

REPORT TITLE	Reconfiguring a Lot – Code – Two (2) Lots into Four (4) Lots located at 20-42 Dallang Road and 588-592 Hume Street, MIDDLE RIDGE QLD 4350
AUTHOR	Planning Officer (Davis Uhlmann)
Application No.	RAL/2026/993

## **PURPOSE OF REPORT**

To consider a Development Application for Reconfiguring a Lot – Code – Two (2) Lots into Four (4) Lots located at 20-42 Dallang Road and 588-592 Hume Street, MIDDLE RIDGE QLD 4350.

## **EXECUTIVE SUMMARY**

This report considers a Development Application for a Development Permit for Reconfiguring a Lot – Code – Two (2) Lots into four (4) Lots at 20-42 Dallang Road and 588-592 Hume Street, Middle Ridge described as Part Lot 3 RP153091 and Part Lot 4 RP153091 (Proposed Lot 49).

The site (2,351m<sup>2</sup> in area) is in the Low-medium Density Residential Zone, Urban Residential Precinct of the *Toowoomba Regional Planning Scheme 2012*, Version 28 (the Planning Scheme) and is currently vacant.

The subject land benefits from a current development approval (RAL/2024/8363/A), being a Reconfiguring a Lot for Two (2) Lots into 47 Lots. The original application was approved 16 April 2025, with a Decision Notice issued 16 April 2025. A subsequent request for a Change Application (Negotiated Decision Notice) was made on 8 May 2025, with a Negotiated Decision Notice issued 5 June 2025. A subsequent request for a Change Application (Minor Change) was made on 1 August 2025, with a Decision Notice issued 28 August 2025.

The application has been submitted over part of the subject allotments described as lots 3 and 4 RP153091 and aligns with proposed Lot 49 (2,351m<sup>2</sup>) approved under Change Approval (RAL/2024/8363/B), dated 28 August 2025.

The proposal seeks to subdivide proposed Lot 49 approved under Change Approval (RAL/2024/8363/B) into four (4) lots, with site area ranging from from 550m<sup>2</sup> to 700m<sup>2</sup>. Proposed Lot 52 (700m<sup>2</sup>) has been identified as a Dual Occupancy lot. All proposed lots will have direct access to Dallang Road and a future 'Road 1' approved under Change Approval (RAL/2024/8363/B).

In accordance with Table 5.6:1 of the Planning Scheme the proposed development is subject to Code Assessment and has been assessed against all applicable assessment benchmarks as outlined in the report. The proposed development is considered to achieve compliance with the applicable assessment benchmarks. On this basis, the proposed development is recommended for approval subject to the conditions in the recommendation.

## **RECOMMENDATION**

**APPROVED** – Application No. RAL/2026/993 for a Development Permit for Reconfiguring a Lot – Code – Two (2) Lots into Four (4) Lots, pursuant to the provisions of Section 60 of the *Planning Act 2016* and subject to the conditions listed below.

## **ASSESSMENT MANAGER CONDITIONS**

## **PLANNING**

### **APPROVED DEVELOPMENT**

1. This Development Approval is for Reconfiguring a Lot, being the subdivision of Two (2) Lots into Four (4) Lots.
2. Proposed Lot 52 on the Approved Plans listed within this development Approval is a Designated Dual Occupancy Lot.

### CARRY OUT AND MAINTAIN DEVELOPMENT

3. The development must comply with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they have not been varied by this Development Approval.
4. Unless otherwise stated, all conditions must be complied with prior to Council's approval of the Plan of Subdivision and at all times thereafter.
5. The development must be maintained generally in accordance with the Approved and Amended Plans and Documents subject to or modified by any conditions of this Development Approval.

### PREREQUISITE APPROVAL

6. The Plan of Survey for Development Approval RAL/2024/8363/B must be registered with the Queensland Titles Registry for RAL/2024/8363/B and proof provided to Council, prior to lodgement of the Plan of Survey for this Development Approval to Council.

