

8.3 S SPENA - RECONFIGURING A LOT - BOUNDARY REALIGNMENT - LOT 145 & LOT 10 ON SP163445 - 98 & 114 SPENA ROAD, MAREEBA - RAL/21/0002

Date Prepared: 2 March 2021

Author: Planning Officer

Attachments: 1. Proposal Plan

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	S Spena	ADDRESS	98 & 114 Spena Road, Mareeba
DATE LODGED	5 January 2021	RPD	Lot 145 & 10 on SP163445
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot - Boundary Realignment		
FILE NO	RAL/21/0002	AREA	Lot 445 - 40.8068 ha Lot 10 - 9.902 ha
LODGED BY	U&i Town Plan	OWNER	Lot 145 - S Spena Lot 10 - B & R Spena
PLANNING SCHEME	Mareeba Shire Council Planning Scheme 2016		
ZONE	Rural zone		
LEVEL OF ASSESSMENT	Impact Assessment		
SUBMISSIONS	0 submissions received.		

EXECUTIVE SUMMARY

Council is in receipt of an impact assessable development application described in the above application details. The application is made impact assessable as a result of Temporary Local Planning Instrument (TLPI) No. 01 of 2019 (Subdivision in Rural zone). No submissions were received during the mandatory public notification period.

The applicant proposes to reconfigure the two (2) allotments, by way of a boundary realignment only (no additional allotment created) whereby 6.1 hectares of agricultural land will be transferred from Lot 10 to Lot 145. The realignment will leave the proposed Lot 10 with an area of 3.8 hectares and increase Lot 145 to 46.9 hectares. The 6.1 hectares of land to be transferred currently contains established fruit trees as well as all farm infrastructure.

The application and supporting material has been assessed against the Mareeba Shire Council Planning Scheme 2016 and is in conflict with certain purpose statements in the Rural zone code, as well as performance outcomes contained within the Reconfiguring a lot code which seek to discourage the creation of any lot below 60 hectares within the Rural zone.

In their current configuration, both lots are less than 60 hectares in size with Lot 10 considered a rural living allotment with an area of just 9.9 hectares and questionable stand-alone agricultural viability. The proposed boundary realignment will increase the area of Lot 145 to 46.9 ha by recovering 6.1 hectares of land from Lot 10 that contains established fruit trees as well as all

infrastructure critical to the operation of the farm (packing sheds/machinery sheds) therefore strengthening the agricultural viability of Lot 145. Furthermore, the proposed boundary realignment will not result in any new or additional rural living allotment, nor does it create the opportunity for another dwelling house to be built within the Rural zone.

The Mareeba Shire Council Planning Scheme 2016 contains a hierarchy of assessment benchmarks. The Strategic Framework are the highest order assessment benchmarks contained in the Planning Scheme and hold greater weight than the Rural zone code and Reconfiguring a Lot code. An officer assessment has determined that despite the identified conflicts with the lower order Rural zone code and Reconfiguring a Lot code provisions mentioned above, the proposed boundary realignment meets the intent of the Strategic Framework, in that the development will not further fragment, compromise or alienate productive agricultural land, and will only increase the agricultural viability of an existing farming enterprise.

It is recommended that the application be approved.

OFFICER'S RECOMMENDATION

(A) That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	S Spena	ADDRESS	98 & 114 Spena Road, Mareeba
DATE LODGED	5 January 2021	RPD	Lot 145 & 10 on SP163445
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and in accordance with the Planning Act 2016, the applicant be notified that the application for a development permit for the development specified in (A) is:

Approved by Council in accordance with the approved plans/documents listed in (B), subject to assessment manager conditions in (C), assessment manager's advice in (D), relevant period in (E), further permits in (F), and further approvals from Council listed in (G);

And

The assessment manager does not consider that the assessment manager's decision conflicts with a relevant instrument.

