

REPORT TITLE	Reconfiguring a Lot – Impact – One (1) Lot into Two (2) Lots located at 1 Fairway Crescent, MIDDLE RIDGE QLD 4350
AUTHOR	Consultant Planner (Luke Farrelly)
Application No.	RAL/2026/3125

PURPOSE OF REPORT

To consider a Development Application for Reconfiguring a Lot – Impact – One (1) Lot into Two (2) Lots located at 1 Fairway Crescent, MIDDLE RIDGE QLD 4350.

EXECUTIVE SUMMARY

This application seeks a Development Permit for Reconfiguring a Lot – Impact – One (1) Lot into Two (2) Lots at 1 Fairway Crescent, Middle Ridge, formally described as Lot 12 on RP197966. The 4,788m² site is improved by a dwelling house and outbuildings and is located within the Rural Residential Zone – 4,000m² Minimum Precinct of the *Toowoomba Regional Planning Scheme 2012* (the Planning Scheme).

The proposed subdivision will create a new 780m² lot fronting Stenner Street (Lot 1), leaving a 4,008m² balance lot containing the existing dwelling, with access retained from Fairway Crescent (Lot 2).

Lot 1 would be below the nominated 4,000m² minimum and therefore does not comply with PO6(a) of the Rural Residential Zone Code. The location where Lot 1 accesses Stenner Street is characterised by smaller urban residential lots. No additional lot frontage or access is proposed to Fairway Crescent, allowing its existing rural-residential character to be retained. The proposed lots can be connected to existing water, sewer, stormwater, electricity and telecommunications infrastructure.

The proposed reconfiguring a Lot triggers an Impact Assessment under the Planning Scheme. As such, public notification was undertaken. One properly made submission (objection) was received and one late objection that was not properly made but still considered to the extent where relevant to the assessment benchmarks. Both submissions raised concerns regarding the proposed lot size, rural-residential character, increased density and potential reverse-amenity impacts associated with the golf course.

The proposed development has been assessed against all relevant matters, including the entire Planning Scheme (to the extent relevant) the *State Planning Policy July 2017*, site context and submissions. The proposed development generally complies with the assessment benchmarks or can be conditioned to comply. The proposed development is recommended to be approved subject to reasonable and relevant conditions.

RECOMMENDATION

APPROVED - Application No. RAL/2026/3125 for a Development Permit for Reconfiguring a Lot – Impact – Reconfigure One (1) Lot into Two (2) 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 land for One (1) Lot into Two (2) Lots.

CARRY OUT AND MAINTAIN DEVELOPMENT

2. 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.
3. Unless otherwise stated, all conditions must be complied with prior to Council's approval of the Plan of Subdivision prior to registration with the Department of Resources.

4. The development must be maintained generally in accordance with the Approved Plan subject to or modified by any conditions of this Development Approval.

APPROVED PLANS

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

Plan No: -

Description: Proposal Plan, prepared Property Projects Australia, received by Toowoomba Regional Council on 13 April 2026

Amendments: Nil

LOT NUMBERING

6. 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 (OPERATIONAL WORK)

7. Prepare and submit applications to Council and obtain a Development Permit for Operational Work for the following:

7.1 Driveway Crossover.

COUNCIL APPROVAL OF PLANS, DOCUMENTS & WORKS

8. Prepare and submit for Council's approval a Plan of Subdivision in accordance with Schedule 18 of the *Planning Regulation 2017*.

AVAILABILITY OF APPROVED DOCUMENTATION DURING WORKS

9. 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.

DEDICATIONS, AGREEMENT AND CONTRIBUTIONS

FEES AND CHARGES

10. 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

11. Plans and specifications for all works associated with driveway crossover, or any other works required on Council infrastructure, must be prepared and certified by a Registered Professional Engineer Queensland - Civil (RPEQ).
12. A RPEQ must submit to Council a copy of the:
 - 12.1 Design Certificate prior to commencement of the works; and
 - 12.2 Construction Supervision Certificate upon completion of the works certifying that works are in accordance with the approved plans and specifications.
13. 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.

14. 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

15. All land adjoining the development must be protected from ponding or nuisance from stormwater resulting from the development for the life of the development.
16. The design and the construction of the works must be certified by a RPEQ – Civil. A RPEQ must submit to Council a copy of the:
 - 16.1 Design Certificate prior to commencement of the works; and
 - 16.2 Construction Supervision Certificate upon completion of the works certifying that works are in accordance with the approved plans and specifications. 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.

