

7.14. APPLICATION FOR CONVERSION OF TERM LEASE OVER LOT 5 SR86 TO FREEHOLD TENURE

REPORT AUTHOR	Property Officer
EXECUTIVE	General Manager Corporate and Communities
DEPARTMENT	Corporate and Communities
TEAM	Community Services
DATE	27 July 2026

RECOMMENDATION

That Council:

- 1. Advise the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development, that Council offers no objection to the application to convert Term Lease 0/231263 over Lot 5 SR86 into freehold tenure.**
- 2. Advise the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development, that Council offers no objection to the potential permanent closure of an area of unnamed and unformed road that adjoins the eastern boundary of Lot 5 SR86, held under Road Licence 9/3205 and described as Lot 1 RL3205.**
- 3. Complete a Part C Form LA30: Statement in relation to an application under the Land Act 1994 over State land, if required by the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development.**

EXECUTIVE SUMMARY

The Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development (DNRM~) has requested Council's feedback on an application to convert a Term Lease over Lot 5 SR86 into freehold tenure, and, on the potential permanent closure of an area of unnamed and unformed road that adjoins the Term Lease area, held under a Road Licence by the applicant.

PREVIOUS COUNCIL CONSIDERATIONS / RESOLUTIONS

Not applicable.

REPORT/BACKGROUND

- The applicant has held tenure over Lot 5 SR86 since at least 1978. Currently, under a 20-year Term Lease issued by the State for agricultural commercial/business purposes (cane growing and purposes incidental thereof) that is due to expire on 15 March 2027.
- The applicant has held tenure over a temporarily closed, unnamed and unformed road area located on the Mossman Daintree Road, since at least 1961. This area of unnamed and unformed road is situated between the Term Lease and the applicant's freehold land parcel (Lot150 SR899) held under a Road Licence issued by the State.
- No Council infrastructure exists within the Term Lease or Road Licence areas.
- Permanent closure of the Road Licence area will not impinge or obstruct access to any surrounding property.
- As part of its normal process, DNR~ also requested details of any local non-indigenous cultural heritage values that it should consider when assessing the application. No such values were identified through the internal consultation process.

FINANCIAL AND RESOURCE IMPLICATIONS

If DNR~ ultimately approves the application, the applicant must meet all associated costs, including surveying, purchase price for the land (payable to the State), regulatory fees and charges, as well as addressing Native Title considerations, if required by the State.

A new title will be issued for the new lot that includes the additional land area. Upon provision of a valuation advice for the new lot, by the Valuer-General, Council will issue a supplementary notice to the landowner for any changes to rates that may as a consequence thereof.

RISK MANAGEMENT IMPLICATIONS

Council, as the relevant local authority, is the road manager for local roads under its control. Permanent closure of the identified area of unnamed and unformed road, and its ultimate inclusion into a reconfigured land parcel owned by the applicant, will remove any element of risk for Council, as the road will cease to exist.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications related to this report.

SOCIAL IMPLICATIONS

There are no social implications related to this report.

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.

2.7 - Build strong local, State and Federal relations.

Operational Plan 2026-2027 Actions:

Legislative requirement.

LEGISLATION AND POLICY

Land Act 1994.

CONSULTATION

Internal Consultation:

- Infrastructure and Recovery
- Civil Operations
- Infrastructure Planning and Delivery
- Water and Wastewater
- Asset Management
- Planning

CONCLUSION

The decision to approve or reject the application ultimately rests with DNRM~. No concerns were identified through the internal consultation process. On that basis It is recommended that Council offers no objection to the application to convert Term Lease 0/231263 over Lot 5 SR86 into freehold tenure, or the potential permanent closure of an area of unnamed and unformed road that adjoins the eastern boundary of Lot 5 SR86.

ATTACHMENTS

1. Term Lease and Road Licence Areas [7.14.1 - 1 page]

Lot 1 RL3205
Road Licence Area

Lot 5 SR86
Term Lease Area

Lot 150 SR899
Applicant's Freehold Land

Mossman Daintree Road

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