

Assessment of application against relevant Development Codes

APPLICATION DETAILS

APPLICATION		PREMISES	
FILE NO:	RAL/26/0017	ADDRESS:	105 Crothers Road and Boyles Road, Kuranda
APPLICANT:	C & A Bradley	RPD:	Lot 94 on N157451 and Lot 2 on RP748772
LODGED BY:	Scope Town Planning Pty Ltd	AREA:	Lot 94 – 39.333 ha Lot 2 – 56.189 ha
DATE LODGED:	9 July 2026	OWNER :	C & A Bradley
TYPE OF APPROVAL:	Development Permit		
PROPOSED DEVELOPMENT:	Reconfiguring a Lot – Boundary Realignment		
PLANNING SCHEME:	Mareeba Shire Council Planning Scheme - July 2016		
ZONE:	Rural zone		
LEVEL OF ASSESSMENT:	Code assessment		
SUBMISSIONS:	N/A – Code assessment only		

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

6.2.9 Rural zone code

6.2.9.1 Application

- (1) This code applies to assessing development where:
 - (a) located in the Rural zone; and
 - (b) it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

6.2.9.2 Purpose

- (1) The purpose of the Rural zone code is to:
 - (a) provide for rural uses including cropping, intensive horticulture, intensive animal industries, animal husbandry, animal keeping and other primary production activities;
 - (b) provide opportunities for non-rural uses that are compatible with agriculture, the environmental features, and landscape character of the rural area where the uses do not compromise the long-term use of the land for rural purposes;
 - (c) protect or manage significant natural resources and processes to maintain the capacity for primary production.
- (2) Mareeba Shire Council's purpose of the Rural zone code is to recognise the importance of primary production to the economy of the region and to maintain and strengthen the range of primary industries which contribute to the rural economy.

The purpose of the Rural zone code is to:

- (a) recognise the diversity of rural uses that exists throughout the region;
 - (b) protect the rural character of the region;
 - (c) provide facilities for visitors and tourists that are accessible and offer a unique experience;
 - (d) protect the infrastructure of the Mareeba-Dimbulah Irrigation Scheme Area from development which may compromise long term use for primary production;
 - (e) maintain distinct boundaries between the rural areas and the villages, towns and urban areas of the region;
 - (f) provide for a range of non-urban uses, compatible and associated with rural or ecological values including recreational pursuits and tourist activities;
 - (g) prevent adverse impacts of development on ecological values;
 - (h) preserve land in large holdings; and
 - (i) facilitate the protection of strategic corridors across the landscape which link remnant areas of intact habitat and transport corridors.
- (3) The purpose of the Rural zone code will be achieved through the following overall outcomes:
 - (a) Areas for primary production and other rural activities are conserved and not fragmented below 60ha unless for a *public reconfiguration purpose*;
 - (b) The establishment of a wide range of rural pursuits is facilitated, including cropping, intensive horticulture, forestry, intensive animal industries, animal husbandry and animal keeping and other compatible primary production uses;
 - (c) The establishment of extractive industries, mining and associated activities and alternative forms of energy generation is appropriate where environmental impacts and land use conflicts are minimised;
 - (d) Uses that require isolation from urban areas as a consequence of their impacts such as noise or odour may be appropriate where land use conflicts are minimised;

- (e) Development is reflective of and responsive to the environmental constraints of the land;
- (f) Residential and other uses are appropriate only where directly associated with the rural nature of the zone;
- (g) Low-impact tourism and recreation activities do not compromise the long-term use of the land for rural purposes;
- (h) The viability of both existing and future rural uses and activities is protected from the intrusion of incompatible uses;
- (i) Visual impacts of clearing, building, materials, access ways and other aspects of development are minimised or appropriately managed;
- (j) Adverse impacts of development both on-site and from adjoining areas are avoided and any impacts are minimised through location, design, operation and management; and
- (k) Natural features such as creeks, gullies, waterways, wetlands and bushland are retained, managed, enhanced and separated from adjacent development.

