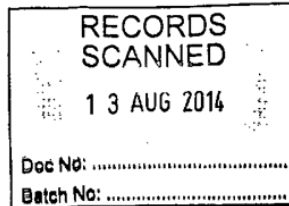




The
Treasury

Level 23, McKell Building,
2-24 Rawson Place
Sydney NSW 2000
Tel 131 628 Fax 02 9020 4730
TTY 1800 555 677 ABN 55 437 667 728
www.industrialrelations.nsw.gov.au

NSW IR No: A2179996



Mr P Hickey
General Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478

Dear Mr Hickey

I am writing regarding applications under the *Public Holidays Act 2010* (the Act) for the declaration of local public holidays and local event days for 2015.

The Act permits the Minister for Industrial Relations to declare a local public holiday, or a local event day for the whole or part of the Council's local government area. This may be limited to a particular location in the Council's area, such as the boundaries of a particular town or a police district in an area nominated by the Council.

The application may request the declaration of a part day local public holiday or local event day to accommodate the holding of an afternoon event. In recent years a number of councils have made applications nominating the times during which a local public holiday is to apply to facilitate the holding of such events.

In determining whether to apply for a local public holiday, or a local event day, it is important that the Council takes into account the costs to businesses and local communities of declaring a local public holiday within the designated area. It is expected that the Council will undertake a public consultation process on the matter, including consultation with relevant stakeholders, such as the local chambers of commerce; local banks; major employers and local schools located within the designated area.

Where it is proposed to request a half-day local public holiday, consideration should be given to the effect which a half-day holiday will have on local schools and on the transport of school students who attend school on the day. In this regard, it is expected that the consultation process with local schools will take account of the transportation arrangements for students on the half-day.

I have attached for the Council's information, guidelines for the making of applications to the Minister for Industrial Relations for the declaration of local public holidays and local event days.

Consistent with past practice, it is proposed to have the Ministerial Orders declaring the 2015 local public holidays and local event days published by the end of December 2014, or by the middle of January 2015.

Should the Council wish to apply for the declaration of a local public holiday or local event day, it will be necessary for the application to be forwarded to me by Friday, 7 November 2014 to enable sufficient time for the application to be processed.

Any inquiries you may have concerning an application for a local public holiday or local event day may be directed to Peter Boland, Legal Officer, NSW Industrial Relations, on telephone number (02) 9020 4628.

Yours sincerely



Vicki Telfer
Executive Director
NSW Industrial Relations

7 August 2014

Guidelines for Local Public Holiday and Local Event Day applications

The following guidelines are provided to assist in the making of applications to the Minister for Industrial Relations for the declaration of local public holidays and local event days under the *Public Holidays Act 2010* (NSW).

Under the *Public Holidays Act 2010* all local public holidays (including half-days) must be declared by Order of the Minister and published on the NSW legislation website.

In determining whether to apply for a local public holiday or local event day, it is important that the Council be aware of the potential impact the application will have upon businesses and communities located within designated public holiday areas.

Declaration of a Local Public Holiday

In circumstances where a local public holiday is declared by the Minister, a bank located in the designated holiday area will be required to close unless it holds an approval to open on the day under Part 3A of the *Retail Trading Act 2008*. Shops located within the designated holiday area are free to open without restriction.

Implications for Employers

The public holiday provisions contained in the National Employment Standards of the *Fair Work Act 2009* (Cth) apply to local public holidays declared under the *Public Holidays Act 2010*. This means that all employees irrespective of their former entitlements and whose place of work is within a local public holiday area will be entitled to be absent from work on the day or half-day that is the local public holiday or half holiday. In addition, employees who work on the day or part day may then have an entitlement to penalty rates under a relevant award or enterprise agreement where previously that entitlement may not have existed.

In considering an application to the Minister for a local public holiday or half-day, it is expected that the Council will consult with the affected community and other relevant stakeholders as to the impact of a local public holiday or half-holiday on businesses located in the local government area. As part of that consultation, **Council may consider the option of a local event day declaration instead of a public holiday or half holiday.**

Declaration of a Local Event Day

The capacity for the Minister to declare a local event day or half-day at the request of a local council is also available under the *Public Holidays Act 2010*. The Minister must be satisfied that the day or part-day is, and will be observed as, a day of special significance to the community in the area concerned.

The declaration of a local event day or half-day does **not preclude banks or shops located within the designated holiday area from opening or trading on the day.**

Implications for Employers

A declared local event day does not automatically mean that employers in the particular locality are compelled to treat the day as a public holiday. Entitlements to paid leave or penalty rates on a local event day will only arise where agreed to at the workplace level, usually in the form of an enterprise agreement or by contract. This goes some way to

restoring the industrial arrangements that existed prior to changes in the Commonwealth workplace laws.

The application process

An application for a local public holiday or local event day (including a half-day holiday or local event day) should be made in writing to the Executive Director, NSW Industrial Relations, and lodged on or before 7 November 2014.

It would assist us in the processing of the Council's application if the following information and documents were provided:

1. details relating to the specific date, the designated area and, if relevant, the applicable hours during which the public holiday or local event day is to be observed;
2. supporting information provided to the Council and a copy of the Council's resolution authorising the making of the application;
3. details of alternatives considered by the Council including the declaration a local event day;
4. the extent of community consultation undertaken in respect of the proposal;
5. copies of advertisements seeking public comment and a summary of the public's responses; and
6. copies of correspondence to, and responses from, relevant stakeholders, including bank managers; school principals; and chambers of commerce regarding the Council's proposal.

Copies of sections 5 and 8 of the *Public Holidays Act 2010* relating to the declaration of local public holidays and local event days have been provided for the information of the Council.

Vicki Telfer
Executive Director
NSW Industrial Relations

Sections 5 and 8 of the Retail Trading Act 2008

5 Additional public holidays

- (1) The Minister may by order published on the NSW legislation website declare a specified day or part-day in a particular year to be a public holiday. The order must be published at least 7 days before the public holiday.
- (2) The order can declare a public holiday for the whole State or for a specified part of the State.
- (3) The Minister may by order published on the NSW legislation website cancel a public holiday declared under this section. The order must be published at least 7 days before the public holiday.

