

**DELEGATED REPORT**

**SUBJECT:** I GEYL – RECONFIGURING A LOT – SUBDIVISION (1 INTO 4 LOTS) – LOT 101 ON SP334793 – EMERALD END ROAD & COUNTRY ROAD, MAREEBA – RAL/25/0033

**DATE:** 3 February 2026

**REPORT OFFICER'S**

**TITLE:** Supervisor Planning & Building

**DEPARTMENT:** Corporate and Community Services

**APPLICATION DETAILS**

APPLICATION		PREMISES	
<b>APPLICANT</b>	I Geyl	<b>ADDRESS</b>	Emerald End Road & Country Road, Mareeba
<b>DATE LODGED</b>	19 December 2025	<b>RPD</b>	Lot 101 on SP334793
<b>TYPE OF APPROVAL</b>	Development Permit		
<b>PROPOSED DEVELOPMENT</b>	Reconfiguring a Lot – Subdivision (1 into 4 Lots)		

<b>FILE NO</b>	RAL/25/0033	<b>AREA</b>	2.5372 ha
<b>LODGED BY</b>	U&i Town Plan	<b>OWNER</b>	I Geyl
<b>PLANNING SCHEME</b>	Mareeba Shire Council Planning Scheme 2016		
<b>ZONE</b>	Rural residential zone		
<b>LEVEL OF ASSESSMENT</b>	Code assessment		
<b>SUBMISSIONS</b>	N/A – Code assessment only		

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

**EXECUTIVE SUMMARY**

*Council is in receipt of a code assessable development application described in the above application details. Being code assessable, the application 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 aspect of the Planning Scheme.*

*The key issues of the proposed development are ensuring impacts from overland stormwater flows and high levels of surface water are appropriately managed over the development site. Appropriate conditions have been recommended to ensure this outcome is achieved.*

*Draft conditions were provided to the Applicant, care of their consultant and have been agreed to. It is recommended the application be approved, subject to conditions.*

## OFFICER'S RECOMMENDATION

- That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	I Geyl	ADDRESS	Emerald End Road & Country Road, Mareeba
DATE LODGED	19 December 2025	RPD	Lot 101 on SP334793
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot – Subdivision (1 into 4 Lots)		

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 4 Lots)

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
#1	Subdivision Plan – 1 into 4 Lots	U&i Town Plan	5/12/2025

(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 development 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 any plan of survey, or alternative documentation as approved by the Land Title Act, 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 or the Adopted Infrastructure Charges Notice must be made prior to the endorsement of the plan of survey, or alternative documentation as approved by the Land Title Act 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 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements (as amended) and to the satisfaction of Council's delegated officer.

#### 3.6 Charges

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

#### 3.7 Raised Building Envelopes (Lots 1-3 Only)

A 300mm raised and level earthen building pad (when measured against natural ground level), not less than 600m<sup>2</sup> in area must be provided on Lots 1 – 3, to the satisfaction of Council's delegated officer.

If Lot 4 is subdivided off the balance of the land first, a single 300mm raised and level building pad (when measured against natural ground level), not less than 600m<sup>2</sup> in area must be provided on the balance land, to the satisfaction of Council's delegated officer.

Prior to the endorsement of a form 18b, as-constructed drawings must be provided to Council with survey levels demonstrating compliance with this condition.

#### 3.8 Bushfire Management

A Bushfire Hazard Management Plan for the development must be prepared by a suitably qualified person/s. The Bushfire Hazard Management Plan must demonstrate compliance with the relevant performance outcomes of the Mareeba Shire Council Planning Scheme 2016 Bushfire Hazard Overlay Code.

The development must comply with the requirements of the Bushfire Hazard Management Plan at all times.

#### 4. Infrastructure Services and Standards

##### 4.1 Access

An access crossover must be constructed to service Lots 1 and 4 in accordance with FNQROC Development Manual standards, to the satisfaction of Council's delegated officer. The access crossover for Lot 1 must be concrete sealed and extend to the property boundary of the allotment. The access crossover for Lot 4 can be asphalt or bitumen sealed and only needs to be constructed for a length of at least 10 metres from the existing bitumen road edge.

A shared access crossover must be constructed to service Lots 2 and 3 in accordance with FNQROC Development Manual Standards, to the satisfaction of Council's delegated officer. The shared crossover must be concrete sealed and constructed from the edge of Country Road to the property boundary of both lots and must avoid the under road culvert adjacent the Lot 3 building envelope.

