

**DELEGATED REPORT**

**SUBJECT:** S BURKITT & J WALTA – RECONFIGURING A LOT – SUBDIVISION (1 INTO 2 LOTS) AND CREATING AN ACCESS EASEMENT – LOT 36 ON RP737515 – 7 PUNCH CLOSE, KURANDA - RAL/25/0013

**DATE:** 15 July 2025

**REPORT OFFICER'S TITLE:** Supervisor Planning & Building

**DEPARTMENT:** Corporate and Community Services

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**APPLICATION DETAILS**

APPLICATION		PREMISES	
APPLICANT	S Burkitt & J Walta	ADDRESS	7 Punch Close, Kuranda
DATE LODGED	2 July 2025	RPD	Lot 36 on RP737515
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot – Subdivision (1 into 2 lots) and creating an access easement		

FILE NO	RAL/25/0013	AREA	9,438m2
LODGED BY	Freshwater Planning Pty Ltd	OWNER	J Walta & S Burkitt
PLANNING SCHEME	Mareeba Shire Council Planning Scheme 2016		
ZONE	Rural Residential Zone		
LEVEL OF ASSESSMENT	Code Assessment		
SUBMISSIONS	n/a		

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**ATTACHMENTS:** 1. Proposal Plan/s

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**EXECUTIVE SUMMARY**

Council is in receipt of a development application described in the above application details.

The application is code assessable and was not required to undergo public notification.

The application and supporting material has been assessed against the Mareeba Shire Council Planning Scheme 2016 and does not conflict with any relevant planning instrument.

It is recommended that the application be approved in full with conditions.

**OFFICER'S RECOMMENDATION**

1. That in relation to the following development application:

<b>APPLICATION</b>		<b>PREMISES</b>	
<b>APPLICANT</b>	S Burkitt & J Walta	<b>ADDRESS</b>	7 Punch Close, Kuranda
<b>DATE LODGED</b>	2 July 2025	<b>RPD</b>	Lot 36 on RP737515
<b>TYPE OF APPROVAL</b>	Development Permit		
<b>PROPOSED DEVELOPMENT</b>	Reconfiguring a Lot – Subdivision (1 into 2 lots) and creating an access easement		

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.

(A) **APPROVED DEVELOPMENT:** Development Permit for Reconfiguring a Lot – Subdivision (1 into 2 lots) and creating an access easement

(B) **APPROVED PLANS:**

<b>Plan/Document Number</b>	<b>Plan/Document Title</b>	<b>Prepared by</b>	<b>Dated</b>
-	Reconfiguring a Lot – 1 lot into 2 lots – Lot 36 on RP737515 – 7 Punch Close, Kuranda	Queensland Globe	12/5/2025

(C) **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, subject to any alterations:

- found necessary by 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

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 development approval would not have been issued if not for the conditions requiring the construction of infrastructure or the payment of infrastructure charges within the conditions of approval or the Adopted Infrastructure Charges Notice.
- 3.2 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.
- 3.3 All payments or bonds required to be made to the Council pursuant to any condition of this approval or the Adopted Infrastructure Charges Notice must be made prior to the endorsement of the plan of survey and at the rate applicable at the time of payment.
- 3.4 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.
- 3.5 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.
- 3.6 Any existing buildings or structures and/or incidental works that straddle the new boundaries must be altered, demolished or removed, as required, to align with the new property boundaries and/or be wholly contained within a new allotment, unless approved by Council's delegated officer.
- 3.7 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements and to the satisfaction of Council's delegated officer.

### 3.8 Charges

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

### 4. Infrastructure Services and Standards

#### 4.1 Access Crossover

Both Lots 1 and 2 must be provided with a new/upgraded access crossover (from the edge of Punch Close to the property boundary of each Lot) designed and constructed in accordance with FNQROC Development Manual standards, to the satisfaction of Council's delegated officer.

#### 4.2 Frontage Works – Punch Close

- 4.2.1 Prior to the endorsement of a plan of survey, the applicant/developer must widen the development side of Punch Close, for the entire frontage of Lot 36 on RP737515, by one (1) metre including kerbing in accordance with Table D1.1 (Access Street) of the FNQROC Development Manual, to the satisfaction of Council's delegated officer.

Prior to works commencing, plans for the works described above must be approved as part of a subsequent application for Operational Works.

- 4.2.2 In lieu of undertaking the abovementioned operational works, the applicant/developer may elect to provide a monetary contribution to Council equal to the cost of undertaking the works required by condition 4.2.1. A written itemised quote from a civil contractor to determine the cost of the works must first be provided to Council and accepted by Council's delegated officer. The monetary contribution must be paid prior to the endorsement of the plan of survey.

