



Byron Shire Council



Minutes

Byron Shire Reserve Trust Committee Meeting

Thursday, 23 May 2019

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

MINUTES OF THE BYRON SHIRE COUNCIL BYRON SHIRE RESERVE TRUST COMMITTEE HELD ON THURSDAY, 23 MAY 2019 COMMENCING AT 2:48 AND CONCLUDING AT 2:55PM

I2019/739

PRESENT: Cr S Richardson (Mayor), Cr B Cameron, Cr C Coorey, Cr J Hackett, Cr A Hunter,
Cr M Lyon, Cr J Martin, Cr S Ndiaye and Cr P Spooner

Staff: Mark Arnold (General Manager)
Vanessa Adams (Director Corporate and Community Services)
Phil Holloway (Director Infrastructure Services)
Shannon Burt (Director Sustainable Environment and Economy)
Ralph James (Legal Counsel)
Heather Sills (Minute Taker)

The Mayor opened the meeting and acknowledged that the meeting is being held on Arakwal Country and that we pay our respects to the elders past and present and extend our respect to the Bundjalung clans whose lands and waters are part of the Shire.

PUBLIC ACCESS

There was no public access.

APOLOGIES

There were no apologies.

DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

Cr Spooner declared a pecuniary interest in Report 4.2. The nature of the interest being that his employer is the license holder for the market. Cr Spooner elected to leave the Chamber and did not participate in discussion and the vote.

STAFF REPORTS - GENERAL MANAGER

Report No. 4.1 **Lease to Byron Bay Pre-School Inc**
File No: I2019/582

- 19-251 Resolved** that Council, as the Crown Land Manager, delegate to the General Manager the authority to enter into a new lease with the Byron Bay Pre-School Incorporated over Lot 9 DP 47024 and Lot 10 DP 47425 being Reserve R96998 as follows:
- a) for a term of five (5) years;
 - b) for the purpose of early childhood education and care;
 - c) annual rent be initially set at the value of minimum Crown and thereafter increased by CPI all groups Sydney for the term of the lease;
 - d) all lease preparation and registration costs to be met by the Lessee;
 - e) the Lessee pay all outgoings other than annual general land rates;
 - f) all maintenance to be carried out by the Lessee at the Lessee's cost; and
 - g) the Lessor provide subsidised rent to the value of market rent as calculated at 6% of the land Unimproved Capital Value less rent payable by the Pre-School set at the value of minimum Crown rent. (Richardson/Ndiaye)

The motion was put to the vote and declared carried.

BYRON SHIRE COUNCIL

Report No. 4.2 **Temporary relocation of Community Markets to beachside**
File No: I2019/708

In accordance with his earlier declared pecuniary interest in this matter, Cr Spooner left the Chamber at 2:50pm and returned following the vote at 2:55pm.

19-252 Resolved that Council as the Crown Land Manager for Lot 10 DP 1049827 being Reserve R82000, delegate to the General Manager the authority to grant a short-term licence to the Byron Community Association Incorporated ('BBCA') on the following terms:

- a) term six (6) months;
- b) for the purpose of a community market to be held on the first Sunday of each calendar month during the term of the licence plus the third Sunday in December and January;
- c) annual rent be set at \$1 if required;
- d) that all special conditions included in the BBCA licence permitting community markets in the Butler Street Reserve are included in the short-term licence.
- e) that clear vehicular and pedestrian access is retained from Lawson Street to each sea-kayak trailer;
- f) that the market traffic management plan for the site reflects requirements in e) above; and
- g) that market stalls are located a discrete distance (as determined at the discretion of the Market Manager) from both sea kayak operators so as to not impeded with the commercial nature of sea kayak operations. (Richardson/Hackett)

*The motion was put to the vote and declared carried.
Cr Spooner was not present for the vote.*

There being no further business the meeting concluded at 2:55pm.

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

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Mayor Simon Richardson