8 Local event days

- (1) The Minister may by order made at the request of the council of a local government area declare a specified day or part-day to be a local event day in the local government area or in a specified part of the local government area.
- (2) The Minister is not to declare a local event day unless satisfied that the day or part-day is, and will be observed as, a day of special significance to the community in the area concerned.
- (3) The order declaring a local event day must be published on the NSW legislation website at least 7 days before the local event day.
- (4) The declaration of a local event day does not make the local event day a public holiday.



Ballina Jockey Club and Function Centre

ABN: 87217738178

Racecourse Road

PO Box 141, Ballina NSW 2478

Tel: (02) 6686 0333 Fax: (02) 6686 7925

generalmanager@ballinajockeyclub.com.au

7th October, 2014

Mr Paul Hickey
General Manager
Ballina Shire Council
40 Cherry Street
Ballina NSW 2478

Dear Paul,

Re : Request for Part Day Public Holiday for the Ballina Cup 2015

Please note that the Ballina Jockey Club formally request the Ballina Shire Council to support a gazetted part day public holiday for the 2015 Ballina Cup.

Next year the Ballina Cup will be run on Thursday September 10th 2015 which is therefore the date that we are requesting for the gazetted public holiday.

We welcome all feedback and we would also request that we are part of any consultation relating to this matter. Please also note that we will be writing directly to all Ballina Shire Councillors regarding this matter and we will include the General Manager's Office in that correspondence.

If you have any questions please do not hesitate to contact me.

Yours Sincerely,



Matthew Bertram
General Manager
Ballina Jockey Club

Sandra Bailey

From: Matthew Bertram <generalmanager@ballinajockeyclub.com.au>
Sent: Friday, 24 October 2014 9:00 AM
Subject: Ballina Cup 2015
Attachments: Ballina Export Markets.pptx; macro_enterprise_valuation_(2).docx; BALLINA RACECOURSE - BJC Presentation.pptx

23 October, 2014

Cr D. Wright (Mayor)
And Fellow Councillors
Ballina Shire Council
40 Cherry Street
Ballina NSW 2478

Re : Ballina Cup Gazetted Part Day Public Holiday 2015

Dear Cr David Wright, Cr Robyn Hordern, Cr Ken Johnston, Cr Susan Meehan, Cr Sharon Cadwallader, Cr Jeff Johnson, Cr Keith Williams, Cr Keith Johnson, Cr Ben Smith and Cr Paul Worth

Firstly thank you all for taking time out of your schedules to read the following information. The Ballina Cup celebrated a centenary this year and we are very hopeful that the tradition continues beyond that 100 year mark. Our past is extremely important to us and I would encourage you all to visit Crawford House in Alstonville to look at the research undertaken by Marguerite Fuller relating to the history of the Ballina Jockey Club. What you would discover is that many of the residents who have helped to create and shape this region into what it is today, have also been heavily involved in the blood, sweat and tears that has helped build the Ballina Jockey Club, showing just how important racing can and has been to the social fabric of our local society. We at the Ballina Jockey Club aim to continue the work undertaken here before our time, by ensuring the longevity and viability of this great community organisation well into the future. It is now that I therefore should state our position on this subject matter and that is, that The Ballina Jockey Club has written to Mr Paul Hickey as the General Manager of the Ballina Shire Council to formalise our application for a part day public holiday for the Ballina Cup on Thursday September 10th 2015. As a result I am now writing to the Councillors of Ballina in order to gather your support of our application to retain Council's endorsement for a part day public holiday.

Before you read on please let me provide you with some basic information about the Ballina Jockey Club.

- We are a non profit organisation.
- We are a Community Club run by members.
- We operate on Crown Land for the purpose of Horse Racing and other related business.
- The Club has been in existence in one form or another for 115 years.
- We are a member of the Northern Rivers Racing Association (NRRA) within that group Councils from Coffs Harbour, Grafton and Lismore all receive a gazetted part day Public Holiday.
- The Ballina Jockey Club is just one of over 130 Race Clubs in NSW.
- Horse Racing is a Multi-Billion Dollar Industry which provides considerable revenue for the NSW State Government.

10.8 Ballina Cup 2015.DOC

- The Racing Industry also provides considerable GST revenue to the Federal Government, for example our own annual contribution is approximately \$170,000

The Ballina Jockey Club spent approximately \$250,000 on the 2014 Version of the Ballina Cup, this includes over 80 staff and a payroll in excess of \$30,000. Our spend goes to various local operators including the proverbial Butcher, Baker & in our case The Trophy Maker. It is not just the cost of Wages, Marketing and the Cost of Goods Sold that make up how we spend our money. For example we contribute \$25,000 a year at Ambulance NSW and we spend \$40,000 a year at the Ballina Shire Council. Our annual spend is extremely versatile and many local people and local businesses benefit from our operation. Our Council spend alone will increase dramatically post our redevelopment as we will require substantially more Reclaimed water. I am sure that you are all aware that Reclaimed Water is an extremely important resource for the future as our population grows and traditional water supplies dwindle. So we are not just having a positive impact on the economic growth of the region, but we are also helping to provide commercialisation to an Industry like Reclaimed Water which will have a positive impact on the environment.

Ballina is a great town and we are on the verge on what should be a huge boost to our economic growth, with proposed developments, discussions and upgrades around the following.

- The Ballina/Byron Gateway Airport.
- The Pacific Highway North
- The Pacific Highway South
- A Proposed Marina
- Racing NSW has recognised the strategic investment into this region and the positives that will come from the improved access routes, as well as the potential for population and economic growth and as a result the Ballina Jockey Club has been promised a multi million redevelopment.

An interesting case study can be seen via The Albury Racing Club, which as I am sure you're all aware is located in the Southern Districts of NSW. The Albury Racing Club hold annually one of the biggest and most successful Country Race Events in NSW. They too enjoy like Grafton, Lismore, Coffs Harbour etc. A Part Day Public Holiday. However most importantly the Albury Racing Club and the Albury Council work closely with one another and have done so in collaboration to ensure that they have combined success. They receive substantial support from Destination NSW due to their location being close to the Victorian boarder. Destination NSW sees that as an opportunity to draw tourist into NSW from Victoria and therefore boosting spend in NSW. Ballina being so close to the Gold Coast and a huge population in South East Qld would make an excellent candidate for something similar. To achieve this we should also be working with one another for a common goal. Collectively we could be helping the town create jobs, especially for our youth who are always vulnerable and often feel the need to travel abroad in the search of employment.

