**, Engineering Report including Stormwater Management Plan in **Appendix 5** and Sewer and Water Access Report in **Appendix 6** (PO1, PO41);
- The site is flat and does not require substantial earthworks to establish lots useable for their intended purpose of providing a house of a low density character. The site is clear of vegetation and is otherwise unconstrained by significant overlays. The proposed lots are therefore able to be readily developed into dwelling houses or dual occupancies (PO1, PO3);
- There are no more than eight (8) narrow frontage (less than 15m) lots in a row and terrace lots are not proposed. Lots with a frontage less than 7.5m on a laneway are also not proposed (AO4.1, AO4.2);
- Please find enclosed Soil Investigation (PFAS) Report in **Appendix 9**, which addresses the potential of site contamination resultant from the proximity of the site to the aviation facility. The results of this report show that the site is not contaminated (AO5.1);
- The proposed lots are consistent with the layout and size of lots in the adjacent residential neighbourhood to the west and suitably integrates with the surrounding area. On the basis that a pedestrian footpath is already provided on the western side of Hamlyn Road, it is not necessary to replicate this on the eastern side adjacent to the site. The decision notice of RAL/2024/8481 also reflects this (PO6);
- The internal road network will be provided with street tree planting (at a rate of 1 tree for every 15 metres) and footpaths to enhance safety and comfort, and meet user need (street trees to be conditioned) (PO7);
- The site is not located in the Low-medium Density Residential Zone or Emerging Community Zone. The proposed lots comply with the minimum lot size of 500m² for the zone and can accommodate either dwelling houses or dual occupancies (PO9, AO13.1);
- The proposed internal road network and associated pedestrian facilities suitably comply with the required Planning Scheme provisions (including *SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure*). Refer to the Civil Engineering Plans in **Appendix 2** (AO14.1-AO26.1);
- No direct access is proposed from any lot fronting Hamlyn Road. All access will be via the proposed internal road network. The proposed intersection and any required upgrades are detailed in the traffic engineering assessment (**Appendix 4**);
- Please refer to the Agricultural Buffer report in **Appendix 7**, which demonstrates that provided a 1.8m high fence is installed along all boundaries to rurally zoned land, the proposed residential lots will not be impacted upon from ongoing agricultural activities (PO30, PO44);
- The site is not located within proximity to industry zoned land or railway corridor (AO35.1);
- The proposed subdivision (including lot layout and parkland design) suitably complies with the outcomes sought by *Crime Prevention Through Environmental Design (CPTED) Guidelines for Queensland* (AO36.1);
- Please refer to the Sewer and Water Access Report in **Appendix 6**, which details that all lots will be connected to the required urban services (AO37.1, PO41);
- The site does not contain any mapped areas of ecological significance (PO38, PO39);
- The lot layout generally provides for a northern or eastern orientation, with the long axis of roads running east-west. The lots are generally rectangular in shape and not splayed (AO40.1);

- Due to the proposed development resulting in sensitive land uses adjoining Council controlled arterial roads, an assessment of potential noise impacts has been provided in the Noise Impact Assessment in **Appendix 8** (AO42.1-PO43);
- Hatchet lots are not proposed (AO46.1-AO50.1)
- Lots under 450m² are not proposed (AO51.1-AO54.1); and,
- While the proposed development includes eight (8) lots exceeding 700m², they have not been designated as 'dual occupancy sites' or 'potential dual occupancy sites'. The larger lots are distributed throughout the development and should any lot be developed by a future owner for dual occupancy, the relevant provisions of the Toowoomba Regional Planning Scheme will apply (AO55.1–AO56.1).

69. As demonstrated above, the proposal suitably complies with the majority of the Reconfiguring a Lot Code. The non-complying elements of the proposal are discussed below.

5.4.1 Acceptable Outcome AO4.1 – Minimum lot size and dimensions

70. Acceptable Outcome AO4.1 requires that all lots be rectangular in shape and have minimum width to depth ratios, areas, dimensions and frontages as prescribed in *Table 9.4.5:4* of the Code. This means that the lots must have a minimum area of 500m², frontage of 15 metres and maximum depth ratio of 1:5. All lots comply with the minimum lot size and maximum depth ratio of 1:5, however the following lots do not comply with the minimum frontage width requirement:

- Lot 6 (irregular shaped corner lot) – 14m frontage, 510m²
- Lot 7 (irregular shaped corner lot) – 12.03 frontage, 648m²
- Lot 8 (irregular shaped corner lot) – 9.6m frontage, 1,149m²
- Lot 9 (irregular shaped corner lot) – 10.81 frontage, 822m²
- Lot 19 (irregular shaped corner lot) – 11.37m frontage, 883m²

71. These lots are irregular shaped lots, designed around the curvature of the internal road network. All lots exceed the minimum lot size, are not small lots, and enable the future construction of dwelling houses that can comply with the Queensland Development Code (QDC) MP1.2. Driveway locations have been shown where necessary in the Civil Engineering Plans (**Appendix 5**). Subsequently, the proposed lot design meets the corresponding performance outcome (PO4) as the shape and size of the proposed lots allow for the construction of consistent land uses that are free of constraint.