STORMWATER DISCHARGE

17. Stormwater from the existing and new roofed and sealed areas from proposed Lot 1 and Lot 2 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 private 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*.

BULK EARTHWORKS OVER 50 M³ OR OVER 1M CUT OR FILL

20. All cut, fill and associated batters must be undertaken in accordance with a Development Permit for Operational Work and contained entirely within the subject land.

AIR QUALITY IMPACT MITIGATION

21. Odours or airborne contaminants which are noxious or offensive to public amenity or safety, likely to cause environmental harm or environmental nuisance or exceed the *Air Quality Objectives* listed in the *Environmental Protection (Air) Policy 2019* as measured at any sensitive place or commercial place must not be released to the atmosphere during building and operational works.
22. All reasonable and feasible avoidance and mitigation measures are employed so that dust emissions generated during site works do not exceed the following levels when measured at any sensitive place or commercial place:
 - 22.1 Dust deposition of 133 milligrams per square metre per day, averaged over 1 month, when monitored in accordance with the most recent version of *Australian Standard AS3580.10.1 Methods for sampling and analysis of ambient air - Determination of particulate matter - Deposited matter - Gravimetric method*.

CONSTRUCTION WASTE MANAGEMENT & STORAGE

23. Waste generated during demolition, excavation and construction must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction and Recycling Act 2011*.

24. The on-site storage and disposal of demolition, excavation and construction waste (including the storage and disposal of night soil) must comply with the *Environmental Protection Regulation 2019*.
25. Fires are not to be lit to dispose of demolition or construction waste.
26. No demolition, excavation or construction waste is to be used as fill or buried on-site (with the exception of cut material recycled from the subject land and used on the subject land), or be used as fill or buried elsewhere, unless otherwise permitted:
 - 26.1 Elsewhere within this Development Approval;
 - 26.2 In accordance with an associated Development Permit for Operational Work;
 - 26.3 In association with and in accordance with an Environmental Authority issued under the *Environmental Protection Act 1994*;
 - 26.4 In accordance with either a general or specific approval of a resource for beneficial use (otherwise known as a beneficial use approval) issued under the *Waste Reduction and Recycling Act 2011*; or
 - 26.5 In accordance with a written approval issued by Council under the *Environmental Protection Regulation 2019* relating to the depositing or disposal of general waste from a premises not serviced by Council.
27. Demolition, excavation and construction waste (including night soil) must not be placed or stored within the road reserve at any time.

CONSTRUCTION NOISE IMPACT MITIGATION

28. Building work (as per the definition of the *Environmental Protection Act 1994*) that creates audible noise must be confined to the hours of 6:30 am and 6:30 pm Monday to Saturday (excluding Public Holidays) unless otherwise approved by Council in an endorsed Construction Environmental Management Plan.

EROSION & SEDIMENT CONTROL

29. 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.
30. 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.
31. 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.
32. All disturbed areas must be mulched or turfed as soon as possible during construction.

REMOVAL OR MODIFICATION OF EXISTING COUNCIL CONTROLLED TREE

33. The removal, modification or interference (including disturbance within the Notional Root Zone (NRZ) or Structural Root Zone (SRZ)) of a Council Controlled Tree must not be undertaken unless approved in writing by Council and in accordance with any conditions of this Development Approval.
34. No new infrastructure is permitted to be constructed within the Structural Root Zone (SRZ), as determined in accordance with AS4970 Protection of Trees on Development Sites, of any Council Controlled Tree present on Stenner Street

DAMAGE TO SERVICES & ASSETS

35. Protect Council and public utility services and assets during construction of the development.
36. 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:
 - 36.1 Where the damage would cause a hazard to pedestrian or vehicle safety or interrupts a service to the community, immediately; or
 - 36.2 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.
37. 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.
38. 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)

39. The existing wastewater connection to proposed Lot 2 must fall entirely within the boundaries of the lot as proposed. Any adjustments to the wastewater connection/jump up including the provision of a new connection (if required) must be undertaken by Council at no cost to Council.
40. Proposed Lot 1 must be provided with a connection to Council's existing wastewater reticulation system at no cost to Council.

Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.
41. Any works on Council's 'live' wastewater 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.
42. All existing internal wastewater pipework for proposed Lot 2 must fall entirely within the boundaries of the lot as proposed. Any existing connections between proposed Lot 1 and proposed Lot 2 must be disconnected and:
 - 42.1 Certification must be provided to Council by a Licensed Plumber that the disconnection has been carried out.