Please note that we are requesting in the short term to go back to a Thursday in 2015. Anecdotal evidence would seem to indicate that this part of the reason for the drop in crowds. Our on-course turnover which has more science behind it then the general consensus that a Thursday is a better day would also support this idea, as turnover on-course has dropped with the move from Thursday to Friday which therefore indicates a smaller crowd. We would not only be asking Council to support this adjustment for 2015, but we would ask that you join with us in helping to promote the event as a tourism opportunity for the town. For example we would be seeking your collaboration in approaching Destination NSW for both economic and strategic support for this idea and we would anticipate by helping one another we can make the Ballina Cup into a substantial economic and social event for this town.

10.8 Ballina Cup 2015.DOC

Please note that we understand that there are other factors involved with this decision then added labour costs to business or a day off for employees. We also note that School closures form a major part of the issue relating to the day, plus bus timetables and closing down service providers like banks etc. We would like consultation relating to these issues and a harmonic solution to such problems. We seek collaboration and investigation for the best plan for the future of the Ballina Cup. Please note however that significant change in the short term would be extremely detrimental to the viability of our event and we would hope that a course of action for any such change would require consultation, dialog, planning and above all a manageable timeframe.

Please take note of the following material and statistics around the Ballina Jockey Club.

Refer to attachment 1. Essentially the Ballina Brand is beamed into over 50 different countries World Wide, as well as every part of Australia giving us an audience of millions.

Refer to attachment 2. Essentially this is an extrapolation of the economic imprint of our business locally.

Refer to attachment 3. Essentially this is a snapshot of our future, with growth relating to our income and expenditure post a multi-million dollar capital investment into the local economy.

As you will see from the attachments 2 and 3. The Ballina Cup and the Ballina Jockey Club is an essential part of the economic footprint within Ballina already. Post our Re-Development (which could be a capital works injection of approx \$10m itself) our economic imprint will grow by an estimated 50% making our macro enterprise valuation around the \$30,000,000.00 mark for the region.

Attachment 1 however just shows how big the Racing Industry is and how much potential is available for us as a region should we be co-operating with one another. The National and World Wide Audience that is available to the Ballina brand can be measured in the tens of millions including the access to over 50 different countries. The synergy between Racing and Tourism is therefore obvious and Destination NSW is already a substantial partner within the Racing Industry. It is worth noting that Tourism is a \$100 billion industry in this country and Ballina is tourist destination located very closely to the Gold Coast and Byron Bay being two of Australia's leading Tourist destinations. Why doesn't the Ballina Council use this reach to promote tourism into a World Wide audience?

All in all I would implore all Councillors to pick up the phone and give me a call to discuss this matter before your November meeting which I am told will have this matter as an agenda item. I will be happy to meet with all of you individually or collectively at any opportunity. In fact I will be seeking to meet with you all personally so please expect a phone call in the very near future.

Yours Sincerely,

Matthew Bertram
General Manager
Ballina Jockey Club and Function Centre
office: (02) 6686 0333 fax: (02) 6686 7925 mobile: 0438102278
email: generalmanager@ballinajockeyclub.com.au
web: www.ballinajockeyclub.com.au

Sandra Bailey

From: Ballina Chamber of Commerce and Industry <info@ballinachamber.com.au>
Sent: Tuesday, 11 November 2014 11:28 AM
To: Sandra Bailey
Cc: Matthew Bertram; peterc@professionalsballina.com.au
Subject: TRIM: RE: Ballina Cup 2015 - seeking feedback

HP TRIM Record Number: 14/80184

Thanks Sandra,

The Chamber's position on this matter is outlined as follows:

The board has chosen to support the Jockey Club's Application for a part day public holiday for 2015 in order to allow them the opportunity to see if numbers lift due to the change of day.

That said, it is the view of the Chamber board that the event would be better supported if it were in fact to be a Local Holiday as this would alleviate the significant disruption to schools, and relevant transport services, which in turn prohibits a great many of our locals from attending when they otherwise would. However, we believe this to be an operational decision of the Jockey Club's so have adopted the position best suited to supporting this significant Ballina institution in their endeavours.

I hope this adequately conveys the board's position. Please do not hesitate to contact our Chairman, Peter Carmont with any queries.

Kind Regards,

Nadia Elliott-Burgess | Executive Officer
Ph: 6681 5049 | Mob: 0438 484 403



From: Sandra Bailey [mailto:Sandrab@ballina.nsw.gov.au]
Sent: Tuesday, 11 November 2014 11:11 AM
To: Ballina Chamber of Commerce and Industry; Alstonville Wollongbar Chamber of Commerce; Lennox Head Chamber of Commerce Inc
Subject: Ballina Cup 2015 - seeking feedback

Hi all, further to my email below of 8 October, this is a reminder that feedback closes tomorrow, Wednesday 12 November if you were wishing to make a submission.

Thanks

Sandra Bailey

10.8 Ballina Cup 2015.DOC

Sandra Bailey

From: Sandra Bailey
Sent: Tuesday, 11 November 2014 4:29 PM
To: Sandra Bailey
Subject: TRIM: Public Half Day Holiday

HP TRIM Record Number: 14/80461

Chris Hennessy phoned in support of a half day public holiday for the Ballina Cup in 2015.

Sandra Bailey
PA to the General Manager & Mayor
General Manager's Group



ballina.nsw.gov.au | discoverballina.com
p: 6686 1273

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Opinions, conclusions and other information contained within this message that do not relate to official Council business are those of the individual sender, and shall be understood as being neither given nor endorsed by the Ballina Shire Council.