5.4.2 Acceptable Outcome AO4.3 – Length of street blocks

72. Acceptable Outcome AO4.3 requires that street blocks fronting local streets do not exceed 100 metres in length. Notwithstanding, Schedule 12A of the *Planning Regulation 2017* provides support for block lengths exceeding 100m in length, and Council supported a departure from the acceptable outcome in its assessment of RAL/2024/8481/A. As shown on the Subdivision Layout Plans in **Appendix 2**, though most block lengths are less than 250m in length, there is one section of 340m and another of 370m. It is noted that the 370m section is broken up by through block pedestrian links and continues the pattern of the approved subdivision to the south.

73. This outcome is required to enable the feasibility of the development, whereby shorter street blocks result in infrastructure inefficiency.

74. The proposal complies with PO4 on the following basis:

- The street blocks and proposed lots are rectilinear;
- The proposed development achieves an efficient neighbourhood pattern, that supports walking and cycling, with pedestrian connection proposed to Hamlyn Road long Road MC04, which provides pedestrian connectivity to the nearby Oakey centre and public transport stops. Several through block pedestrian links are also proposed;
- Pedestrian pathways and drainage swales are provided through the middle of the 370m street blocks to support pedestrian movement through the site and break up the street blocks visually;
- The 340m section along the northern boundary is in part unavoidable, as it borders undevelopable rural land. Bio basins and an internal road have been proposed along this boundary where needed, which breaks up the length of blocks, however any further block breaks to the northern boundary would not achieve any meaningful benefit;
- The proposed subdivision provides an even residential density throughout; and,
- The lot sizes range from 500m² to 1,149m², which allows for a range of dwelling size and types to be developed in line with the limits of the *Toowoomba Regional Planning Scheme*.

5.4.3 Acceptable Outcome AO31.1 – Public park provision

75. Acceptable Outcome AO31.1 of the Code requires that the development deliver a public park that complies with *Table 9.4.5:3 – Open Space Standards*.

76. It is noted that under its assessment of Stage 1 (Council ref: RAL/2024/8481/A), Council identified in their information request that the proposed development was not required to deliver a Local Supplementary Plan over the site. On this basis, there has been no provision for a park within the proposed development.

6. Conclusion and Recommendations

77. This report demonstrates that approval of the proposed Development Application for Reconfiguring a Lot (177 lots plus three (3) drainage reserves) at Lot 1 Hamlyn Road and 118–136 Hamlyn Road, Oakey, legally described as Lot 1 on SP359048 and Lot 2 on RP147827, is warranted, subject to reasonable and relevant conditions, on the following basis:

- ▶ This application complies with the State Planning Policy, where applicable.
- ▶ The proposed subdivision complies with the Purpose, Overall Outcomes and Preferred Outcomes of the Low Density Residential Zone Code and provides lots that are consistent with the type and character of residential development sought.
- ▶ The only development proposed over 118-136 Hamlyn Road is for stormwater drainage.
- ▶ The proposed development generally complies with the Acceptable Outcomes, of the Reconfiguring a Lot Code, with any departures suitably justified against the correspondence Performance Outcomes.
- ▶ The proposed subdivision is consistent with the existing land use and settlement pattern of the surrounding area.
- ▶ A mix of housing types will be facilitated via a range of lot sizes, with some larger lot sizes proposed that exceed 700m², offering sites suitable for dual occupancies.
- ▶ The proposed lot and internal road layout (with pedestrian footpaths) effectively connects and integrates the site with the surrounding urban area.
- ▶ The proposed subdivision would ensure that all lots obtain direct access from the proposed internal road network. No direct access to external roads is proposed.
- ▶ The proposed development can be serviced by the water supply and sewer networks, provided that an upgrade to the Trunk Gravity Sewer Main on Lorrimer Street is brought forward.
- ▶ The infrastructure charges category for the development should reflect the township charge and should apply a 25% discount upon that charge (as the site is not planned to be served by the Parks and land for community facilities network), in line with Council's Infrastructure Charges Resolution 7.

78. On the basis of the assessment contained within this report, it is requested that Council favourably consider the development proposal subject to reasonable and relevant conditions.

ADAMS + SPARKES

TOWN PLANNING



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