(B) APPROVED DEVELOPMENT: Development Permit for Reconfiguring a Lot - Boundary Realignment

(C) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
-	Plan of Development - Boundary Realignment & Easement (Water)	U&i Town Plan	-

(D) ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)

(a) Development assessable against the Planning Scheme

1. Development must be carried out generally in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, and subject to any alterations:
 - found necessary by the Council's delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and
 - to ensure compliance with the following conditions of approval.
2. Timing of Effect
 - 2.1 The conditions of the development permit must be complied with to the satisfaction of Council's delegated officer prior to the endorsement of the plan of survey, except where specified otherwise in these conditions of approval.
3. General
 - 3.1 The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.
 - 3.2 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to the endorsement of the plan of survey and at the rate applicable at the time of payment.
 - 3.3 The developer must relocate (in accordance with FNQROC standards) any services such as water, sewer, drainage, telecommunications and electricity that are not wholly located within the lots that are being created/serviced where required by the relevant authority, unless approved by Council's delegated officer.
 - 3.4 Where utilities (such as sewers on non-standard alignments) traverse lots to service another lot, easements must be created in favour of Council for access and maintenance purposes. The developer is to pay all costs (including Council's legal expenses) to prepare and register the easement documents.
 - 3.5 Where approved existing buildings and structures are to be retained, setbacks to new property boundaries are to be in accordance with Planning Scheme requirements for the relevant structure and/or Queensland Development Code. A plan demonstrating compliance must be submitted prior to endorsement of the plan of survey
 - 3.6 Charges

All outstanding rates, charges and expenses pertaining to the land are to be paid in full.

(E) ASSESSMENT MANAGER'S ADVICE

(a) Easement Documents

Council has developed standard easement documentation to assist in the drafting of formal easement documents for Council easements. Please contact the Planning Section for more information regarding the drafting of easement documents for Council easements.

(b) Endorsement Fees

Council charges a fee for the endorsement of a Survey Plan, Community Management Statements, easement documents, and covenants. The fee is set out in Council's Fees & Charges Schedule applicable for each respective financial year.

(c) Compliance with applicable codes/policies

The development must be carried out to ensure compliance 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 a condition of this approval.

(d) Notation on Rates Record

A notation will be placed on Council's Rate record with respect to each lot regarding the following conditions:

- a registered easement (Lot 145 only)

(e) Environmental Protection and Biodiversity Conservation Act 1999

The applicant is advised that referral may be required under the *Environmental Protection and Biodiversity Conservation Act 1999* if the proposed activities are likely to have a significant impact on a matter of national environmental significance. Further information on these matters can be obtained from www.environment.gov.au

(f) Cultural Heritage

In carrying out the activity the applicant must take all reasonable and practicable measures to ensure that no harm is done to Aboriginal cultural heritage (the "cultural heritage duty of care"). The applicant will comply with the cultural heritage duty of care if the applicant acts in accordance with gazetted cultural heritage duty of care guidelines. An assessment of the proposed activity against the duty of care guidelines will determine whether or to what extent Aboriginal cultural heritage may be harmed by the activity. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from www.datsip.qld.gov.au

(F) RELEVANT PERIOD

When approval lapses if development not started (s.85)

- Reconfiguring a Lot – four (4) years (starting the day the approval takes effect).

(G) OTHER NECESSARY DEVELOPMENT PERMITS AND/OR COMPLIANCE PERMITS

- Nil

(H) OTHER APPROVALS REQUIRED FROM COUNCIL

- Nil

THE SITE

The subject land comprises two allotments situated at 98 and 114 Spena Road, Mareeba and described as Lots 145 and 10 on SP163445. Lot 145 has a total area of 40.8068 ha and Lot 10 has an area of 9.902 ha and both are zoned Rural under the Mareeba Shire Council Planning Scheme 2016. Spena Road runs between the two allotments and is constructed to a formed gravel standard.

Lot 145 is split into two parts by Spena Road. The western severance is a mix of cleared flat land used for agriculture, and unused undulating vegetated land. The eastern severance is predominately unused vegetated land riparian to Davies Creek which adjoins the land to the east. Lot 145 appears to have no improvements.