### APPROVED PLANS

7. The development must be carried out generally in accordance with the Approved Plan listed below, subject to the conditions of this Development Approval:

**Plan No:** P-P0101, Issue 0

**Description:** Proposed Plan – Lot Dimensions, prepared by RMA Engineers, dated 4 February 2026 and received by Council 9 February 2026

**Amendments:** As amended in red as follows:

- "This approval relates to lots within "Stage 2" only and does not infer or give approval to any other development".

### LOT NUMBERING

8. The numbering of all approved lots must remain as indicated on the Approved Plan/s (unless otherwise amended/approved by Council).

### COUNCIL APPROVAL OF PLANS, DOCUMENTS & WORKS

9. Prepare and submit for Council's approval a Plan of Subdivision in accordance with Schedule 18 of the *Planning Regulation 2017*. For the purposes of Section 1(4) of Schedule 18, the stated date by which the request must be made is the last date of the currency period of this approval.

### AVAILABILITY OF APPROVED DOCUMENTATION DURING WORKS

10. A legible copy of the Development Approval, including the Approved and Amended Plans and Documents bearing Council's approved stamp must be available on the subject land for inspection at all times during subdivision earthworks and construction.

### CONTRIBUTIONS

### FEES AND CHARGES

11. All current and outstanding fees, rates, interest and other charges levied on the property, must be paid in accordance with the rate at the time of payment prior to Council's approval of the Plan of Subdivision.

### WORKS

### ENGINEER'S CERTIFICATION AND SUPERVISION OF WORKS

12. Plans and specifications for all works associated with stormwater infrastructure, water infrastructure, wastewater infrastructure or any other works required on Council infrastructure, must be prepared and certified by a Registered Professional Engineer Queensland – Civil (RPEQ).
13. A RPEQ must submit to Council a copy of the:

- 13.1 Design Certificate prior to commencement of the works; and
  - 13.2 Construction Supervision Certificate upon completion of the works certifying that works are in accordance with the approved plans and specifications.
14. Any works that have been certified by an RPEQ must be carried out under the supervision of an RPEQ with all executed works being detailed on a Construction Supervision Certificate.
  15. Where any condition refers to, or requires, an Engineer to perform a task or function, the Engineer must hold professional indemnity insurance to the value of \$2,000,000. A Certificate of Currency must be submitted to Council with any Design Certificate or Construction Supervision Certificate.

### **STORMWATER DRAINAGE**

16. All land adjoining the development must be protected from ponding or nuisance from stormwater resulting from the development for the life of the development.

### **STORMWATER DISCHARGE**

17. Stormwater from the new roofed areas and sealed areas must be picked up and discharged by way of sealed underground pipe to the street channel. The works must be constructed in accordance with the current version of the Institute of Public Works Engineering Australasia standard drawing titled 'Kerb and Channel Residential Drainage Connections, drawing number RS-081.

*Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.*

18. Outlets to the street channel must be limited to a maximum discharge of 50 litres per second at any one point of discharge, and where practical, spread across the street frontage so as not to concentrate the discharge to any one location.
19. Design and construction of all internal stormwater drainage works must comply with applicable section of *Australian and New Zealand Standard AS/NZS 3500 – Plumbing and Drainage Code* and the *Queensland Urban Drainage Manual*.

### **EROSION & SEDIMENT CONTROL**

20. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by the action of wind or running water must be stored clear of drainage paths and not within the road reserve at any time.
21. Measures such as sediment fences, earth berms, temporary drainage, temporary sediment basins, dewatering or stormwater filtering devices to prevent eroded material, sediment or sediment laden water from being transported to adjoining properties, roads or stormwater drainage systems must be provided.
22. Where erosion and sediment control measures have been damaged, fail or are inadequate and erosion or the release of sediment or sediment laden stormwater has occurred from the subject land or associated works, any resultant property or environmental damage or interference caused must be repaired or cleaned up within 24 hours or upon the direction of Council, at no cost to the affected parties.
23. All disturbed areas must be mulched or turfed as soon as possible during construction.