The crossovers servicing Lots 1 – 3 must be designed and constructed to ensure maximum driveway grades are not exceeded, as outlined in the FNQROC Development Manual.

##### 4.2 Stormwater Drainage

- (a) The applicant/developer must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development.
- (b) Prior to works commencing the applicant must submit a Stormwater Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the FNQROC Development Manual to the satisfaction of Council's delegated officer.
- (c) The Stormwater Management Plan must specifically consider and address overland flow over Lots 1 – 3 that arises from upstream properties. The Stormwater Management Plan must include measures to ensure the practical usability of the lots with respect to the siting of a future dwelling, outbuilding/s and on-site wastewater disposal systems.

***Note: An inspection of the site during the wet season identified a significant amount of surface water running and pooling over Lots 1, 2 and the proposed building envelope area of Lot 3.***

- (d) The applicant/developer must construct the stormwater drainage infrastructure in accordance with the approved Stormwater Management Plan and/or Stormwater Quality Management Plan and Report.
- (e) Temporary drainage is to be provided and maintained during the construction phase of the development, discharged to a lawful point and not onto the construction site.
- (f) All stormwater channels through private property must be registered, with the easement for drainage purposes in favour of upstream properties as outlined in the FNQROC Development manual.

- (g) All stormwater drainage collected from the site must be discharged to an approved legal point of discharge.
- (h) The applicant (at their cost) must video all underground/concealed stormwater lines and submit the video for inspection by Council's delegated officer prior to the development being taken "off maintenance" to ensure that no defects have occurred during the 12 month maintenance period.
- (i) All drainage easements must be constructed to prevent erosion. Construction may be in the form of a concrete invert, with outlet protection.

#### 4.3 Earthworks

All earthworks must be carried out in accordance with the requirements of the FNQROC Development Manual (as amended) to the satisfaction of Council's delegated officer.

#### 4.4 Water Supply

- (a) A water service connection must be provided to each proposed lot in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer
- (b) 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 Wastewater Disposal

At the time of construction of a new dwelling on each lot, 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 fixed wireless telecommunications connection is available to each lot, or alternatively enter into an agreement with a telecommunication carrier to provide telecommunication services to each allotment and arrange provision of necessary conduits and enveloping pipes.

**Plans for the development works required under Conditions 3.8, 4.1 - 4.4 and 4.6 and 4.7 must be submitted to Council for approval as part of a subsequent application for operational works.**

**(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) Water Meters/Water Service Connection

Prior to the water service connection works commencing, a Water Quotation, Connection, Disconnection Request must be lodged with Council. The cost of the required water connection will be determined based upon the assessment of the Water Quotation Request. The Water Quotation Request must be lodged and the required connection fee paid prior to the signing of the survey plan.

(d) Easement Documents

Please contact your solicitor for more information regarding the drafting of easement documents for any easements that may be required by the conditions of approval.

(e) 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.

(f) 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.

(g) Notation on Rates Record

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

- conditions regarding bushfire management
- an approved Bushfire Hazard Management Plan

(h) Transportation of Soil

All soil transported to or from the site must be covered to prevent dust or spillage during transport. If soil is tracked or spilt onto the road pavements as a result of works on the subject site, it must be removed prior to the end of the working day and within four (4) hours of a request from a Council Officer.

(i) 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).

(j) 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).

(k) 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://Electric ants in Queensland | Business Queensland) 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

- Access approval arising from condition number 4.1 (Please contact Planning Section to obtain application form and applicable fee)

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

Development Type	Rate	Measure	Charge	Credit Detail	Balance
------------------	------	---------	--------	---------------	---------

	\$ per Lot (20% reduction of standard charge for no town sewer)	<i>Lots</i>		<i>Lots</i>	
Rural Residential	\$17,971.20	4 Lots	\$71,884.89	1 lot	\$53,913.60
<b>TOTAL CURRENT AMOUNT OF CHARGE</b>					<b>\$53,913.60</b>

## THE SITE

The subject site is situated on Emerald End Road and Country Road, Mareeba and is more particularly described as Lot 101 on SP334793. The site is irregular in shape, being severed into 2 parcels, has a total area of 2.5372 hectares, and is zoned Rural residential (Precinct A – 4,000m<sup>2</sup>) under the Mareeba Shire Council Planning Scheme 2016.

