

**DELEGATED REPORT**

**SUBJECT:** C & A BRADLEY – RECONFIGURING A LOT – BOUNDARY REALIGNMENT –  
LOTS 94 ON N157451 AND LOT 2 ON RP748772 – 105 CROTHERS ROAD AND  
BOYLES ROAD, KURANDA – RAL/26/0017

**DATE:** 23 July 2026

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

**DEPARTMENT:** Corporate and Community Services

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**APPLICATION DETAILS**

| APPLICATION                     |                                            | PREMISES       |                                               |
|---------------------------------|--------------------------------------------|----------------|-----------------------------------------------|
| <b>APPLICANT</b>                | C & A Bradley                              | <b>ADDRESS</b> | 105 Crothers Road and<br>Boyles Road, Kuranda |
| <b>DATE LODGED</b>              | 9 July 2026                                | <b>RPD</b>     | Lot 94 on N157451 and<br>Lot 2 on RP748772    |
| <b>TYPE OF APPROVAL</b>         | Development Permit                         |                |                                               |
| <b>PROPOSED<br/>DEVELOPMENT</b> | Reconfiguring a Lot – Boundary Realignment |                |                                               |

|                                |                                            |              |                                         |
|--------------------------------|--------------------------------------------|--------------|-----------------------------------------|
| <b>FILE NO</b>                 | RAL/26/0017                                | <b>AREA</b>  | Lot 94 – 39.333 ha<br>Lot 2 – 56.189 ha |
| <b>LODGED BY</b>               | Scope Town Planning Pty<br>Ltd             | <b>OWNER</b> | C & A Bradley (both<br>lots)            |
| <b>PLANNING SCHEME</b>         | Mareeba Shire Council Planning Scheme 2016 |              |                                         |
| <b>ZONE</b>                    | Rural zone                                 |              |                                         |
| <b>LEVEL OF<br/>ASSESSMENT</b> | Code Assessment                            |              |                                         |
| <b>SUBMISSIONS</b>             | n/a                                        |              |                                         |

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

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**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 under public notification.

The application and supporting material has been assessed against the Mareeba Shire Council Planning Scheme 2016 and Regional Plan and does not conflict with either instrument.

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

**OFFICER'S RECOMMENDATION**

1. That in relation to the following development application:

| <b>APPLICATION</b>          |                                            | <b>PREMISES</b> |                                            |
|-----------------------------|--------------------------------------------|-----------------|--------------------------------------------|
| <b>APPLICANT</b>            | C & A Bradley                              | <b>ADDRESS</b>  | 105 Crothers Road and Boyles Road, Kuranda |
| <b>DATE LODGED</b>          | 9 July 2026                                | <b>RPD</b>      | Lot 94 on N157451 and Lot 2 on RP748772    |
| <b>TYPE OF APPROVAL</b>     | Development Permit                         |                 |                                            |
| <b>PROPOSED DEVELOPMENT</b> | Reconfiguring a Lot – Boundary Realignment |                 |                                            |

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 – Boundary Realignment

- (B) APPROVED PLANS:

| <b>Plan/Document Number</b> | <b>Plan/Document Title</b> | <b>Prepared by</b>  | <b>Dated</b> |
|-----------------------------|----------------------------|---------------------|--------------|
| 26012-1.0                   | Proposal Plan              | Scope Town Planning | June 2026    |

- (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/contributions contained within the conditions of approval.

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 required to be made to the Council (including contributions, charges and bonds) pursuant to any condition of this approval must be made prior 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 Where approved existing buildings and structures are to be retained, setbacks to any new property boundaries are to be in accordance with Planning Scheme requirements for the relevant structure and/or Queensland Development Code. Where existing building/s are in proximity to new property boundaries, a plan demonstrating compliance with the required setback must be submitted prior to endorsement of the plan of survey.

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.

## (D) ASSESSMENT MANAGER'S ADVICE

- (a) 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.

(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) 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).

(e) 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).

(f) 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.