WATER SUPPLY

43. Construction of the water supply reticulation systems must be carried out in accordance with Council's *Water Infrastructure Policy 2.03*.
44. Enveloping conduits for property service connections must be extended from the water main to the property boundary on the opposite side of the road where new property service connection is required to cross the road. The developer must install the enveloping conduits in accordance with Council's *Standard Drawing Number 101214-001*. The property service connections must be installed by Council at no cost to Council.
45. Unless able to be used as part of the development, any existing connection must be disconnected at no cost to Council.
46. Any existing water supply connection traversing more than one approved lot must be disconnected and removed.
47. Certification must be provided to Council by a Licensed Plumber that the disconnection has been carried out.

48. Where works have been carried out to disconnect or remove traversing pipes, certification must state that a separate water supply has been provided for all lots containing buildings which previously had a metered water supply, and that new water meters have been provided where necessary.
49. Where the location and levels of existing services are unknown, the contractor must pothole to establish the accurate location and level. The existing services must be included on amended detailed design drawings, which must be submitted to Council for approval a minimum of 5 days prior to the pre-start meeting. Required clearances to the existing water infrastructure (including thrust blocks), must be maintained unless approved by Council.

TELECOMMUNICATIONS

50. Install telecommunications infrastructure to service each approved lot which complies with the following:
 - 50.1 The requirements of the *Telecommunications Act 1997* (Cth);
 - 50.2 For a fibre ready facility, the NBN Co's standard specifications current at the time of installation; and
 - 50.3 For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line is located underground.
51. 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.
52. 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.

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

53. 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.
54. 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.

ROADWORKS SIGNAGE AND PEDESTRIAN SAFETY

55. All works carried out on or near roadways must be adequately signed in accordance with the *Manual for Uniform Traffic Control Devices – Part 3, Works on Roads*.

Note: Road or lane closures require approval from Council's Principal Engineer Road Operations, and all conditions of that approval complied with during construction of the works.

56. Safe pedestrian access along Council's verges must be maintained at all times.

Note: Should access to footpaths need to be restricted, a separate 'Temporary road or footpath closure' must be obtained from Council's Principal Engineer Road Operations, prior to the commencement of the works.

ACCESS (DRIVEWAYS)

57. A vehicle crossover (crossing of the verge) must be constructed from the kerb and channel along the Stenner Street frontage of Proposed Lot 1. The following requirements apply:
- 57.1 The proposed vehicle access (crossing of the verge) must be constructed generally in accordance with the Institute of Public Works Engineering Australasia Drawings RSD-100 Residential Driveways Plan 1 of 2 and RSD-101 Residential Driveways Plan 2 of 2, and in accordance with Australian Standard AS 2890 – Parking Facilities (Part 1 and as relevant Part 2);
 - 57.2 The driveway surfacing must consist of an approved hot mixed asphaltic concrete, segmental clay/concrete pavers or patterned/plain concrete;
 - 57.3 The relevant service authorities must be contacted and their requirements complied with;
 - 57.4 Undertake any necessary relocation of all existing services clear of the accesses (crossing of the verge) that will serve the subject land and contact all relevant service authorities and comply with their requirements in relation to these works;
 - 57.5 The driveway must be constructed so as not to concentrate stormwater runoff onto neighbouring properties and;
 - 57.6 Underground service conduits for water supply, electricity, house drainage and any other services must be provided as part of the access driveway.
58. The final design and layout the vehicle access must be in accordance with the Development Approval for Operational Works for driveway crossover or the accepted development assessment benchmarks in the Works and Services Code in the Toowoomba Regional Planning Scheme 2012 prior to any commencement works on the subject land.

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) 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

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

WHEN APPROVAL LAPSES

- 5) 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

- 6) The *Toowoomba Regional Planning Scheme 2012* (TRPS) declares excavation and filling activity involving less than 50m³ 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 50m³ or more of fill is deposited on, or 50m³ 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

- 7) 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.

WATER POLLUTION

- 8) In accordance with the *Environmental Protection Act 1994*, all sand, silt, mud, paint, cement, concrete, construction material and demolition material, and other such waste material must not be deposited or placed where it could reasonably be expected to travel into a roadside gutter, stormwater drain or watercourse. On the spot fines apply for such offences.

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.

REASONS FOR RECOMMENDATION

The proposed development has been assessed against all relevant matters, including the entire Planning Scheme (to the extent relevant) the *State Planning Policy July 2017*, submissions and site context as an other relevant matter. The proposed development generally complies with the assessment benchmarks or can be conditioned to comply, and is considered acceptable having regard to matters raised in submissions and in the site context. Where the applicant has not provided sufficient information, conditions have been imposed to ensure compliance with assessment benchmarks.

