

**MINUTES OF THE RESERVE TRUST MANAGER MEETING
OF THE BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 TAMAR STREET, BALLINA,
ON 23/02/17 AT 12 NOON**

Attendance

Crs David Wright (Mayor - in the chair), Phillip Meehan, Sharon Parry, Jeff Johnson, Eoin Johnston, Stephen McCarthy, Nathan Willis, Keith Williams, Sharon Cadwallader and Ben Smith.

Paul Hickey (General Manager), John Truman (Group Manager Civil Services), Rod Willis (Group Manager Development and Environmental Health), Steve Barnier (Group Manager Strategic and Community Facilities) and Sandra Bailey (Secretary) were in attendance.

There were ten people in the gallery at this time.

1. Apologies

Nil

2. Declarations of Interest

- **Cr Jeff Johnson** – later in the meeting - declared an interest in Item 4.2 - Lennox Head Alstonville Surf Life Saving Club - Tenure. (Nature of Interest: non significant, non pecuniary – he is a member of the Lennox Head Alstonville Surf Life Saving Club). He remained in the meeting while the matter was discussed and voted on the matter.

3. Deputations

- **Lucy Ashley** – spoke in favour of Item 4.1 – Rescission Motion – Ballina Farmers Markets.

4. Committee Reports

4.1 Rescission Motion - Ballina Farmers Markets

RT230217/1 RESOLVED

(Cr Phillip Meehan/Cr Keith Williams)

That Resolution RT250117/1, as follows, be rescinded:

1. *That the Trust seeks Expressions of Interest (EOI) for market management.*
2. *That a Councillor briefing be held on developing a structure for the operation of the markets and the terms and conditions for the EOI.*

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3. *That the temporary licence granted to Mr and Mrs Smith be extended until the finalisation of the EOI process.*
4. *That the current market management agreement continue until the finalisation of the EOI process.*

FOR VOTE - Cr David Wright, Cr Phillip Meehan, Cr Sharon Parry, Cr Jeff Johnson, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Nathan Willis, Cr Keith Williams and Cr Ben Smith

AGAINST VOTE - Cr Sharon Cadwallader

A **Motion** was moved by Cr Phillip Meehan and seconded by Cr Keith Williams

1. That the Trust authorises the General Manager to negotiate with Mr Burless regarding the operation of the Ballina Farmers Market on Commemoration Park for a period of three years, consistent with the sentiments expressed in this report.
2. That a temporary licence be granted to Mr and Mrs Smith to operate a single market stall on Saturday mornings at the refurbished Missingham Park carpark site for a period of twelve months.
3. That no market activities or stalls, aside from those authorised under points 1 and 2 and where food or produce is to be sold as part of an approved event or festival, be authorised in the Missingham Park and Commemoration Park locality for a period of three years or the Ballina Farmers Market ceases to operate on the land.
4. Once negotiations are complete, that Council authorises the Council seal to be attached to the licences.

An **Amendment** was moved from Cr Sharon Cadwallader

1. That the Trust authorises the General Manager to negotiate with Mr Burless regarding the operation of the Ballina Farmers Market on Commemoration Park for a period of three years, consistent with the sentiments expressed in this report.
2. That a temporary licence be granted to Mr and Mrs Smith to operate a single market stall on Saturday mornings at the refurbished Missingham Park carpark site for a period of three years.
3. That no market activities or stalls, aside from those authorised under points 1 and 2 and where food or produce is to be sold as part of an approved event or festival, be authorised in the Missingham Park and Commemoration Park locality for a period of three years or the Ballina Farmers Market ceases to operate on the land.
4. Once negotiations are complete, that Council authorises the Council seal to be attached to the licences.

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The **Amendment LAPSED.**

The **Motion** was **CARRIED.**

FOR VOTE - Cr David Wright, Cr Phillip Meehan, Cr Sharon Parry, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Nathan Willis, Cr Keith Williams and Cr Ben Smith

AGAINST VOTE - Cr Jeff Johnson and Cr Sharon Cadwallader

RT230217/2 RESOLVED

(Cr Phillip Meehan/Cr Keith Williams)

1. That the Trust authorises the General Manager to negotiate with Mr Burless regarding the operation of the Ballina Farmers Market on Commemoration Park for a period of three years, consistent with the sentiments expressed in this report.
2. That a temporary licence be granted to Mr and Mrs Smith to operate a single market stall on Saturday mornings at the refurbished Missingham Park carpark site for a period of twelve months.
3. That no market activities or stalls, aside from those authorised under points 1 and 2 and where food or produce is to be sold as part of an approved event or festival, be authorised in the Missingham Park and Commemoration Park locality for a period of three years or the Ballina Farmers Market ceases to operate on the land.
4. Once negotiations are complete, that Council authorises the Council seal to be attached to the licences.

FOR VOTE - Cr David Wright, Cr Phillip Meehan, Cr Sharon Parry, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Nathan Willis, Cr Keith Williams and Cr Ben Smith

AGAINST VOTE - Cr Jeff Johnson and Cr Sharon Cadwallader

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At this point, Cr Jeff Johnson declared an interest in Item 4.2. (Nature of Interest: non significant, non pecuniary – he is a member of the Lennox Head Alstonville Surf Life Saving Club). He will remain in the meeting while the matter is discussed and vote on the matter.

4.2 Lennox Head Alstonville Surf Life Saving Club - Tenure

RT230217/3 RESOLVED

(Cr Eoin Johnston/Cr Ben Smith)

1. That the Ballina Coastal Reserve Trust enter into a 20 year lease with the Lennox Head Alstonville Surf Life Saving Club in accordance with the NSW Surf Club Lease Template.
2. That the lease be entered into on the understanding that in the event a new facility is constructed within the term of the lease, the lease be terminated prior to the Lennox Head Alstonville Surf Life Saving Club relocating into any new facility.
3. The Reserve Trust authorises the General Manager to affix the seal to the lease and any documents or applications as required in relation to development or other regulatory requirements with respect to the operation of the kiosk contained within the building.

Cr Jeff Johnson, non significant, non pecuniary – member of Surf Club.

FOR VOTE - All Councillors voted unanimously.

4.3 Ballina Coastal Reserve Trust - Marine Rescue NSW Lease

RT230217/4 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

1. The Ballina Coastal Reserve Trust grant a ten year lease with a ten year option (in favour of the Trust) to Marine Rescue NSW in accordance with the usual lease conditions provided by Department of Industry – Lands at the statutory minimum rental.
2. That the costs associated with subdivision for the purposes of the lease and lease registration be met by Marine Rescue NSW.
3. That Council, on behalf of the Reserve Trust, be authorised to affix the seal to the lease document and any other documents as required to prepare a subdivision of the land to enable registration of the lease.

FOR VOTE - All Councillors voted unanimously.

MEETING CLOSURE

12.29 pm