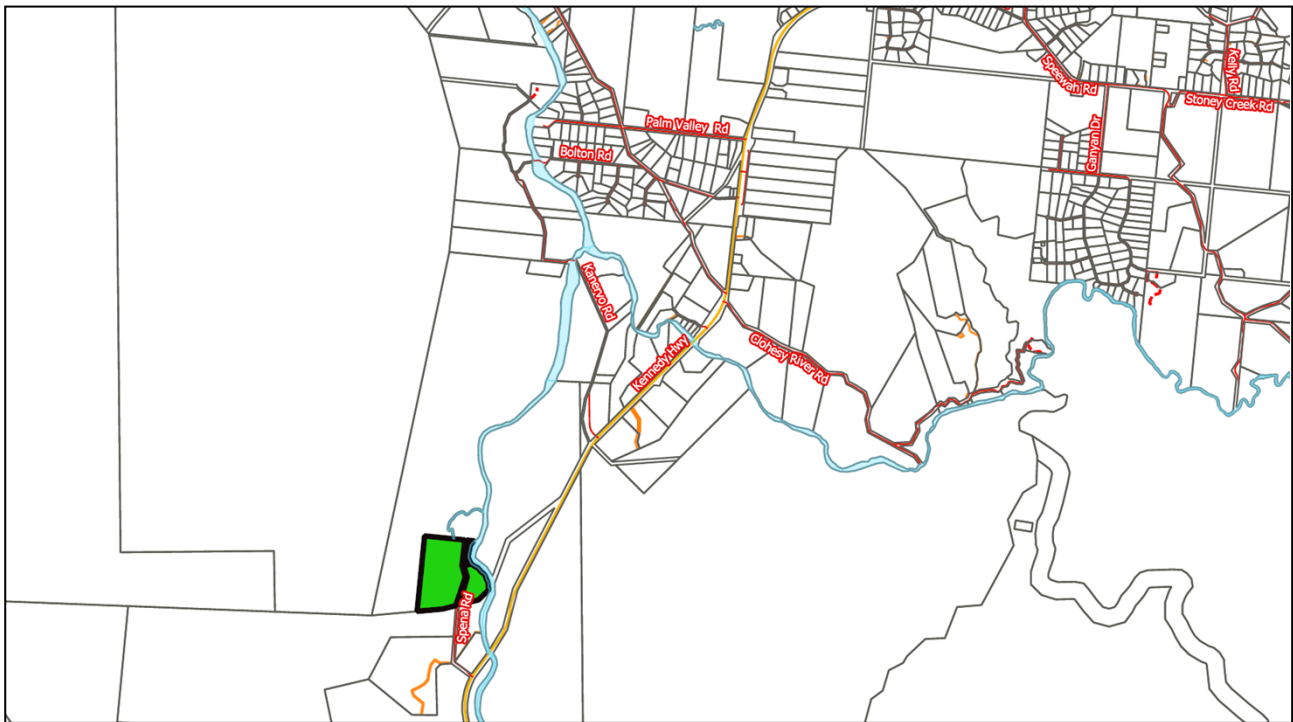
Lot 10 is situated on the eastern side of Spena Road and is improved by two (2) dwellings and various outbuildings associated with the fruit tree orchard that covers the majority of the property (machinery sheds, packing sheds etc.). The land remains vegetated along the eastern edge which falls downs into Davies Creek.

All surrounding lots are zoned Rural and are generally used for cropping or livestock grazing.



Map Disclaimer:

Based on or contains data provided by the State of Queensland (Department of Environment and Resource Management) (2009). In consideration of the State permitting use of this data you acknowledge and agree that the State gives no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data. Data must not be used for direct marketing or be used in breach of the privacy laws.

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BACKGROUND AND CONTEXT

Nil

PREVIOUS APPLICATIONS & APPROVALS

Nil

DESCRIPTION OF PROPOSED DEVELOPMENT

The development application seeks a Development Permit for Boundary Realignment in accordance with the plans shown in **Attachment 1**.