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 / reasons contained in the

recommendation. I exercise delegation in accordance with the delegations adopted by the Toowoomba Regional Council.



Krys den Hertog
Principal Planner, Planning Branch

Decision Date: 18 September 2026

BACKGROUND

SITE DETAILS				
Site Address		1 Fairway Crescent, MIDDLE RIDGE QLD 4350		
Real Description	Property	Lot 12 RP197966		
Site Area		4,788m ²		
Owner		Paul David Thrush and Druscilla Grace Thrush		
SITE CHARACTERISTICS				
Current Land Use		Dwelling House		
Site Frontage/s		Stenner Street - ~65m Fairway Crescent ~70m		
Road/s	Order of Road	Width of Road Reserve	Width of Pavement	Road Material
Stenner Street	Collector Road	~20m	~10m	Asphalt
Fairway Crescent	Local Street	~20m	~8m	Asphalt
Easements		Nil		
Existing Structures		Dwelling Houses and associated structures		
Infrastructure		The site has access to electricity, telecommunications and reticulated water and sewer.		
Topography		The site generally falls toward Stenner Street, with proposed Lot 1 falling to the north-west towards existing kerb and channel.		
Street Trees		Two large street trees are located within the Stenner Street road reserve adjacent to proposed Lot 1. The proposed crossover is positioned between the trees and outside their Structural Root Zones, (subject to detailed design and tree-protection measures).		
Other Features		Nothing to note		
PLANNING SCHEME SITE DATA				
Current Planning Scheme		Toowoomba Regional Planning Scheme 2012 (Version 29)		Adopted: 21 July 2026
Zone		Rural Residential Zone		
Precinct		4,000m ² minimum		
Overlays		Airport Environs Overlay 13km Wildlife Hazard Buffer Zone Environmental Significance Overlay - Areas of Ecological Significance buffer		
Infrastructure Resolution	Charges	Charges Resolution No. 7		Adopted: 19 August 2025
SURROUNDS:				
Direction	Land Use		Zone/Precinct	
North	Vacant/ St Barts Anglican Church		Low Density Residential	
East	Rural Residential Dwelling		Rural Residential Zone RR1 4,000m ² minimum	
South	Rural Residential Dwelling		Rural Residential Zone RR1 4,000m ² minimum	
West	Toowoomba Golf Club Middle Ridge		Sport and Recreation	
Other Features		Nothing to note		

APPLICATION HISTORY			
Application No.	Description	Decision Date	Decision
Nothing to note			

PROPOSED DEVELOPMENT		
Name of Applicant	Paul David Thrush and Druscilla Grace Thrush	
Type of Application	Reconfiguring a Lot	
Proposed Development	Reconfigure One (1) Lot into Two (2) Lots	
Level of Assessment	Impact Assessable	
Submissions Received	Objection:	2
	Support:	0
Decision Making Period Ends	11 September 2026	

CONSULTATION UNDERTAKEN

Referral Agency/ies

Not Applicable

Internal Referrals

Internal Partner	Referral	Referral / Response
Development Engineering and Plumbing		Reviewed application and recommended draft conditions.
Place Environmental		Reviewed application and recommended draft conditions.
Water and Waste		Reviewed application and recommended draft conditions.
Place – Landscape		Reviewed application and recommended draft conditions.
Infrastructure Charges Unit		May prepare an Infrastructure Charges Notice in accordance with <i>Charges Resolution No. 8</i> if the development is approved.

Public Notification

The Notice of Compliance was received by Council on 24 July 2026. The information attached to the notice confirms that the public notification of the application was undertaken in accordance with the requirements of Part 4 of the *Planning Act 2016*. The Notice of Compliance states the public notification included:

- Publishing a notice in the Chronicle on 1 July 2026;
- Placing a notice on the land from 1 July 2026 until 24 July 2026; and
- Notifying owners of all land adjoining the site on 30 June 2026.

Two (2) submissions were received opposing the development, with none received supporting the development.