Sandra Bailey

From: Alstonville Wollongbar Chamber of Commerce
<info@alstonvillewollongbar.com.au>
Sent: Wednesday, 12 November 2014 3:15 AM
To: Sandra Bailey
Cc: Ballina Chamber of Commerce and Industry; Lennox Head Chamber of Commerce Inc
Subject: Re: Ballina Cup 2015 - seeking feedback

Thanks Sandra,

At last nights AWCC General meeting the consensus was that the AWCC generally supported a Part day 'Local Event Day' on the Thursday (as described in the NSW Gov. guidelines supplied), further to this, the AWCC did not support a Local Public Holiday & did not support the event being held on a Friday.

Thanks.

Richard Lutze

President AWCC

On 2014-11-11 11:11, Sandra Bailey wrote:

Hi all, further to my email below of 8 October, this is a reminder that feedback closes tomorrow, Wednesday 12 November if you were wishing to make a submission.

Thanks

Sandra Bailey
PA to the General Manager & Mayor
General Manager's Group



ballina.nsw.gov.au | discoverballina.com
p: 6686 1273

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Sandra Bailey

From: patrickcarney@westnet.com.au
Sent: Wednesday, 12 November 2014 1:06 PM
Subject: Ballina Cup

Councillors

In relation to the Ballina Cup proposed holiday then the following should be considered.

The change back to Thursday will make a huge difference to the interest and crowd as experienced by Lismore. This day has been very successful in the past at Ballina.

People are attracted to weekday Cup Meetings. Many people from outer districts attend. A Ballina Cup on the weekend will not work and so be the end of the Ballina Cup as we have known it.

It is positive for the district .Dress shops, hotels,cafes, motels restaurants, all benefit.

The Ballina Jockey club , trainers, jockeys, strappers,owners (most who are locals) will benefit.

Cup meetings allow people from all walks of life to mingle and relaxThis is also a positive outcome .This is experienced by many people on Melbourne Cup day even although their interest in racing may be limited or non existent they have a great day.

The closure of banks ,real estate offices, hair dressers, insurance agents, BDSC etc for half a day should not be a huge problem for the public.

The major problem is the schools however the P and C and schools must solve this problem not BDSC

The major problem is that to my knowledge Ballina Councillors have a limited knowledge of the racing industry which has changed due to the introduction of the internet hence they are likely to destroy a part of Ballina History. THE BALLINA CUP

AT LEAST GIVE IT ONE MORE YEAR.

Pat Carney



11 November 2014

Mr. Paul Hickey
General Manager
Ballina Shire Council
PO Box 208
BALLINA NSW 2478

Dear Mr. Hickey,

RE: PART-DAY PUBLIC HOLIDAY – BALLINA CUP RACE DAY

I am writing on behalf of our members in the Ballina Shire Council LGA regarding the abovementioned part-day public holiday.

The Association supports the local significance of the Ballina Cup Race Day and the positive benefit the event provides to the local community and, in particular, the local economy, and understands the purpose of the public holiday is to allow the local community to attend the event.

However, as indicated in correspondence last year, our members have expressed ongoing concern regarding the impact of the local public holiday in increasingly tight economic conditions. The primary concern of our members is that hospitality businesses in the Ballina Shire Council LGA will once again be required to pay employees penalties up to 275% of the base rate of pay if the event is declared a local public holiday.

The Association again submits that for 2015, consideration be given to seeking the gazettal of local event day for the Ballina Cup Race Day in lieu of a local public holiday.

Alternatively, as occurred this year, the Association submits that for 2015, consideration be given to seeking the gazettal of a part-day public holiday which is sufficient for the purposes of the event, but does not unnecessarily impact upon hospitality businesses in the Ballina Shire Council LGA through the application of public holiday penalty rates up to midnight.

In this respect, the Association submits that the 2014 arrangements, being a part-day public holiday applying from 12:00pm to 6:00pm is appropriate.

As previously noted, the Association is mindful and ever supportive of the local significance of the event however we consider it is also important to seek to balance this in an equitable manner against the significant financial impost on many small businesses in the area.



Should you wish to discuss this matter, please contact me on (02) 9281 6922. I thank you for your consideration of this matter and I look forward to your reply.

Yours faithfully,

JOHN WHELAN
Chief Executive Officer

Cc: Gavin Brown, AHA NSW Delegate to Council, Far North Coast
(gavin@pioneertavern.com.au)

16 Cedar Crescent
Ballina NSW 2478

The Mayor & Councillors
Ballina Shire Council
Tamar Street
Ballina NSW 2478

14 November 2014

Dear Sirs & Mesdames

Ballina Cup races half day holiday on Thursdays

I write to express my support of a half day holiday for the Ballina Cup races and for this to take place on a Thursday.

I believe that the Ballina Cup race day is a positive event for Ballina for the following reasons and a half day holiday should be allowed:

1. The Ballina Cup has had much community support in the past and this should be encouraged in the future;
2. I think that the Ballina Cup is an opportunity for different sectors of the community to come together to celebrate an event that is unique to Ballina;
3. It is an opportunity to showcase our area and promote business in the town/shire at the same time;
4. By having the races day on a Thursday and a half day holiday on this day workers/employers are less likely to take the opportunity to have a long weekend as they might if the event is held on a Friday.
5. Ballina has a beautiful race course and facilities and these should be supported by the community if possible;
6. The race day is an opportunity for the young and older people in the Shire to come together in a safe environment and to dress up and experience something different for a day;
7. The Ballina Cup race day continues a history of something which is unique in regional communities.

Thank you for taking the time to consider my views.

Samantha Melnes



Sandra Bailey

From: Fox Street Pre-School <foxst@tpg.com.au>
Sent: Tuesday, 11 November 2014 9:57 AM
Subject: Ballina Race Day
Attachments: Council Submission - Race Day Holiday 2014.docx

The management committee of Ballina Fox Street Preschool wishes to submit its objection to the proposed scheduling of a part day public holiday for the Ballina Cup race day in 2015.
Please refer to the attached letter

Kind Regards,

Administrator
Ballina Fox Street Preschool
foxst@tpg.com.au
Ph: 02 66863340



Good beginnings never end!