(E) RELEVANT PERIOD

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

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

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

- Nil

(G) OTHER APPROVALS REQUIRED FROM COUNCIL

- Nil

**THE SITE**

The subject site comprises of the following allotments:

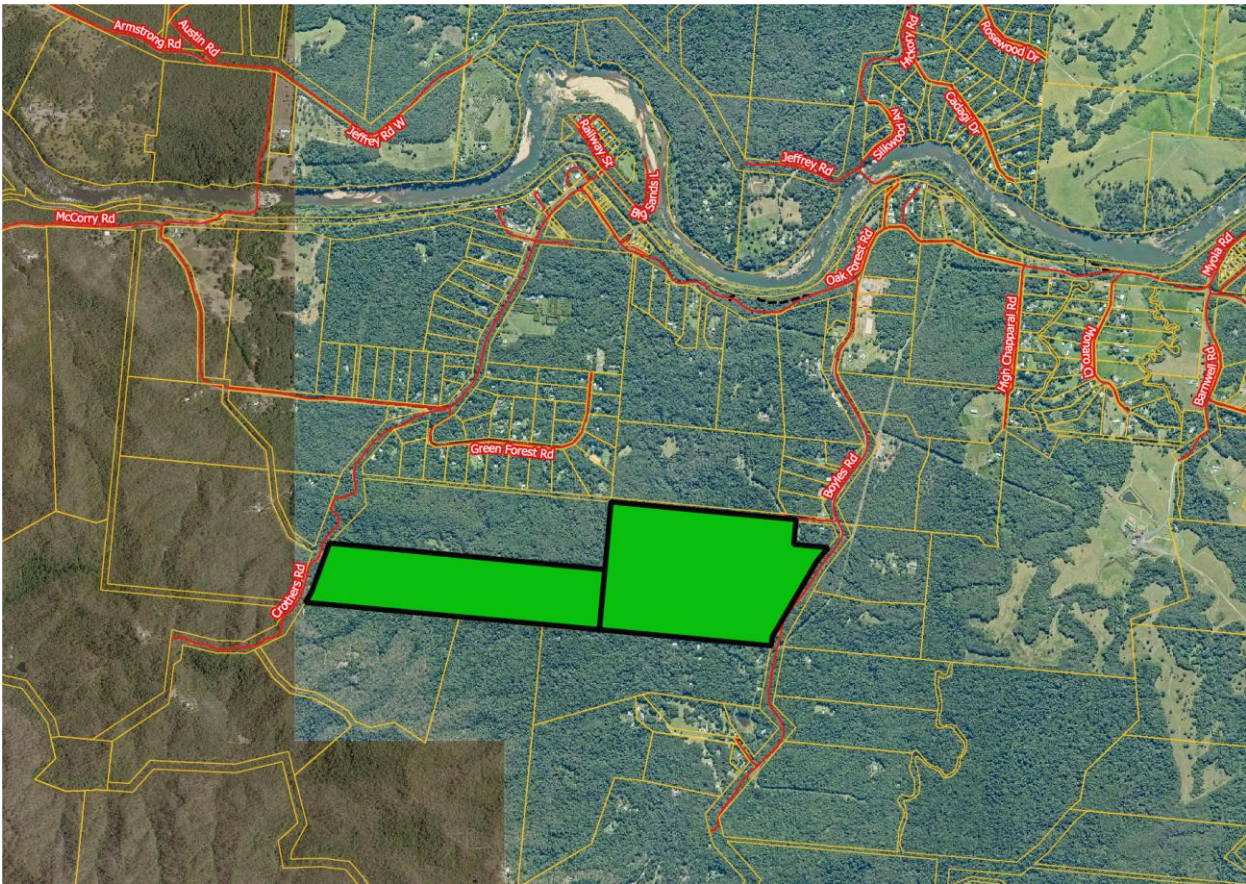
- Lot 94 on N157451, situated at 105 Crothers Road, Kuranda, having an area of 39.333 hectares and a frontage of approximately 305 metres to Crothers Road; and
- Lot 2 on RP748772, situated at Boyles Road, Kuranda, having an area of 56.189 hectares and a frontage of approximately 542 metres to Boyles Road.

Crothers Road is constructed to a narrow formed gravel standard for the frontage of Lot 94 while Boyles Road is constructed to a bitumen sealed standard with an approximate 6m width. Lot 94 is improved by 2 dwellings at the front of the lot and some small livestock shelters scattered throughout the cleared paddocks over the site. Lot 2 remains unimproved and predominately vegetated.