A summary of the matters raised in the submission/s and Council officer responses are outlined in the Table below:

Issue	How matter was dealt with
Minimum lot size and local character The proposed 780m ² lot does not meet the 4,000m ² minimum lot size and is inconsistent with the intended rural residential character.	The non-compliance is acknowledged. However, Proposed Lot 1 fronts and gains access solely from Stenner Street, which is a distributor road and has an established low-density residential character and includes nearby lots of approximately 700–1,000m ² . Proposed Lot 2 retains an area of 4,008m ² , and no new lot or access is proposed from Fairway Crescent, thereby maintaining the existing rural residential presentation to that street.
Loss of rural residential lifestyle opportunities	The locality contains a diverse mix of lot sizes, housing and community uses. The creation of one additional lot is not considered to materially alter its overall character or amenity. Any future subdivision proposing lots below the prescribed

Approval would reduce the availability of larger lifestyle lots and adversely affect the amenity enjoyed by residents.	minimum would remain impact assessable and be considered separately on its merits.
Reverse amenity impacts on Toowoomba Golf Club Additional residential development may result in complaints or constraints upon the operation of the golf course.	The proposal creates the potential for one additional dwelling. Residential development already adjoins the golf course, including The Ninth Middle Ridge Retirement Community (townhouse style development). Residential development adjacent to golf courses is a common and generally sought-after. No evidence has been provided demonstrating that the additional lot would materially constrain the golf course or result in unacceptable amenity impacts.

ISSUES, RISKS AND RESPONSES – ASSESSMENT

Categorising Instrument – *Planning Regulation 2017*:

PLANNING REGULATION 2017	
<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>	Schedules 9 and 10 categorises particular development and details the relevant assessment benchmarks for development as relevant. No assessment benchmarks are relevant to assessment of the development application.

REGIONAL PLANS	
<i>Shaping SEQ – South East Queensland Regional Plan 2017</i>	The subject site is mapped within the bounds of the <i>Shaping SEQ –South East Queensland Regional Plan 2017</i> (SEQRP). The SEQRP identifies that the subject site is within the Urban Footprint, which is intended to identify
<i>Darling Downs Regional Plan October 2013</i>	The land required for the region's urban development needs up to 2041. The development application is consistent with the land use intent for the Urban Footprint as it proposes additional lots which may be used for an urban purpose within the bounds of the urban footprint.

STATE PLANNING POLICY (SPP) <i>July 2017</i>	
Interests	Assessment Comments
Housing Supply and Diversity	No applicable assessment benchmarks.
Livable Communities	
Agriculture	
Development and Construction	
Mining and Extractive Resources	
Tourism	
Biodiversity	
Cultural Heritage	
Water Quality	
Emissions and Hazardous Activities	

Natural Hazards, Risk and Resilience	
Energy and Water Supply	
Infrastructure Integration	
Transport Infrastructure	
Strategic Airports and Aviation Facilities	

Local Categorising Instrument – Toowoomba Regional Planning Scheme 2012:

The proposed development was assessed against the following assessment benchmarks:

- Strategic Framework
- Airport Environs Overlay Code;
- Environmental Significance Overlay Code;
- Low Density Residential Zone Code;
- Rural Residential Zone Code; and
- Reconfiguring a Lot Code.

The development was assessed against all of the assessment benchmarks listed above and is considered to comply without exception as follows:

STRATEGIC FRAMEWORK:

Theme	Assessment Comments
Settlement Pattern	Complies with all applicable strategic and specific outcomes. The proposed subdivision is minor in scale, is located within an established and varied residential setting, has access to existing infrastructure and road networks, avoids significant environmental impacts, and does not compromise the applicable strategic or specific outcomes of the Strategic Framework.
Natural Environment	
Community Identity and Diversity	
Natural Resources and Landscaping	
Access and Mobility	
Infrastructure and Services	
Economic Development	

RURAL RESIDENTIAL ZONE CODE:

Rural Residential Zone Code	
Purpose	Assessment Comments
(1) The purpose of the zone is to provide for residential development on large lots where Local Government infrastructure and services may not be provided and where the intensity of residential development is generally dispersed. Development for large residential lots provides for a range of residential housing styles to meet the needs of the community. Development maintains a semi-rural landscape character and expansion of these localities does not occur.	The subdivision creates one (1) additional lot within an established and varied residential area. The site is located within the Priority Infrastructure Area and is serviced by all five infrastructure networks, allowing both lots to be adequately serviced without needing to extend infrastructure. Therefore, it is considered that the proposed development generally complies with the Purpose of the Rural Residential Zone Code.
Performance Outcome	Acceptable Outcome
PO6 <i>Development in the 4,000m² precinct:</i> (a) <i>does not require the creation of lots smaller than 4,000m²; and</i> (b) <i>maintains a very low density residential character.</i>	PO4.1 <i>No acceptable outcome is nominated.</i>
Alternate Outcome	

The applicant submits:

Complies (PO6) Refer to Section 4.1 of the Town Planning Report prepared by Property Projects Australia.