### **DAMAGE TO SERVICES & ASSETS**

24. Protect Council and public utility services and assets during construction of the development.
25. Any damage caused to existing services and assets as a result of the development works must be repaired at no cost to the asset owner in accordance with the following timing:
  - 25.1 Where the damage would cause a hazard to pedestrian or vehicle safety or interrupts a service to the community, immediately; or

- 25.2 Where otherwise, as soon as reasonably possible, but no later than completion of the works associated with the development or prior to the commencement of use, whichever is the earlier.
26. Any repair work which includes alteration to the alignment or the level of existing services and assets must first be referred to the relevant service authority for approval.
27. Construction, alterations and any repairs to Council infrastructure is undertaken in accordance with Council's relevant policies and requirements at no cost to Council.

*Note: Council must be notified of any damage to water and sewer immediately on Ph: 131 872.*

## **SERVICES & UTILITIES**

### **WASTEWATER INFRASTRUCTURE (GENERAL)**

28. The subdivision must be connected to Council's existing wastewater reticulation system in accordance with Development Approval OW/2025/8373 at no cost to Council.

*Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.*

29. Any works on Council's 'live' wastewater infrastructure must be carried out by Council. A Private Works Quotation must be requested from Council, payment made for the works, and the works completed by Council.

### **WATER SUPPLY**

30. The subdivision must be connected to Council's existing water supply reticulation in accordance with Development Approval OW/2025/8373 and Council's *Water Infrastructure Policy 2.03* at no cost to Council.

*Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.*

*Note: The size of any new service connection is to be determined during Plumbing approval.*

31. All live connections to the existing water supply networks and water meter installations must be carried out by Council at no cost to Council.

*Note: For a private works quotation for the required works Council's Water & Wastewater Department can be contacted on Ph: 131 872. Subject to payment of the quotation, a suitable time for this work to be carried out must be agreed with Council.*

### **TELECOMMUNICATION**

32. Install telecommunications infrastructure to service each approved lot which complies with the following:

32.1 The requirements of the *Telecommunications Act 1997 (Cth)*;

32.2 For a fibre ready facility, the NBN Co's standard specifications current at the time of installation; and

32.3 For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line is located underground.

33. Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary pits and pipes, and conduits to accommodate the future connection of optic fibre technology telecommunications.

34. Provide to Council written evidence from all relevant service providers that the telecommunications infrastructure is installed in accordance with the conditions of this Development Approval and all applicable legislation at the time of construction.

*Note: The Telecommunications Act 1997 (Cth) specifies where the deployment of optical fibre and the installation of fibre-ready facilities is required. For further information visit [www.infrastructure.gov.au/tind](http://www.infrastructure.gov.au/tind).*

*Note: For telecommunication services, written evidence must be in the form of either a "Telecommunications Infrastructure Provisioning Confirmation" where such services are provided by Telstra, or a "Notice of Practical Completion", "Confirmation of Payment" or "Post Execution of Development" Letter where such services are provided by NBN Co.*

## **ELECTRICITY**

35. An electricity supply must be made available to service each approved lot within the subdivision. This supply must be in accordance with the relevant standards of the electricity distributor.

36. Written evidence must be submitted to Council from the electricity distributor advising that provision has been made for connection of reticulated electricity service for each approved lot in accordance with all applicable legislation at the time of construction.

*Note: In relation to reticulated electricity, written evidence must be in the form of a "Certificate of Supply" or "Supply is Available" supplied by the relevant service provider.*

## **ACCESS**

### **ACCESS (FOOTPATH CROSSOVERS AND DRIVEWAYS)**

37. A vehicle crossover (crossing of the verge) from the kerb and channel to the property boundary must be constructed for proposed lots 49-52 in accordance with the following requirements:

37.1 The Institute of Public Works Engineering Australasia *Drawings RS-049 Residential Driveways Plan 1 of 2* and *RS-050 Residential Driveways Plan 2 of 2*, and in accordance with *Australian Standard AS 2890 – Parking Facilities (Part 1 and as relevant Part 2)*;

37.2 Council's standards;

37.3 The driveway/s surfacing must consist of an approved hot mixed asphaltic concrete, segmental clay/concrete pavers or patterned/plain concrete;

37.4 The driveway/s must be constructed so as not to concentrate stormwater runoff onto neighbouring properties;

37.5 Underground service conduits for water supply, electricity, house drainage and any other services must be provided as part of the access driveway/s; and

37.6 Where used for parking, the longitudinal gradient and crossfall of all driveways must comply with the requirements of AS2890.1.