Ballina Fox Street Preschool
84 Fox Street (PO Box 163) BALLINA NSW 2478

(02) 6686 3340

foxst@tpg.com.au

10 November 2013

General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478

RE: Ballina Cup Part Day Holiday 2015

Dear Sir,

The management committee of Ballina Fox Street Preschool wishes to submit its objection to the proposed scheduling of a part day public holiday for the Ballina Cup race day in 2015. This submission reiterates this committee's position previously conveyed to the Council in consultation undertaken in previous years.

As has been reported to and considered by the Council in previous years, the part day public holiday presents a significant disruption to school services in the shire and results in complications from schools having to close at midday. These complications not only relate to the lack of school bus services, but also the major impacts on parents and carers of children who may or may not be working for the full day. Ballina Fox Street Preschool experiences a high level of absenteeism for the first half of the declared race day due to this inconvenience, as also indicated by other educational establishments. Notwithstanding these inconveniences and disruptions to educational programs in schools across the shire, the Council has in the past continued to still support the proposed half day holiday.

It is the position of this committee that the declaration of a part day holiday for the benefit of the Ballina Jockey Club is unnecessarily disruptive to those institutions in the shire providing education services to children. These disruptions come at the expense of wider community for an exclusive event that has appeal to a small cross section of the community. This committee considers it unfair and unnecessary that a relatively small, local event that caters to a minority is afforded the luxury of a part day holiday at the expense of the wider community.

This committee shares the sentiments raised by representatives of other educational organisations in the shire where it has been stated in the past that the declaration of a part day holiday for horse racing at the expense of the education of children sends the message that gambling and associated drinking environment are more important than learning. All other sporting, social and cultural events in the shire are

scheduled at times more suitable to the community such as at weekends, evenings or on other gazetted full-day public holidays. Organisers of other events do not place the expectation on Council to declare a part day public holiday in favour of their event. Supporting the declaration of a part day holiday for a horse race at the expense of other sectors of the community is outdated, inconsiderate and not family friendly.

This committee further believes that Ballina Shire Council supporting the part day holiday while also being aware of the disruptions this causes to the community is inconsistent with a number of the items in the council's charter as contained in section 8 of the *Local Government Act 1993*, such as:

- to provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively.
- to promote and to provide and plan for the needs of children.
- to have regard to the long term and cumulative effects of its decisions.
- to exercise its functions in a manner that is consistent with and promotes social justice principles of equity, access, participation and rights.

In addition to the above, we also feel that supporting the proposed holiday is also inconsistent with the principles contained in the Council's Community Strategic Plan (Our Community: Our Future) which has been adopted by the Council to guide and inform the Council's decision making. It is our view that a decision to support the part day holiday which causes the disruptions outlined above is inconsistent with the Community Strategic Plan and does not reflect an engaged leadership that is connected to the community and aware of the impacts of the decisions it makes.

Based on the reasons above, it is requested that the Council consider the impacts supporting the part day holiday has on the wider community in making its decision. In particular having regard to supporting an event that caters to a small sector of the community at the expense of the needs of the wider community.

Yours sincerely,

Amy Campbell

Secretary
Management Committee
Ballina Fox Street Preschool

No special holiday. Rather combine it with another event's holiday - say long weekend in October - or Phawston Country music festival - so ALL family members have somewhere to go on the day.

Ballina Shire ADVOCATE

3/11/14

Save holiday grantings for more important & more popular FAMILY events.

M. Whitney
Don't encourage gambling

Opinion

Support Cup holiday

THE Ballina Cup is an institution in our Shire. It has been run in the same spot for 100 years. Last year our race day was broadcast across Australia and across the world, including the UK, USA, Middle East, NZ and to 50 different countries.

Over the years its popularity has waxed and waned.

But 2014 saw the Ballina Jockey Club invest some \$250,000 in the Ballina Cup raceday event, with hundreds of thousands of dollars spent annually on racing in our town.

The farriers, vets, feedstock providers, trainers and jockeys - the list goes on - rely on a viable racing industry in Ballina, yet Ballina has only two really big events each year, The Ballina Cup and Boxing Day Races.

Racing NSW believes in Ballina and its potential for the future and has a planned multi-million dollar major redevelopment of Ballina Racecourse.

With that and the continued development of Ballina/Byron Gateway Airport, the Pacific Highway North (and South) and a new marina being

considered, the potential for population and economic growth is huge.

I do not want to jeopardise that future.

Ballina Jockey Club has worked with the State Government and Ballina Shire Council by facilitating a 'part-day' holiday rather than a 'half-day' holiday.

The pubs, clubs and restaurants all agree this was a wonderful compromise and a win-win situation.

In 2015 the 'part-day' holiday is being planned for a return to a Thursday, September 10.

Many, many towns around NSW and Australia enjoy the special raceday break and festivities.

I want to see our raceday continue to be a fine tradition in Ballina.

I urge you to contact Ballina Shire Council through the councillors, the website or phone 6686 4444 to give your support.

The council is seeking feedback now and will be deciding in November the future of Ballina Cup 'part-day' holiday.

Cr Susan Meehan,
Ballina

RECORDS
SCANNED

Mr Lionel Millard
14 Pacific Heights Dr
CUMBALUM NSW 2478



REF. NO. 480-03

The Manager
Ballina Shire Council

Dear Sir,

RE - RATE increase for Swimming Pool

My answer is NO

Our area here, Koellner Rd + Pacific Hts. Dr,

NEED STREET LIGHTS

SEWERAGE AND TOWN WATER

Re the pool - There's a lovely Ocean Waters just
around the corner, so to speak.

RE - PUBLIC Holiday for Ballina Cup DAY

My answer is NO.

In both cases, LET THE USER PAY

Regards

L Millard

Sandra Bailey

From: Dave and Terri Clark <daveandterri1@bigpond.com>
Sent: Wednesday, 5 November 2014 4:32 PM
Subject: Ballina Cup Day - Public holiday?

My personal view is that if anyone wishes to attend a race meeting, which is after all a commercial event, they should take leave time from work to do so. The last Race Day only attracted 2,000 people out of a population of 42,000. To give all public servants including teachers, time off from noon as a public holiday, seems unfair to all other employees in the shire and extremely disruptive, particularly to school-children who leave school at noon that day and whose transport does not arrive until after 3pm. There is often no alternative public transport for these children to use.