4.1. Suitability of the Proposed Subdivision

The proposed development involves a rural residential subdivision, resulting in two (2) lots. Proposed Lot 1 will have an area of 780m², while Proposed Lot 2 will have an area of 4,008m².

Where the subject site is located within the 4,000m² Minimum Precinct of the Rural Residential Zone, the anticipated minimum lot size is 4,000m². Where the proposed development results in a lot with an area less than 4,000m², the proposed development does not achieve compliance with performance outcome PO6 of the Rural Residential Zone Code and acceptable outcome AO4.1 of the Reconfiguring a Lot Code and is required to achieve compliance with the overall outcomes of the Rural Residential Zone Code and performance outcome PO4 of the Reconfiguring a Lot Code...

...4.1.1. Consistency with Purpose Statement

The development is consistent with the Purpose of the Zone Code because:

- Proposed Lot 1 addresses Stenner Street, where the land opposite is included within the Low Density Residential Zone. As it is adjacent to low density development and because it does not have frontage to Fairway Crescent, the allotment will not be a discordant element in the streetscape or impact the semi-rural landscape character of the allotments within the rural-residential zone that extend eastward along Stenner Street.*
- The proposed interface between Proposed Lot 1 and Proposed Lot 2 is comparable to the existing interface at 41 and 43 Stenner Street, which are included in the Rural Residential Zone and Low Density Residential Zone, respectively.*
- The subject site has access to all Local Government infrastructure, including sewer, water and stormwater (kerb and channel) and is identified as being within all five (5) Local Government infrastructure service catchments. To this end, the development complies with the purpose of the Zone Code given the Zone Code requires 'large lots' to be developed where infrastructure and services may not be provided. That is, where services are available, the need to maintain larger lot sizes is only to align with prevailing streetscape character. In this instance, the prevailing streetscape character is not impacted given Proposed Lot 1 is at the westernmost extent of the Rural Residential Zone and is opposite land in the Low Density Residential Zone.*

4.1.2. Consistency with Development in Local Area

While the proposed development involves a lot size of 780m², being under the minimum lot size requirement, the proposed development is compatible with other development in the locality. In particular, the site adjoins land zoned within the Low Density Residential Zone, opposite Stenner Street...

...It is also highlighted that several surrounding sites located within the mapped extent of the 4,000m² Minimum Precinct of the Rural Residential Zone do not meet the minimum lot requirement and confirm the low density residential landscape of neighbouring land uses. These examples being, but not limited to:

- 10 Fairway Crescent, Middle Ridge (2,640m²)*
- 186 Rowbotham Street, Middle Ridge (1,351m²)*
- 188 Rowbotham Street, Middle Ridge (1,487m²)*
- 190 Rowbotham Street, Middle Ridge (1,650m²)*
- 192 Rowbotham Street, Middle Ridge (2,520m²)*
- 214 Rowbotham Street, Middle Ridge (3,174m²)*
- 5 Coolibah Court, Middle Ridge (1,607m²)*
- 2 Flagstone Creek Road, Middle Ridge (3,518m²)*

4.1.3. Access

Proposed Lot 1 will be accessed via Stenner Street, whereas Proposed Lot 2 will maintain the existing access arrangement, being via Fairway Crescent...

...The two (2) street trees on Stenner Street are separated by approximately 10 metres. As such, there is sufficient width available to accommodate a standard residential crossover between the two (2) trees that is capable of being a minor encroachment within the Notional Root Zone (NRZ) and, to this end, complying with PO1 of the Transport, Access and Parking Code....

Officer Comment

It is considered that the proposed development does not comply with the Performance Outcome PO6. See assessment against the purpose above.

DEVELOPMENT CODES:

