



RICHMOND VALLEY COUNCIL

Minutes

Reserve Trust Meeting

Tuesday, 9 February 2010

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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, 9 FEBRUARY 2010 AT 2.03 P.M.

PRESENT

Crs. C.J. Sullivan (Mayor), C.J. Cox, O. Crawford, S.A. George, B.J. Jeffery, D.A. Kinnish, S.E. Morrissey, R.A. Mustow and S.N. Wheatley.

The General Manager, Director Corporate Services, Director Works, Silver Sands Holiday Park Co-ordinator (Tim Gooley) and Executive Assistant (Annette Phelps) were also in attendance.

1 APOLOGIES

Nil.

2 DECLARATION OF INTERESTS

Nil.

3 REPORTS

3.1 GRANT AND LOAN FOR DEVELOPMENT OF EVANS HEAD RECREATION RESERVE MASTERPLAN AND BUSINESS DEVELOPMENT STRATEGY

Reference: Grants and Subsidies - Applications; Financial Management - Loans; Parks and Reserves - Planning, Service Provision, Trusts; P1001587

Prepared by: Silver Sands Holiday Park Co-ordinator

Background

In August 2009, Council applied for funding assistance in the amount of \$50,000 through the Caravan Park Levy Scheme managed by the Land and Property Management Authority to assist in the development of the Masterplan for the Evans Head Recreation Reserve.

The application letter to the Land and Property Management Authority outlined that the Reserve Trust had committed \$20,000 in funds towards development of

the Masterplan; following review of the Masterplan and other plans which have been prepared for the Land and Property Management Authority, it seemed appropriate to expand the brief of the Masterplan to include the entire Evans Head Recreation Reserve.

Report

Issues

Council was notified in January 2010, that it had been successful in obtaining a \$20,000 grant and loan in the amount of \$30,000. Provision of the grant is subject to acceptance of the loan and Council's undertaking to meet the balance of funds required to complete the project. The loan is offered on the following terms:

- Repayable by five equal annual instalments of principal with interest at 3.5% per annum, calculated daily on the outstanding balance, interest to commence from the date the loan is advanced. The interest rate will be reviewed periodically in line with trends in the market place and determined in accordance with the Treasury Corporation Local government lending rate at that time.
- The first instalment to fall due one year from the date the loan is advanced.
- The loan is a financial supply and has been calculated on a GST exclusive basis and is not subject to payment of GST upon receipt by Council.
- The Council providing the Land and Property Management Authority with a valid ABN.
- Completion of the project within twelve months and submission of a certificate or a report indicating that the works have been satisfactorily completed and the funds fully expended.

To date, the Reserve Trust has contributed \$30,340 to the development of the Evans Head Recreation Reserve Masterplan and Business Development Strategy.

Policy

This funding will assist in the development of the Evans Head Recreation Reserve Masterplan and Business Development Strategy.

The funds received will directly go towards the development of the Evans Head Recreation Reserve Masterplan and Development Strategy. Any loan repayments (including interest) will be funded from the Evans Head Recreation Reserve Trust budget. Estimated annual repayments including interest will be \$6,645 per annum.

Council has also contacted the Department of Premier and Cabinet (Division of Local Government) regarding whether Council is required to amend its proposed borrowing limit for 2009/2010 due to this loan offer of an additional \$30,000. Advice received is due to the funding coming from another NSW Government

department that this was not required. However, Council must agree to the borrowing proposed by resolution prior to any actual borrowing taking place.

Conclusion

The acceptance of funds from the Land and Property Management Authority will ensure the prompt completion of the Masterplan and will offset some of the contributions already committed by the Reserve Trust on this project.

RECOMMENDATION

Recommended that the Reserve Trust accept the grant and loan offered from the Land and Property Management Authority under the conditions outlined in the report.

RT090210/ 1 RESOLVED (Cr. Wheatley/Cr. Cox)

That the above recommendation be adopted.

FOR VOTE - Cr. Sullivan, Cr. Cox, Cr. Crawford, Cr. George, Cr. Jeffery, Cr. Morrissey, Cr. Mustow, Cr. Wheatley

AGAINST VOTE - Cr. Kinnish

3.2 EVANS HEAD RECREATION RESERVE DRAFT MASTERPLAN AND BUSINESS DEVELOPMENT STRATEGY CONSULTATION PROCESS

Reference: Parks and Reserves - Planning, Service Provision, Trusts; P1001587

Prepared by: Silver Sands Holiday Park Co-ordinator

Background

The aim of this report is to inform the Trust of the consultation process to date of the Evans Head Recreation Reserve Draft Masterplan and Business Development Strategy.