Teresa Clark

The General Manager
Ballina Shire Council

Reference: **Ballina Race Day Holiday Submission**

Dear Sir

I am against council applying for a part day holiday on Thursday 10th of September 2015 on the following basis:

1. This holiday disadvantages a large number of adults and children in their everyday functioning for the sake of a small sporting group.
2. The majority of retail workers granted this holiday do not attend this function as past history has indicated.
3. In all fairness other sporting groups that have more active community involvement at all age levels do not get any consideration for a public holiday to participate in their sport.
4. The majority of racing participants are at the race to bet and party, this should be done in their own leisure time and not work time. This holiday could be seen as a promotion of gambling as opposed to physical fitness activities that occur in other sports.
5. The granting of this holiday will cause many retail businesses to have to shutdown trading due to staff absence and the cost of overtime and, as mentioned previously, the majority of these staff will not attend the actual race meeting.
6. Schools will be closed due to this holiday which will not only disrupt pupil studies but inconvenience many parents who will need to arrange childminding or else children will simply be left unsupervised to their own devices that afternoon.

Yours sincerely
John Duffy
11 Andrew Place
Lennox Head 2478
5th November 2014

Sandra Bailey

From: Groves, Craig <CRAIG.GROVES@det.nsw.edu.au>
Sent: Thursday, 30 October 2014 9:20 AM
Subject: Ballina Cup day 2015

Sandra Bailey,
Good morning.

I am totally against the practise of allowing a half day public holiday for the Ballina Cup for these and many other reasons;

- * It is a total inconvenience for parents students and schools. Bus companies don't operate as usual.
- * The staff at AHS have voted for the last three years to continue work on that day as they don't want to support it.
- * It is sending the wrong message to students and the community that the council is supporting gambling.
- * A very small percentage of the community actually attend the event that the holiday is given for.
- * If a holiday is put forward it should be for a whole community event such as the Alstonville show.

Why the Ballina Cup?
Thanks

Craig Groves,
Head Teacher TAS
Alstonville High School.

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privileged information or confidential information or both. If you
are not the intended recipient please delete it and notify the sender.

Sandra Bailey

From: Ron <ron.vansetten@intermobility.com.au>
Sent: Monday, 27 October 2014 2:32 PM
Subject: RE: Ballina Cup 2015

Dear Sandra,

Thank you for your correspondence regarding next year's Ballina Cup event.

I note with particular interest that a local event day is available for support. I regret that I did not pick up on it in previous years. Council would have avoided considerable controversy and cost to the community at large if it had chosen this option in previous years.

Nonetheless, my previous correspondence on this matter is still relevant, perhaps more so given the poor attendance at this year's event. The event does not merit the awarding of public holiday status in any form, primarily because of the economic cost and the many problems it has raised with businesses across the shire, school children and school transport.

I appreciate you advising me of the upcoming Council consideration on this matter, and thank you for the opportunity to contribute my point of view.

Regards,

Ron van Setten

Managing Director
NR Mobility and Scooter Solutions
Ph: 02 6686 6644
M: 0418 964 633
E: ron@intermobility.com.au



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From: Sandra Bailey [mailto:Sandrab@ballina.nsw.gov.au]
Sent: Wednesday, 8 October 2014 10:16
To: Ron
Subject: Ballina Cup 2015

Hello Ron

Council has received notification from the Ballina Jockey Club that the date for the 2015 Ballina Cup is **Thursday 10 September 2015**. The Jockey Club has requested that Council give support to and apply for a part-day public holiday on this day. In accordance with NSW Treasury Guidelines, a public consultation process is required to be undertaken and requires feedback as to whether Council wishes to support a half-day or part-day public holiday, or a local event day, for 2015. These are significant differences between employee's entitlements for these two types of days and we have enclosed information distributed by the Department that outlines the differences.

Sandra Bailey

From: Rainbow <rainbow@rainbowchildrenscentre.com.au>
Sent: Tuesday, 14 October 2014 12:09 PM
Subject: FW: Ballina Cup 2015 - seeking feedback on holiday arrangements

Jan Renwick
Administrator
Rainbow Childrens Centre
ph 6686 6621 - fax 6686 6267

-----Original Message-----

From: Leonie Crowe [mailto:leoniecrowe@rainbowchildrenscentre.com.au]
Sent: Tuesday, 14 October 2014 11:33 AM
To: 'Rainbow'
Subject: RE: Ballina Cup 2015 - seeking feedback on holiday arrangements

Hi Sandra

My name is Leonie Crowe and I am the Out of School hours Care Coordinator for Rainbow Children's Centre. We operate three services one at East Ballina(Southern Cross School), one at Central Ballina (Ballina Public School) and one at Lennox Head (Lennox Public School) We operate out of school premises, the Ballina Cup half day holiday means we operate from 12 noon on that day which is not a problem at all the issues that affect us is the bus services run at normal times, an example of this would be a child who attends our Lennox Service but goes to Holy Family has no way of getting to our service as the school closes at 12noon but the bus does not run until normal school closing times, we do not have the resources or the capacity to pick children up on such an occasion.

Kind Regards
Leonie Crowe
Out Of School Hours Care Coordinator
RAINBOW CHILDREN'S CENTRE INC
4 John Sharpe St
East Ballina NSW 2478
Ph:(02) 66 86 6621
Mb: 0466 727 633

-----Original Message-----

From: Rainbow [mailto:rainbow@rainbowchildrenscentre.com.au]
Sent: Wednesday, 8 October 2014 12:24 PM
To: 'Leo Prendergast'
Cc: jaynesanders@rainbowchildrenscentre.com.au; 'Sue Farmer'; 'Leonie Crowe'
Subject: FW: Ballina Cup 2015 - seeking feedback on holiday arrangements

Jan Renwick

Sandra Bailey

From: Douglas, John <John.P.Douglas@det.nsw.edu.au>
Sent: Monday, 13 October 2014 5:20 PM
Subject: Ballina Cup 2015

Good Afternoon Sandra,

Thank you for your email requesting feedback in the possibility of a half day public holiday for Ballina in 2015.