Reconfiguring a Lot Code	
Performance Outcome	Acceptable Outcome
PO4 <i>All new lots provide sufficient area, frontage and dimensions, and road access that enable their future development to achieve relevant outcomes in applicable Use, Zone, Overlay, and Other Development Codes in relation to:</i> (a) dwellings, buildings and/or other structures (b) setbacks; (c) landscaping; (d) on site car parking and vehicle access; (e) recreation areas (private open space); (f) cultural heritage and character streetscape values; (g) other design criteria.	AO4.1 <i>All lots are rectangular and have minimum width to depth ratios, areas, dimensions and frontages as prescribed in Table 9.4.5:4.</i>
Alternate Outcome	
The applicant submits: <i>Complies (PO4) The proposed development results in two (2) lots which are provided with sufficient area, frontage, dimensions and road access to enable the future development of a dwelling house. Refer to Section 4.1 of the Town Planning Report prepared by Property Projects Australia.</i> Section 4.1 in the town planning report of the applicant's submitted material submits: 4.1. Suitability of the Proposed Subdivision <i>The proposed development involves a rural residential subdivision, resulting in two (2) lots. Proposed Lot 1 will have an area of 780m², while Proposed Lot 2 will have an area of 4,008m².</i> <i>Where the subject site is located within the 4,000m² Minimum Precinct of the Rural Residential Zone, the anticipated minimum lot size is 4,000m². Where the proposed development results in a lot with an area less than 4,000m², the proposed development does not achieve compliance with performance outcome PO6 of the Rural Residential Zone Code and acceptable outcome AO4.1 of the Reconfiguring a Lot Code and is required to achieve compliance with the overall outcomes of the Rural Residential Zone Code and performance outcome PO4 of the Reconfiguring a Lot Code...</i> ...4.1.1. Consistency with Purpose Statement <i>The development is consistent with the Purpose of the Zone Code because:</i> • <i>Proposed Lot 1 addresses Stenner Street, where the land opposite is included within the Low Density Residential Zone. As it is adjacent to low density development and because it does not have frontage to Fairway Crescent, the allotment will not be a discordant element in the streetscape or impact the semi-rural landscape character of the allotments within the rural-residential zone that extend eastward along Stenner Street.</i> • <i>The proposed interface between Proposed Lot 1 and Proposed Lot 2 is comparable to the existing interface at 41 and 43 Stenner Street, which are included in the Rural Residential Zone and Low Density Residential Zone, respectively.</i> • <i>The subject site has access to all Local Government infrastructure, including sewer, water and stormwater (kerb and channel) and is identified as being within all five (5) Local Government infrastructure service catchments. To this end, the development complies with the purpose of the Zone Code given the Zone Code requires 'large lots' to be developed where infrastructure and services may not be provided. That is, where services are available, the need to maintain larger lot sizes is only to align with prevailing streetscape character. In this instance, the prevailing streetscape character is not impacted given Proposed Lot 1 is at the westernmost extent of the Rural Residential Zone and is opposite land in the Low Density Residential Zone.</i> 4.1.2. Consistency with Development in Local Area <i>While the proposed development involves a lot size of 780m², being under the minimum lot size requirement, the proposed development is compatible with other development in the locality. In particular, the site adjoins land zoned within the Low Density Residential Zone, opposite Stenner Street...</i>	

...It is also highlighted that several surrounding sites located within the mapped extent of the 4,000m² Minimum Precinct of the Rural Residential Zone do not meet the minimum lot requirement and confirm the low density residential landscape of neighbouring land uses. These examples being, but not limited to:

- 10 Fairway Crescent, Middle Ridge (2,640m²)
- 186 Rowbotham Street, Middle Ridge (1,351m²)
- 188 Rowbotham Street, Middle Ridge (1,487m²)
- 190 Rowbotham Street, Middle Ridge (1,650m²)
- 192 Rowbotham Street, Middle Ridge (2,520m²)
- 214 Rowbotham Street, Middle Ridge (3,174m²)
- 5 Coolibah Court, Middle Ridge (1,607m²)
- 2 Flagstone Creek Road, Middle Ridge (3,518m²)

4.1.3. Access

Proposed Lot 1 will be accessed via Stenner Street, whereas Proposed Lot 2 will maintain the existing access arrangement, being via Fairway Crescent...

...The two (2) street trees on Stenner Street are separated by approximately 10 metres. As such, there is sufficient width available to accommodate a standard residential crossover between the two (2) trees that is capable of being a minor encroachment within the Notional Root Zone (NRZ) and, to this end, complying with PO1 of the Transport, Access and Parking Code....

Officer Comment

The proposal does not comply with AO4.1, as Proposed Lot 1 has an area of 780m² rather than the prescribed minimum of 4,000m². The lot proposed is rectangular and has sufficient area, frontage and dimensions to accommodate a dwelling house with appropriate setbacks, landscaping, private open space, parking and vehicle access.

Proposed Lot 1 fronts Stenner Street, which has an established low-density residential character, including smaller lots opposite and nearby. Proposed Lot 2 retains an area of 4,008m², together with the existing dwelling and Fairway Crescent access, ensuring the rural residential presentation to Fairway Crescent remains unchanged.

