



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 **Thursday 27 October 2016 commencing at 2.00 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 stroke underneath.

Paul Hickey
General Manager

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

2. Declarations of Interest

3. Deputations

4.1 Former Surf Life Saving Clubhouse, Shelly Beach - Tenure Options

4. Committee Reports

4.1 Former Surf Life Saving Clubhouse, Shelly Beach - Tenure Options

Delivery Program Asset Management

Objective To seek direction from the Reserve Trust in relation to long term tenure and future options for the building known as the former surf lifesaving clubhouse at Shelly Beach, East Ballina.

Background

Ballina Shire Council is the appointed Reserve Trust Manager for the Coastal Reserve in East Ballina. The land is reserved for the purpose of Public Recreation and Coastal Environmental Protection. The Trust is charged with the responsibility of managing the reserve in the best interests of the people of New South Wales.

This reserve contains the former Shelly Beach Junior Surf Life Saving Clubhouse which was built in late 1985 at its present location on Shelly Beach Road. At that time, the junior and senior surf lifesaving clubs were separate entities, with the senior club occupying the former building which was located on the northern end of Lighthouse Beach and the new facility being constructed to house the junior club.

The junior and senior clubs merged again in 2001 and with the deterioration and eventual demolition of the Lighthouse Beach clubhouse in 2012, the junior and senior clubs temporarily co-located in the Shelly Beach Clubhouse while plans were made for new facilities for the club.

The new Lighthouse Beach Surf Club was constructed in 2013. That building contains squad rooms, storage areas and facilities used by both the junior and senior surf life savers, as well as community facilities managed by Council and a restaurant and kiosk which are subject to separate sublease arrangements.

During 2012 when the senior surf lifesavers relocated to the Shelly Beach Clubhouse, the Surf Life Saving Far North Coast Branch (SLSFNC) also relocated to the Shelly Beach Clubhouse, having shared space with the senior surf lifesavers in the old Lighthouse Beach Clubhouse since approximately 2008.

SLSFNC is the administrative arm for ten surf lifesaving clubs (Fingal, Cudgen Headland, Salt, Cabarita, Brunswick, Byron Bay, Lennox Head, Ballina, Evans Head and Yamba) as well as the Ballina Jet Boat Rescue. Its functions include coordinating all lifesaving activities and programs including club-based patrols and support service operations and coordinating surf sports-related activities such as surf carnivals, special events, coaching courses and representative teams.

4.1 Former Surf Life Saving Clubhouse, Shelly Beach - Tenure Options

Following completion of the new premises on Lighthouse Beach, SLSFNC has continued to occupy the Shelly Beach Clubhouse under annual temporary licence agreements at statutory minimum rent, in accordance with relevant Crown Lands' directions.

SLSFNC has now indicated that it wishes to secure a long term tenure of this building to continue with its current use. The purpose of this report is to seek direction from the Reserve Trust with respect to the future use of the former surf lifesaving clubhouse.

Key Issues

- Use and tenure of the former Shelly Beach Surf Life Saving clubhouse
- Options for the site and preferred tenant

Information

On 25 January 2016, the Minister for Crown Land released an information package and template for the leasing of surf clubhouses to surf clubs within New South Wales. The main feature of that template is the ability of Reserve Trusts to grant 20 year leases at statutory minimum rent to surf lifesaving clubs without the need for Minister's consent.

SLSFNC approached the Reserve Trust (Council) requesting that a 20 year lease be granted to the organisation for its occupation of the Shelly Beach clubhouse in accordance with the Crown template. This policy was the basis of initial discussions between Council as Trust manager and SLSFNC. However, as SLSFNC is not a surf club, the Crown surf club leasing policy does not apply.

Having regard for the above, SLSFNC via its consultant Landsas, has requested the Reserve Trust grant a 20 year lease to SLSFNC in accordance with normal procedures for granting Crown Tenure to a community based, not for profit group. A copy of the request from Landsas is provided at attachment one.

Notably, it does not appear to be an absolute necessity that SLSFNC be located adjacent to the beach, as its principal functions are predominantly of an administrative nature. However, neither the Trust nor Council currently has other suitable properties available for lease to this organisation to enable a comparison or alternative at this time.

Prior to tenure being offered to any organisation for the use of the building, it is important for the Reserve Trust to consider options for the site, including consistency with the Plan of Management for the Coastal Reserve, long term asset management, regulatory issues, assessment of community benefit and rental.

A significant issue for the Reserve Trust to consider is that the ground floor of the building has typically been available for public use, in that there are public amenities on the ground floor. These are the only public amenities in the Shelly Beach area, and it is important that public access to them is maintained. An area of the ground floor of the building has also previously been used as a kiosk for the convenience of those using the beach.

4.1 Former Surf Life Saving Clubhouse, Shelly Beach - Tenure Options

Also on the ground floor is a storage area which has been used for storage of equipment by both volunteer lifeguards and the paid lifeguards who patrol Shelly Beach during the summer months. Any uses of the building other than for surf club purposes will still require adequate storage for lifesaving equipment.

Plan of Management

The Shelly Beach Clubhouse is situated on land the subject of the Ballina Coastal Reserve Plan of Management (PoM).

The PoM notes that Shelly Beach is highly valued by the community for its high quality recreational attributes, and the adjacent surf club.

The PoM also contains a management objective of addressing traffic issues near the clubhouse building, and also records a potential for light commercial activity to supplement funding requirements for implementation of the PoM. With respect to traffic management, Council is presently undertaking road and carpark upgrade works in the immediate vicinity of the building.

In light of the above, it is suggested the use of the building by SLSFNC is generally consistent with the PoM, provided that surf lifesaving patrols continue to be provided at Shelly Beach.

Long Term Asset Management

The former clubhouse building is now over 30 years old. It is located in a harsh environment and has only received basic maintenance and upkeep over its life. As part of its leasing proposal, SLSFNC has received development consent from Council to undertake improvements to the existing building, which will be funded by the organisation through a combination of grants and its own proceeds. This will result in a substantial improvement to the facility and reduce the long term financial impact on the Reserve Trust to meet increasing maintenance costs.