## **LANDSCAPE**

### **PARK ACCESS**

38. Where access to Council's parkland is required, approval for park access must be sought from Council's Park and Recreation Services Branch via Council's Customer Service Centre prior to any works.

*Note: Should Parks and Recreation Services Branch be agreeable to park access, there will be a daily access fee and the requirement of a bond in accordance with Council's adopted fees and charges. There will also be conditions specific to the proposed works including but not limited to timing of works (to ensure minimal impact on park users) and the provision of public liability insurance for all contractors.*

## GENERAL ADVICES

### INFRASTRUCTURE CHARGES

- 1) Infrastructure charges are now levied by way of an Infrastructure Charges Notice, issued pursuant to Section 119 of the *Planning Act 2016*.

### 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) Any works impacting outside the property boundary will require a permit under Subordinate Local Law No. 1.15 (2020) (Carrying Out Works on a Road or Interfering with a Road or its Operation). Please contact Council's Road Operations Branch through our Customer Service Centre on Ph: 131 872. The application can be found on Council's website at [www.tr.qld.gov.au](http://www.tr.qld.gov.au).
- 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.

### EXCAVATION & FILLING

- 7) The *Toowoomba Regional Planning Scheme 2012* (TRPS) declares excavation and filling activity involving less than 50m<sup>3</sup> of material and excavation and filling activity to a depth or height lower than 1m to be accepted development. Any combination of excavation or filling where 50m<sup>3</sup> or more of fill is deposited on, or 50m<sup>3</sup> or more of excavated material is removed from the premises and excavation or filling is not associated with 'Building Work' as defined under the *Planning Act 2016*, must obtain an Operational Work approval from Council before commencing site works.

### ENVIRONMENTAL HARM

- 8) The *Environmental Protection Act 1994* (EP Act) states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm.

Environmental harm includes environmental nuisance. In this regard persons and entities involved in the civil, earthworks, construction and operational phases of this development are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm. Environmental harm is defined by the EP Act as any adverse effect, or potential adverse effect (whether temporary or permanent and of whatever magnitude, duration or frequency) on an environmental value and includes environmental nuisance.

Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the Administering Authority to cause undue disturbance or annoyance to persons or affect property not connected with the use.

**FIRE ANTS**

- 9) The State of Queensland has been declared a quarantine area for the Red Imported Fire Ant. Should this approval involve the movement of restricted items from areas of known infestation the provisions of the *Biosecurity Act 2014* apply, compliance with statutory provisions must be achieved.

**STORMWATER DISCHARGE TO PARKLAND**

- 10) This Development Approval does not infer or give approval to the owners or occupiers of the subject land to discharge stormwater to Council's parkland. Separate, written approval is required where stormwater is expected to be discharged to Council parkland. Please contact Council's Parks and Recreation Services Branch via the Customer Service Centre for further information in respect of approval for stormwater discharge to parkland.

**REASONS FOR RECOMMENDATION**

The proposed development has been assessed with regard to the applicable assessment benchmarks as identified within this report and the attached Statement of Reasons (refer to Schedule 1). The proposed development generally complies with the assessment benchmarks or it can be conditioned to comply. Where the applicant has not provided sufficient information, conditions have been imposed to ensure compliance.

**DELEGATE'S DECISION:**

I have reviewed the report for this application in accordance with the Relevant Instruments, Statutory and Non-Statutory Provisions and in accordance with Council's process and procedures. I agree with the responsible officer's recommendation that the application be Approved subject to the conditions contained in the recommendation. I exercise delegation in accordance with the delegations adopted by the Toowoomba Regional Council.



