

**Richmond
Valley
Council**



Minutes

Reserve Trust Meeting

Tuesday, 15 August 2017

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MINUTES OF THE RESERVE TRUST MEETING OF RICHMOND VALLEY COUNCIL, HELD IN THE COUNCIL CHAMBERS, CNR WALKER STREET AND GRAHAM PLACE, CASINO, ON TUESDAY, 15 AUGUST 2017 AT 4.35P.M.

PRESENT

Crs Robert Mustow (Mayor), Daniel Simpson (Deputy Mayor), Sam Cornish, Robert Hayes, Sandra Humphrys, Jill Lyons and Steve Morrissey.

Vaughan Macdonald (General Manager), Angela Jones (Director Infrastructure and Environment), Ryan Gaiter (Chief Financial Officer/Manager Mid-Richmond) and Roslyn Townsend (Corporate Support Officer) were also in attendance.

1 ACKNOWLEDGEMENT OF COUNTRY

In opening the meeting the Mayor provided an Acknowledgement of Country by reading the following statement on behalf of Council:

"Council would like to show its respect and acknowledge all of the traditional custodians of land within the Richmond Valley Council area and show respect to elders past and present."

2 APOLOGIES

Nil.

3 DECLARATION OF INTERESTS

Nil.

4 MATTERS FOR CONSIDERATION

4.1 WOODBURN RIVERSIDE RESERVE TRUST CONSOLIDATION

Responsible Officer:

Andrew Leach (Manager Asset Planning)

RECOMMENDATION

Recommended that:

1. Richmond Valley Council as Corporate Reserve Trust Manager resolves to request the Department of Industry – Lands and Forestry to add lots 540 and 542 DP 821656 and lot 208 DP 755624 to Reserve 54988 for Public Recreation.
2. Richmond Valley Council as Corporate Reserve Trust Manager resolves to request the Department of Industry – Lands and Forestry to dissolve:
 - Woodburn Rocky Mouth Boat ramp (95881) Reserve Trust.
3. Richmond Valley Council as Corporate Reserve Trust Manager resolves to request the Department of Industry – Lands and Forestry to appoint Woodburn (R54988) River Bank Reserve Trust as trustee of:
 - Reserve 57466 for Public Baths,
 - Reserve 88037 for Public Recreation,
 - Reserve 95881 for Public Recreation.
4. Richmond Valley Council as Corporate Reserve Trust Manager resolves to request the Department of Industry – Lands and Forestry to formally alter the name of *Woodburn (R54988) River Bank Reserve Trust* to Woodburn River Bank Reserve Trust.

RT150817/ 1 RESOLVED (Cr Simpson/Cr Morrissey)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