The site can be connected to all necessary infrastructure, and a suitable crossover can be provided without unacceptable impacts on the existing street trees. Any future proposal for undersized lots would remain impact assessable and subject to assessment on its individual merits.

OVERLAY CODES:

Environmental Significance Overlay Code - The proposal complies with the Environmental Significance Overlay Code, as the mapped area affecting the northern boundary is limited to a buffer associated with ecological values on the opposite side of Stenner Street, and no vegetation clearing or works are proposed that would adversely affect those values.

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 subject site is located within the Priority Infrastructure Area (PIA)

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 sections 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 benchmark 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	4	Aerial Photo
Attachment	2	of	4	Zoning
Attachment	3	of	4	Overlay
Attachment	4	of	4	Proposal Plan

SCHEDULES

Schedule	1	Statement of Reasons
----------	---	----------------------

ATTACHMENTS**Attachment 1 - Aerial Photo**

Attachment 2 - Zoning

Attachment 3 - Overlays



Attachment 4 - Proposal Plan



— SUBJECT SITE - 1 FAIRWAY CRESCENT, MIDDLE RIDGE (LOT 12 ON RP197966)
LEGEND:
- - - LINE OF SUBDIVISION

RECEIVED
13/04/2026
TOOWOOMBA
REGIONAL COUNCIL

PPA
PROPERTY
PROJECTS
AUSTRALIA

SCALE: NTS SOURCE: NEARMAP, QLD GLOBE
THE CONTENT OF THIS DOCUMENT INCLUDES THIRD PARTY DATA. PROPERTY PROJECTS AUSTRALIA PTY LTD DOES NOT GUARANTEE THE ACCURACY OF SUCH DATA.



SCHEDULE 1

Statement of Reasons

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

SITE DETAILS	
Site Address	1 Fairway Crescent, MIDDLE RIDGE QLD 4350
Real Property Description	Lot 12 RP197966
Site Area	4,788m ²
Owner	Paul David Thrush and Druscilla Grace Thrush

PROPOSED DEVELOPMENT	
Name of Applicant	Paul David Thrush and Druscilla Grace Thrush c/- Property Projects Australia (Francisco Lemus / Oliver Callaghan)
Type of Application	Reconfiguring a Lot
Proposed Development	Reconfigure One (1) into Two (2) Lots
Level of Assessment	Impact Assessable
Submissions Received	Objection: 2
	Support: 0
Decision Making Period Ends	11 September 2026

ASSESSMENT MATTERS		
Assessment benchmarks	The proposed development was assessed against the following assessment benchmarks: - Schedules 9 and 10 of the <i>Planning Regulation 2017</i> (as relevant); <i>State Planning Policy July 2017</i> (as relevant); <i>South-east Queensland Regional Plan ShapingSEQ</i>; - The Local Government Infrastructure Plan; and <i>Toowoomba Regional Planning Scheme 2012</i> (Version 28) - Strategic Framework - Airport Environs Overlay Code; - Environmental Significance Overlay Code; - Low Density Residential Zone Code; - Rural Residential Zone Code; and - Reconfiguring a Lot Code.	
Matters raised in submissions	Issue	How matter was dealt with
	Proposed lot size and impacts on rural residential character.	The new lot fronts Stenner Street opposite Low Density Residential land, while the existing Fairway Crescent frontage and 4,008m ² lot are retained. The proposal is consistent with the varied surrounding lot pattern.
	Potential reverse amenity impacts on Toowoomba Golf Club.	The proposal creates only one additional residential lot, and residential development already adjoins the golf course. No evidence demonstrates that the proposal would materially constrain the Golf Club's operation.
Reasons for decision	The development was assessed against all of the assessment benchmarks listed above and complies with all of these with the exception listed below.	
	Assessment benchmark	Reasons for the approval despite non-compliance with benchmark
	Rural Residential Zone Code – PO6	Proposed Lot 1 is smaller than 4,000m ² . However, it fronts Stenner Street opposite Low Density Residential land, while Proposed Lot 2 retains an area of 4,008m ² and the existing Fairway Crescent frontage. The proposal does not reduce the locality's rural residential character and is consistent with the purpose of the zone.
	Reconfiguring a Lot Code – AO4.1	Although Proposed Lot 1 does not meet the prescribed minimum area, it has sufficient dimensions, frontage,

		access and servicing to accommodate a dwelling house. The proposal complies with PO4 and is consistent with the surrounding development pattern.
--	--	--

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/2026/3125.