A copy of the funding proposal prepared by SLSFNC is attached to this report (attachment two).

While the aims and objectives of SLSFNC primarily relate to the first floor area of the building, provision has been made to upgrade the ground floor area including the public amenities, as well as creating a patrol room and first aid treatment area for the use of lifesaving patrols.

Regulatory Issues

The former clubhouse building received development consent from Council for the purposes of "*Surf Life Saving Clubhouse, public toilet, shower block and radio room*" on 28 February 1985. At the time of construction of the Shelly Beach Clubhouse, the land was zoned "Non Urban A" in accordance with the provisions of Interim Development Order No 1. This development consent was consistent with the zoning at the time.

4.1 Former Surf Life Saving Clubhouse, Shelly Beach - Tenure Options

The zoning of this land is currently 7(f) Environmental Protection (Coastal Lands) under the Ballina Local Environmental Plan 1987. Permitted uses within this zone include community buildings, recreation facilities and surf clubhouses.

Prior to any current or future users considering entering into long term tenure for the former clubhouse building, consideration will need to be given to the consistency and permissibility of the proposed activities in accordance with the land zoning.

In this regard, it is suggested that the preferred tenant be responsible for obtaining any necessary approvals as there is currently no income or budgetary allowance for Council staff time for the preparation of any development applications, or payment of any fees as may be necessary.

In addition, any prospective user will need to ensure that the building suitably addresses the requirements of the *Disability (Access to Premises- Building) Standards 2010 (APS)* as the first floor of the building currently does not meet the accessibility standards. Any cost to meet these standards will be the responsibility of the lessee.

Assessment of Community Benefit

SLSFNC provide support to a large number of volunteer surf lifesaving organisations, who in turn provide an extremely valuable service to the community. While the community value of having lifesavers based at Shelly Beach is obvious, the proposal from SLSFNC has not addressed a need for its operations to be based at Shelly Beach, except that it assists in facilitating surf training, and provides a logical nexus in relation to the additional storage area under the Shelly Beach Clubhouse for the volunteer lifeguards.

A normal requirement of granting long term tenure to any organisation is public exhibition and a public competitive process which would be conducted by the Department of Primary Industries – Lands.

This public process may result in a proposal from another community organisation which could also seek to demonstrate community benefit from being granted tenure in the former clubhouse building, subject to the regulatory requirements outlined above.

In recent times, enquiries regarding tenure in the former clubhouse building have also been received from a community organisation based in East Ballina, as well as informal enquiries from two individuals who are interested in using the space as a yoga studio. Without formal proposals being received, it is difficult to assess these other users as to the extent of the public benefit which may be derived by another organisation being granted tenure in the building.

Given the importance of maintaining access to the public amenities in the building, it is an option for Council itself to enter into a 20 year lease for the building from the Crown, and then grant a sublease to an organisation for the use of the sections of the building not required to meet public requirements.

4.1 Former Surf Life Saving Clubhouse, Shelly Beach - Tenure Options

Under this approach, consideration could also be given to commercial kiosk-type use of an area on the ground floor. This course of action may waive the requirement for any public competitive process in relation to long term tenure being granted.

Rental

Assuming the Reserve Trust is supportive of the request by SLSFNC for a 20 year lease, and resolves to grant tenure to that organisation, the available options for rental assessment include:

- Support the request for statutory minimum rental (currently \$472 per annum increasing annually by CPI). As SLSFNC is registered as a not for profit organisation, this approach would be consistent with other organisations which benefit from statutory minimum rental arrangements.
- Support the request for statutory minimum rental as per the above, and apply a modest annual administration charge to contribute to the administrative costs to be met by Council as the lease holder. This is the recommended approach.
- Apply market rental. In light of the not for profit nature of the organisation, this is not the recommended option, however, it should be noted that of the 10 surf lifesaving clubs supported by SLSFNC, only two of those plus the Ballina Jet Boat Rescue are actually located in the Ballina Shire.
- Apply market rental to the lease but include special conditions for the market rent to be rebated back to statutory minimum rental in lieu of the cost of the capital works which are proposed to be undertaken by SLSFNC. In light of the not for profit nature of the organisation and anticipated difficulties in administering such a rebate system, this is not the recommended option.

As noted above, it is an option to grant a sublease for part of the building. These rental options remain applicable in relation to subleases.

Legal / Resource / Financial Implications

The Reserve Trust is required to ensure that any occupation of Reserve Trust property has been conducted in accordance with the relevant legislation.

Following instructions from the Department of Primary Industries – Lands, SLSFNC has occupied the Shelly Beach Clubhouse since 2012 under a temporary licence issued in accordance with s108 and 109 of the *Crown Lands Act* 1989.

Prior to expending significant funds on improvement of the Shelly Beach Clubhouse, SLSFNC understandably is seeking security of tenure extending beyond 12 month temporary licences.

4.1 Former Surf Life Saving Clubhouse, Shelly Beach - Tenure Options

The process to grant a longer tenure requires the Reserve Trust to resolve to grant tenure to an organisation following which a draft tenure document is prepared and forwarded to the Department of Primary Industries – Lands for its in-principle support. For a tenure exceeding five years, the Minister would place the proposal on public exhibition and may conduct a public competitive process (for example, expressions of interest or a tender). Following submissions to the lease proposal and the outcome of a public competitive process (if held), the Crown will advise the Reserve Trust what action is to be taken.

The option noted earlier is for the Reserve Trust to grant Ballina Shire Council a 20 year tenure, with Council then able to provide a sublease of the top floor and ground floor storage areas to a community organisation. If the Reserve Trust resolves to take this course of action, a public competitive process is not likely to be required.