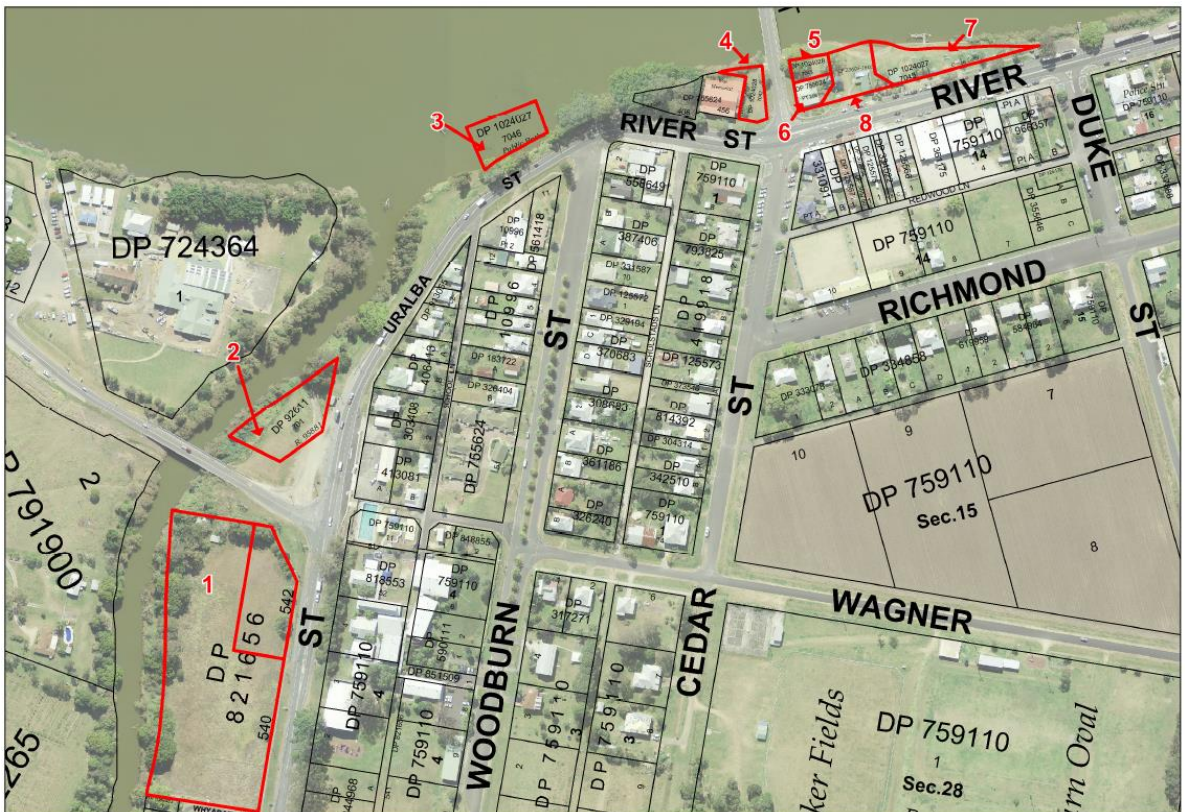
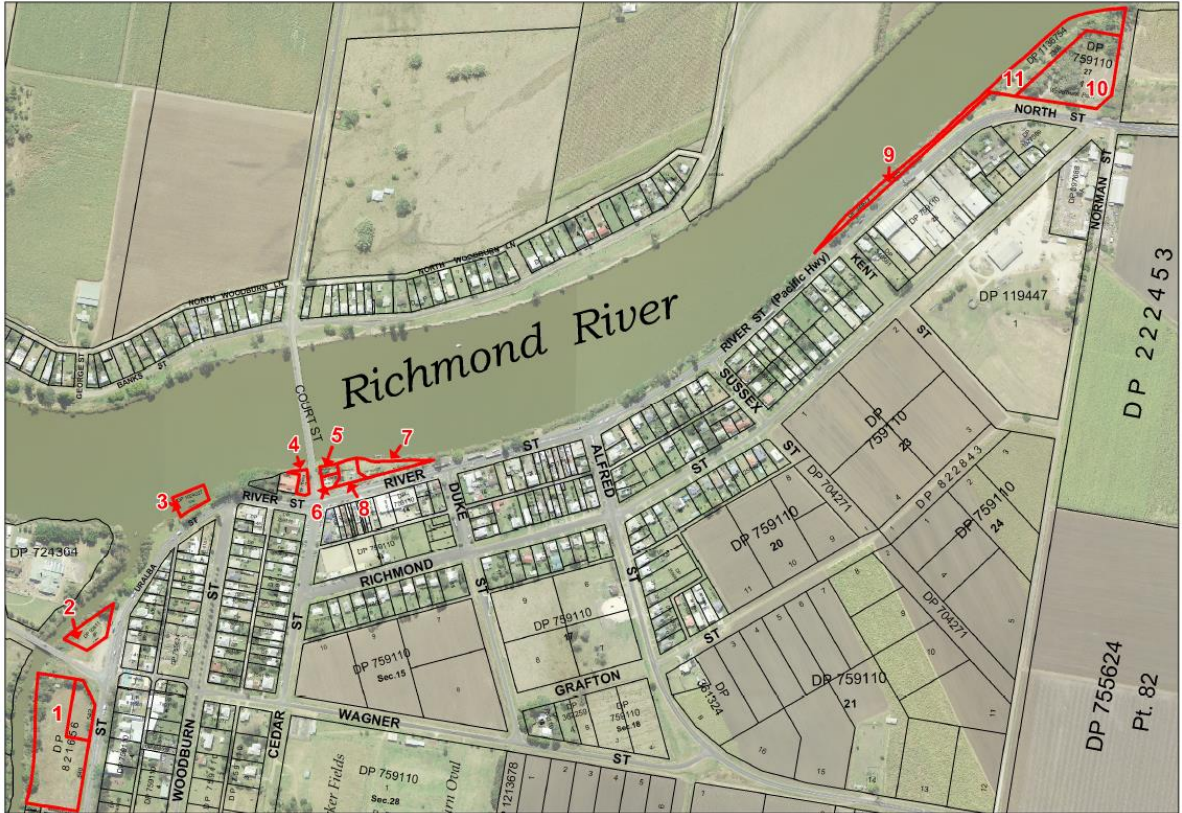
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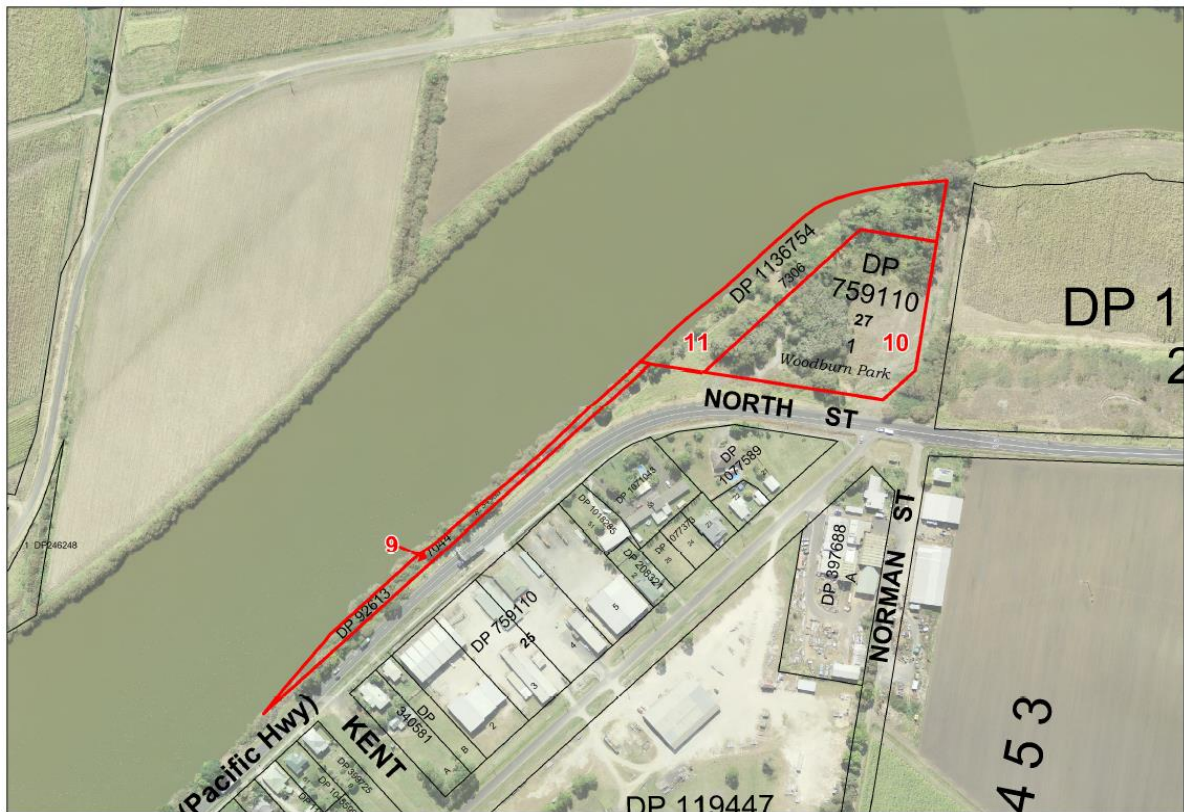
The Woodburn Riverside Precinct has various parcels of land which are the responsibility of a number of different Reserve Trusts.