The site includes 50 metres of frontage to Emerald End Road and a further 375 metres of frontage to Country Road, both of which are constructed to bitumen/asphalt sealed standards.



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.



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.

## BACKGROUND AND CONTEXT / PREVIOUS APPLICATIONS & APPROVALS

### REC/08/0096 – Stage 8a, 8b and 8c (Country Road Estate)

The subject land is subject to a current development approval, being REC/08/0096 which forms Stage 8b of Country Road Estate. This approval remains current.

## DESCRIPTION OF PROPOSED DEVELOPMENT

The development application seeks a Development Permit for Reconfiguring a Lot – Subdivision (1 into 4 Lots) in accordance with the plans shown in **Attachment 1**.

## 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. Mareeba is identified as a Major Regional Activity Centre in the Regional Plan. The Regional Plan Map 3- 'Areas of Ecological Significance' also identifies the site as containing:

- *Terrestrial Area of General Ecological Significance*

## PLANNING SCHEME DESIGNATIONS

Strategic Framework:	Activity Centre Network
	<b>• Major Regional Activity Centre</b> <b>Land Use Categories</b>

	<ul style="list-style-type: none"> <li>• Rural Residential Area</li> </ul> <p><b>Natural Environmental Elements</b></p> <ul style="list-style-type: none"> <li>• <i>Biodiversity Areas</i></li> </ul>
Zone:	Rural Residential Zone
Preferred Area/Precinct:	Precinct A – 4,000m <sup>2</sup>
Overlays:	Agricultural Land Overlay Airport Environs Overlay Bushfire Hazard Overlay Environmental Significance Overlay Hill and Slope Overlay Residential Dwelling House and Outbuilding 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
- 8.2.1 Agricultural land overlay code
- 8.2.2 Airport environs overlay code
- 8.2.3 Bushfire hazard overlay code
- 8.2.4 Environmental significance overlay code
- 8.2.8 Hill and slope overlay code
- 8.2.10 Residential dwelling house and outbuilding 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 contained within the codes (or performance outcomes where no acceptable outcome has been provided).

Relevant Codes	Comments
Rural residential zone code	The application complies or can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome has been provided) contained within the code. Refer to code document for further commentary.
Agricultural land overlay code	The application complies or can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome has been provided) contained within the code. Refer to code document for further commentary.
Airport environs overlay code	The application complies or can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome has been provided) contained within the code. Refer to code document for further commentary.
Bushfire hazard overlay code	The application complies with The application complies or can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome has been provided) contained within the code. Refer to code document for further commentary.
Environmental significance overlay code	The application complies or can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome has been provided) contained within the code. Refer to code document for further commentary.
Hill and slope overlay code	The application complies or can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome has been provided) contained within the code. Refer to code document for further commentary.
Residential dwelling house and outbuilding overlay code	The application complies or can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome has been provided) contained within the code. Refer to code document for further commentary.
Landscaping code	The application complies or can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome has been provided) contained within the code. Refer to code document for further commentary.
Parking and access code	The application complies or can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome has been provided) contained within the code. Refer to code document for further commentary.
Reconfiguring a lot code	The application complies or can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome has been provided) contained within the code. Refer to code document for further commentary.
Works, services and infrastructure code	The application complies or can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes

	where no acceptable outcome has been provided) contained within the code. Refer to code document for further commentary.
--	--

**(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

The development will not be serviced by Council's reticulated sewer network.

Under Part 4.1(d) of Council's Adopted Infrastructure Charges Resolution (No. 1) 2025, 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 3 additional lots; therefore, the applicable charge is \$17,971.20 x 3 = **\$53,913.60**

**REFERRAL AGENCY**

This application did not trigger referral to a Referral Agency.

**Internal Consultation**

Technical Services – Development Engineering

**PLANNING DISCUSSION**

Nil

*Date Prepared: 3 February 2026*

DECISION BY DELEGATE

DECISION

Having considered the Officers report detailed above, I approve, as delegate of Council, the application subject to the conditions listed in the report.

Dated the 3RD day of FEBRUARY 2026



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

MAREEBA SHIRE  
AS DELEGATE OF THE COUNCIL

## ATTACHMENT 1

## PROPOSED PLANS (ECM DSI # 4587560)

## Subdivision Plan - 1 into 4 Lots

Emerald End and Country Road, Mareeba (Lot 101 on SP334793) plan#1, dated 05122025, prepared by U&amp;I Town Plan

