7.10. PORT DOUGLAS SURF LIFE SAVING CLUB - TENURE OPTIONS

REPORT AUTHOR	Team Leader Property
EXECUTIVE	General Manager Corporate and Communities
DEPARTMENT	Corporate and Communities
TEAM	Community Services
DATE	24 November 2026

RECOMMENDATION

That Council:

In relation to tenure dealings for Port Douglas Surf Life Saving Club Inc relevant to trust land described as Lot 2 SR886 and located at 2 Esplanade, Port Douglas, undertake the following actions:

1. **Apply an exception to the disposal of an interest in a valuable non-current asset under Section 236(1)(b)(ii) of the *Local Government Regulation 2012*, as the disposal is to a community organization**
2. **Offer a Trustee Permit to Port Douglas Surf Life Saving Club Inc over the whole of the land described as Lot 2 SR886 and the facilities located thereon:**

    a. **For a term of one (1) year commencing on 1 January 2027**

    b. **For a rental amount of $595 (including GST)**

    c. **In accordance with Council's Standard Terms for a lease over trust land, registered under dealing number 720830775 and amended, as necessary, to more clearly define the duties, obligations and responsibilities of the trustee permittee, under the Trustee Permit**

    d. **All reasonable costs associated with the preparation of the Trustee Permit will be borne by the trustee permittee**

EXECUTIVE SUMMARY

The Port Douglas Surf Life Saving Club Inc is currently operating under a Trustee Permit, issued by Council, that expires on 31 December 2026. The Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development has tenure dealings underway involving road closure and road opening actions that need to be completed prior to Council formalising any lease arrangements over the impacted land. As a consequence, it is necessary for a further twelve (12) month Trustee Permit to be granted to Port Douglas Surf

Life Saving Club Inc to afford them further security of tenure while these processes are finalised.

PREVIOUS COUNCIL CONSIDERATIONS / RESOLUTIONS

At the Ordinary Meeting held 8 December 2025, in relation to tenure dealings for Port Douglas Surf Life Saving Club Inc, relevant to trust land described as Lot 2 SR886 and located at 2 Esplanade, Port Douglas, it was resolved that Council undertake the following actions:

1. Apply an exception to the disposal of an interest in a valuable non-current asset under Section 236(1)(b)(ii) of the *Local Government Regulation 2012*, as the disposal is to a community organisation.
2. Offer a Trustee Permit to Port Douglas Surf Life Saving Club Inc over the whole of the land described as Lot 2 SR886 and the facilities located thereon:

    a. For a term of one (1) year commencing on 1 January 2026

    b. For a rental amount of $572 (including GST)

    c. In accordance with Council's Standard Terms for a lease over trust land, registered under dealing number 720830775 and amended, as necessary, to more clearly define the duties, obligations and responsibilities of the trustee permittee, under the Trustee Permit

    d. All reasonable costs associated with the preparation of the Trustee Permit will be borne by the trustee permittee.

REPORT/BACKGROUND

Advice from Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development (the Department) at that time, was that their processes to finalise all dealings relevant to both Lots 1 and 2 SR886 was not expected to be completed prior to the expiration of the current Trustee Permit issued to Port Douglas Surf Life Saving Club Inc (Surf Club). The Department's suggestion was that Council issue a further trustee permit to allow continuity of tenure for the Surf Club.

The following actions have occurred:

- 8 September. Council engaged the services of a certified cable locator to determine the existence (or not) of any underground cables within the proposed road closure area. This was to address an objection by Energy Queensland (to the road closure).
- 9 September. Cable locator was unable to identify any underground electrical cables within the road closure area.
- 9 September. Property Team contacted Energy Queensland (EQ) and provided evidence that investigations revealed no underground cables existed within the defined area. Request made to EQ to review their decision to object to the road closure based on evidence provided by Council.

- 11 September. EQ advised they will need verification by Ergon's Assets Area Manager to confirm 'as constructed' details of underground infrastructure at that location.
- 16 September. Email from representative of the Surf Club requesting an update on the status of lease dealings.
- 22 September. Email from Property Team to the Surf Club representative (and committee members) providing an update on actions undertaken since last contact. Advice was also provided that it will likely be necessary for a further trustee permit, beyond 31 December 2026, due to unforeseen delays involving land tenure dealings by the Department.
- 30 September. Follow-up email from Property Team to EQ enquiring as to the status of their cable location verification process.
- 16 October. EQ confirms that they have no underground cabling within the area defined by Council's road closure application.
- 16 October. EQ contacts the Department and confirms non-existence of any cabling within the road closure area and subsequently withdraws its objection.
- 16 October. Email from Acting Senior Land Officer confirming EQ removal of objection and that work is now underway to prepare and progress a recommendation to the decision-maker.
- 28 October. Email from Land Officer managing dealings relevant to Council's applications for road closure and road opening. Offer to Council for closure of an area of road fronting Lot 2 SR886 and also the dedication of an area of road (i.e. road opening) over Lot 1 SR886, subject to conditions and payment of fees.
- 29 October. Property Team email to cadastral surveyor engaged to undertake necessary land surveying as part of satisfying Department conditions for road closure and road opening.