The applicant proposes to reconfigure the two allotments, by way of a boundary realignment only (no additional allotment created) whereby approximately 6.1 hectares of agricultural land will be transferred from Lot 10 to Lot 145. The realignment will leave proposed Lot 10 with an area of 3.8 hectares and will increase the area of proposed Lot 145 to 46.9 hectares. The 6.1 hectares of land to be transferred currently contains fruit trees, a dwelling and outbuildings associated with the cropping of both allotments (packing and machinery sheds etc.).

An easement is proposed through Lot 145 to provide a water supply to proposed Lot 10 from Davies Creek.

REGIONAL PLAN DESIGNATION

The subject site is included within the Regional Landscape and Rural Production Area land use category in the Far North Queensland Regional Plan 2009-2031. The Regional Plan Map 3- 'Areas of Ecological Significance' also identifies the site as containing:

- *State & Regional Conservation Corridors*
- *Wetland Area of General Ecological Significance*
- *Terrestrial Area of High Ecological Significance*
- *Terrestrial Area of General Ecological Significance*

PLANNING SCHEME DESIGNATIONS

	Land Use Categories
	<ul style="list-style-type: none"> • Rural Other
	Natural Environment Elements
	<ul style="list-style-type: none"> • Biodiversity Area
	Natural Resource Elements
	<ul style="list-style-type: none"> • Mining Lease
Strategic Framework:	Rural zone
Zone:	<ul style="list-style-type: none"> • Bushfire Hazard Overlay • Environmental Significance Overlay • Extractive Resources Overlay • Flood Hazard Overlay • Hill and Slope Overlay • Transport Infrastructure Overlay
Overlays:	

RELEVANT PLANNING INSTRUMENTS

Assessment of the proposed development against the relevant planning instruments is summarised as follows:

(A) Far North Queensland Regional Plan 2009-2031

Separate assessment against the Regional Plan is not required because the Mareeba Shire Council Planning Scheme appropriately advances the Far North Queensland Regional Plan 2009-2031, as it applies to the planning scheme area.

(B) State Planning Policy

Separate assessment against the State Planning Policy (SPP) is not required because the Mareeba Shire Council Planning Scheme appropriately integrates all relevant aspects of the SPP.

(C) Mareeba Shire Council Planning Scheme 2016

Strategic Framework

3.3 Settlement Pattern and built environment

3.3.1 Strategic outcomes

- (5) *Primary industries in Rural areas are not compromised or fragmented by incompatible and/or unsustainable development, including but not limited to subdivision that results in a detrimental impact on rural productivity or fragments large land holdings. The valued, relaxed rural character and scenic qualities of the rural area are preserved and enhanced. The rural area is largely maintained to its current extent, while accommodating development directly associated with or reliant on natural resources including rural activities and tourism. Rural areas protect the shire's agricultural area and ensure food security. Other rural areas predominantly remain agricultural grazing properties.*

Comment

The proposed development is for a "boundary realignment" only, so does not constitute a "subdivision" by definition.

In their current configuration, both lots are less than 60 hectares in size with Lot 10 considered a rural living allotment with an area of just 9.9 hectares and questionable stand-alone agricultural viability. The proposed boundary realignment will increase the area of Lot 145 to 46.9 ha by recovering 6.1 hectares of land from Lot 10 that contains fruit trees and the farm shed infrastructure critical to the operation of the farm (packing sheds/machinery sheds) hence, strengthening the agricultural viability of Lot 145.

The proposed boundary realignment will not result in any new or additional rural living allotment, nor does it create the opportunity for another dwelling house to be built within the Rural zone as both proposed lots will contain established dwellings. Currently, a dwelling can be built 'as of right' on vacant Lot 145. If the proposed boundary realignment proceeds, the possibility of 'as of right' dwelling house construction will be removed from Lot 145 as it will then contain an existing dwelling house. The existing dwelling on proposed Lot 10 will be adequately buffered by existing fruit trees proposed to remain on the property.

