

7.10. REQUEST FOR LANDOWNER CONSENT AND ACCEPTANCE OF SEWER INFRASTRUCTURE - CA2025_5732

REPORT AUTHOR	Team Leader Property
MANAGER	Manager Community Services
DEPARTMENT	Corporate and Communities
DATE	16 June 2026

RECOMMENDATION

That Council:

- 1. As trustee of land described as Lot 168 RP747298, being a reserve for park and recreation purposes, provides its consent, as deemed owner of the land, for lodgement of a combined development application requiring the provision of a sewer main connection through this land into Council's existing sewer network.**
- 2. Accepts ownership of sewer assets constructed as part of the combined development application over Lot 2 RP745166 and traversing:
 - a. adjoining State land described as Lot 3 AP15871; and**
 - b. Crees Creek for connection into Council's sewer network within Lot 168 RP747298, subject to terms and conditions determined by Council, as part of any approval process.****

EXECUTIVE SUMMARY

Council has received a Combined Application from Hardy Town Planning and Consulting relevant to land described as Lot 2 RP745166 with access off an unnamed road via Captain Cook Highway, Port Douglas.

For this application to be lodged it is necessary for Council to provide its consent, as trustee of land described as Lot 168 RP747298, for the construction of a sewer to connect into Council's existing sewer network.

Additionally, Council will ultimately have to accept ownership of the resultant sewer assets at the completion of the development process.

PREVIOUS COUNCIL CONSIDERATIONS / RESOLUTIONS

Nil.

REPORT / BACKGROUND

Hardy Town Planning and Consulting (Hardy Planning) requires owner consent from affected properties that form part of the overall development proposal to enable the Combined Application over Lot 2 RP745166 (Lot 2) to be properly made.

Council's Planning Team will consider the application, once it is formally lodged, as part of their normal assessment process. This brief deals only with owner consent and asset ownership components, to enable the application to be properly made.

Ultimate provision of a suitable Council resolution to Hardy Planning for both owner consent and acceptance of ownership of the sewer assets will enable them to lodge the application for consideration by Council.

Hardy Planning has also secured owner consent from the State for provision of its proposed sewer infrastructure across Lot 3 AP15871 (Lot 3). The proposed sewer infrastructure, for which Council will ultimately accept ownership, commences at a new pump station to be constructed at the eastern-most extent of Lot 2, through Lot 3 and Crees Creek into Lot 168 where it connects into an existing, (Council owned) sewerage pump station.

Apart from costs for the proposed new sewerage infrastructure, the applicants will also have to bear costs associated with provision of suitable easements across both State land and their own land to allow Council legal access to the sewerage infrastructure for maintenance and servicing. All legal and lodgment costs associated with necessary documentation will also be borne by the applicants.

FINANCIAL AND RESOURCE IMPLICATIONS

All costs relevant to lodgment of the combined application as well as provision of suitable documentation, plans, easements etc and legal expenses associated thereto will be borne by the applicants.

RISK MANAGEMENT IMPLICATIONS

Any identified or perceived risk implications will be addressed through the application assessment process.

ENVIRONMENTAL IMPLICATIONS

These will be assessed through the application assessment process.

SOCIAL IMPLICATIONS

These will be assessed through the application assessment process.

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.

2.4 - Assess developments against the planning scheme.

Operational Plan 2025-2026 Actions:

2.4.1 - Undertake assessment of development applications in a timely manner.

LEGISLATION AND POLICY

- *Planning Act 2016*

CONSULTATION

Internal consultation:

- Planning Team
- Water and Wastewater Team

External consultation:

- Nick Hardy of Hardy Town Planning and Consulting

CONCLUSION

Provision of the recommended Council resolution will enable the Combined Application to be properly made and lodged with Council for assessment.