This option may not be preferred by SLSFNC, however, this process allows the Reserve Trust (and Council) to retain the greatest oversight for the existing and future uses of the building.

Landsas, in its letter on behalf of SLSFNC, has made several references to the State Government's Surf Club Policy and template lease. It is important to note that this lease template has only been endorsed by the State Government for use in cases where surf lifesaving clubs occupy surf lifesaving buildings.

While SLSFNC offer ancillary services to those of a surf lifesaving club, it does not directly offer surf lifesaving patrols or other activities provided by lifeguards as a primary service.

The Reserve Trust should also be aware that granting tenure for the occupation of the former lifesaving facility for a term greater than a three year duration will require a subdivision for leasing purposes to be prepared. These costs are estimated to be in the range of between \$3,000 and \$6,000. There is currently no specific funding allocated to meet these costs. In the absence of a specific budget, these costs would be met from the Council's Community Property Investigation budget.

Consultation

Consultation has occurred between Council's Community Property staff, Development Services staff, SLSFNC and its consultants and relevant Department of Primary Industries staff. External consultation has not been undertaken. A public exhibition and a public competitive process may ultimately be conducted by Department of Primary Industries - Lands staff depending on the approach preferred by the Reserve Trust.

Options

1. Support the request of SLSFNC for a 20 year lease.

Given the public amenities located in the building and public benefits (including future flexibility for the Reserve Trust) associated with oversight arising from shorter term tenure, this approach is not recommended.

2. Seek expressions of interest from other community groups for the occupation of the facility.

Given the process and regulatory issues outlined in the body of the report, this option is not recommended.

3. Grant Ballina Shire Council a 20 year lease, with a sublease to SLSFNC for the first floor and ground floor storage area.

A suggested sublease term is five years with a five year option. This is the recommended option because it allows for the proposed improvement works, preserves access to the public amenities and provides continued, affordable accommodation for SLSFNC.

The five x five year option is also recommended as SLSFNC, in its proposal, has indicated that it would vacate the building if it was required for use by a surf lifesaving club in the future. The time frame and option period is considered to be compatible with a change of tenant in such circumstances, if required.

It is suggested that this lease arrangement be offered on the basis that SLSFNC will carry out the proposed building improvements (as foreshadowed in the letter in attachment one). Further, costs associated with obtaining approvals for building works and use of the building by SLSFNC would need to be met by that organisation.

With respect to lease fees, Council would be required to pay to the Crown at least statutory minimum rental on an annual basis, currently being \$472 per annum. It is recommended that the Trust supports a lease to Council on the basis of this statutory minimum rental charge.

With respect to sublease fees, it is recommended that a sublease to SLSFNC be enabled on the basis of statutory minimum rental plus a \$220 per annum charge (adjusted annually for CPI) in favour of Council, in recognition of administrative expenses associated with managing the sublease arrangement.

This approach recognises that the statutory minimum rental would be collected by the Trust from Council and that Council, as a separate entity, would pass on this rent plus a modest charge for the management of the lease to the tenant of the building.

RECOMMENDATIONS

1. That the Ballina Coastal Reserve Trust grant to Ballina Shire Council a 20 year lease for the former surf lifesaving clubhouse (being part Lot 2 1192961) at Shelly Beach East Ballina at statutory minimum rental.
2. That the Ballina Coastal Reserve Trust authorise a sublease to be granted to Surf Life Saving Far North Coast at statutory minimum rental plus \$220 per annum (adjusted annually for CPI).
3. That the granting of the sublease to SLSFNC is subject to confirmation that SLSFNC will undertake the foreshadowed improvements to the building, meet all costs associated with obtaining the necessary development approvals and achieving building access requirements and provide for equivalent storage space within the building for surf lifesaving activities undertaken on Shelly Beach.
4. That the Ballina Coastal Reserve Trust authorise the Common Seal be attached to any lease, sublease, subdivision plan or other document required to give effect to points one and two.

Attachment(s)

1. Request for Tenure - Shelly Beach Junior Surf Life Saving Clubhouse
2. Surf Life Saving Far North Coast Funding Proposal



ABN : 11 607 533 862

28 July 2016

Ms Amy Cahill
Property Officer
Ballina Shire Council
40 Cherry St
BALLINA NSW 2478

Our Ref: 16.161

Via email amyc@ballina.nsw.gov.au

Dear Ms Cahill

Re: Shelly Beach Lease Request

I am writing to you on behalf of the Surf Life Saving Far North Branch (SLSFNC) with regard to securing a new lease over the Shelley Beach Junior SLSC Clubhouse. Our request for a new lease envisages that the lease template that has provided by the NSW State Government as part of its position paper "Authorising surf life saving clubs use of Crown Land in NSW" and will use as the template lease document for issue to the Surf Life Saving Far North Coast Branch.

In making, this request we note that under the above position paper Councils may grant a Section 102A Authorisation under the Crown Lands Act to execute leases directly with surf clubs that meet the requirements of the lease template. In this instance, we are not requesting Council use this authorisation in the issue of a new lease to the Surf Life Saving Far North Coast Branch.

Rather our request is to the Ballina Coastal Reserve Trust (the Trust), which is managed by Council, for a new 20 year lease over the Shelley Beach Clubhouse that utilises the draft lease template in lease negotiations between the two entities.

We totally respect and understand that the process of a Trust granting a lease under section 102 is quite different to the powers that Councils are given in their capacity as Trust Manager under 102A of the Crown Lands Act. We believe though the only difference in this case and the only reason the 102A Authorisation cannot be utilised is that this lease request is from a Branch affiliated with Surf Life Saving NSW rather than a club.

As you are aware, the building is currently held under license by SLSFNC and its use duplicates that of a surf lifesaving club, and some of their activities are listed below:

- Junior surf life saver training
- Seniors surf sports training
- Surf Carnivals
- Search and rescue exercises
- Branch meetings, education functions and Surf Sport
- ALS lifeguard training and assessment

With any public building, a community minded tenant is essential and Surf Life Saving Far North Coast Branch would actively encourage use of the building by community organisations. Such as; The Ballina Jet Boat Surf Rescue Service, local Police who often utilise the building as a control centre for emergency and search and rescue operations, local primary and secondary schools and other community groups who utilise the building as a base to host local fun runs etc.

