

DELEGATED REPORT

SUBJECT: G & T CARDILLO – RECONFIGURING A LOT – 2 INTO 3 LOTS (SUBDIVISION & BOUNDARY REALIGNMENT) & CREATING ACCESS EASEMENTS – LOT 1 ON RP735312 & LOT 2 ON DA808468 – 326 SPRINGS ROAD, MAREEBA – RAL/26/0023

DATE: 21 September 2026

REPORT OFFICER’S TITLE: Supervisor Planning & Building

DEPARTMENT: Corporate and Community Services

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	G & T Cardillo	ADDRESS	326 Springs Road, Mareeba
DATE LODGED	3 September 2026	RPD	Lot 1 on RP735312 & Lot 2 on DA808468
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot – 2 into 3 lots (Subdivision and Boundary Realignment) and creating access easements		

FILE NO	RAL/26/0023	AREA	Lot 1 – 3,470m2 Lot 2 – 146.347 hectares
LODGED BY	Freshwater Planning Pty Ltd	OWNER	T Cardillo
PLANNING SCHEME	Mareeba Shire Council Planning Scheme 2016		
ZONE	Rural zone		
LEVEL OF ASSESSMENT	Code Assessment		
SUBMISSIONS	n/a		

ATTACHMENTS: 1. Proposal Plan/s

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.

Draft conditions were provided to the Applicant/ care of their consultant and have been agreed.

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

OFFICER'S RECOMMENDATION

1. That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	G & T Cardillo	ADDRESS	326 Springs Road, Mareeba
DATE LODGED	3 September 2026	RPD	Lot 1 on RP735312 & Lot 2 on DA808468
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot – 2 into 3 lots (Subdivision and Boundary Realignment) and creating access easements		

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 – 2 into 3 lots (Subdivision and Boundary Realignment) and creating access easements

- (B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
9443-LL6-Rev B	Plan of Lots 1, 21, 22 and Access Easements Cancelling Lot 2 on DA808468 and Lot 1 on RP735312	Twine Surveys Pty Ltd	08.09.2026

- (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, 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 for the development, 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 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 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.
- 3.4 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.
- 3.7 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.
- 3.8 Charges
- All outstanding rates, charges, and expenses pertaining to the land are to be paid in full.
- 3.9 A 10 metre wide access easement must be established over Lot 21 to service Lot 22 generally in accordance with the position and orientation shown on the approved plan.

The access easement documents must be submitted to Council for review prior to endorsement of the Form 18B.

- 3.10 An access easement must be established over Lot 21 to service Lot 1 generally in accordance with the position and orientation shown on the approved plan. The access easement documents must be submitted to Council for review prior to endorsement of Form 18B.

4. Infrastructure Services and Standards

4.1 Access

An access crossover must be constructed (from the edge of the road pavement of Springs Road to commencement of the access easement required under Condition 3.9) in accordance with the FNQROC Development Manual, to the satisfaction of Council's delegated officer.

4.2 Access Easement Standard

A compacted gravel, all weather access driveway must be constructed for the full length of the access easement/s included over Lot 21, to the satisfaction of Council's delegated officer.

4.3 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) All stormwater drainage collected from the site must be discharged to an approved legal point of discharge.

4.4 Water Supply

At the time of construction of a dwelling on proposed Lot 22, a water supply must be provided via:

- (a) a bore or bores are provided in accordance with the Design Guidelines set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; or
- (b) on-site water storage tank/s:
 - (i) with a minimum capacity of 90,000L; and
 - (ii) which are installed and connected prior to the occupation of the dwelling.

4.5 Wastewater Disposal

At the time of construction of a future dwelling or outbuilding on proposed Lot 22, 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.

(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) Easement Documents

Please contact your solicitor for more information regarding the drafting of easement documents for Council easements.

- (d) 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.

- (e) 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.

- (f) 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

- (g) 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.

- (h) 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.dwatsipm.qld.gov.au.