At the meeting held on 1 December 2009, the Trust endorsed the recommendation to exhibit the Draft Masterplan and Business Development Strategy for the Evans Head Recreation Reserve from 19 December 2009 to 12 February 2010.

Report

Issues

Council as Trust Manager, has endeavoured to engage the community in the exhibition process and provide every opportunity to make an informed submission.

Originally the Draft was to be exhibited for the period 19 December 2009 until 12 February 2010 (a total of fifty five days), which was nearly double the required twenty eight days. Following requests from the community at the community workshops, Council formally requested the Land and Property Management Authority to extend the exhibition period to 26 February 2010. The Authority agreed and therefore the Draft will be on exhibition for a period of sixty nine days.

As part of the process of ensuring that the community was notified of the Draft Masterplan and had an opportunity to make a submission, the following consultation methods were undertaken:

- The Draft was advertised in the local papers.
- The Draft and was placed on display on Council's webpage along with the relevant proposed conceptual site designs.
- The Draft was placed on display at the Richmond Valley Council Administration Buildings in Casino and Evans Head, and the Office at the Silver Sands Holiday Park.
- A newsletter was prepared for holiday van owners and permanents within the Silver Sands Holiday Park.
- Copies of the Draft Plan were forwarded to local Evans Head businesses for comment.
- Copies of the Draft Plan were issued to the community upon request.
- Interviews carried out with local media (print, radio and television).
- Specific presentations were made to interest groups (i.e., the Evans Head RSL Sub-Branch and Silver Sands Holiday Park permanent residents).
- Three community information workshops were arranged to cater for specific interest groups (holiday van owners and permanent residents) and the general community.

A Report has been prepared by the workshop facilitator Mr Rick Bennell of Bennell and Associates relating to issues raised by the community. This Report has been submitted to the Land and Property Management Authority, displayed on Council's website and has been distributed to all the attendees at the meetings who provided their details, as well as Silver Sands Holiday Park permanent residents and holiday van owners.

A copy of the Report on Community Information Workshops has been circulated separately to each Councillor.

Legal

The Draft Masterplan was prepared on behalf of Evans Head Recreation Reserve Trust as directed by the Land and Property Management Authority. Council is obliged to give public notice and exhibit the draft Strategy, together with any other matters considered appropriate to enable the draft Strategy and its implications to be understood in accordance with the Crown Lands Act 1989. The exhibition period is to be for a period of at least twenty eight days to be displayed by the Reserve Trust and the Authority during which time representations may be made to the Minister for consideration before adoption, as specified within section 113 of the Crown Lands Act 1989. It is proposed that

the exhibition period will finish on 26 February 2010 following an extension granted from the Land and Property Management Authority as a result of a request from the Reserve Trust.

The Minister may then adopt the Evans Head Recreation Reserve Development Strategy with or without alteration.

Policy

It is proposed that once adopted, the Evans Head Recreation Reserve Masterplan will form the basis for future development on the Evans Head Recreation Reserve and the Silver Sands Holiday Park

Environmental

All relevant environmental plans, policies and issues have been addressed in the Draft Masterplan.

Asset

The Evans Head Recreation Reserve Masterplan has the potential to improve existing assets and provide for new assets. Service and maintenance will be greatly improved due to increased funding opportunities provided through the Silver Sands Holiday Park.

Social

The consultation process engaged by Council has had the direct intention to address the social impacts the adoption of the Draft Masterplan could cause.

Consultation

Community workshops held attracted approximately 300-400 people and ran for a duration of two to three hours.

All attendees at the workshops had opportunities to raise issues and to ask the Council representatives questions. All issues/questions raised were answered with the required information where possible.

Economic

The Draft Plan if adopted, will have impacts on the local community in relation to tourism and the local economy.

Staff

The Director Corporate Services and the Silver Sands Holiday Park Co-ordinator were present at all meetings and answered questions and addressed issues raised by the community on behalf of Council

Strategic Links

The Development Strategy has direct links to the Evans Head Coastal Reserve Plan of Management and as such, it is appropriate that they are exhibited concurrently which is occurring.

Financial Implications

Council engaged the services of Bennell and Associates as an independent facilitator of the workshops. The costs associated for their services were covered in the current budget for the Masterplan.

Conclusion

In summary Council has endeavoured to consult extensively with the community and interest groups in relation to the Draft Masterplan and the submission process.

This consultation will continue until the exhibition period closes on 26 February 2010.

RECOMMENDATION

Recommended that the report be received and noted.

RT090210/ 2 RESOLVED (Cr. Mustow/Cr. Kinnish)

That:

1. The report be received and noted.
2. When the final documents are returned to Council, that a workshop be held on the issue before the final Masterplan is submitted to the Minister.

