



Byron Shire Council



Minutes

Byron Shire Reserve Trust Committee Meeting

Thursday, 4 August 2016

BYRON SHIRE COUNCIL

Byron Shire Reserve Trust Committee Minutes
4 August 2016

INDEX OF ITEMS DISCUSSED

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

Report No. 5.1 CONFIDENTIAL - Grant 5-year Market Licences for Preferred Proposals3

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BYRON SHIRE RESERVE TRUST COMMITTEE MINUTES

4 August 2016

MINUTES OF THE BYRON SHIRE COUNCIL BYRON SHIRE RESERVE TRUST COMMITTEE HELD ON THURSDAY, 4 AUGUST 2016 COMMENCING AT 2.27PM AND CONCLUDING AT 3.10PM

I2016/805

PRESENT: Cr S Richardson (Mayor), Cr B Cameron, Cr C Cubis, Cr D Dey, Cr A Hunter,
Cr S Ibrahim, Cr P Spooner, Cr R Wanchap and Cr D Woods

Staff: Ken Gainger (General Manager)
Mark Arnold (Director Corporate and Community Services)
Phil Holloway (Director Infrastructure Services)
Shannon Burt (Director Sustainable Environment and Economy)
Mila Jones (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.

APOLOGIES

There were no apologies.

DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

Cr Spooner declared a pecuniary interest in Report 5.1. The nature of the interest being that his employer, Byron Bay Community Association is tendering for a licence. Cr Spooner opted to leave the meeting, not participate in discussion and not vote.

CONFIDENTIAL REPORTS - CORPORATE AND COMMUNITY SERVICES

Report No. 5.1 **CONFIDENTIAL - Grant 5-year Market Licences for Preferred Proposals**
File No: I2016/738

16-413 Resolved:

1. That pursuant to Section 11(3) of the Local Government Act, 1993, resolve that the Annexures to the report, Grant 5-year Market Licences for Preferred Proposals are to be treated as confidential as they relate to matters specified in s10A(2)(c) and s10A(2)(d)i of the Local Government Act 1993.
2. That Council adopt the recommendation set out on the final page of the Report.
3. That Council, as the Reserve Trust Manager, grant the following 5-year Market Licenses in accordance with section 102 (consent from the Minister Crown Lands) of the Crown Lands Act, subject to the execution of an Agreement to Licence where development consent is required:
 - a) Byron Farmers Markets Incorporated, subject to the following:
 - i. For the purpose of conducting a Farmers Market,
 - ii. Within license area, at Reserve No 88993, as shown in "Map A: Butler Street Byron Bay Market Site for Farmers Market" contained in the Request for Proposal documentation,
 - iii. Conducted every Thursday from 8am to 11am for a total of 52 market days per annum,