The proposed development will not further fragment agricultural land or compromise agricultural activity in the immediate locality and is therefore considered to comply with Strategic outcome 5.

- (6) *New subdivisions which propose lots less than the minimum lot size of 60ha are not supported within the Rural zone.*

Comment

The proposed development is for a "boundary realignment" only, so does not constitute a "subdivision" by definition.

In their current configuration, both lots are less than 60 hectares in size with Lot 10 considered a rural living allotment with an area of just 9.9 hectares and questionable stand-alone agricultural viability. The proposed boundary realignment will increase the area of Lot 145 to 46.9 ha by recovering 6.1 hectares of land from Lot 10 that contains fruit trees and the farm shed infrastructure critical to the operation of the farm (packing sheds/machinery sheds) hence, strengthening the agricultural viability of Lot 145.

The proposed boundary realignment will not result in any new or additional rural living allotment, nor does it create the opportunity for another dwelling house to be built within the Rural zone as

both proposed lots will contain established dwellings. Currently, a dwelling can be built 'as of right' on vacant Lot 145. If the proposed boundary realignment proceeds, the possibility of 'as of right' dwelling house construction will be removed from Lot 145 as it will then contain an existing dwelling house. The existing dwelling on proposed Lot 10 will be adequately buffered by existing fruit trees proposed to remain on the property.

The proposed development does not conflict with Strategic Outcome 6.

3.3.11 Element - Rural areas

3.3.11.1 Specific outcomes

- (2) *Land in rural areas is maintained in large (60ha or greater) lot sizes to ensure that regional landscape and rural production values are not compromised by fragmentation, alienation or incompatible land uses. Subdivision of land is not supported on lots less than 60ha in the Rural zone.*

Comment

The proposed development is for a "boundary realignment" only, so does not constitute a "subdivision" by definition.

In their current configuration, both lots are less than 60 hectares in size with Lot 10 considered a rural living allotment with an area of just 9.9 hectares and questionable stand-alone agricultural viability. The proposed boundary realignment will increase the area of Lot 145 to 46.9 ha by recovering 6.1 hectares of land from Lot 10 that contains fruit trees and the farm shed infrastructure critical to the operation of the farm (packing sheds/machinery sheds) hence, strengthening the agricultural viability of Lot 145.

The proposed boundary realignment will not result in any new or additional rural living allotment, nor does it create the opportunity for another dwelling house to be built within the Rural zone as both proposed lots will contain established dwellings. Currently, a dwelling can be built 'as of right' on vacant Lot 145. If the proposed boundary realignment proceeds, the possibility of 'as of right' dwelling house construction will be removed from Lot 145 as it will then contain an existing dwelling house. The existing dwelling on proposed Lot 10 will be adequately buffered by existing fruit trees proposed to remain on the property.

The proposed development will not compromise, fragment or alienate agricultural land and is therefore considered to satisfy Specific Outcome 2.

- (3) *Other rural areas will be largely maintained in their current configuration, only being subdivided where large land holdings of 60ha or greater can be achieved and the infrastructure base of rural operations including workers accommodation, airstrips and farm infrastructure is provided.*

Comment

The proposed development is for a "boundary realignment" only, so does not constitute a "subdivision" by definition.

In their current configuration, both lots are less than 60 hectares in size with Lot 10 considered a rural living allotment with an area of just 9.9 hectares and questionable stand-alone agricultural viability. The proposed boundary realignment will increase the area of Lot 145 to 46.9 ha by recovering 6.1 hectares of land from Lot 10 that contains fruit trees and the farm shed infrastructure critical to the operation of the farm (packing sheds/machinery sheds) hence, strengthening the agricultural viability of Lot 145.