(i) 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](#) 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

- Nil

(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 (40% reduction of standard charge for no town water/sewer)	Lots		Lots	
Rural	\$13,951.20	2 Lots	\$41,853.60	2 lot	\$13,951.20
TOTAL CURRENT AMOUNT OF CHARGE					\$13,951.20

THE SITE

The subject site comprises of the following allotments:

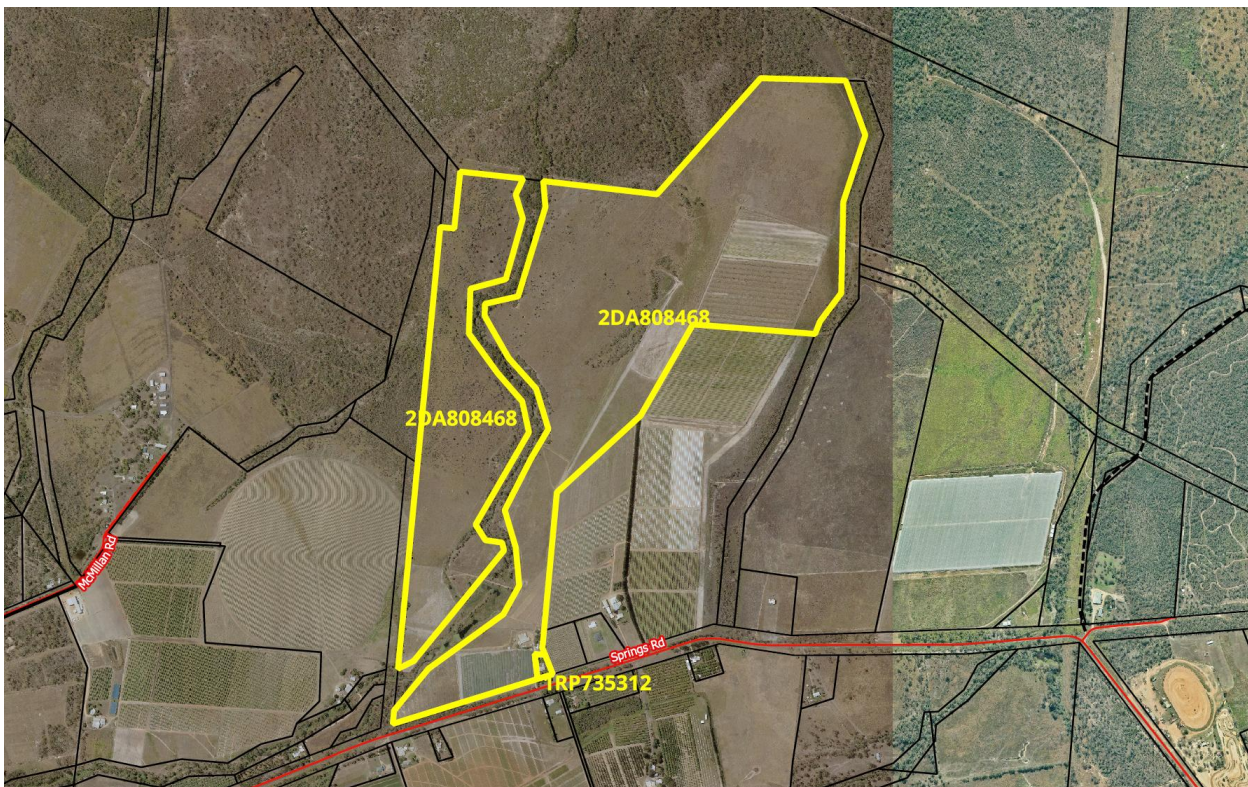
Lot 1 on RP735312, situated at 326 Springs Road, Mareeba, having an area of 3,470 square metres and a frontage of approximately 54 metres to Springs Road; and

Lot 2 on DA808468, situated at 326 Springs Road, Mareeba, having an area of 146 hectares, with frontages of approximately 520 metres to Springs Road and over 900 metres to unformed road reserve along the western boundary.

Springs Road is constructed to a 5.5 metre wide bitumen sealed standard for the site's frontage.

Both lots contain a dwelling house and outbuildings. Lot 2 contains a 3.5 hectare orchard and extensive grazing pasture.

All nearby properties are zoned Rural under the Planning Scheme with most being used for agriculture, horticulture and 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 Reconfiguring a Lot – 2 into 3 lots (Subdivision and Boundary Realignment) and creating access easements in accordance with the plans shown in **Attachment 1**.

The application describes the development as follows:

“A Development Permit is sought to realign the existing configuration and subdivide the balance of the site, being Lot 1 on RP735312 and Lot 2 on DA808468, creating one (1) additional Rural Allotment within the existing Paddy’s Green Rural Area. The proposal results in a more efficient and agricultural outcome with the proposal increasing the existing Lot 1 on RP735312 by 25 m² resolving the existing Access Issues in relation to the existing Dwelling Houses and associated structures. The proposal additionally creates two (2) Rural Allotments of 60.0 hectares or greater.

The proposal will also result in the formalisation of access to each of the larger Rural Allotments.

No change to the existing Rural nature or character of the Rural Zone is envisaged with the Reconfiguration. The proposal will provide for an additional Rural Allotment while maintaining the existing amenities and aesthetics of the site.

