

7.6. TENURE MATTER - PART OF CORONATION PARK MOSSMAN SHOWGROUNDS LOT 92 SR81 - DOUGLAS SHIRE COMMUNITY SERVICES ASSOCIATION LTD

REPORT AUTHOR	Property Officer
MANAGER	Manager Community Services
DEPARTMENT	Community Services

RECOMMENDATION

That Council:

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 lease to Douglas Shire Community Services Association Ltd over part of the land described as Lot 92 SR81, specifically, a lease area comprising the building and grounds contained within the fenced area of the facility located at the south-eastern extent of Coronation Park.
 - a. For a term of ten (10) years.
 - b. For a rental amount of \$572 (including GST) for the first year of the term, with rent for each subsequent year of the term to be adjusted at the anniversary of the lease commencement date, in accordance with Council's Schedule of Fees and Charges in effect at the time of adjustment.
 - c. In accordance with Council's Standard Terms for a lease over trust land, registered under dealing number 720830775, and amended to:
 - (i) clearly define the maintenance and repair obligations of the trustee and trustee lessee;
 - (ii) remove the obligation of the trustee lessee for payment of Council rates and charges.
 - d. With all reasonable costs associated with the preparation and registration of the lease, including surveying the lease area, to be borne by the trustee lessee.

EXECUTIVE SUMMARY

Douglas Shire Community Services Association Ltd (DSCSA) seeks tenure of a facility at Coronation Park to relocate the Mossman Youth Centre (MYC) from its current occupancy at 4-14 Mill Street, Mossman Shire Hall.

BACKGROUND

- DSCSA, commonly known as Mossman Support Services, provides a wide range of community-based programs, disability, and youth services to disadvantaged and vulnerable members of the Douglas Shire community.
- DSCSA has a history in the shire dating back to the late eighties through affiliation with the Alcohol and Drug Foundation. DSCSA was incorporated in 1991 and youth services later commenced in 1997.
- DSCSA currently operates the MYC from part of the Mossman Shire Hall and has occupied the facility since 1997. The occupied space is not fit for purpose.

- In October 2024 DSCSA applied to Council for tenure of the Coronation Park facility formerly occupied by Douglas Hockey Association Inc (DHA). DHA ceased occupancy of the facility in July 2025.

COMMENTS

- Council is trustee of the reserve at Lot 92 SR81, Coronation Park. Council as trustee must maintain and manage the land in a manner consistent with achieving the purpose of the trust land. The original purpose of the reserve is 'recreation' with a sub-purpose of 'showgrounds'. Amendments to the *Land Act 1994* in 2024 simplified the list of community purposes for trust land from 34 specific uses to 6 community purpose categories; existing trust land purposes are now 'taken to be' one of the 6 community purpose categories. The purpose of the reserve is 'taken to be' both 'community facility' and 'parks and recreational'.
- Recreational and physical activities form part of the MYC program, thus their tenure at Coronation Park can be considered consistent with the purpose of the reserve.
- Council as trustee is responsible for ensuring any actions it takes on trust land (including granting a trustee lease or trustee permit) are consistent with the *Native Title Act 1993 (Commonwealth)*, the *Native Title (Queensland) Act 1993*, and s28 of the *Land Act 1994*. There is no Native Title determination relevant to Lot 92 SR81.
- Under Section 236(1)(b)(ii) of the *Local Government Regulation 2012*, Council may dispose of an interest in a valuable non-current asset other than by tender or auction, if disposed of to a community organisation. A community organisation is defined in the Regulation as 'an entity that carries on activities for a public purpose', or 'another entity whose primary object is not directed at making a profit'.
- In accordance with Council's 2025-2026 Schedule of Fees and Charges, DSCSA is categorised as a Not-for-Profit Organisation with paid employees, attracting an Annual User Fee of \$572 (including GST) that applies to lease and tenure arrangements of Council land and facilities.
- In accordance with Council's Standard Terms for leases over trust land, maintenance and repair responsibilities for the premises are incumbent upon the lessee. Recognising the ageing facilities at Coronation Park, the trustee (Council) accepts responsibility for capital repairs to the premises that are structural in nature, during the term of the lease.
- Rates charges are not levied against the facilities at Coronation Park.
- To satisfy the requirements of the Registrar of Titles, a lease over part of a lot requires a survey plan identifying the part of the land being leased.

PROPOSAL

That Council:

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2. Offer a trustee lease to Douglas Shire Community Services Association Ltd over part of the land described as Lot 92 SR81, specifically, a lease area comprising the building and grounds contained within the fenced area of the facility located at the south-eastern extent of Coronation Park.
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 - (i) clearly define the maintenance and repair obligations of the trustee and trustee lessee;
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- d. With all reasonable costs associated with the preparation and registration of the lease, including surveying the lease area, to be borne by the trustee lessee.

FINANCIAL/RESOURCE IMPLICATIONS

Formal tenure of the Coronation Park facility divests Council of responsibility for ordinary maintenance and repairs during the term of the lease.

RISK MANAGEMENT IMPLICATIONS

Mossman has one of the lowest rates of youth crime in Far North Queensland, which in part can be attributed to the strong relationships fostered by the MYC and the community service it provides. MYC has approximately 70 registered youth aged 8-21 and serves approximately 25 youth daily, providing services that promote wellbeing, education, cultural connection and community engagement for youth at risk of isolation, homelessness, moving into the justice system or that are otherwise disengaged. Tenure of the vacant facility at Coronation Park provides an opportunity for MYC to enhance and expand its service delivery.

SUSTAINABILITY IMPLICATIONS

Economic: Nil

Environmental: Nil

Social: Coronation Park as a sporting precinct provides a safe space for recreational and physical activities for MYC youth. Proximity to sporting organisations such as the Junior and Senior Rugby League Clubs and Judo Club may encourage participation in these sports by MYC youth. The facility has a fully fenced outdoor area with lawn and raised garden beds that provides both educational and social prospects.

CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE

This report has been prepared in accordance with the following:

Corporate Plan 2025-2030 Initiatives:

Theme 3 - Service Delivery

We deliver Council services effectively and efficiently to meet community expectations, focusing on the wellbeing of both the community and our employees.

3.5 - Employ a proactive and preventative approach to asset management.

Operational Plan 2025-2026 Actions:

Legislative requirement.

COUNCIL'S ROLE

Council can play a number of different roles in certain circumstances and it is important to be clear about which role is appropriate for a specific purpose or circumstance. The implementation of actions will be a collective effort and Council's involvement will vary from information only through to full responsibility for delivery.

The following areas outline where Council has a clear responsibility to act:

Custodian Council owns and manages infrastructure, facilities, reserves, resources and natural areas. In fulfilling its role as custodian, Council will be mindful of the community, the economy, the environment, and good governance.

CONSULTATION

Internal: Sport and Recreation Officer

External: Mossman and District Show Society Inc

COMMUNITY ENGAGEMENT

Nil

ATTACHMENTS

1. General Lease Area [7.6.1 - 1 page]

General lease area. Official lease area to be determined by survey plan.

Attachment 7.6.1

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Scale = 1:1477.980

20-August-2025

Ordinary Council Meeting - 30 September 2025



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