

# BYRON SHIRE COUNCIL

Byron Shire Reserve Trust Committee Meeting Minutes  
22 March 2012

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## INDEX OF ITEMS DISCUSSED

*The following items are listed in the order in which they were dealt with.*

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# BYRON SHIRE COUNCIL

BYRON SHIRE RESERVE TRUST  
COMMITTEE MEETING MINUTES

22 MARCH 2012

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**MINUTES OF THE BYRON SHIRE COUNCIL BYRON SHIRE RESERVE TRUST  
COMMITTEE MEETING HELD ON THURSDAY 22 MARCH 2012 COMMENCING AT 2.14PM  
AND CONCLUDING AT 2.38PM**

#1203200

PRESENT: Cr J Barham (Mayor), Cr B Cameron, Cr T Heeson, Cr P Morrissey,  
Cr S Richardson, Cr R Staples, Cr T Tabart and Cr D Woods

Staff: Graeme Faulkner (General Manager)  
Phil Holloway (Executive Manager Community Infrastructure)  
Mark Arnold (Executive Manager Corporate Management)  
Ray Darney (Executive Manager Environment and Planning)  
Shannon McKelvey (Executive Manager Organisational Support)  
Greg Ironfield (Acting Executive Manager Society and Culture)  
Phil Warner (Executive Manager Water and Recycling)  
Trish Kirkland (Manager Property, Contracts and Information Services)  
Melissa Moore (Minute Taker)

*The Mayor opened the meeting and acknowledged that the meeting was being held on Bundjalung Country.*

APOLOGIES: There was an apology received from Cr Tucker.

**12-182 Resolved** that the apology from Cr Tucker be accepted and leave of absence granted.  
(Woods/Cameron)

## REQUESTS FOR LEAVE OF ABSENCE

*There were no requests for leave of absence.*

## DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

*Cr Staples declared a non-pecuniary interest in item 3.3, the nature of the interest being that he has a friend who is from time to time a sub-hirer of the swimming pool.*

## **PROCEDURAL MOTION**

**12-183 Resolved** that the Reserve Trust change the order of business to deal with item 3.3 next in the agenda.  
(Woods/Barham)

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## **CORPORATE MANAGEMENT - EXECUTIVE MANAGER'S REPORTS**

**Report No. 3.3. Byron Bay War Memorial Swimming Pool - 12 month option – Lease and Management Contract**

**File No:** BEN400000/#1197224

Moved:

1. That Council, as Reserve Trust Manager, note the Minister's consent for the further 12 month option for Council to extend the Lease and Management Contract to the current Managers being Fishheads@Byron Pty Limited.
2. That Council, as Reserve Trust Manager, recommends that the Council grant the 12 month option to extend the Lease and Management Contract to the current Managers being Fishheads@Byron Pty Limited of the premises being the Byron Bay War Memorial

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## BYRON SHIRE RESERVE TRUST COMMITTEE MEETING MINUTES

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Swimming Pool Complex which is in part located on Crown Reserve No 82000, in accordance with the terms and conditions contained in the documentation shown at Annexure 2(b) (#1197404) for:

- a) 12 month period commencing 1 July 2012 and terminating on 30 June 2013, and
  - b) with the Rent and Management Fee being indexed where necessary.
3. That Council as Reserve Trust Manager note that finalisation of the lease will be subject to public exhibition of fees and charges 12-13. (Staples/Woods)

### AMENDMENT

#### **12-184 Resolved:**

1. That Council, as Reserve Trust Manager, note the Minister's consent for the further 12 month option for Council to extend the Lease and Management Contract to the current Managers being Fishheads@Byron Pty Limited.
2. That Council, as Reserve Trust Manager, grant the 12 month option to extend the Lease and Management Contract to the current Managers being Fishheads@Byron Pty Limited of the premises being the Byron Bay War Memorial Swimming Pool Complex which is in part located on Crown Reserve No 82000, in accordance with the terms and conditions contained in the documentation shown at Annexure 2(b) (#1197404) for:
  - a) 12 month period commencing 1 July 2012 and terminating on 30 June 2013, and
  - b) with the Rent and Management Fee being indexed where necessary. (Morrisey/Cameron)

*The amendment was put to the vote and declared carried.  
Crs Staples, Barham and Tabart voted against the amendment.*

*The amendment, upon becoming the substantive motion, was put to the vote and declared carried.  
Crs Barham voted against the motion.*

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## COMMUNITY INFRASTRUCTURE - EXECUTIVE MANAGER'S REPORT

**Report No. 3.1. Proposed Sites for Installation of Multiple Bicycle Parking Rails**  
**File No: EN220500 #1206045**

- 12-185 Resolved** that Council, as Reserve Trust Manager, authorise the instalment of bicycle parking facilities as proposed within this report at the following locations:

Site	Name and location	Authority
3	Brunswick Heads sports fields and skate park, Old Pacific Highway	Reserve Trust
5	Mullumbimby sports fields, Pine Avenue, Mullumbimby	Reserve Trust
6	Apex Park, Bay Street, Byron Bay, near surf club	Reserve Trust
7	Apex Park, Bay Street, Byron Bay, opposite pool	Reserve Trust
8	Venture Park, South Beach Rd, Brunswick Heads, next to surf club	Reserve Trust

(Staples/Woods)

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*The motion was put to the vote and declared carried.*

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## CORPORATE MANAGEMENT - EXECUTIVE MANAGER'S REPORTS

**Report No. 3.2.            New Lease over Lot 385 DP 728504 Byron Bay Autumn Club Inc**  
**File No:                    BEN400000 #1201041**

**12-186 Resolved:**

1. That subject to Ministerial consent, Council as Reserve Trust Manager authorise the General Manager to enter into a new lease over Lot 385 DP 728504 with the Byron Bay Autumn Club Incorporated on the following terms:
  - a) Term of five (5) years commencing 1 July 2011
  - b) Annual lease fee based on the minimum Crown rent provided by the Crowns Lands Act 1989 and Crown Lands Regulations 2006
  - c) All lease preparation costs are to be met by the tenant
  
2. That Council authorise the General Manager to affix the Council Seal to the new lease over Lot 385 DP 728504 with the Byron Bay Autumn Club Incorporated in accordance with Regulation 400 of the Local Government (General) Regulations 2005.

(Morrisey/Woods)

*The motion was put to the vote and declared carried.*

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*There being no further business the meeting concluded at 2.38pm.*

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I hereby certify that these are the true and correct Minutes of this Meeting  
as confirmed at Council's Ordinary Meeting on 14 April 2012.

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Mayor Jan Barham