



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 28 March 2019 commencing at 12 noon.**

Business

1. Acknowledgement of Country
2. Apologies
3. Declarations of Interest
4. Confirmation of Minutes
5. Deputations
6. Committee Reports
7. Notices of Motion

A handwritten signature in black ink, appearing to read 'Paul Hickey', with a long horizontal line underneath.

Paul Hickey
General Manager

Table of Contents

1.	Acknowledgement of Country	1
2.	Apologies.....	1
3.	Declarations of Interest.....	1
4.	Confirmation of Minutes.....	1
5.	Deputations	1
6.	Committee Reports.....	2
6.1	Use of Council Seal	2

DISCLAIMER ©NSW Spatial Services 2017. Although all care is taken in the preparation of plans within Council's business paper (both agendas and attachments), Ballina Shire Council accepts no responsibility for any misprints, error, omissions or inaccuracies. The information contained within each plan is for pictorial representation only and not to scale. Accurate measurements should be undertaken by survey.

1. Acknowledgement of Country
 2. Apologies
 3. Declarations of Interest
 4. Confirmation of Minutes
 5. Deputations
-

1. Acknowledgement of Country

In opening the meeting the Mayor provided an Acknowledgement of Country.

2. Apologies

3. Declarations of Interest

4. Confirmation of Minutes

A copy of the Minutes of the Reserve Trust Manager Meeting held on Thursday 24 January 2019 were distributed with the business paper.

RECOMMENDATION

That Council confirms the Minutes of the Reserve Trust Manager Meeting held on Thursday 24 January 2019.

5. Deputations

6. Committee Reports

6.1 Use of Council Seal

Delivery Program Community Facilities

Objective To obtain Council and Reserve Trust approval to apply the Council seal.

RECOMMENDATIONS

1. That Council, as Crown Land Manager for the Williams Reserve (R82927), affix the Common Seal to the following document:

A short term Licence between Williams Reserve Trust (R82927) and Northern NSW Helicopter Rescue Service Limited for the Williams Reserve and Lennox Head Community Centre area to conduct markets on the second and fifth Sunday of the month between March 2019 and March 2020 at an annual site rental fee of \$492 excl GST.

Explanation

The Lennox Community Market has been operated by the NSW Rescue Helicopter Service in Lennox Head for a number of years. Council has previously considered the location and operation of the Lennox Community Markets at an Ordinary meeting in November 2016, where it was noted that the preferred site and operation of a market in Lennox Head was at Williams Reserve and under the operation of the current management being the Northern NSW Helicopter Rescue Service Limited, at least until the works planned for the south eastern precinct of Lake Ainsworth are completed. A temporary 12 month license is required to enable the NSW Rescue Helicopter to operate the Lennox Community Market at this site for a further 12 months.

2. That Council as Crown Land Manager, affix the Common Seal to the following documents:

Doc No.	Trust (Lessor)	Occupant (Lessee)	Renewed Tenure
1	Lennox Head Kindergarten Reserve Trust (R97839)	Lennox Head Community Preschool	Three year lease at statutory minimum rental.
2	Ballina Saunders Park Reserve Trust (R83963)	Fripp Oval Sports Club	Three year lease at statutory minimum

			rental.
3	Ballina Saunders Park Reserve Trust (R83963)	Ballina Sports Club Incorporated	Three year lease at statutory minimum rental.
4	Ballina Kingsford Smith Reserve Trust (R82164)	Ballina Netball Association	Three year lease at statutory minimum rental.
5	Ballina (R97786) Reserve Trust	Ballina Naval & Maritime Museum	Three year lease at statutory minimum rental.
6	Ballina (R97786) Reserve Trust	Richmond-Tweed Historical Society Incorporated	Three year lease at statutory minimum rental.
7	Ballina Clement Park Reserve Trust (D540004)	Ballina Tennis Club	Three year lease at statutory minimum rental.
8	Ballina Regatta Park Reserve Trust (R87280)	Richmond River Sailing and Rowing Club Incorporated	Three year lease at statutory minimum rental.

Explanation

The Reserve Trust previously resolved in February 2018 (RT220218/5) that a number of leases for the use and occupation of Crown Land properties (listed above) were to be placed into a holding over period under their existing tenure agreements for a period of 12 months to allow for the commencement of the new *Crown Land Management Act 2016*. Further, it was reported that in accordance with Council's Community Leasing and Licensing Policy the community groups currently occupying the properties would be offered a lease renewal of three years, subject to various requirements of the policy. It was noted that all of the properties are used for public recreation and associated activities, with each of the premises being highly valued by the community.

On 15 February 2019, the *Crown Land Management Amendment (Holdings) Regulation 2019* came into effect which now provides for the granting of licences and leases by Council in the period before a plan of management for the land is adopted by the local council. Prior to this amendment in February, Council was restricted in only issuing a short-term licence under s2.20 of the Act for a maximum period of 12 months.

The leases listed in the table above are in holding over, which Council now has confirmation from the Department of Industry that Council may treat as 'existing leases'. Under the amended Regulation, existing leases can be renewed if no additional permitted uses are introduced, and in this circumstance Council is exempt from obtaining the Ministers consent.

With respect to the Ballina Saunders Park Reserve Trust and the Fripp Oval Sports Club, it should be noted that separate consideration is being given to tenure arrangements for the University of the Third Age.

3. That Council as Crown Land Manager for the Ballina Kingsford Smith Reserve Trust (R82164) approves the use of the Common Seal for the renewal of the lease to the Ballina Hockey Club Inc for the period of three years commencing 1 February 2019 and expiring 31 January 2022 at a rental calculated at 50% of the market rental.

Explanation

The Ballina Hockey Club Inc has been the Lessee of the hockey complex in its current location within Kingsford Smith Reserve since approximately 2011, following the construction of the new facility. While the club operates as a not for profit sports Club, they benefit from running an "on premises" sporting facility liquor licence, which following previous negotiations with the Department of Industry means the club is not eligible to receive statutory minimum rental.

In accordance with the *Crown Land Management Amendment (Holdings) Regulation 2019* existing leases can be renewed if no additional permitted uses of the land are introduced, and Council is exempt from obtaining the Ministers consent in this circumstance.

4. That Council as Crown Land Manager for Tintenbar Recreation Reserve Trust approves the use of the Common Seal for the renewal of the 12 month short-term licence between the Trust and the Tintenbar Tennis Club Incorporated for the period 14 March 2019 to 13 March 2020.

Attachment(s)

Nil