The proposed boundary realignment will not result in any new or additional rural living allotment, nor does it create the opportunity for another dwelling house to be built within the Rural zone as both proposed lots will contain established dwellings. Currently, a dwelling can be built 'as of right' on vacant Lot 145. If the proposed boundary realignment proceeds, the possibility of 'as of right' dwelling house construction will be removed from Lot 145 as it will then contain an existing dwelling house. The existing dwelling on proposed Lot 10 will be adequately buffered by existing fruit trees proposed to remain on the property.

The proposed development will not compromise, fragment or alienate agricultural land and is therefore considered to satisfy Specific Outcome 3.

3.6 Transport and infrastructure

3.6.1 Strategic outcomes

- (6) *New development is appropriately sequenced and coordinated with existing and future water, wastewater, stormwater and transport infrastructure, to ensure the operations of existing infrastructure are not compromised and community needs continue to be met. New infrastructure is provided to development in accordance with the council's desired standards of service and supports a consolidated urban form to maximise return on investment. The ongoing operation of key infrastructure elements is not prejudiced by inappropriate development. Subdivision of land in the Rural zone to create lots less than 60ha is not consistent with facilitating appropriately sequenced and coordinated development.*

Comment

The proposed development is for a "boundary realignment" only, so does not constitute a "subdivision" by definition. No additional title will be created, and no change to the service arrangement of each lot will occur as a result of the development.

The proposed development does not compromise Strategic Outcome 6.

Relevant Developments Codes

The following Development Codes are considered to be applicable to the assessment of the application:

- 6.2.9 Rural zone code
- 8.2.3 Bushfire hazard overlay code
- 8.2.4 Environmental significance overlay code
- 8.2.5 Extractive resources overlay code
- 8.2.6 Flood hazard overlay code
- 8.2.8 Hill and slope overlay code
- 9.4.2 Landscaping code

- 9.4.3 Parking and access code
- 9.4.4 Reconfiguring a lot code
- 9.4.5 Works, services and infrastructure code

The application included a planning report and assessment against the planning scheme. An officer assessment has found that the application would conflict with assessment benchmarks contained in the Rural zone code and Reconfiguring a lot code as a result of Temporary Local Planning Instrument No. 01 of 2019 (Subdivision in Rural zone). Despite the identified conflicts, it is considered that the proposed development will comply with the higher order strategic/specific outcomes contained within the Planning Scheme Strategic Framework.

Relevant Codes	Comments
Rural zone code	The application conflicts with 6.2.9.2 Purpose (3) (a) of the code as proposed Lots 10 and 145 will be under 60 ha in size. Despite this conflict, it is considered that the proposed development complies with the higher order strategic/specific outcomes contained in the Planning Scheme's Strategic Framework. Refer to planning discussion section of report for commentary.
Bushfire hazard overlay code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Environmental significance overlay code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Extractive resources overlay code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Flood hazard overlay code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Hill and slope overlay code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Landscaping code	Despite being triggered for assessment by the Planning Schemes Tables of Assessment, this code is not considered applicable for rural boundary realignments.
Parking and access code	Despite being triggered for assessment by the Planning Schemes Tables of Assessment, this code is not considered applicable for rural boundary realignments.
Reconfiguring a lot code	The application conflicts with the following performance outcomes: <ul style="list-style-type: none"> • PO1.1 • PO1.2

	Despite conflicting with the abovementioned performance outcomes, it is considered that the proposed development complies with the higher order strategic/specific outcomes contained in the Planning Scheme's Strategic Framework. Refer to planning discussion section of report for commentary.
Works, services and infrastructure code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.

(D) Planning Scheme Policies/Infrastructure Charges Plan

The following planning scheme policies are relevant to the application:

Planning Scheme Policy 4 - FNQROC Regional Development Manual

A condition will be attached to any approval requiring all development works be designed and constructed in accordance with FNQROC Development Manual standards.

REFERRAL AGENCY

This application did not trigger referral to any Referral Agencies.