Lands Advisory Services
265 King St Newcastle, New South Wales, 2300
www.landsas.com.au



Surf Life Saving Far North Branch has invested a significant amount of funds into the restoration and upkeep of the building. They have at their disposal a grant for \$60,000 plus \$60,000 of their own funds allocated towards the upgrade and upkeep of the building. This investment is pending a development application currently under considered by Ballina Council. This investment of \$120,000 clearly demonstrates the Branch's commitment towards the upkeep and maintenance of the building.

Surf Life Saving Far North Coast Branch has the support of Surf Life Saving NSW, Salt Surf Life Saving Club, Ballina Jet Boat Surf Rescue, Lennox Head Surf Club, Yamba Surf Club and the Ballina Lighthouse and Lismore Surf Club in securing a new lease over the Shelly Beach Clubhouse. Please see attached letters of support from the above-mentioned entities. It is clear from the letters that there is nothing but support amongst the lifesaving community for the issue of this new lease to the Branch.

Further, justification for using the Surf Club Lease template is highlighted in the following points:

- Under the current license, arrangement between the Ballina Coastal Reserve Trust and Surf Life Saving Far North Coast Branch the stated purpose of the agreement is for "occupation of land for Surf Club Operations. This will not change under a lease agreement.
- The use of the building by the Surf Life Saving Far North Coast Branch is solely for the purposes of surf life saving and activities that are auxiliary to supporting surf life saving on the Far North Coast.
- Surf Life Saving Far North Coast Branch has investigated significant funds to make the building suitable for surf lifesaving activities.
- Surf Life Saving Far North Coast Branch would be more than happy to relocate if the building was required at some time in the future to house a new surf lifesaving club. Surf Life Saving Far North Coast Branch would be agreeable for this to be a condition of a new lease.
- The building is currently used as a base for the Ballina Lighthouse and Lismore Surf Life Saving Clubs when they carry out their regular roving patrols of Shelly Beach. These roving patrols are becoming more frequent due to the increase popularity of Shelly Beach.

As mentioned earlier we see that the only real reason a new lease cannot be issued to Surf Life Saving Far North Coast Branch utilising Councils 102A Authorisation is due to they are not being defined as a Surf Club in the lease template. The definition of a Surf Club is defined under "affiliation – meaning a Surf Life Saving Club which has complied with the requirements for membership of Surf Life Saving NSW.

Surf Clubs affiliate with their Branch and then Branch affiliates with Surf Life Saving NSW. This it would seem to be one and the same and the key role of a Branch is to support the operation of their affiliated clubs.

It also should be noted that the purpose of the current license between the Branch and the Trust is for "Surf Club Operations" and the permitted use under the lease template is for "Surf Life Saving Club and associated activities". Again, it could be argued that these are one and the same and the only reason the Branch could not be issued with a lease via a 102A Authorisation is for no other reason they are not a surf club and that this is where the only real difference lies. All else



ABN : 11 607 533 862

with regard to way branch manages operates and manages the building mirrors that of the operations of a surf club.

It may seem we are arguing the point or making the case for the Branch to be issued with a new template lease under Councils 102A Authorisation, we are not, we are highlighting the similarities between a Surf Club and the SLSFNC Branch. They are so close that it is only the technicality around the definition of a Surf Club in the lease template that prevents the Branch from being afforded the opportunity to enter into a new lease under the 102A provisions.

Even so, we accept that this is the case and that it will be simpler for all involved to utilise the provisions under section 102 of the Crown Lands Act and to make use of the draft lease template as provided under the States Position Paper. We believe that the issue of a new lease to the Branch under these provisions will be relatively straightforward and only require some minor amendment to the lease template document.

The issue of a new lease will enable the Branch to continue to have a local presence in Ballina and provide the ongoing support that is critical to the effective day to day functioning of the surf clubs on the Far North Coast.

We look forward to discussing the matter with you further and a quick resolution and issue of new lease to the Far North Coast Branch. In the meantime, if you wish to contact me please feel free to ring on 0408 965 444 or via email brett.phillips@landsas.com.au

Yours faithfully

A handwritten signature in black ink, appearing to read "Brett Phillips", is written over a background of vertical grey lines.

Brett Phillips
Director

Lands Advisory Services
265 King St Newcastle, New South Wales, 2300
www.landsas.com.au

4.1 Former Surf Life Saving Clubhouse, Shelly Beach - Tenure Options



13 July 2016

Mr Wilson Cregan
Branch President
Far North Coast Branch
Email: wilson@walmurray.com.au

Dear Wilson

Re: Letter of support for Far North Coast Branch

We write to you in support of your discussions with Ballina Council in relation to the Far North Coast Branch securing a long term lease agreement at Shelly Beach, Ballina.

Following extensive negotiations with Crown Lands over a number of years, Surf Life Saving NSW and Crown Lands now have a standardised lease template in place which ensures a minimum 20 year lease term for Surf Life Saving Clubs. We would like to see similar lease arrangements offered to the Branch in recognition of its lifesaving functions, as the Branch plays an important role in supporting Surf Life Saving Clubs and associated lifesaving services in Ballina. In the last season, the Far North Coast Branch through its affiliated entities has performed more than 180 rescues, 10,000 preventative actions and overseen 210,000 people at its beaches last season.

The Branch office at Shelly Beach performs not only the administrative functions to support lifesaving activities in the Ballina area, but also includes vital lifesaving infrastructure such as a shark alarm, PA system and cameras for duty officers who respond to emergencies out of standard patrol hours. Lifeguard equipment is also stored in this building, along with spare emergency equipment.