Richard Green  
Lead Senior Planner, Planning Branch

Decision Date: 16 April 2026

**CORPORATE PLAN REFERENCE**

**Strategic Action 2.3.3** Ensure development aligns with community sentiment, through effective and efficient assessment, with the planning scheme, planning instruments, codes and legislation.

**BACKGROUND**

SITE DETAILS				
Site Address	20-42 Dallang Road and 588-592 Hume Street, MIDDLE RIDGE QLD 4350			
Real Property Description	Part Lot 3 RP153091 and Part Lot 4 RP153091 (Proposed Lot 49)			
Site Area	2,351m <sup>2</sup>			
Owner	Boldstone Middle Ridge Pty Ltd			
SITE CHARACTERISTICS				
Current Land Use	Vacant			
Site Frontage/s	Future 'Road 1' (~78m) and Dallang Road (~30m)			
Road/s	Order of Road	Width of Road Reserve	Width of Pavement	Road Material
Dallang Road	Local	~19m	~7.3m	Bitumen
Future 'Road 1'	-	18m	-	-
Easements	Nil.			
Existing Structures	Nil.			
Infrastructure	Site has access to reticulated water, sewer, electricity, telecommunications and stormwater.			
Topography	Gradual fall to the north-west.			
Street Trees	Nil.			
PLANNING SCHEME SITE DATA				
Current Planning Scheme	Toowoomba Regional Planning Scheme 2012 (Version 28)			Adopted: 28 November 2022
Zone	Low-medium Density Residential Zone			
Precinct	Urban Residential Precinct			
Overlays	Airport Environs Overlay - 13km Wildlife Hazard Buffer Zone			
Infrastructure Charges Resolution	Charges Resolution No. 7			Adopted: 19 August 2025
SURROUNDS:				
Direction	Land Use	Zone/Precinct		
North	Dwelling Houses	Low-medium Density Residential Zone / Urban Residential Precinct, and Low Density Residential Zone / General Precinct		
East	Dwelling Houses and Dallang Road Park	Low-medium Density Residential Zone / Urban Residential Precinct, Low Density Residential Zone / General Precinct and Open Space Zone / No Precinct		
South	Dwelling Houses	Low-medium Density Residential Zone / Urban Residential Precinct, and Low Density Residential Zone / General Precinct		
West	Dwelling Houses	Low-medium Density Residential Zone / Urban Residential Precinct		

<b>APPLICATION HISTORY</b>			
<b>Application No.</b>	<b>Description</b>	<b>Decision Date</b>	<b>Decision</b>
RAL/2024/8363	Reconfiguring a Lot – Code – Two (2) Lots into 47 Lots	16 April 2025 (Decided 16 April 2025)	Approved
RAL/2024/8363/A	Change Application (Negotiated Decision Notice) – Reconfiguring a Lot – Code – Two (2) Lots into 47 Lots	5 June 2025 (Decided 4 June 2025)	Approved
RAL/2024/8363/B	Change Application (Minor Change) – Reconfiguring a Lot – Code – Two (2) Lots into 49 Lots	28 August 2025	Approved
OW/2025/8373	Road Work Stormwater Water Infrastructure Earthworks Sewage Infrastructure and Signage	6 February 2026	Approved
PREL/2018/529	Meeting held 20 February 2018.		

<b>PROPOSED DEVELOPMENT</b>	
<b>Name of Applicant</b>	Boldstone Middle Ridge Pty Ltd
<b>Type of Application</b>	Development Permit for Reconfiguring a Lot
<b>Proposed Development</b>	Two (2) Lots into Four (4) Lots
<b>Variations Sought</b>	Not Applicable
<b>Level of Assessment</b>	Code
<b>Decision Making Period Ends</b>	16 April 2026

## CONSULTATION UNDERTAKEN

### Referral Agency/ies

Not Applicable

### Internal Referrals

<b>Internal Referral Partner</b>	<b>Referral / Response</b>
Development Engineering and Plumbing	No objection subject to conditions to attach to any approval of the development.
Place Environmental	No objection subject to conditions to attach to any approval of the development.
Water and Waste	No objection subject to conditions to attach to any approval of the development.
Parks and Recreation	No objection subject to conditions to attach to any approval of the development.
Infrastructure Charges Unit	To prepare an Infrastructure Charges Notice in accordance with <i>Charges Resolution No. 7</i> to accompany any approval of the development.