#### 4.3 Stormwater Drainage

- 4.3.1 The applicant/developer must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development and must take all reasonable and practical measures to ensure discharge occurs in compliance with the Queensland Urban Drainage Manual (QUDM) and the FNQROC Development Manual, to the satisfaction of Council's delegated officer.

- 4.3.2 All stormwater drainage must be discharged to an approved legal point of discharge.

#### 4.4 Water Supply

- 4.4.1 The developer must provide each proposed allotment with a water service connection in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

- 4.4.2 Where the existing reticulated water supply does not currently service the site or is not at an adequate capacity, the developer is required to extend or upgrade the reticulated water supply infrastructure to connect the site to Council's existing infrastructure at a point that has sufficient capacity to service the development in accordance with FNQROC Development Manual standards (as amended).

#### 4.5 On-Site Wastewater Management

At the time of construction of a new dwelling on proposed Lot 2, any associated on-site effluent disposal system must be constructed in compliance with the latest version On-Site Domestic Wastewater Management Standard (ASNZ1547) to the satisfaction of the Council's delegated officer.

#### 4.6 Electricity provision/supply

The applicant/developer must ensure that an appropriate level of electricity supply is provided to each allotment in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

Written advice from an Electricity Service Provider is to be provided to Council indicating that an agreement has been made for the provision of power reticulation.

#### 4.7 Telecommunications

The applicant/developer must demonstrate that a connection to the national broadband network is available for each allotment, or alternatively, enter into an agreement with a telecommunication carrier to provide telecommunication services to each lot and arrange provision of necessary conduits and enveloping pipes.

### (D) ASSESSMENT MANAGER'S ADVICE

- (a) An Adopted Infrastructure Charges Notice has been issued with respect to the approved development. The Adopted Infrastructure Charges Notice details the type of infrastructure charge/s, the amount of the charge/s and when the charge/s are payable.

- (b) The Adopted Infrastructure Charges Notice does not include all charges or payments that are payable with respect to the approved development. A number of other charges or payments may be payable as conditions of approval. The applicable fee is set out in Council's Fees & Charges Schedule for each respective financial year.

- (c) 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.

- (d) 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.

- (e) 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 over the subject site

- (f) 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.dcceew.gov.au](http://www.dcceew.gov.au).

- (g) 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.dsdsatsip.qld.gov.au](http://www.dsdsatsip.qld.gov.au).

(h) Electric Ants

Electric ants are designated as restricted biosecurity matter under the *Biosecurity Act 2014*.

Certain restrictions and obligations are placed on persons dealing with electric ant carriers within the electric ant restricted zone. Movement restrictions apply in accordance with Sections 74–77 of the *Biosecurity Regulation 2016*. Penalties may be imposed on movement of electric ant carriers and electric ants in contravention of the legislated restrictions. It is the responsibility of the applicant to check if the nominated property lies within a restricted zone.

All persons within and outside the electric ant biosecurity zone have an obligation (a **general biosecurity obligation**) to manage biosecurity risks and threats that are under their control, they know about, or they are expected to know about. Penalties may apply for failure to comply with a general biosecurity obligation.

For more information please visit the electric ant website at [Electric ants in Queensland | Business Queensland](http://ElectricantsinQueensland.com.au) or contact Biosecurity Queensland 13 25 23.

(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

- Development Permit for Operational Works

(H) OTHER APPROVALS REQUIRED FROM COUNCIL

- Nil

2. That an Adopted Infrastructure Charges Notice be issued for the following infrastructure charge/s for:

Development Type	Rate	Measure	Charge	Credit Detail	Balance
	<b>\$ per Lot</b> <small>(20% reduction of standard charge for no town sewer)</small>	<b>Lots</b>		<b>Lots</b>	
Rural Residential	\$17,971.20	2 Lots	\$35,942.40	1 lot	\$17,971.20
<b>TOTAL CURRENT AMOUNT OF CHARGE</b>					<b>\$17,971.20</b>

## THE SITE

The subject site is situated at 7 Punch Close, Kuranda and is more particularly described as Lot 36 on RP737515. The site is irregularly shaped with an area of 9,438m<sup>2</sup> and is zoned Rural Residential (Precinct A – 4,000m<sup>2</sup>) under the Mareeba Shire Council Planning Scheme 2016.

The site contains approximately 86 metres of frontage to Punch Close which is formed to a 4.5 metre wide bitumen sealed standard for its entire length. No kerbing is in place.

The site is improved by a dwelling house and multiple outbuildings. The dwelling house is located in the north-western corner in proximity to the Punch Close frontage. A large shed (approximately 175m<sup>2</sup> GFA) is sited in the south-eastern corner. Separate sealed driveways provide access to the dwelling house and large shed.