I note that the Branch has contributed their own funding over the past five years to upgrade this building; and the NSW Government has also provided funding for this building (pending DA approval from the Council) in recognition of its service to the community.

The Branch plays an active role in ensuring the delivery of lifesaving services to the Far North Coast community and supports many other community groups in the Ballina area by providing access to this facility. To ensure the future viability of the Branch within the Ballina community, we support the Branch in their pursuit of a long-term lease arrangement.

Yours sincerely

A handwritten signature in black ink, appearing to read "Phillip Vanny".

Phillip Vanny AM
Chief Executive Officer
Surf Life Saving New South Wales

Surf Life Saving New South Wales
PO Box 307
Ballina NSW 2461
1 Narabea Way
Ballina NSW 2461
T: 61 2 9433 8500
F: 61 2 9471 8611
W: surflifesaving.com.au
A: 61 2 9433 74373



BALLINA JETBOAT SURF RESCUE
INCORPORATED



Mr Wilson Cregan
President
Surf Life Saving Far North Coast

RE: Use of Shelly Beach SLS Building by Branch

Dear Wilson

Ballina Jet Boat Surf Rescue is very supportive of SLSFNC's continued long term use of the Shelly Beach building.

Having a home for SLSFNC is critical to the ongoing success of surf clubs and support operations.

Shelly Beach is an ideal location for a dedicated training facility where learning can be applied directly to a beach environment.

Having the Shelly Beach Building managed by surf lifesaving also allows the storage and management of branch rescue assets such as an RWC and essential equipment for lifeguards in a secure and easily accessible manner.

SLSFNC has a considerable task in ensuring over a thousand volunteer lifesavers maintain their competencies and up skill in order to provide free services to the greater community. Having a central home in the branch to store and use critical training equipment at a beach front location is essential.

Within the Ballina Shire, the space available to surf clubs to conduct all of their life saving operations, continues to change and to a degree, diminish. Branch fills a growing void in this regard and hence the availability of Shelly Beach for the training and operational void filled by branch, is critical to our combined success.

I would immediately take up any opportunity to provide in person support of this letter and the issue at foot, if required.

Yours faithfully,

Gary Murphy
President
Ballina Jet Boat Surf Rescue

Ballina Jet Boat Surf Rescue Inc.
PO Box 818 Ballina NSW 2478
Administration: 02 66877187
Operations: 0414 777099

ABN 83 383 289 271
Incorporated in NSW, INC9878452
Fundraising Authority No. CFN11033
Income Tax Exempt Charity
Deductible Gift Recipient
GST Registration No. 83 383 289 271



SALT SURF LIFE SAVING CLUB INC.
Bells Boulevard, Salt Village
Kingscliff NSW 2487

P O Box 1891
Kingscliff NSW 2487

P 0414300739
E admin@saltsurfclub.com.au
W www.saltsurfclub.com.au

A.B.N 20 435 851 012

12 July 2016

Attention: Far North Coast Branch, SLSNSW
PO Box 54
Evans Head, NSW 2473
E: branch.slsfnc@gmail.com

RE: FNC Branch Lease Renewal for Shelly Beach Facility.

Dear Sir / Madam,

It has come to our attention that FNC Branch may not be granted a long term lease agreement for the Shelly Beach Facility. In our opinion this would be a mistake and potentially put the beach users at risk.

FNC Branch oversees 10 lifesaving clubs and several front line emergency rescue services including jetski and Ballina Jetboat operations. The Shelly Beach Facility is used by FNC Branch in the following ways, all of which are valuable community contributions:

- As a base for jetski support services.
- As a training room for Branch run lifesaving and first aid courses.
- As a meeting room for Branch committee members which include representatives from all 10 clubs.
- For community education programs.

Salt SLSC supports the Branch operations and need for them to have a facility that serves its operational requirements today and into the future.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Greg Lovett", written over a horizontal line.

Greg Lovett
President
Salt Surf Life Saving Club Inc



LENNOX HEAD-ALSTONVILLE
SURF LIFE SAVING CLUB INCORPORATED
ABN 31 083 456 700
PO Box 115, LENNOX HEAD NSW 2478
Telephone :(02) 6687 7380
Fax :(02) 6687 6043
E-mail: lennoxsurfclub@bigpond.com
Web: www.lennoxsurfclub.

18 July 2016
The Secretary
Far North Coast Branch SLS
PO Box 54
Evans Head NSW 2473

Renewal of Lease For Shelly Beach SLS Building

Dear Sir

We understand that the FNC Branch may not be granted a long term lease of the Shelly Beach Facility. In our opinion this would be a mistake for the following reasons
A base of operations is critical to the ongoing success of surf clubs in the branch and support operations it allows for storage of branch assets such as RWC and other essential rescue equipment.

It provides space for branch run training courses both for cub members and the public. It also serves as a meeting room for branch committees.

We believe that it is essential the FNC Branch have a base that will fulfil their requirements today and in the future and we support the long term renewal of the lease.

Geoff Harris
President
Lennox Head Alstonville SLSC

Ballina Lighthouse & Lismore SLSC Inc.

Established 13 September, 1933

SLSA Club of the Year 2012

SLS NSW Club of the Year 2012

SLS NSW Club of the Year 2014



27th July 2016

Mr Wilson Cregan
President
Surf Life Saving Far North Coast

Support for FNC Branch use of Shelly Beach Facility

Dear Wilson,

The Ballina Lighthouse and Lismore Surf Life Saving Club fully supports the request for a long-term lease by Surf Lifesaving Far North Coast of the Shelly Beach facility.

The Far North Coast Branch combines ten surf life saving clubs from Yamba to Fingal. Shelly Beach is an ideal location for the Branch Facility to be located. The Branch meets and conducts training courses year round and they are attended by members of all clubs in the Branch. The facility also serves as a central location to store and use critical training equipment at a beach location.

The continued success of surf life saving on the far north coast will be dependant on the support the Branch can provides to all ten clubs and the location of the facility is integral to that success.