ATTACHMENTS

1. Proposed sewer line CA 2025 5732 Lot 2 R P 745166 [**7.10.1** - 1 page]

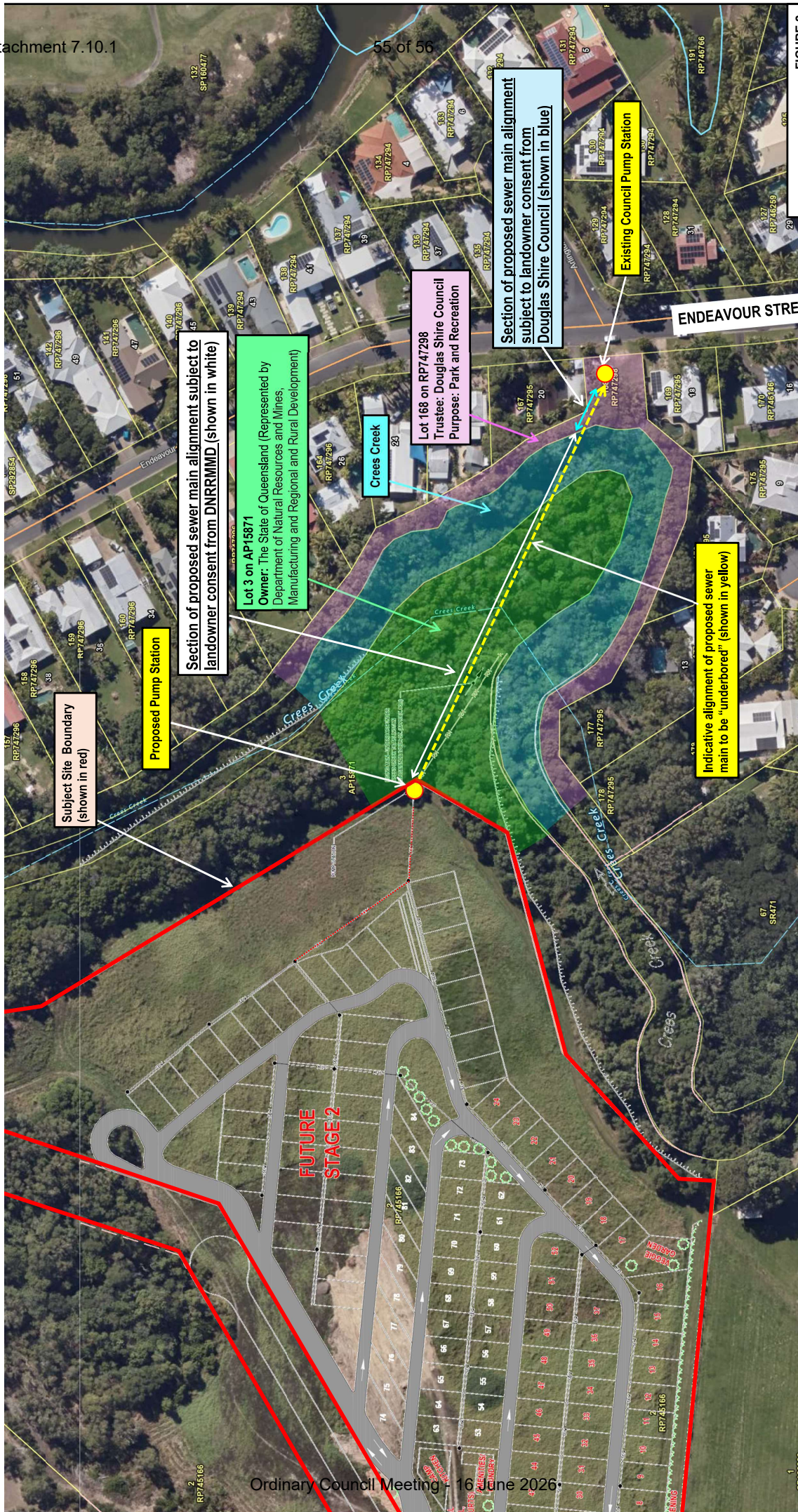


FIGURE 2