A stormwater easement traverses the site in a east-west direction providing for drainage from Punch Close to a waterway in the eastern adjoining lot. A shallow grassed drain is built within the easement. Most of the site has been cleared with several clusters of vegetation remaining along the Punch Close frontage and the southern boundary.

The existing dwelling house is connected to the electricity grid and telecommunication services. Reticulated town water is connected to the site and an onsite wastewater disposal system is connected to the existing dwelling house.

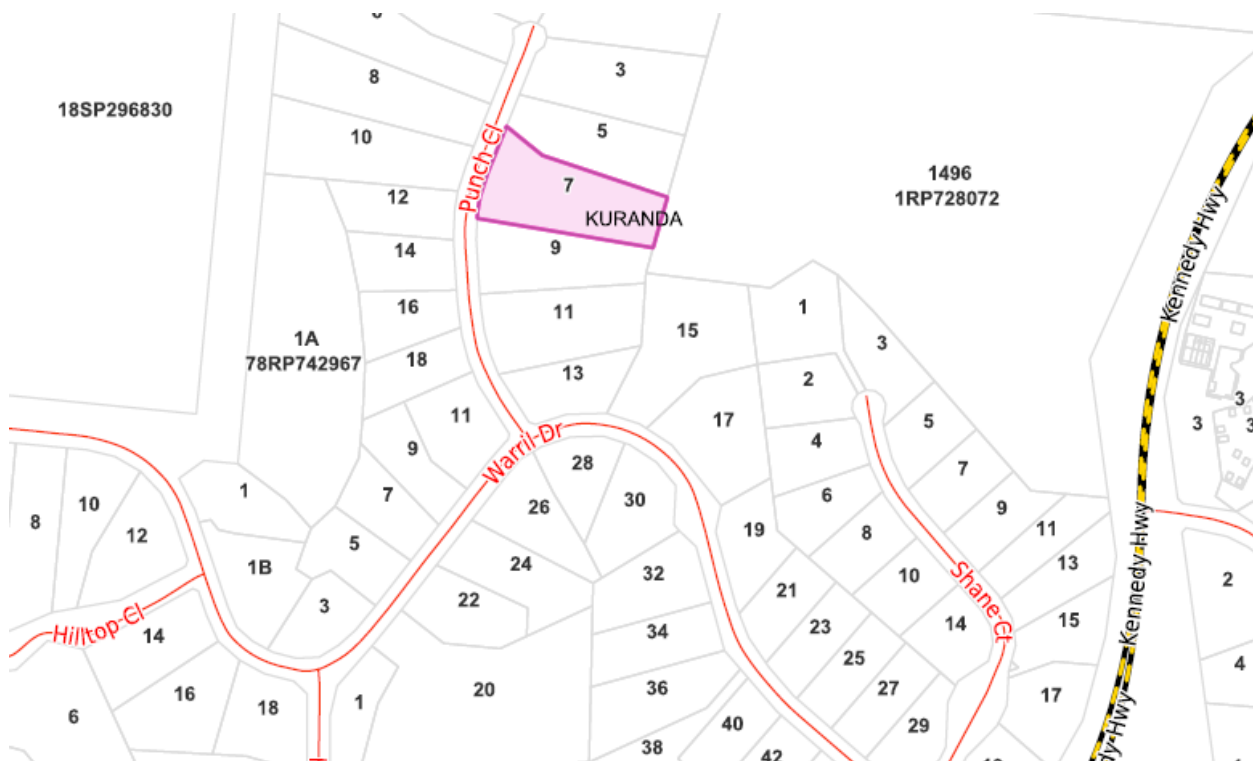
All adjoining lots are zoned rural residential, with most properties containing a single dwelling house.



### 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 Reconfiguring a Lot – Subdivision (1 into 2 lots) and creating an access access in accordance with the plans shown in **Attachment 1**.

The applicant proposes the subdivision of the subject site into the following allotments:

- Lot 1 - area of 5,438m<sup>2</sup>, frontage of approximately 79.2 metres to Punch Close; and
- Lot 2 – area of 4,000m<sup>2</sup>, frontage of approximately 7 metres to Punch Close.

Proposed Lot 1 will contain the existing dwelling house. Proposed Lot 2 will contain the large shed.

Proposed Lot 2 is a rear access lot and an access easement in favour of proposed Lot 1 will also be created over the access handle.

Both lots will be connected to the electricity grid, NBN services and the Kuranda reticulated water supply.