Yours Sincerely

per
Craig Nowlan
President
Ballina Lighthouse and Lismore Surf Life Saving Club.

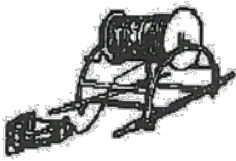
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Vigilance & Service



AFFILIATED WITH
SURF LIFE SAVING
NEW SOUTH WALES

Yamba Surf Life Saving Club Inc.

PATROLLING MAIN BEACH YAMBA SINCE 1908

Office: (02) 6646 2463

Email: office@yambasisc.com.au

Website: www.yambasisc.com.au



HON SECRETARY
PO BOX 219
YAMBA N.S.W 2464

Mr Wilson Cregan
President
Surf Life Saving Far North Coast

RE: Support for FNC Branch use of Shelley Beach Facility

Dear Wilson,

Yamba Surf Life Saving Club wishes to offer its support of Surf Lifesaving Far North Coast's request for a long term lease on the current Branch office at Shelley Beach, Ballina.

Having a home for SLSFNC is critical to the ongoing success of surf clubs and support operations in the Branch.

Shelly Beach is an ideal location for a dedicated facility for the Branch. It serves as a valuable focal point for meetings between the Branch and its affiliate clubs to discuss lifesaving and support operations as well as for education and training.

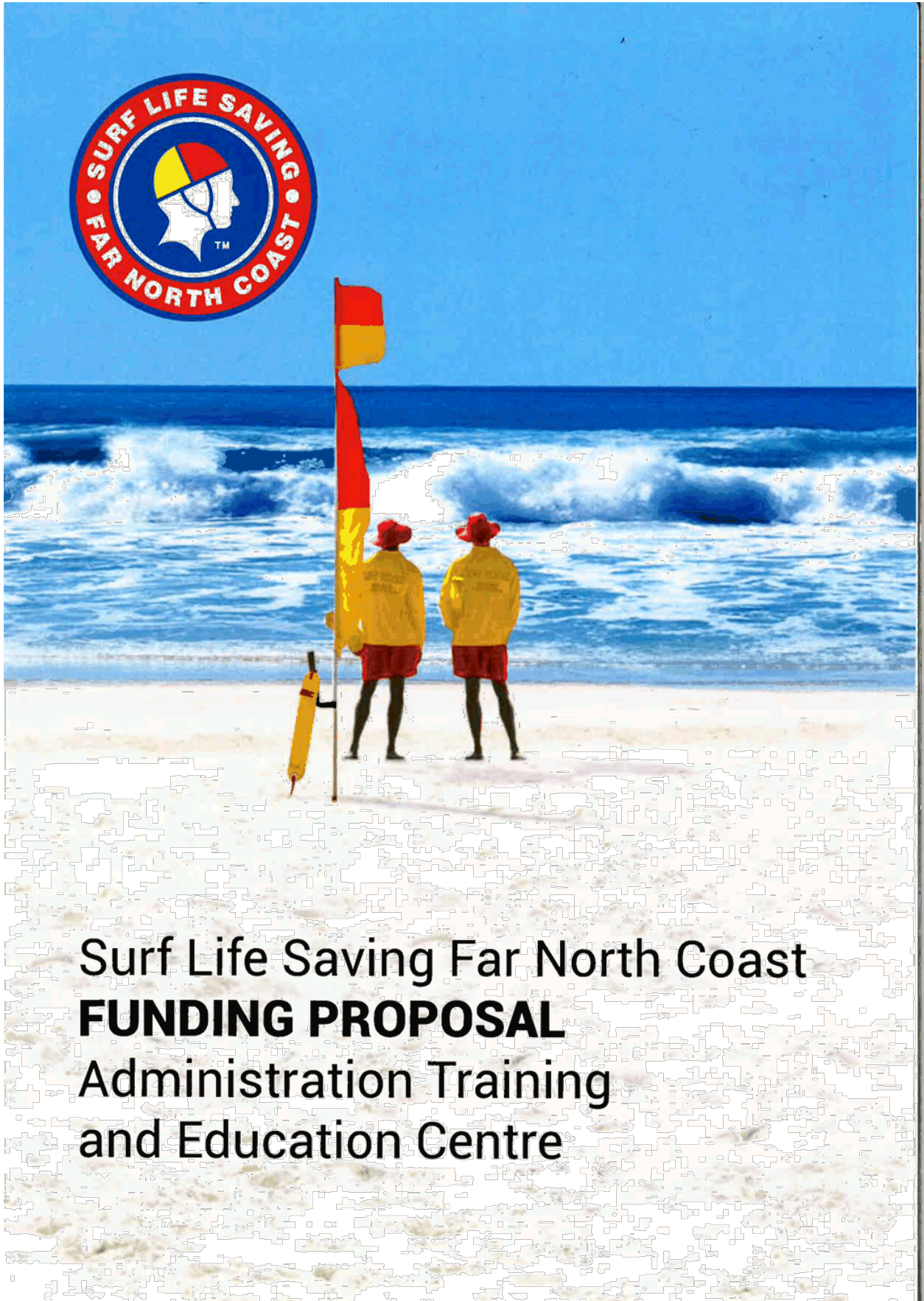
We deem the granting of a long term lease for this building to SLSFNC as appropriate and necessary in light of the recent agreements between Surf Lifesaving NSW and the NSW State Government.

Having a central home in the branch to store and use critical training equipment at a beach front location is also essential.

I trust that the appropriate decision will be made in this regard.

Sincerely,

Joe Dougherty
President - Yamba Surf Life Saving Club.



