



TWEED SHIRE COUNCIL

AGENDA

TWEED COAST RESERVE TRUST MEETING

Thursday 28 May 2009

Chairman: Tr J van Lieshout

Trustees:

- Tr B Longland**
- Tr D Holdom**
- Tr K Milne**
- Tr W Polglase**
- Tr K Skinner**
- Tr P Youngblutt**



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ITEMS FOR CONSIDERATION OF THE TRUST:

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CONFIRMATION OF MINUTES

Minutes of the Tweed Coast Reserves Trust Meeting held Tuesday 17 March 2009

UNDER SEPARATE COVER/FURTHER INFORMATION:

*To view any "**non confidential**" attachments listed below, access the meetings link on Council's website www.tweed.nsw.gov.au or visit Council's offices at Tweed Heads or Murwillumbah (from Friday the week before the meeting) or Council's libraries (from Monday the week of the meeting).*

1. Minutes of the Ordinary Tweed Coast Reserve Trust Meeting held Tuesday 17 March 2009 (ECM 2010057).
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REPORTS THROUGH THE EXECUTIVE MANAGER OF THE TRUST/GENERAL MANAGER

REPORTS FROM DIRECTOR PLANNING & ENVIRONMENT

1 [PR-TCRT] Approvals to Operate Markets - Kingscliff and Pottsville

ORIGIN:

Building & Environmental Health

SUMMARY OF REPORT:

The current approvals to conduct the markets at Kingscliff and Pottsville expire on 30 June 2009.

On 17 March 2009 the Trust resolved to call for expressions of interest from any person or group who wishes to be considered as a candidate to operate the two markets from 1 July 2009, for a period of three years.

The period for receipt of expressions of interest closed on 30 April. Submissions have been received. The matter will be reported to Council to determine the most suitable applicants.

RECOMMENDATION:

That the Tweed Coast Reserves Trust consents to the issue of approvals from 1 July 2009 for a period of three years for the conduct of markets at Kingscliff and Pottsville.

REPORT:

The current approvals to conduct the markets at Kingscliff and Pottsville expire on 30 June 2009.

On 17 March 2009 the Trust resolved to call for expressions of interest from any person or group who wishes to be considered as a candidate to operate the four markets from 1 July 2009, for a period of three years. The period for receipt of expressions of interest closed on 30 April. Submissions have been received.

The submissions received propose to operate the respective markets as follows:

- Kingscliff – 2nd and 4th Saturday of the month
- Pottsville – 1st and 3rd Sunday of the month

The matter will be reported to Council to determine the most suitable applicants.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER:

UNDER SEPARATE COVER/FURTHER INFORMATION:

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Nil.

REPORTS FROM DIRECTOR ENGINEERING & OPERATIONS

2 [EO-TCRT] Acquisition of Lease over Crown Reserve 84809 - Wilson Park, Banora Point

ORIGIN:

Design

SUMMARY OF REPORT:

Council has received a request from the RTA to the acquisition of a lease over Crown Land, being Crown Reserve 84809 for Public Recreation and known as Wilson Park, Banora Point.

The RTA are currently undertaking investigative works for the Sexton Hill Deviation at Banora Point and anticipate that there will be a tunnel constructed beneath part of Wilson Park. The lease provides exclusive use of the area pending completion of the works and will ultimately culminate in an acquisition of the stratum area beneath the park for the tunnel.

As Council is the Trust Manager for the land, the RTA have requested the Trust to provide its consent to the acquisition of the lease before it seeks consent from the Department of Lands.

The terms and conditions of the lease have been considered acceptable and the lease will have a term of 4 years and 11 months.

It is recommended that the Tweed Reserves Trust approve the compulsory acquisition of lease over Lots 7008 and 7009 in DP 1069422 for a term of 4 years and 11 months.

RECOMMENDATION:

That:-

1. **The Tweed Reserves Trust approve the compulsory acquisition of lease over Lots 7008 and 7009 in DP 1069422 for a term of 4 years and 11 months; and**
2. **All documentation is executed under the Common Seal of Council.**

REPORT:

Council has received a request from the RTA to the acquisition of a lease over Crown Land, being Crown Reserve 84809 for Public Recreation and known as Wilson Park, Banora Point.

The RTA are currently undertaking investigative works for the Sexton Hill Deviation at Banora Point and anticipate that there will be a tunnel constructed beneath part of Wilson Park. The lease provides exclusive use of the area pending completion of the works and will ultimately culminate in an acquisition of the stratum area beneath the park for the tunnel.

Wilson Park covers two parcels, Lots 7008 and 7009 in DP 1069422, and the lease will be over an area of 3860m² in Lot 7008 and 5900m² in Lot 7009. The lease is to allow the RTA to restrict access and have control of the area to be leased for construction and safety purposes.