## 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 is:

- *Strategic Rehabilitation Area*
- *State & Regional Conservation Corridors*
- *Terrestrial Area of General Ecological Significance*

## PLANNING SCHEME DESIGNATIONS

Strategic Framework:	<b>Land Use Categories</b> • <i>Rural Residential Area</i>
Zone:	Rural Residential zone
Precinct:	Precinct A – 4,000m <sup>2</sup>
Overlays:	Airport Environs Overlay Environmental Significance Overlay Hill and Slope Overlay Scenic Amenity Overlay Transport Infrastructure Overlay

## 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

#### Relevant Development Codes

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

- 6.2.10 Rural residential zone code
- 8.2.2 Airport environs overlay code
- 8.2.4 Environmental significance overlay code
- 8.2.8 Hill and slope overlay code
- 8.2.11 Scenic amenity 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 satisfies the relevant acceptable outcomes (or performance outcomes where no acceptable outcome applies) of the relevant codes set out below, provided reasonable and relevant conditions are attached to any approval.

Relevant Codes	Comments
Rural residential zone code	The application complies or can be conditioned to comply with the relevant acceptable outcomes contained within the code, or performance outcomes where no acceptable outcome is provided.
Airport environs overlay code	The application complies or can be conditioned to comply with the relevant acceptable outcomes contained within the code, or performance outcomes where no acceptable outcome is provided.
Environmental significance overlay code	The application complies or can be conditioned to comply with the relevant acceptable outcomes contained within the code, or performance outcomes where no acceptable outcome is provided.
Hill and slope overlay code	The application complies or can be conditioned to comply with the relevant acceptable outcomes contained within the code, or performance outcomes where no acceptable outcome is provided.
Scenic amenity overlay code	The application complies or can be conditioned to comply with the relevant acceptable outcomes contained within the code, or performance outcomes where no acceptable outcome is provided.
Landscaping code	The application complies or can be conditioned to comply with the relevant acceptable outcomes contained within the code, or performance outcomes where no acceptable outcome is provided.
Parking and access code	The application complies or can be conditioned to comply with the relevant acceptable outcomes contained within the code, or performance outcomes where no acceptable outcome is provided.
Reconfiguring a lot code	The application complies or can be conditioned to comply with the relevant acceptable outcomes contained within the code, or performance outcomes where no acceptable outcome is provided.
Works, services and infrastructure code	The application complies or can be conditioned to comply with the relevant acceptable outcomes contained within the code, or performance outcomes where no acceptable outcome is provided.

**(e) 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.

**(f) Adopted Infrastructure Charges Notice**

In accordance with Council's Adopted Infrastructure Charges Resolution (No. 1) 2025, a standard charge of \$22,464.00 applies to each additional residential allotment created, where serviced by the following five (5) trunk infrastructure networks:

- Transport network (roads);
- Public parks and land for community facilities network;
- Water supply network;
- Sewerage network; and
- Stormwater network

Under Part 4.1(d) of Council's Adopted Infrastructure Charges Resolution (No. 1) 2024, a 20% discount will be applied to development charges where no connection to Council's reticulated sewer network exists.

$\$22,464.00 - 20\% = \$17,971.20$  per additional allotment.

The application proposes the creation of 1 additional lot; therefore, the applicable charge is \$17,971.20.

**REFERRAL AGENCY**

This application did not trigger referral to a Referral Agency.

**Internal Consultation**

Technical Services

In keeping with the standards for 4,000m<sup>2</sup> rural residential development, the development will require Punch Close to be upgraded for the entire frontage. This will involve the installation of kerbing and the widening of the existing sealed pavement to the new kerb.

**PLANNING DISCUSSION**

Nil

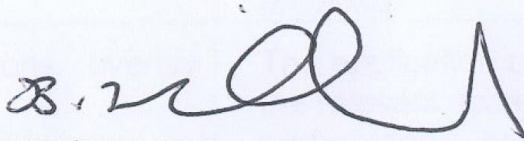
**Date Prepared:** 15 July 2025

## DECISION BY DELEGATE

## DECISION

Having considered the Supervisor Planning & Building's report detailed above, I approve, as a delegate of Council, the application subject to the conditions listed in the report.

Dated the *15TH* day of *July* 2025



**BRIAN MILLARD**  
**COORDINATOR PLANNING & BUILDING**

MAREEBA SHIRE  
AS A DELEGATE OF THE COUNCIL

# ATTACHMENT 1

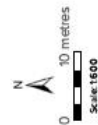
## PROPOSAL PLANS



REF: F25/19

**Existing Lot:**  
**Lot 36 on RP737515**  
**9,438 m<sup>2</sup>**

Areas and metes and bounds are subject to final survey.



Printed at A3  
Print date: 12/19/2025  
This plan was created using the Queensland Government's Planning Information System (PIS) 10.200 (3857)  
For more information, visit: <https://openplanbuilder.qld.gov.au/help/faq/contact-us.html>  
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## RECONFIGURING A LOT - 1 LOT INTO 2 LOTS

Lot 36 on RP737515 - 7 Punch Close, Kuranda