6.2.9.3 Criteria for assessment

Table 6.2.9.3—Rural zone code - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
Height			
PO1 Building height takes into consideration and respects the following: (a) the height of existing buildings on adjoining premises; (b) the development potential, with respect to height, on adjoining premises; (c) the height of buildings in the vicinity of the site; (d) access to sunlight and daylight for the site and adjoining sites; (e) privacy and overlooking; and (f) site area and street frontage length.	AO1.1 Development, other than buildings used for rural activities, has a maximum building height of: (a) 8.5 metres; and (b) 2 storeys above ground level.	n/a	
	AO1.2 Buildings and structures associated with a rural activity including machinery, equipment, packing or storage buildings do not exceed 10 metres in height.	n/a	
Siting, where not involving a Dwelling house			
Note—Where for Dwelling house, the setbacks of the Queensland Development Code apply.			

Performance outcomes	Acceptable outcomes	Complies	Comments
PO2 Development is sited in a manner that considers and respects: (a) the siting and use of adjoining premises; (b) access to sunlight and daylight for the site and adjoining sites; (c) privacy and overlooking; (d) air circulation and access to natural breezes; (e) appearance of building bulk; and (f) relationship with road corridors.	AO2.1 Buildings and structures include a minimum setback of: (a) 40 metres from a frontage to a State-controlled road; and (b) 10 metres from a boundary to an adjoining lot.	n/a	
	AO2.2 Buildings and structures, where for a Roadside stall, include a minimum setback of 0 metres from a frontage to a road that is not a State-controlled road.	n/a	
	AO2.3 Buildings and structures, except where a Roadside stall, include a minimum setback of: (a) 10 metres from a frontage to a sealed road that is not a State-controlled road; and (b) 100 metres from a frontage to any other road that is not a State-controlled road;	n/a	
Accommodation density			
PO3 The density of Accommodation activities: (a) respects the nature and density of surrounding land use; (b) is complementary and subordinate to the rural and natural landscape values of the area; and (c) is commensurate to the scale and frontage of the site.	AO3.1 Residential density does not exceed one dwelling house per lot.	n/a	
	AO3.2 Residential density does not exceed two dwellings per lot and development is for: (a) a secondary dwelling; or (b) Caretaker's accommodation and includes building work or minor building work with a maximum gross floor area of 100m²; or (c) Rural worker's accommodation.	n/a	

Performance outcomes	Acceptable outcomes	Complies	Comments
For assessable development			
Site cover			
PO4 Buildings and structures occupy the site in a manner that: (a) makes efficient use of land; (b) is consistent with the bulk and scale of buildings in the surrounding area; and (c) appropriately balances built and natural features.	AO4 No acceptable outcome is provided.	n/a	
PO5 Development complements and integrates with the established built character of the Rural zone, having regard to: (a) roof form and pitch; (b) eaves and awnings; (c) building materials, colours and textures; and (d) window and door size and location.	AO5 No acceptable outcome is provided.	n/a	

Performance outcomes	Acceptable outcomes	Complies	Comments
Amenity			
PO6 Development must not detract from the amenity of the local area, having regard to: (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions.	AO6 No acceptable outcome is provided.	n/a	
PO7 Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to: (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions.	AO7 No acceptable outcome is provided.	n/a	
Rural uses			
PO8 Uses and other development include those that: (a) promote rural activities such as agriculture, rural enterprises and small scale industries that serve rural activities; or (b) promote low impact tourist activities based on the appreciation of the rural character, landscape and rural activities; or (c) are compatible with rural activities.	AO8 No acceptable outcome is provided.	n/a	

Performance outcomes	Acceptable outcomes	Complies	Comments
PO9 Areas for use for primary production and rural activities are conserved and protected from fragmentation, alienation and degradation.	AO9 No acceptable outcome is provided.	n/a	

- 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
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