As the relieving principal of Ballina High School I have listened to feedback from the school community (both parents, students and staff) over this year's half day public holiday for the Ballina Cup.

To be very blunt I have not listened to one positive comment, all have been negative. The main issues being the disruption to the day, Yr12 students losing a half day prior to their Higher School Certificate, the total lack of transport due to the non-variance in times for buses, the event is very restrictive and is non inclusive of adolescents.

The student attendance at Ballina High School on the day was 56%, with parents being very upset that there was no consideration in transporting their child home for an event that they would not be supporting due their own work commitments and lifestyle choices. A number of parents commented as to why the school was supporting the half day as the focus was on gambling and associated drinking of alcohol.

I am hoping and have encouraged all people who have spoken to me contact yourself and the council over this matter. Personally, as an educator of secondary students I do not support a public half day holiday for a restrictive community event that is based upon gambling. It was commented to me why half day public holidays were not given to other local sporting events such as grand finals, as far more students are involved at junior levels and these sports promoted active, healthier lifestyles.

Community events are important and are to be supported and recognised but not at the detriment to education. From all feedback that I have received, the Ballina High School Community does not support a public full or half day holiday for the Ballina Cup in 2015.

John Douglas

Relieving Principal

Ballina High School

0266862133 (ph)

0266864235 (fax)

A proud member of Plateau to the Sea - a remarkable learning community.

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privileged information or confidential information or both. If you
are not the intended recipient please delete it and notify the sender.

Sandra Bailey

From: tseymour@lism.catholic.edu.au on behalf of St Joseph's Primary School Alstonville <alstp@lism.catholic.edu.au>
Sent: Wednesday, 8 October 2014 5:19 PM
Subject: Re: Ballina Cup 2015 - seeking feedback on holiday arrangements

Sandra,

Can you please pass on our feedback.

We did not take the half day holiday at St Joseph's Alstonville in 2013 or 2014 due to parent request. Being positioned where we are we have many parents working in Lismore. To send children home for a half day holiday from school means these parents need to take a half day off themselves. They have no intention of attending a Ballina Race meeting.

The parents who do work locally prefer their children to be in school regardless of whether or not they would attend a race meeting. If their children are sent home they believe they would not attend anyway. We think the offering of a half day holiday from school to attend a race meeting is quite wrong. Students do not attend race meetings.

Our preference was to take the Alstonville Show day as it is a more family friendly environment. As we took no half day holiday we will be utilising the half day we are entitled to in finishing Term 4 on Friday 19th December with a half day then.

When the half day was given to businesses but not schools I believe there was a better response to attending Ballina Race Day.

Our school would be more than happy if there were no half day holiday given.

Therese Seymour

On 8 October 2014 09:44, Sandra Bailey <Sandrab@ballina.nsw.gov.au> wrote:

Council has received notification from the Ballina Jockey Club that the date for the 2015 Ballina Cup is Thursday 10 September 2015. The Jockey Club has requested that Council give support to and apply for a part-day public holiday on this day. In accordance with NSW Treasury Guidelines, a public consultation process is required to be undertaken and requires feedback as to whether Council wishes to support a half-day or part-day public holiday, or a local event day, for 2015. These are significant differences between employee's entitlements for these two types of days and we have enclosed information distributed by the Department that outlines the differences.

As you are no doubt aware changes to NSW legislation in 2012 meant that many more employees are eligible for the public holiday (i.e. school teachers) which has resulted in many schools closing. This has raised concerns with some parents in our shire due to their inability to provide alternative arrangements for their children. There is also the issue of penalty rates for businesses that remain open or wish to trade during the evening.

It is our intention to report this matter to the 27 November Ordinary Council meeting. If you have any comments you wish to make, or a preference for a half-day or part-day public holiday or half-day local event day, could you please provide your response by Wednesday 12 November 2014. This will allow Council to consider any feedback received. NSW Treasury have advised that we may still make application after their deadline of 7 November.

This is an important decision for our Shire and your considered response by the due date would be greatly appreciated. In the mean time if you wish to discuss this matter further, please contact Paul Hickey on 6686 1273.

Sandra Bailey

From: Flannery, Peter <Peter.Flannery@det.nsw.edu.au>
Sent: Wednesday, 8 October 2014 11:15 AM
Subject: Re: Ballina Cup 2015 - seeking feedback on holiday arrangements
Attachments: NSW Treasury Guidelines.pdf

Hello Sandra,
Please pass on my thoughts regarding the half-day public holiday to Mr Hickey and council...

The granting of the half-day public holidays from the Ballina Cup over the last two years has had a major impact on my schools (both Ballina PS and Southern Cross K-12). This has included...

- a reduction in much-needed class teaching time.
- a marked increase in student absences for the whole of the day. Parents obviously chose not to send their children to school at all.
- an increased workload for admin staff communicating advice as to school arrangements for the half-day holiday.
- with buses not being available at 12 noon when the schools closed, there were major difficulties with ensuring the safety of children as they left the school. Many children were not collected by parents, and some were leaving the school not via their regular method. This caused a level of anxiety for both students and staff.
- school admin and teaching staff being abused by parents for having the half-day public holiday.
- interestingly, many of my teachers remained at school anyway, preferring to use the time for admin and preparation purposes, rather than going home early and certainly rather than attending the races!

In my opinion, our schools would much prefer for the day to be called a local event day, so that they can run as usual.