For ease of administration and management it is proposed to commence a process which allows the consolidation of these trusts under the care and control of a single trust, being the Woodburn River Bank Reserve Trust. This consolidation is a recommendation of the adopted Plan of Management and will

assist in the development of the site as part of the Riverside Precinct Masterplan. This is the first step of facilitation with Department of Industry – Lands and Forestry to formalise this process.

The drawings below illustrate the current situation.





- 1 Lots 540 & 542 DP 821656 (currently part Reserve 1012192 for Access and Public Requirements, Tourism Purposes, Environmental and Heritage Conservation).
- 2 Lot 701 DP 92611 (currently Reserve 95881 for Public Recreation and under care, control and management of Woodburn Rocky Mouth Creek Boatramp (R95881) Reserve Trust).
- 3 Lot 7046 DP 1024027 (currently Reserve 57466 for Public Baths – no record of trust appointed).
- 4, 5 & 9 Lot 7044 DP 92613, Lot 406 DP 755624, Lots 7042 & 7043 DP 1024028 (currently Reserve 54988 for Public Recreation and under care, control and management of Woodburn (R54988) River Bank Park Reserve Trust); This does not include the War Memorial Hall Site.
- 6 Lot 208 DP 755624 (currently part Reserve 755624 for Future Public Requirements and held under Licence 459981 by the Country Women's Association of NSW); This is following consultation with the now recessed Woodburn CWA Branch members.
- 7 Lot 7045 DP 1024027 (currently Reserve 88216 for Public Recreation with control devolving on Richmond Valley Council pursuant to section 48 of the Local Government Act 1993).
- 8 Land described as CP23605-1603 formerly used as road reserve for Woodburn Ferry operations.
- 10, 11 Lot 1 Section 27 DP 759110 & Lot 7306 DP 1136754 (currently Reserve 88037 for Public Recreation with control devolving on Richmond Valley Council pursuant to section 48 of the Local Government Act 1993).

Department of Industry – Lands and Forestry require a recommendation from the Reserve Trust to commence this process.

Consultation

Community consultation has been undertaken primarily in the original Plan of Management drafting, and more recently in the Master planning preparation. Both these documents identify the need to consolidate the reserves. Consultation has been undertaken with the Woodburn CWA regarding this process.

Conclusion

The works to consolidate the various Trusts will make management of the Riverside Precinct more efficient and assist with the development of the site into the future. The advice from Department of Industry – Lands and Forestry is assisting in this process.

4.2 EVANS HEAD FIRE STATION - RESERVE 76690 - 76 WOODBURN STREET EVANS HEAD

Responsible Officer:

Andrew Leach (Manager Asset Planning)

RECOMMENDATION

Recommended that the Reserve Trust relinquish management of Reserve 76690 so that management of the reserve can default to Fire and Rescue NSW.

A **Motion** was moved by Cr Hayes and seconded by Cr Cornish

That the above recommendation be adopted.

The **Motion** was **lost**.

AGAINST VOTE - All Council members voted unanimously.

Report

As part of a licence renewal process it was discovered that Lot 3, Section 11, DP 758403, 76 Woodburn Street, Evans Head, Reserve No 76690 which currently houses the Evans Head Fire Station needed clarification. The original agreement was with the Woodburn Shire Council and has never been assigned to a new Trust. Other reserves throughout NSW are managed directly by Fire and Rescue NSW. As the current Reserve Trust has no association with this land, it has the option to relinquish control to Fire and Rescue NSW.

The map below shows the location of the Evans Head Fire Station on Lot 3, Section 11, DP 758403, 76 Woodburn Street, Evans Head, Reserve No 76690.