The existing areas of the allotments are:

- *Lot 1 on RP735312 - area of 3,470 m²*
- *Lot 2 on DA808468 - area of 146 hectares.*

The Reconfiguring a Lot proposes three (3) Rural Allotments described as proposed Lots 1, 21 and 22. The proposed areas of the allotments are:

- *Proposed Lot 1 – area of 3,495 m²*
- *Proposed Lot 21 – area of 60.00 hectares*
- *Proposed Lot 22 – area of 86.00 hectares.*

The site is intersected by Lot 1 on DA808468 which encompasses the Unnamed Tributary of Marianne Creek and fronts the Unnamed Road which is an unconstructed Road Reserve.

The site contains existing dwellings, associated structures, and Rural Activities with the proposal not changing any of the improvements, services, or Activities over the site. The proposed Reconfiguration will ensure that no significant change to the existing Rural nature of the site and surrounding area is envisaged while providing a more appropriate configuration. The site gains access via existing crossovers with no change to the existing other than the provision of Access Easements to formalise the existing arrangement.”

REGIONAL PLAN DESIGNATION

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

PLANNING SCHEME DESIGNATIONS

Strategic Framework:	Land Use Category
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	• Rural Area • Rural Agricultural Area • Rural Other
Zone:	Rural Zone
Overlays:	Agricultural Land Overlay Airport Environs Overlay Bushfire Hazard Overlay Environmental Significance 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 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 2 – Thriving economy

Policy Outcome 4 – Rural economies – (Priority Agricultural Area)

Support emerging industries and technologies, directly associated with rural and agricultural lands, that enhance rural prosperity.

Strategies

4.1 Promote rural economies by:

- a. *recognising and protecting Priority Agricultural Land Uses (PALUs) as the primary land use in PAAs, supporting agricultural diversification and growth, agricultural value-adding opportunities and allied industries in rural land within the RLRPA, including cleared areas within PAAs (Map 7)*
- b. *ensuring prime agricultural land is maintained to sustain the region and provide for its future food and fibre security*
- c. *avoiding non-agricultural uses in PAAs, except for:*
 - (1) *compatible infrastructure purposes, or*
 - (2) *rehabilitation purposes where located on marginal or unsuitable land and the rehabilitation purposes do not adversely impact the productive agricultural capacity of the PAA. Rehabilitation purposes must be ancillary to and complement agricultural land uses, while enhancing and value-adding existing agricultural capacity*
- d. *protecting key resource areas, mining and extractive industries, and associated processing operations from conflicting land uses and supporting with appropriate infrastructure (Map 14).*

Comment

Both proposed Lots 21 and 22 will exceed 60 hectares in area and comply with the planning scheme and new regional plan. No new buildings or structures have been proposed.

The use of existing Lot 1 will remain unchanged, and the access encroachment will be resolved.

The proposed development will not compromise Strategy 4.1.

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

3.4 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.*

Comment

Both proposed Lots 21 and 22 will exceed 60 hectares in area and comply with the planning scheme and new regional plan. No new buildings or structures have been proposed. It is understood that proposed Lot 22 will be used to extend local area pineapple production.

The use of existing Lot 1 will remain unchanged, and the access encroachment will be resolved.

The proposed development will not compromise Strategy 3.4.

(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
- 8.2.1 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
- 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 solution 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 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.
Agricultural land 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.
Airport environs 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.
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.
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.
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(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) 2026, a standard charge of \$23,252.00 applies to each additional 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

Part 4.1(d) of Council's Adopted Infrastructure Charges Resolution (No. 1) 2026, a 40% discount will be applied to development charges where no connection to Council's reticulated water and sewer network exists.

$\$23,252.00 - 40\% = \$13,951.20$ per additional allotment.

The application proposes the creation of 1 additional lot; therefore, the applicable charge is **\$13,951.20**.

REFERRAL AGENCY

This application did not trigger referral to a Referral Agency.

Internal Consultation

Technical Services

PLANNING DISCUSSION

Nil

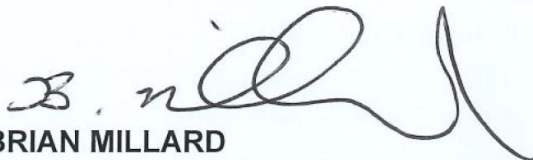
Date Prepared: 21 September 2026

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 *21st* day of *SEPTEMBER* 2026



BRIAN MILLARD
COORDINATOR PLANNING & BUILDING

MAREEBA SHIRE
AS A DELEGATE OF THE COUNCIL

PROPOSAL PLANS