Internal Consultation

Not applicable

PUBLIC NOTIFICATION

The development proposal was placed on public notification from 20 January 2021 to 11 February 2021. The applicant submitted the notice of compliance on 12 February 2021 advising that the public notification requirements were carried out in accordance with the requirements of the Act.

No submissions were received.

PLANNING DISCUSSION

Non-compliance with assessment benchmarks contained within the Rural zone code and Reconfiguring a lot code are discussed below:

6.2.9 Rural zone code

6.2.9.2 Purpose

- (3) (a) *Areas for use for primary production are conserved and new allotments below the minimum lot size identified in Table 9.4.4.3B is not supported.*

Comment

Table 9.4.4.3B dictates a minimum reconfiguring lot size of 60 hectares for land within the Rural zone. Proposed Lot 10 is significantly less than 60 hectares in size with a proposed area of just 3.8 hectares.

In their current configuration, both lots are less than 60 hectares in size with Lot 10 considered a rural living allotment with an area of just 9.9 hectares and questionable stand-alone agricultural viability. The proposed boundary realignment will increase the area of Lot 145 to 46.9 ha by recovering 6.1 hectares of land from Lot 10 that contains fruit trees and the farm shed infrastructure critical to the operation of the farm (packing sheds/machinery sheds) hence, strengthening the agricultural viability of Lot 145.

The proposed boundary realignment will not result in any new or additional rural living allotment, nor does it create the opportunity for another dwelling house to be built within the Rural zone as both proposed lots will contain established dwellings. Currently, a dwelling can be built 'as of right' on vacant Lot 145. If the proposed boundary realignment proceeds, the possibility of 'as of right' dwelling house construction will be removed from Lot 145 as it will then contain an existing dwelling house. The existing dwelling on proposed Lot 10 will be adequately buffered by existing fruit trees proposed to remain on the property, so the risk of future land use conflict is minimal.

Despite not complying with Purpose (3)(a) of the Rural zone code, it is considered that the proposed boundary realignment meets the intent of the higher order Strategic Framework, in that the development will not further fragment, compromise or alienate productive agricultural land, and will only increase the agricultural viability of an existing farming enterprise.

9.4.4 Reconfiguring a lot code

Area and frontage of lots - Rural zone

PO1.1

No lots are created with an area of less than 60 ha

Note: This also applies to applications for boundary realignment

AO1.1

No acceptable outcome is provided.

Comment

Proposed Lot 10 is significantly less than 60 hectares in size with a proposed area of just 3.8 hectares.

In their current configuration, both lots are less than 60 hectares in size with Lot 10 considered a rural living allotment with an area of just 9.9 hectares and questionable stand-alone agricultural viability. The proposed boundary realignment will increase the area of Lot 145 to 46.9 ha by recovering 6.1 hectares of land from Lot 10 that contains fruit trees and the farm shed infrastructure critical to the operation of the farm (packing sheds/machinery sheds) hence, strengthening the agricultural viability of Lot 145.

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Despite not complying with PO1.1, it is considered that the proposed boundary realignment meets the intent of the higher order Strategic Framework, in that the development will not further

fragment, compromise or alienate productive agricultural land, and will only increase the agricultural viability of an existing farming enterprise.

PO1.2

No lots are created with a frontage less than 400m

Note: This also applies to applications for boundary realignment.

AO1.2

No acceptable outcome is provided.

Comment

Proposed Lot 145 complies with a frontage to Spena Road well in excess of 400 metres. Proposed Lot 10 would have a frontage of approximately 200 metres. This lesser frontage allows for adequate access.

Insisting on an additional 200 metres of frontage would reduce the amount of agricultural land available for transfer to Lot 145.

The frontage proposed for each lot is appropriate.

Plan of Development - Boundary Realignment & Easement (Water)

94 Spena Road, Mareeba

16°55'47"S 145°31'57"E

16°55'47"S 145°32'29"E



16°56'19"S 145°31'57"E

16°56'19"S 145°32'29"E

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0 100 metres
Scale: 1:3449

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Queensland Government

Department of Natural Resources, Mines and Energy