Initial investigations have revealed that:

- Reserve 76690 for Fire Brigade Station was notified over Crown land at Evans Head on 30 April 1954. The reserve is described as Lot 3, Section 11, DP 758403 comprising about 1062 square metres,
- Woodburn Shire Council was appointed trustee of the reserve under provisions of the Public Trust Act 1897,
- No Trust has been assigned under provisions of paragraph 4(3) of Schedule 8 of the Crown Lands Act 1989,
- The department considers that the lease expired on 21 March 1977. There are no holding over provisions contained in the lease and upon expiry of the lease all improvements on the reserve remain in the ownership of the lessee, and
- Other reserves for this purpose are managed directly by Fire and Rescue NSW.

Council as trustee of the reserve may wish to consider the following options:

- Request assignment of Corporate name Reserve Trust, under provisions of paragraph 4(3) of Schedule 8 of the Crown Lands Act 1989. This notification will enable Council as Corporate manager of the Trust to authorise the use and occupation of the reserve by Fire and Rescue NSW under an appropriate Trust tenure, or

- Relinquish management of Reserve 76690. Management of the reserve may then default to Fire and Rescue NSW.

Considering the above information it is proposed that the Reserve Trust approve the relinquishment of management of the land to Fire and Rescue NSW.

Consultation

Council Officers have sought advice from Department of Primary Industry – Lands who will progress the request once a recommendation has been received. Council Officers will now progress to negotiate the handover process with Fire and Rescue NSW.

Conclusion

That the Reserve Trust relinquishes management of Reserve 76690 so that management of the reserve can default to Fire and Rescue NSW.

4.3 EVANS HEAD SURF LIFE SAVING CLUB LEASE - RESERVE 82910 - 1 CAPTAIN COOK DRIVE EVANS HEAD

Responsible Officer:

Andrew Leach (Manager Asset Planning)

RECOMMENDATION

Recommended that the Reserve Trust note the renewal of the Evans Head Surf Lifesaving Club Lease for Part Lot 281 in DP 755624, 1 Captain Cook Drive, Evans Head Reserve No 82910 for a period of 20 years with a 20 year option.

RT150817/ 2 RESOLVED (Cr Simpson/Cr Humphrys)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

Report

This report is to notify the Reserve Trust of the recent renewal of the Evans Head Surf Lifesaving Club Lease for Part Lot 281 in DP 755624, 1 Captain Cook Drive, Evans Head Reserve No 82910 as shown in the map below.



The lease which is a Crown Lease for a period of 20 years with a 20 year option has been prepared by officers in conjunction with Crown Lands; commencement date of 1 October 2016 to 30 September 2036 and further 20 year option from 1 October 2036 to 30 September 2056. The lease has been signed by the General Manager and forwarded to Crown Lands Grafton for their records.

It is also noted that DA2017/0103 was submitted and approved on 15 December 2016 for a change of a use to enable dual use surf club/function centre, minor internal alterations and signage including “as built” works.

Conclusion

The renewal of this lease is procedural and is presented to the Reserve Trust for noting.

4.4 CASINO TOWN TENNIS CLUB LICENCE - RESERVE 540056 AND PART RESERVE 73496

Responsible Officer:

Andrew Leach (Manager Asset Planning)

RECOMMENDATION

Recommended that the Reserve Trust note the licence renewal of the Casino Town Tennis Courts for the period 1 January 2017 to 31 December 2017.

RT150817/ 3 RESOLVED (Cr Simpson/Cr Cornish)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

Report

This report is to notify the Reserve Trust of the recent licence renewal of the Casino Town Tennis Courts (Lot 7022 in DP 92891 and Part Lot 2 in DP 862730).

Reserve No 540056 and Part Reserve No 73496
Park: Casino Town Tennis Courts and Part Memorial Park, Casino



The licence is a Temporary Licence (for a period of 12 months) from 1 January 2017 to 31 December 2017. This licence is renewed each year and a copy sent to Crown Lands for their records. A Plan of Management will be required so a Trust Licence can be entered into for a longer period (up to 10 years), and officers will work with Casino Town Tennis Club into the future to draft a Plan of Management for approval.

Conclusion

The renewal of this Temporary Licence is procedural and is presented to the Reserve Trust for noting.

The Meeting closed at 4.44pm.

CONFIRMED - 19 September 2017

CHAIRMAN