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- iv. A Licence Rental Fee of \$9,516 (\$183 x 52 market days) per annum, inclusive of GST, (based on 80 market stalls) to be paid monthly in advance.
 - v. Special conditions, in accordance with the proposal, for market operations.
 - b) Byron Bay Community Association Incorporated, subject to the following:
 - i. For the purpose of conducting a Community Market,
 - ii. Within license area, at Reserve No 88993, as shown in "Map B: Butler Street Byron Bay Market Site for Community Market" contained in the Request for Proposal documentation,
 - iii. Conducted on the first Sunday of each month from 8am to 3pm for a total of 12 market days per annum,
 - iv. A Licence Rental Fee of \$5,868 (\$489 x 12 market days) per annum, inclusive of GST, (based on 360 market stalls) to be paid monthly in advance.
 - v. Special conditions, in accordance with the proposal, for market operations and the social benefits proposal.
 - c) Brunswick Valley Woodchop & Entertainment Committee Incorporated, subject to the following:
 - i. For the purpose of conducting a Community Market,
 - ii. Within license area, at Reserves No 82999 and 80349, as shown in "Map C: Banner Park (known as Memorial Park) Brunswick Heads Market Site" contained in the Request for Proposal documentation,
 - iii. Conducted on the first Saturday of each month from 8am to 2pm for a total of 12 market days per annum,
 - iv. A Licence Rental Fee of \$3,660 (\$305 x 12 market days) per annum, inclusive of GST, (based on 170 market stalls) to be paid monthly in advance.
 - v. Special conditions, in accordance with the proposal, for market operations and the social benefits proposal.
 - d) Byron Bay Community Association Incorporated, subject to the following:
 - i. For the purpose of conducting an Artisan Market,
 - ii. Within license area, at Reserve 82000, as shown in "Map G: Denning Park Byron Bay Artisan Market Site" contained in the Request for Proposal documentation,
 - iii. Conducted on one Saturday in January, Easter weekend, and September from 8am to 4pm for a total of 3 market days per annum,
 - iv. A Licence Rental Fee of \$1,098 (\$366 x 3 market days) per annum, inclusive of GST, (based on 230 market stalls) to be paid quarterly in advance.
 - v. Special conditions, in accordance with the proposal, for market operations.
 - e) Brunswick Valley Historical Society Incorporated, subject to the following:
 - i. For the purpose of conducting a Community Market,
 - ii. Within license area, at Reserve No 31910, as shown in "Map D: Summers Park Mullumbimby Market Site" contained in the Request for Proposal documentation,
 - iii. Conducted on the third Saturday of each month from 8am to 2pm for a total of 12 market days per annum,
 - iv. A Licence Rental Fee of \$1,464 (\$122 x 12 market days) per annum, inclusive of GST, (based on 49 market stalls) to be paid monthly in advance.
 - v. Special conditions, in accordance with the proposal, for market operations and the social benefits proposal.
- 4. That Council, as the Reserve Trust Manager, consider the additional market proposals and grant the following 5-year Market Licenses in accordance with section 102 (consent from the Minister Crown Lands) of the Crown Lands Act, subject to the grant of development consent and the execution of an Agreement to Licence.
 - a) Byron Bay Community Association Incorporated, subject to the following:
 - i. For the purpose of conducting a Community Market,

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- ii. Within license area, at Reserve No 88993, as shown in "Map B: Butler Street Byron Bay Market Site for Community Market" contained in the Request for Proposal documentation,
 - iii. Conducted an additional market (additional 12 market days) on the third Sunday of each month from 8am to 3pm (for a total of 24 Community Market days per annum),
 - iv. An additional Licence Rental Fee of \$5,868 (\$489 x 12 market days) per annum, inclusive of GST, (based on 360 market stalls) to be paid monthly in advance.
 - v. Special conditions, in accordance with the proposal, for market operations and the social benefits proposal.
- b) Brunswick Valley Historical Society Incorporated, subject to the following:
- i. For the purpose of conducting a Community Market,
 - ii. Within license area, at Reserve No 31910, as shown in "Map D: Summers Park Mullumbimby Market Site" contained in the Request for Proposal documentation,
 - iii. Conducted additional markets (additional 5 market days) on the fifth Saturday of each month from 8am to 2pm (for a total of 17 Community Market days per annum),
 - iv. An additional Licence Rental Fee of \$610 (\$122 x 5 market days) per annum, inclusive of GST, (based on 49 market stalls) to be paid monthly in advance.
 - v. Special conditions, in accordance with the proposal, for market operations and the social benefits proposal.
- c) Byron Bay Community Association Incorporated, subject to the following:
- i. For the purpose of conducting an Artisan Market,
 - ii. Within license area, at Reserve 82000, as shown in "Map G: Denning Park Byron Bay Artisan Market Site" contained in the Request for Proposal documentation,
 - iii. Conducted an additional market (additional 1 market day) on a Saturday in July from 8am to 4pm (for a total of 4 Artisan Markets per annum),
 - iv. An additional Licence Rental Fee of \$366 (\$366 x 1 additional market day) per annum, inclusive of GST, (based on 230 market stalls) to be paid quarterly in advance.
 - v. Special conditions, in accordance with the proposal, for market operations.
5. That Council, as the Reserve Trust's, affix the seal to the relevant documents.
6. That Council makes public its decision, including the name of the successful respondents.
(Richardson/Cameron)

The motion was put to the vote and declared carried.

Crs Cubis and Woods voted against the motion.

There being no further business the meeting concluded at 3.10pm.

I hereby certify that these are the true and correct Minutes of this Meeting
as confirmed at Council's Ordinary Meeting on 25 August 2016.

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Mayor Simon Richardson