## ISSUES, RISKS AND RESPONSES – ASSESSMENT

### Categorising Instrument – *Planning Regulation 2017*:

<b>PLANNING REGULATION 2017</b>	
<i>Prohibited Development</i>	The proposed development is not prohibited development in accordance with the <i>Planning Regulation 2017</i> .
<i>Infrastructure Charges</i>	The <i>Planning Regulation 2017</i> provides for the levying of infrastructure charges on development approvals.
<i>Schedules 9 and 10</i>	The proposed development is not for Reconfiguring a Lot as defined in Part 1 of Schedule 12A of the Regulation.

<b>REGIONAL PLANS</b>	
<i>Shaping SEQ – South East Queensland Regional Plan 2023</i>	<p>The subject site is mapped within the bounds of the <i>Shaping SEQ – South East Queensland Regional Plan 2023</i> (Shaping SEQ). The SEQRP identifies that the subject site is within the Urban Footprint which is intended to identify the land required for the region’s urban development needs up to 2046.</p> <p>The development application is consistent with the intent for the Urban Footprint as it provides for and does not restrict the future development of land within the bounds of the urban footprint for urban purposes.</p>
<i>Darling Downs Regional Plan October 2013</i>	<p>The Darling Downs Regional Plan (DDRP) is a statutory regional plan that is intended to provide planning policy to address planning matters that are of State interest and specific to the Darling Downs region.</p> <p>The DDRP identifies that the subject site is mapped within Restricted Area (RA) 384 under Appendix 2 of the Regional Plan, reflecting the boundaries of the SEQ Regional Plan. Therefore, the DDRP is not applicable in this instance.</p>

<b>STATE PLANNING POLICY (SPP) July 2017</b>	
<b>Interests</b>	<b>Assessment Comments</b>
Agriculture	<p>The Department of State Development, Infrastructure, Local Government and Planning interactive mapping (DAMS) which accompanies the SPP identifies that this interest is applicable to the subject property.</p> <p>The subject site is mapped as containing ‘Important Agricultural Areas’ and ‘Agricultural Land Classification (Class A and B)’. However, the State interest policies identified in Part E of the SPP are not considered to be relevant or applicable as the proposed development is on land that is not currently used for agricultural purposes and it is not considered that the site would support agricultural pursuits into the future due to its location within the urban extent of Toowoomba City and likely future growth of residential development in the area.</p> <p>These constraints on the use of the land for agricultural purposes are further reflected in the zoning of the land by Council as Low Density Residential and inclusion of the land within the ‘urban footprint’ under the <i>South-East Queensland Regional Plan 2017</i> (SEQRP).</p>
Natural Hazards, Risk and Resilience	<p>The interactive mapping which accompanies the SPP identifies that this interest is applicable to the subject property (‘Flood hazard area – Local Government flood mapping area’)</p> <p>In accordance with Part 2, Table 2.1:2 in the Planning Scheme, the Minister has identified that the SPP July 2017 State interest – natural hazards, risk and resilience (those parts related to flooding) have been appropriately reflected in the Planning Scheme and no further assessment against the SPP is required. The development is located entirely outside of Council’s Flood Hazard Overlay mapping.</p>
Strategic Airports and Aviation Facilities	<p>This State interest applies to all local government areas that contain or are impacted by a strategic airport in Table 2: strategic airports and therefore the State interest policies and assessment benchmarks identified in Part E of the SPP are applicable to the proposed development.</p> <p>The assessment benchmarks and State interest policies identified in Part E of the SPP are not of relevance to the proposed development.</p>

#### **Local Categorising Instrument – Toowoomba Regional Planning Scheme 2012:**

The proposed development was assessed against the following assessment benchmarks:

- 6.2.2 Low-medium Density Residential Zone Code

- 8.2.1 Airport Environs Overlay Code
- 9.4.5 Reconfiguring a Lot Code

The development was assessed against all of the assessment benchmarks listed above and is considered to comply or can be conditioned to comply.