**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**

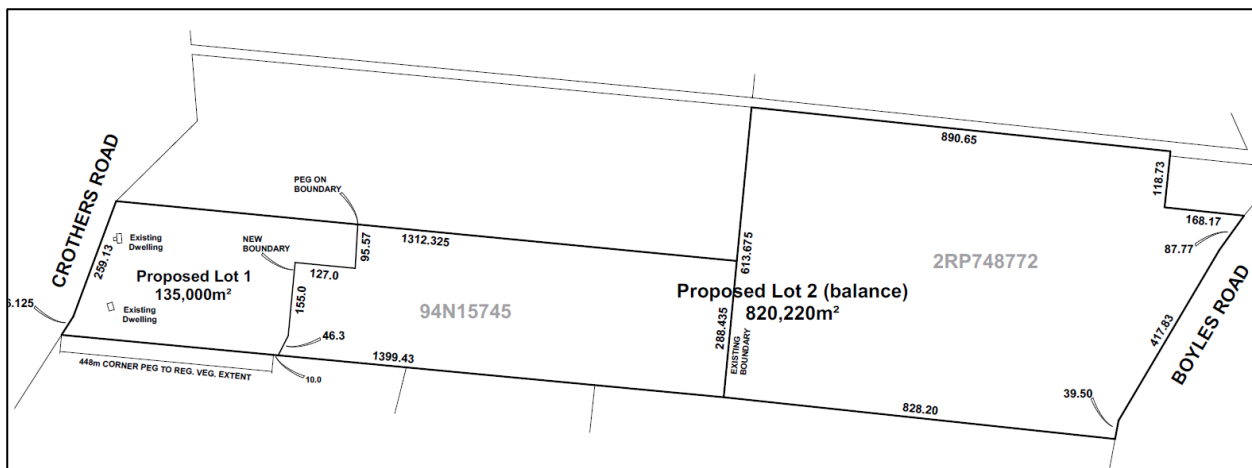
Nil

**PREVIOUS APPLICATIONS & APPROVALS**

Nil

**DESCRIPTION OF PROPOSED DEVELOPMENT**

The development application seeks a Development Permit for Reconfiguring a Lot – Boundary Realignment in accordance with the plans shown below and included as **Attachment 1**.



## REGIONAL PLAN DESIGNATION

| Far North Queensland Regional Plan and Infrastructure Plan 2026 |                                              |
|-----------------------------------------------------------------|----------------------------------------------|
| Potential Agricultural Expansion Area                           | No                                           |
| Priority Agricultural Area                                      | No                                           |
| Priority Agricultural Area – Extractive Resources Precinct      | No                                           |
| Regional Biodiversity Corridor                                  | Yes                                          |
| Regional Land Use Category                                      | Regional Landscape and Rural Production Area |
| Strategic Environmental Area                                    | No                                           |
| Wet Tropics WHA                                                 | Yes                                          |

## PLANNING SCHEME DESIGNATIONS

|                      |                                                                                                                                                                                                                                                           |
|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Strategic Framework: | <b>Land Use Categories</b> <ul style="list-style-type: none"> <li>Rural Other</li> </ul> <b>Natural Environmental Elements</b> <ul style="list-style-type: none"> <li>Biodiversity Areas</li> <li>Ecological Corridor</li> <li>Habitat Linkage</li> </ul> |
| Zone:                | Rural Zone                                                                                                                                                                                                                                                |
| Overlays:            | Bushfire Hazard Overlay<br>Environmental Significance Overlay<br>Hill and Slope Overlay                                                                                                                                                                   |

## RELEVANT PLANNING INSTRUMENTS

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

### (a) Far North Queensland Regional Plan and Infrastructure Plan 2026 (FNQ Regional Plan 2026)

The FNQ Regional Plan 2026 commenced on May 2026 and is not adequately addressed within the Planning Scheme. The Themes, Policy outcomes and Strategies contained within this Regional Plan, relevant to the proposed development, are as follows:

#### ***Theme 3 – Ecotourism and biodiversity***

#### ***Policy Outcome 3 – Regional landscapes and biodiversity***

*The environmental, cultural, social and economic features that comprise the region's unique tropical and rural landscapes are identified and supported through land use outcomes that:*

