



Notice of Reserve Trust Manager Meeting

A Reserve Trust Manager Meeting will be held in the Ballina Shire Council Chambers, 40 Cherry Street, Ballina on **Wednesday 11 February 2015 commencing at 4.30 pm.**

Business

1. Apologies
2. Declarations of Interest
3. Deputations
4. Committee Reports

A handwritten signature in black ink, appearing to read 'Paul Hickey', with a long horizontal line extending from the end of the signature.

Paul Hickey
General Manager

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1. Apologies
 2. Declarations of Interest
 3. Deputations
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1. Apologies

An apology has been received from Cr David Wright, Mayor.

2. Declarations of Interest

3. Deputations

4. Committee Reports

4.1 Richmond River Foreshore Reserve Trust (R71612)

Delivery Program Community Facilities and Services

Objective To seek Reserve Trust support to a business purpose licence being granted over part of Captain Cook Park in Ballina.

Background

At its Ordinary Meeting held on 18 December 2014, the Council resolved to allow alfresco dining areas proposed on Council owned or controlled public land within defined commercial centres to be considered under the same planning criteria as footpath dining. An additional limitation is that the proposal may only be an extension of the business which is operating lawfully within premises adjoining the public land.

Consistent with that resolution, approval has since been granted by Council under delegation for the use of a portion of Captain Cook Park for the purpose of an alfresco dining area adjoining the premises known as Shop 8, Nos 216-234 River Street Ballina. As Captain Cook Park is Crown Land, the proponents of the development application have requested a business purpose licence for the use of the land. The Council, in its capacity as Reserve Trust Manager, is not able to issue a business purpose licence as these are issued by the Crown Lands Department. The Crown has requested the written support of the Reserve Trust prior to it considering and determining the application for business purpose licence, which the proponents have now lodged.

Key Issues

- Current uses of the Reserve
- Compatibility of alfresco dining within the Reserve

Information

Quite recently, the Council adopted a Master Plan for Captain Cook Park. The purpose of the Master Plan is to embellish the area and attract more people to use the park for passive recreation and social pursuits.

The use of part of Captain Cook Park for an alfresco dining area supports the objectives of the Master Plan.

The embellishment works foreshadowed by the Master Plan are not currently on a works program or the subject of any grant funding. Therefore, the use of approximately 40m² of the reserve for an alfresco dining area, with frontage to River Street, immediately adjoining the western wall and boundary of the adjoining approved café premises, does not conflict with any current uses.

4.1 Richmond River Foreshore Reserve Trust (R71612)

The proponents have been advised of the objectives of the Master Plan and it is envisaged that any works into the future associated with implementation of the Master Plan will not impact on the proposed alfresco dining area.

Legal / Resource / Financial Implications

Nil

Consultation

Extensive consultation has occurred between Ballina Shire Council staff, Crown Lands' staff and the proponents. Public consultation was conducted during the preparation of the master plan. The use of a modest portion of the reserve for alfresco dining is consistent with the objectives of the Master Plan, and will not impinge on the community's enjoyment of the park.

Options

1. Support the use of a portion of Captain Cook Park for alfresco dining;
2. Do not support the use of a portion of Captain Cook Park for alfresco dining.

The recommendation which follows supports the Crown's grant of a licence for this purpose. This is consistent with the Council resolution from December 2014.

RECOMMENDATION

That Council, as the Reserve Trust, authorises the General Manager to provide a letter of support on behalf of the Richmond River Foreshore Reserve Trust to Crown Lands for the use of approximately 40m2 of Captain Cook Park for the purposes of alfresco dining, as an extension of the business which is authorized to operate within the adjoining premises situated at Shop 8 Nos 216-234 River Street Ballina.

Attachment(s)

Nil