FINANCIAL AND RESOURCE IMPLICATIONS

Provision of another Trustee Permit to the Surf Club for a further twelve months, as is the case with the existing permit, will come with minor financial implications for Council. A Trustee Permit does not require lodgment on Title, therefore no fees are payable in that regard. The Surf Club will pay an increased annual rental amount of $595 (including GST) as per Council's 2026/27 Schedule of Fees and Charges. All other costs associated with surveying and lodgment of documentation will be undertaken as part of addressing the offer from the Department.

From a resource perspective, Property Team will issue a new Trustee Permit based on the existing one with only minor changes to reflect dates and rental amount etc.

RISK MANAGEMENT IMPLICATIONS

Provision of a further Trustee Permit will afford Council an extension of time to finalise those matters, already identified, and progress with options for more permanent tenure arrangements.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications relevant to this matter.

SOCIAL IMPLICATIONS

Granting a further Trustee Permit will enable continuity of tenure for the Surf Club for continuation of their permitted use of the land.

CORPORATE AND OPERATIONAL PLAN

This report has been prepared in accordance with the following:

Corporate Plan 2025-2030 Initiatives:

Theme 2 - Prosperity
Council plans, builds and maintains the infrastructure required to improve our lifestyle and promote economic growth, working actively to support local businesses.
2.3 - *Advocate for/promote economic growth opportunities and economic transition.*

Operational Plan 2026-2027 Actions:

Legislative requirement.

LEGISLATION AND POLICY

- *Local Government Act 2009*
- *Local Government Regulation 2012*
- Douglas Shire Council Tenure Policy

CONSULTATION

Internal Consultation:

- Councillors through Workshop held on 8 September 2026
- Planning Team
- Asset Management Team
- Infrastructure Services Team
- Water and Wastewater Team
- Infrastructure, Planning and Delivery Team

External Consultation:

- Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development
- Energy Queensland (Ergon)
- Preston Law.

CONCLUSION

As previously mentioned, the granting of a further Trustee Permit will allow continuity of tenure over Lot 2 SR886 for the Surf Club and will also afford Council the necessary extension of time to address the points contained in the offer from the Department to have all necessary land dealings satisfied and thereby allow further consideration of future long-term tenure arrangements.

ATTACHMENTS

1. Road Closure within Lot 2 S R 886 - Port Douglas Surf Life Saving Club Inc [**7.10.1** - 1 page]
2. Road Opening with Lot 1 S R 886 - Splash Park [**7.10.2** - 1 page]

Property boundaries shown on this Drawing are a graphical representation.
Based on or contains data provided by the State of Queensland (Department of Natural Resources and Mines, Manufacturing, and Regional and Rural Development) 2026.
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, and must not be utilised for direct marketing.
Data credits: Includes material © State of Queensland (Department of Resources); © Commonwealth of Australia (Geoscience Australia), 2023., Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community © 2026.



0 15 30 60 90 m

0 50 mm 100 mm 150 mm when at original size

Horizontal Datum: GDA2020

N



Road Proposed to be Permanently Closed (A)

Adjacent to Lot 2 on SR886

LOCALITY: PORT DOUGLAS

LOCAL AUTH: DOUGLAS SHIRE COUNCIL

Scale 1:750
Original size A3

DRAWING
LAGIS-2258

Spatial Information
Department of Natural Resources and Mines, Manufacturing, and Regional and Rural Development
Queensland Government
© The State of Queensland, 2026

File Ref: 2026/000969

Ordinary Council Meeting - 24 November 2026

Compiled from: Spatial Cadastre, sketch in eLVAS

Date: 19 May 2026

Prepared by: ARG (Toowoomba)

Sheet	of
1	1

Property boundaries shown on this Drawing are a graphical representation.
Based on or contains data provided by the State of Queensland (Department of Natural Resources and Mines, Manufacturing, and Regional and Rural Development) 2026.
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, and must not be utilised for direct marketing.
Data credits: Includes material © State of Queensland (Department of Resources); © Commonwealth of Australia (Geoscience Australia), 2023., Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community © 2026.



0 15 30 60 90 m

0 50 mm 100 mm 150 mm when at original size

Horizontal Datum: GDA2020

N



Road Proposed to be Opened (A)

In Lot 1 on SR886

LOCALITY: PORT DOUGLAS

LOCAL AUTH: DOUGLAS SHIRE COUNCIL

Scale 1:750
Original size A3

DRAWING

LAGIS-2275

Spatial Information
Department of Natural Resources and Mines, Manufacturing, and Regional and Rural Development
© The State of Queensland, 2026

File Ref: 2026/000977

Ordinary Council Meeting - 24 November 2026

Compiled from: Spatial Cadastre, sketch in eLVAS

Date: 27 May 2026

Prepared by: ARG (Toowoomba)

SISPROD-2275