Cheers
Peter

Peter Flannery
Principal
Southern Cross School K-12, respectfully standing on Bundjalung land
Ph: 6686 0503
A proud member of "Plateau to the Sea" - a remarkable learning community Creating Successful Futures

From: School, Sthcross-c
Sent: Wednesday, 8 October 2014 9:50 AM
To: Flannery, Peter
Subject: FW: Ballina Cup 2015 - seeking feedback on holiday arrangements

Linda Bayliss
Relieving School Administrative Manager
Southern Cross School K-12
2-40 Chickiba Drive
EAST BALLINA 2478

Tel 0266 860503
Fax 0266 860508
email linda.bayliss@det.nsw.edu.au

From: Sandra Bailey [Sandrab@ballina.nsw.gov.au]
Sent: Wednesday, 8 October 2014 9:44 AM
To: Admin, Alstonvill-p; School, Alstonvill-h; School, Ballina-h; Gibson, Samantha; School, Cabbagetre-p; Avery, Bonita; Douglas, Dawn; School, Lennoxhead-p; School, Rous-p; School, Sthcross-c; Partridge, Julie; School, Wardell-p;

Sandra Bailey

From: Donna Bogaard <donnabogaard@hotmail.com>
Sent: Tuesday, 11 November 2014 6:42 PM
Subject: Re Ballina Cup Holiday

To Ballina Councilors ,

As a resident and small business owner in Ballina , I would like to voice my objection to the public holiday granted for Ballina cup race day. Granting a public holiday so one business (Jockey Club) can raise money is wrong, the council does nothing for my business. Also as our business works Australia wide , we are unable to close early . In the current tough economic times for small business , having to pay employees penalty rates, or loss of production can have a big impact on small business. I also find that the majority of locals don't attend the race meeting. I believe in fairness to other small businesses in the Ballina Shire this practice should be eliminated.

Regards
Donna Bogaard.

D

PO Box 823
BALLINA NSW 2478

12 November 2014

Ballina Shire Councillors
Cherry Street
BALLINA NSW 2478

Dear Councillors

RE: SUBMISSION BALLINA CUP

I disagree with the part day public holiday for Ballina Cup, regardless of whether the cup day is held on a Thursday or a Friday.

I believe that granting a public holiday has a negative impact on school children and their families. Philosophically, I cannot support a public holiday for children for an event which involves gambling and alcohol. PD/Health/PD curriculum across all stages of education cover aspects of gambling and alcohol issues.

In addition, the inconvenience caused to families regarding school bus travel is an unfortunate repercussion of the public holiday. Vast numbers of Ballina Shire students live in rural areas not served by public transport. Schools this year finished at noon on the cup day public holiday. Bus companies would have had to pay penalty rates for their drivers to collect the students after noon. This would have been an enormous expense for operators. I doubt that they would have been compensated by the NSW government.

Finally, the proportion of the Shire's population attending the race day would be minimal and a public holiday should not be sought to cater for a small minority, predominantly adults.

I thank you for considering my submission.

Yours faithfully

Roslyn Mayberry

Sandra Bailey

From: Deirdre Burnett <deeanart@bigpond.com>
Sent: Thursday, 13 November 2014 5:47 PM
Subject: race day

I have just noticed that you had article in paper re race day, re public holiday.
I would like to say that I am dead against the holiday.
Parents that don't work in the Ballina area are at disadvantage as they cannot get time off and then have to find some one to look after children for the afternoon.
My daughter was working in Byron and no way of getting time off and if I was not home she would have to employ some one to look after them, and there would be many like her.
She is a single parent and would be a great strain on her pocket as she has to already has to pay for some after care school care when I am not available
Also I don't think it is fair to employers that have to pay out for yet another public holiday
You would think a Saturday would be a much better day for all to go to the races if they want to go but how many really go to the races anyway
I feel its a waste of time and public money.

Deirdre Burnett
Wollongbar.

Sandra Bailey

From: Leo Prendergast <leoprendergast@rainbowchildrenscentre.com.au>
Sent: Thursday, 9 October 2014 9:42 AM
Subject: RE: Ballina Cup 2015 - seeking feedback on holiday arrangements

Sandra

Rainbow Childrens Centre is unconcerned what type of arrangement is made for Ballina Cup Day next year.

We find most families do require long day care for 0-5 year olds or after school care for 5-12 year olds on Ballina Cup Day. Rainbow Childrens Centre has operated each year on the afternoon of Ballina Cup Day regardless of the day's declared status. We find that most families utilising long day care still require care on that day. With our three after school care services at Lennox, Southern Cross and Ballina Public, we also operated a full half day service from 12 noon and had good numbers at each school. While some families who usually use after school care picked up their children from school at noon and did not use our service, other families who may not normally use after school care on that day did use our services as they were required to work at least up to normal school finish at 3pm.

Our staff work under an Enterprise Agreement and those who work on the afternoon of Ballina Cup Day are paid normal wages and in addition accrue time in lieu which can be taken later at a mutually agreeable time. While there is some additional costs for our service of providing that time in lieu it is manageable.

Leo Prendergast
Director Rainbow Childrens Centre
4 John Sharpe st East Ballina NSW 2478
ph 02 6686 6621
fax 02 6686 6267
email leoprendergast@rainbowchildrenscentre.com.au

-----Original Message-----

From: Rainbow [mailto:rainbow@rainbowchildrenscentre.com.au]
Sent: Wednesday, 8 October 2014 12:24 PM
To: 'Leo Prendergast'
Cc: jaynesanders@rainbowchildrenscentre.com.au; 'Sue Farmer'; 'Leonie Crowe'
Subject: FW: Ballina Cup 2015 - seeking feedback on holiday arrangements

Jan Renwick
Administrator
Rainbow Childrens Centre
ph 6686 6621 - fax 6686 6267

-----Original Message-----

From: Sandra Bailey [mailto:Sandrab@ballina.nsw.gov.au]
Sent: Wednesday, 8 October 2014 9:45 AM
To: alstonvill-p.admin@det.nsw.edu.au; alstonvill-h.school@det.nsw.edu.au;
ballina-h.school@det.nsw.edu.au; samantha.r.gibson@det.nsw.edu.au;
cabbagetre-p.school@det.nsw.edu.au; bonita.avery@det.nsw.edu.au;
dawn.douglas@det.nsw.edu.au; lennoxhead-p.school@det.nsw.edu.au;
rous-p.school@det.nsw.edu.au; sthcross-c.school@det.nsw.edu.au;
julie.partridge@det.nsw.edu.au; wardell-p.school@det.nsw.edu.au;
wollongbar-p.school@det.nsw.edu.au; sjpalst@lism.catholic.edu.au;
sfxpball@lism.catholic.edu.au; clynch@lism.catholic.edu.au;
xccball@lism.catholic.edu.au; enquiries@biala.org.au;