Surf Life Saving Far North Coast
FUNDING PROPOSAL
Administration Training
and Education Centre



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Overview



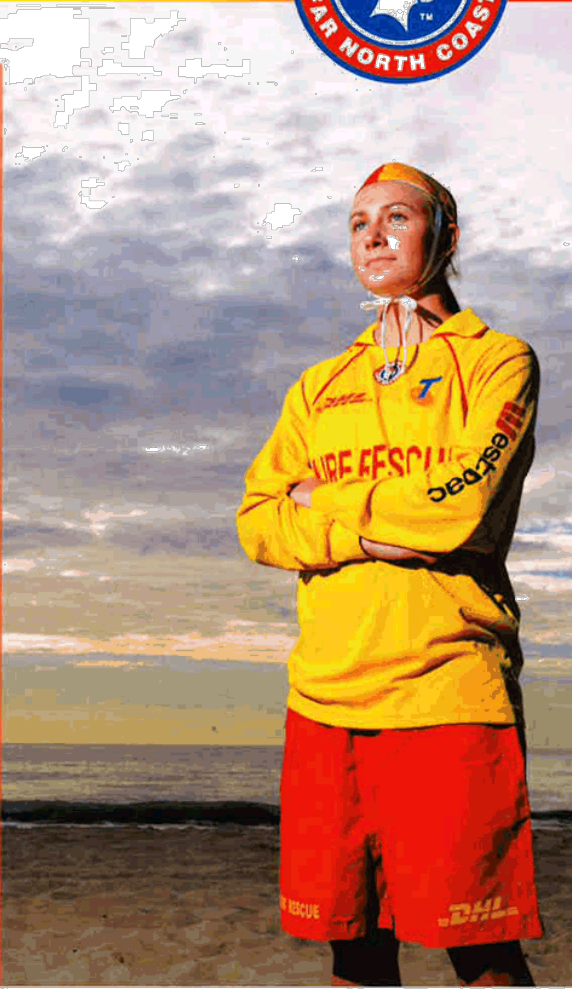
Surf Life Saving Far North Coast continues to provide support for the ten Surf Life Saving Clubs, the Ballina Jet Rescue Boat and support service operations between Fingal in the north and Yamba in the south.

During the 2012/13 season Surf Life Saving Far North Coast had an untarnished record of no downing's between the flags with 1,386 active lifesavers doing in excess of 42, 084.25 hours on our beach to ensure that the 224, 216 visitors to our beaches returned home safe from a day at the beach.

Members performed 146 rescues, 735 first aid treatments, 9,159 preventative actions, 55 searches and 45 after hour's emergency call-outs. Our members gained 4126 new lifesaving qualifications including 15 new trainers, 7 assessors and 4 facilitators. 1,563 junior members joined nippers and learnt about beach safety with 1,376 gaining a junior award.

The Surf Life Saving Far North Coast area has one of the longest coastlines in NSW to provide surf rescue operation and has undertaken a roll out Jet Rescue Ski (RWC) and equipment. The Branch has acquired 6 RWC's and equipment for our coastal area of responsibly.

At the moment the Surf Life Saving Far North Coast Branch operates from members houses and there is no centralised location to enable meetings and training to take place. There is currently no storage for educational and training equipment, and support rescue equipment.



Project Details

The Shelly Beach building previously accommodated the Ballina Lighthouse and Lismore SLSC. The Ballina Club have now moved to new premises. The building will be used to accommodate the Surf Life Saving Far North Coast Branch office and management centre for meeting and training.

The building is in very poor condition and requires immediate refurbishment to prevent further deterioration of the structure. The deck in particular is in very poor condition and needs to be replaced.

The refurbishment of the deck and building is a high priority to ensure that the building is retained in good repair and that the building continues to be used to support surf life saving activities.

The Ballina Shire Council have granted occupancy and a licence to the Branch to operate out of this facility.

Ballina Shire Council have agreed to allocate considerable funds to upgrade the public toilets and the Branch will build a patrol / lifeguard room on the ground floor.

Objectives

This project will improve local community participation and cohesion through the delivery of social, environmental, recreational services and activities. This project will enable the provision of a safe and well maintained building that will accommodate Surf Life Saving Far North Coast and Lifeguard operations and equipment.

The Branch is an essential partner in the delivery of both voluntary surf life saving services and the organisation of Surf Sports.

This facility will accommodate professional staff to carry out and coordinate lifesaving activities in the northern Rivers. A contact Centre for all levels of government to access. A point of contact for the public and marine rescue groups that is not currently available.

Surf Life Saving Far North Coast ensures that all surf club's within the Branch are able to safely carry out their voluntary activities on their beaches and in addition organises training and education for the volunteer members and

ensuring that all club's and services are correctly equipped and trained.

Volunteering is an important activity that enables members to participate in their community and contribute to the well-being of the public. It is essential that these volunteers are well trained and educated and their safety carefully managed. It is the role of the Surf Life Saving Far North Coast to ensure that the surf clubs and their members are prepared for their important and at times dangerous work.

Surf Sports provide the community with a recreational activity that promotes healthy activity for its participants. Surf Sports is also an important introduction to surf life saving and a source of volunteers. Surf life saving is an iconic Australian organisation that provides benefits to the volunteers, participants and to the wider community and the Surf Life Saving Far North Coast branch has an important role in overseeing many aspects of the organisation and delivery of services.



Benefits

- The facility to become the operational centre for the Branch and the club's.
- The facility will accommodate Lifeguards operations on Shelly Beach.
- To provide storage for surf lifesaving rescue equipment.
- To accommodate a permanent administration officer.
- A training and education centre for the public to undertake Surf Safety programs.
- Coordination and delivery of lifesaving, surf sports, training and education services.
- Coordination and support of effective, quality volunteer/Club frontline lifesaving services.
- Assist Clubs with information and support for grants and other funding opportunities.
- Representation and advocacy of clubs concerns within their regional jurisdictions.
- Acquiring and allocating Branch resources to priorities based on maximum impact on water safety.
- Promotion and marketing of the SLSA Brand to the community in the Far North Coast region.
- Facilitate information sharing between clubs and information access with SLSA / NSW.
- Advise and assist clubs with member recruitment, retention, well-being and protection policies and programs.
- Coordination and delivery of community education programs within the Branch.
- Coordination and delivery of regional training and development programs for members.
- Conduct of Branch surf sports events and associated developmental programs for members.
- Participation in State advisory and special purpose groups.
- Implementation of, and compliance with SLSA and State policies, standards and decisions.
- Collection and input of data, reports, records etc into State and National databases.