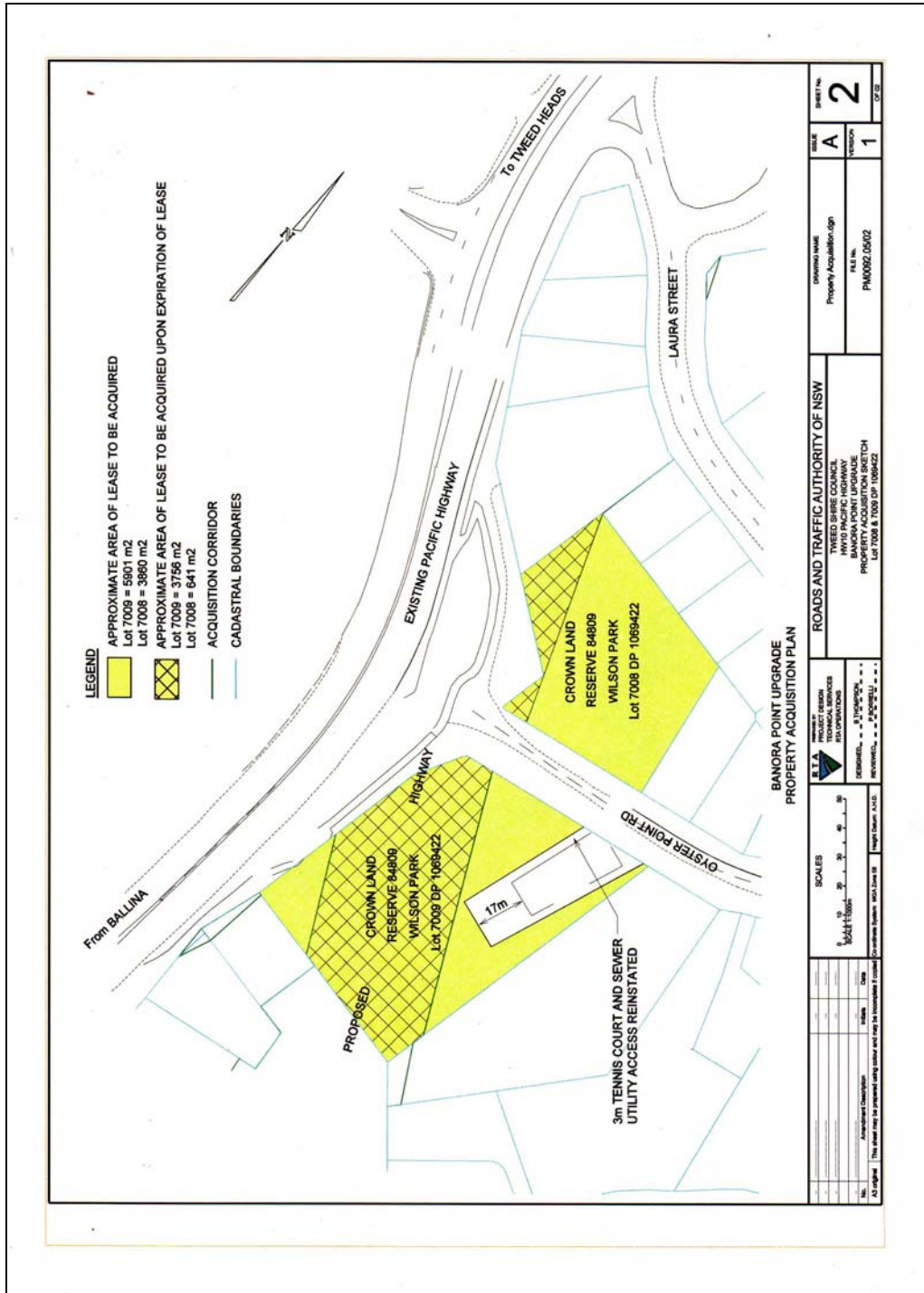
The lease area will exclude existing tennis courts and access to a sewer booster pump station constructed within Lot 7009.

As Council is the Trust Manager for the land, the RTA have requested the Trust to provide its consent to the acquisition of the lease before it seeks consent from the Department of Lands.

The terms and conditions of the lease have been reviewed and considered acceptable and the lease will have a term of 4 years and 11 months.

It is recommended that the Tweed Reserves Trust approve the compulsory acquisition of lease over Lots 7008 and 7009 in DP 1069422.

The plan below shows the area of the lease shaded, and the hatched area being the ultimate area of acquisition of land:



LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.



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Nil.

CONFIDENTIAL MATTERS

Nil.



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