**Local Categorising Instrument – Variation Approval:**

Not Applicable

**Local Categorising Instrument – Temporary Local Planning Instrument:**

Not Applicable

**Local Categorising Instrument – Preliminary Approval:**

Not Applicable

**Local Categorising Instrument – Local Government Infrastructure Plan:**

The site is located within Council's identified Priority Infrastructure Area. No future priority infrastructure is mapped on or adjacent to the subject site under Council's LGIP mapping or schedule of works.

**Other Relevant Matters**

Not Applicable

**FINANCIAL / RESOURCE IMPLICATIONS**

Infrastructure charges will be applied in accordance with Council's *Charges Resolution No. 7*.

**Human Rights Act 2019 CONSIDERATIONS**

The *Human Rights Act 2019* provides that it is unlawful for a public agency to act or make a decision in a way that is not compatible with human rights, or to fail to give proper consideration to a human right. This necessitates understanding the human rights that are protected. When making decisions or taking actions, consideration needs to be given to how that may impact on a person's human rights. Where there is a restriction on a person's human rights the restriction must be no greater than is justifiable to protect the rights of others or the community at large.

In assessing this application consideration has been given to the following section/s of the *Human Rights Act 2019*:

Section 15 – Recognition and equality before the law  
Section 24 – Property rights

It is the opinion of the decision maker that no human rights have been limited.

**CONCLUSION**

The development has been assessed with regard to the applicable assessment benchmarks as identified within this report and the attached Statement of Reasons (refer to Schedule 1). The proposed development generally complies with the assessment benchmarks or it can be conditioned to comply. Where the applicant has not provided sufficient information, conditions have been imposed to ensure compliance. It is therefore recommended that the development application be approved subject to the conditions identified above.