Organisational Capacity

Project Manager : Elton Cummings (Volunteer)
Assisting Project Manager : Ben Cummins (Woollams & Sponsor)

SLS Far North Coast Branch Executive
President : Wilson Cregan
Director of Administration : Debbie Pawsey
Director of Finance : Greg Clarke

Contact Details

Debbie Pawsey ; Director of Administration

T : 0427 808 707
E : fncreg@bigpond.net.au
Post Office Box 182
EVANS HEAD 2473

ELTON CUMMINGS : has had extensive involvement in private development work including the construction of large buildings. As a volunteer he has project managed the construction of buildings for the Jet Boat and set up the original Rescue Helicopter in the Northern Rivers.

BEN CUMMINS : is a project manager employed by Woollams has had extensive experience in the construction industry and will provide technical advice and assistance with this project.



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4.2 Ballina Shaws Bay Reserve Trust - Coastal Zone Management Plan

4.2 Ballina Shaws Bay Reserve Trust - Coastal Zone Management Plan

Delivery Program Strategic Planning

Objective To update the Reserve Trust in relation to proposed embellishment works for the Reserve and identified funding sources for the works

Background

The Ballina Shaws Bay Reserve Trust includes three parcels of land as indicated on the map contained as attachment one. Ballina Shire Council is the appointment Reserve Trust manager for the reserve. The reserve area includes Pop Denison Park and foreshore land around Shaws Bay. Council on behalf of the Reserve Trust is active in the management of the reserve as it is identified as a valuable public recreation area within the shire.

On 24 June 2016, the NSW Government gazetted a Coastal Zone Management Plan (CZMP) for Shaws Bay, which was prepared to provide a strategy to restore and maintain the ecological health of Shaw Bay. The CZMP includes actions regarding the water body of Shaws Bay, although Council is not appointed as manager for the water body.

Council, on behalf of the Trust has completed a master plan for Pop Denison Park and preparation to implement the master plan is underway. A copy of the master plan works is contained in attachment two.

Council, on behalf of the Trust has also prepared concept designs to embellish the balance of the reserve in accordance with actions contained in the CZMP. The embellishments aim to enhance the public recreation areas, provide erosion protection, repair subsidence of the foreshore in the water body, improve drainage and construct walkways throughout the reserve.

In addition to the funding sources identified by Council for implementation of the above plans, there is an opportunity for the Reserve Trust to request access to fees paid by the adjoining caravan park for occupation of part of the Crown reserve area. This report seeks direction in relation to accessing these funds.

Key Issues

- Embellishment of Shaws Bay and Pop Denison Park
- Funding for embellishment works

Information

The Ballina Shaws Bay Reserve Trust does not generate any revenue, except for a business purpose licence which is held between the Crown and the owners of the adjoining caravan park.

This licence was implemented during 2012 following the identification of encroachments into the Reserve by the caravan park. The Reserve Trust considered options to rectify the encroachments on 28 November 2012 and again on 8 April 2014, both times resolving to require the caravan park operator to relocate the encroachments within the caravan park.

This resolution was not supported by the Minister for Crown Lands on either occasion and the Minister exercised their ability to issue a business purpose licence directly to the caravan park owners.

This business purpose licence is charged at a commercial rental amount and paid directly to the Crown. Council are not a party to that licence and the licence fee is unknown, however, similar business purpose licenses in Ballina Shire range between \$3,000 and \$20,000.

As the rental from the licence is generated by a use of the reserve, the Reserve Trust is able to request a redirection of the proceeds to assist with the cost of the embellishment works.

The Shaws Bay CZMP has works in excess of over \$1.1m to be undertaken during the next ten years and any revenues the Trust can obtain will assist with the implementation of that plan. Similarly the Pop Denison Master Plan has works valued at over \$1.5m.

Legal / Resource / Financial Implications

There are no legal or resource implications associated with the request for redirection of the licence funds.

As the Ballina Shaws Bay Reserve Trust does not generate any income, any gap between grant funding and the total cost of the works will primarily need to be borne by Council as manager of the Reserve.

Consultation

Consultation regarding the proposed works was undertaken with stakeholders and the community as part of the preparation of the Shaws Bay Coastal Zone Management Plan and the Pop Denison Park Master Plan.

Internal consultation has been undertaken between Council's Development and Environmental Health, Strategic and Community Facilities and Civil Services Groups.

Options

1. The Reserve Trust supports a request being made to the Minister for Crown Lands for a redirection of the proceeds of Licence RI29600 to Ballina Shire Council (in its capacity as Reserve Trust Manager) to assist in meeting the costs of actions in accordance with the Shaws Bay CZMP and Pop Denison Master Plan. For the reasons set out in this report, this is the preferred option.

4.2 Ballina Shaws Bay Reserve Trust - Coastal Zone Management Plan

2. The Reserve Trust does not support a request of redirection of the proceeds. Given that the Council in its capacity as Reserve Trust Manager will expend significant funds on works, this is not the recommended option.

RECOMMENDATION

The Shaws Bay Reserve Trust approves a request being made to the Minister for Crown Lands for a redirection of the proceeds of Licence RI29600 to Ballina Shire Council (in its capacity as Reserve Trust Manager) to assist in meeting the costs of actions in accordance with the Shaws Bay CZMP and Pop Denison Master Plan.

Attachment(s)

1. Shaws Bay Reserve Trust Management Area
2. Pop Denison Master Plan



4.2 Ballina Shaws Bay Reserve Trust - Coastal Zone Management Plan



Pop Denison Park MASTER PLAN

Jackie Amos Landscape Architect



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