- *Promote long-term land management; and*
- *Maintain landscape character,*

*while planning across the region is informed by regional biodiversity to:*

- *Improve ecological functioning; and*
- *Reflect the intrinsic environmental values that underpin the region's social and economic assets.*

#### ***Strategies***

- 3.1 *Identify the region's natural values, natural resources, cultural heritage, and outdoor recreation values in land use planning.*
- 3.2 *Maintain the integrity of the region's regional landscapes including inter-urban breaks, scenic amenity and coastal hillslopes.*
- 3.3 *Enable opportunities for primary production, renewable energy, ecosystem services, outdoor recreation and tourism in the RLRPA that are appropriately located and compatible with long-term sustainable land management practices.*
- 3.4 *Prevent further fragmentation of the RLRPA to protect economically viable agricultural and rural land uses, and/or the regional biodiversity network. Unless a minimum lot size for the land is otherwise stated in a local government planning scheme, reconfiguring a lot within the RLRPA should not occur if it creates lots smaller than 60 hectares, unless one of the following exceptions applies:*
  - a. *it is a boundary realignment that does not create additional lots, it does not result in additional rural lifestyle or rural residential purpose lots, it improves agricultural efficiency, it facilitates conservation outcomes or it resolves boundary encroachments; or*
  - b. *it creates one additional lot solely for infrastructure purposes; or*
  - c. *it is part of a local government planning scheme amendment that is consistent with the RLA principles in Chapter 3.*
- 3.5 *Protect the ecological values, landscape character and scenic amenity of the hillslopes including within the Cassowary Coast Regional Council, Douglas Shire Council, Wujal Wujal Aboriginal Shire Council and Yarrabah Shire Council areas.*
- 3.6 *Planning and decision making considers the regional biodiversity network (Map 16 and Table 6) to:*

- a. *improve ecological processes and biodiversity conservation outcomes*
  - b. *Identify opportunities for revegetation*
  - c. *increase resilience of natural habitats*
  - d. *avoid natural habitat fragmentation and support ecological connectivity.*
- 3.7 *Opportunities are facilitated to revegetate the SRAs shown on Map 16 to strengthen corridor connectivity and build natural landscape adaptation.*
- 3.8 *Development in the Wet Tropics WHA, and areas directly adjoining or ecologically connected to the Wet Tropics WHA, does not cause adverse impacts on scenic amenity, regional biodiversity corridors and SRAs.*
- 3.9 *High risk biosecurity sites (such as waste management facilities, areas cleared of native vegetation and areas undergoing development) are planned for in a way that manages the risks of pests and diseases.*
- 3.10 *The area depicted as 'Wet Tropics WHA – Special Management Area' on Map 16 is recognised as an area of high scenic amenity for the purposes of State Code 23: Wind farm development. In this area, development for wind farms is assessed against the scenic amenity performance outcomes of State Code 23.*

#### Comment

The proposed development is for a boundary realignment between two large rural holdings. The proposed realigned boundary will avoid mapped significant vegetation.

The proposed development will not compromise Strategies 3.1-3.10.

#### **(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:

- 6.2.9 Rural zone code
- 8.2.3 Bushfire hazard overlay code
- 8.2.4 Environmental significance 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 satisfies the relevant acceptable outcomes (or performance outcome where no acceptable outcome applies) of the relevant codes set out below, provided reasonable and relevant conditions are attached to any approval.

| <b>Relevant Codes</b>                   | <b>Comments</b>                                                                                                                                                                 |
|-----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Rural zone 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. |
| 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. |
| 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                        | 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. |
| Parking and access 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. |
| Reconfiguring a lot 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. |
| 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. |

**(e) Planning Scheme Policies/Infrastructure Charges Plan**

The following planning scheme policies are relevant to the application:

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**

Not applicable as no additional allotments will be created.

**REFERRAL AGENCY**

The application did not trigger referral to any referral agencies.

**Internal Consultation**

Not applicable.

**PLANNING DISCUSSION**

Nil

***Date Prepared:*** 21 July 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 *23RD* day of *Sept* 2026



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

MAREEBA SHIRE  
AS DELEGATE OF THE COUNCIL

PROPOSED PLANS