**ATTACHMENT/S**

Attachment	1	of	2	Aerial View of Subject Site
Attachment	2	of	2	Proposed Plan

## **SCHEDULES**

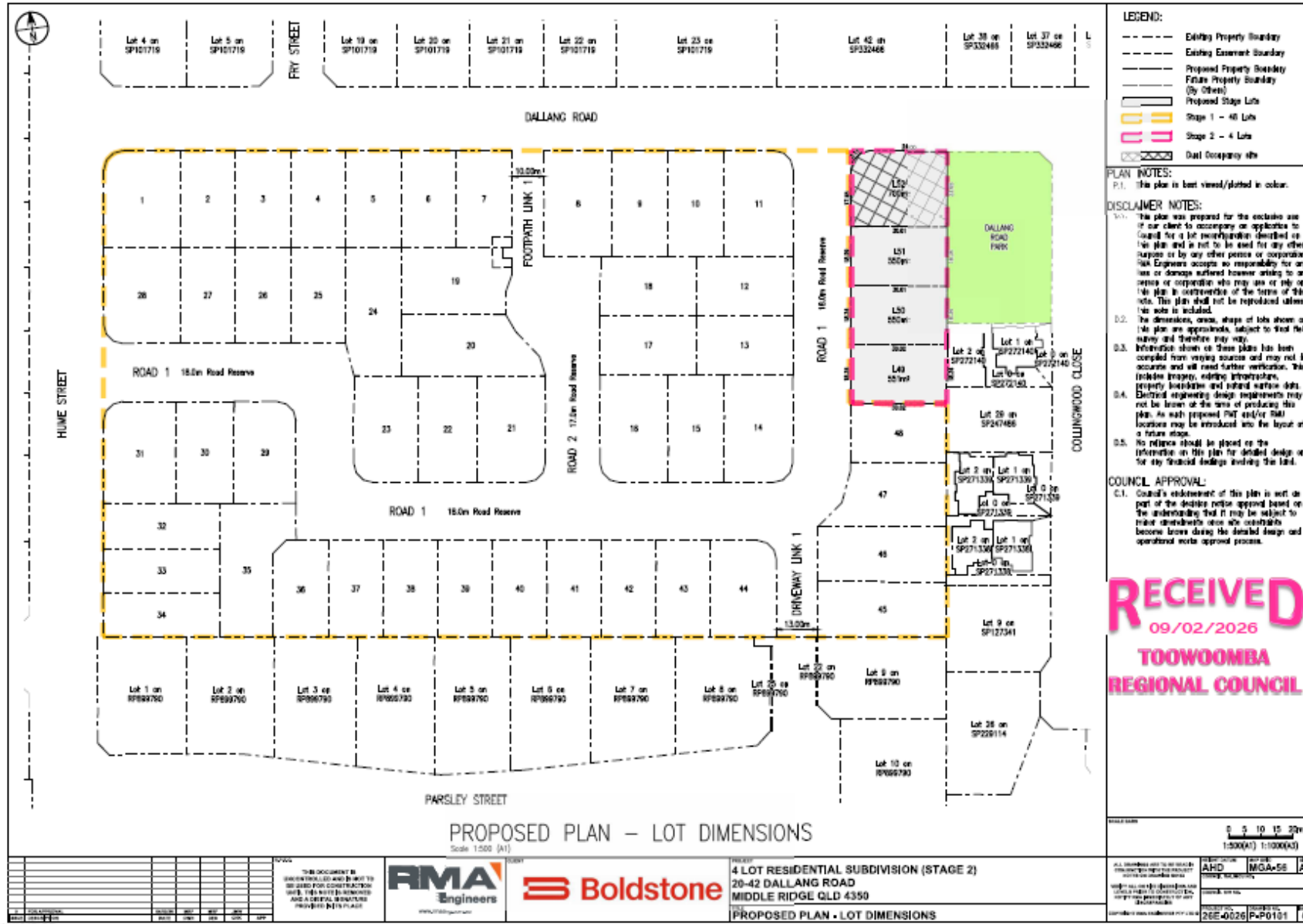
Schedule 1 Statement of Reasons

## ATTACHMENTS

### Attachment 1 of 2 – Aerial View of Subject Site



Attachment 2 of 2 – Proposed Plan



**SCHEDULE 2**

**Statement of Reasons**

**Statement of Reasons**  
Section 63(4) and (5) of the *Planning Act 2016*

SITE DETAILS	
Site Address	20-42 Dallang Road and 588-592 Hume Street, MIDDLE RIDGE QLD 4350
Real Property Description	Part Lot 3 RP153091 and Part Lot 4 RP153091 (Proposed Lot 49)
Site Area	2,351m <sup>2</sup>
Owner	Boldstone Middle Ridge Pty Ltd

PROPOSED DEVELOPMENT	
Name of Applicant	Boldstone Middle Ridge Pty Ltd
Type of Application	Development Permit for Reconfiguring a Lot
Proposed Development	Two (2) Lots into Four (4) Lots
Level of Assessment	Code
Decision	Approval
Decision Date	16 April 2026

ASSESSMENT MATTERS	
Assessment benchmarks	<p>The proposed development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none"> <li>• Schedules 9 and 10 of the <i>Planning Regulation 2017</i> (as relevant);</li> <li>• <i>State Planning Policy July 2017</i> (as relevant);</li> <li>• South-east Queensland Regional Plan ShapingSEQ 2023 and Darling Downs Regional Plan (as relevant);</li> <li>• The Local Government Infrastructure Plan; and</li> <li>• <i>Toowoomba Regional Planning Scheme 2012</i> (Version 28) <ul style="list-style-type: none"> <li>○ 6.2.2 Low-medium Density Residential Zone Code</li> <li>○ 8.2.1 Airport Environs Overlay Code</li> <li>○ 9.4.5 Reconfiguring a Lot Code</li> </ul> </li> </ul>
Reasons for decision	The development was assessed against all of the assessment benchmarks listed above and complies, or can be conditioned to comply, without exception.

For further details on the assessment of this development application, please see the Delegated Report available for public viewing on the Toowoomba Regional Council Planning and Development Online website at: <https://developmenti.tr.qld.gov.au/>. When accessing Council's website please use the following Application Number: RAL/2026/993