FOR VOTE - All Council members voted unanimously.

3.3 CORAKI PUBLIC RECREATION RESERVE - CARAVAN PARK FEE STRUCTURE

Reference: Parks and Reserves - Trusts; Financial Management - Fees and Charges; P42846

Prepared by: Governance Officer

Background

The Board has the function of care, control and management of Coraki Caravan Park and to provide input to the Reserve Trust in respect of the Caravan Park and other Public Recreation Reserves in Coraki.

The Board submitted a proposal to increase site fees for Coraki Caravan Park to the November 2009 meeting of the Reserve Trust.

Report

Issues

At the Reserve Trust meeting on 10 November 2009, the Reserve Trust approved the proposed new fee structure for public notification and public comment for a period of not less than 28 days in accordance with S. 610F of the Local Government Act 1993 No. 30.

An advertisement advising the details of the Reserve Trust resolution, the proposed changes to the fee structure and the park rules inviting public comment, was placed in the following print media:

Northern Star - Comprehensive Advertisement - Saturday 28 November 2009 to Saturday, 2 January 2010

Richmond River Express Examiner - Comprehensive Advertisement - Wednesday, 2 December 2009 to Wednesday, 30 December 2009

Rivertown Times - Comprehensive Advertisement - Thursday, 10 December 2009 and Thursday, 24 December 2009

An Information Package containing a copy of the advertisement, advice on the reasons for the changes, and copies of the proposed new fee structure and park rules were made available on request from Council's Customer Service staff. Copies of the Information Package were also provided to the Caretakers of the Coraki Caravan Park to hand out to patrons of the park. The Caretakers handed these information packages out and actively encouraged patrons to provide a written submission.

No written submissions were received, however the following verbal comments were made by patrons to the Caretakers:

- Some patrons were unhappy about the fee increase.
- Some patrons indicated that they thought the new air-conditioning charge is very cheap at \$5.00 per week.
- An error was noted in the information package; in that the differences expressed as a % were in fact \$ differences (amended advice was issued to correct this error).

Conclusion

Whilst there were some objections to the fee increase, some patrons thought the fees were reasonable, and the proposed air conditioning fee was very cheap. Considering the forecast increase in electricity and other costs, and the need for continued investment in maintenance and development of the caravan park to ensure increase patronage and higher quality facilities, the proposed fee changes are justified.

RECOMMENDATION

Recommended that the proposed new fee structure for the Coraki Caravan Park be adopted, with the new fees to apply from 1 March 2010.

RT090210/ 3 RESOLVED (Cr. Cox/Cr. Kinnish)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

CORAKI CARAVAN PARK SITE FEES			
	Current Fees 2009/2010	Proposed Fees	Difference Between Current & Proposed Fees
	\$\$\$	\$\$\$	\$\$\$
POWERED SITES			
<u>WEEKLY CHARGE - TO RUN AN AIRCONDITIONER</u>			
		\$5.00	New charge
WEEKLY - Short Term (less than 27 days)			
1 Person	\$40.00	\$50.00	\$10.00
2 Persons	\$54.00	\$69.00	\$15.00
Extra Persons	\$4.00	\$10.00	\$6.00
WEEKLY - Long Term (greater than 27 days)			
1 Person	\$37.00	\$47.00	\$10.00
2 Persons	\$51.00	\$66.00	\$15.00
Extra Persons	\$4.00	\$10.00	\$6.00
DAILY			
1 Person	\$15.00	\$20.00	\$5.00
2 Persons	\$20.00	\$25.00	\$5.00
Extra Persons	\$4.00	\$5.00	\$1.00
UNPOWERED SITES (Caravans & Tents)			
WEEKLY - Short Term (less than 27 days)			
1 Person	\$26.00	\$31.00	\$5.00
2 Persons	\$36.00	\$46.00	\$10.00
Extra Persons	\$3.00	\$4.00	\$1.00
WEEKLY - Long Term (greater than 27 days)			
1 Person	\$23.00	\$28.00	\$5.00
2 Persons	\$31.00	\$41.00	\$10.00
Extra Persons	\$3.00	\$4.00	\$1.00
DAILY			
1 Person	\$10.00	\$15.00	\$5.00
2 Persons	\$13.00	\$18.00	\$5.00
Extra Persons	\$3.00	\$4.00	\$1.00
KEY DEPOSIT	\$20.00	\$20.00	\$0.00
GST included			

3.4 SUMMARY OF THE CORAKI PUBLIC RECREATION RESERVE BOARD MEETING HELD ON 14 DECEMBER 2009

Reference: Parks and Reserves - Design and Construction, Service Provision, Trusts; Laws and Enforcement - Standards; P42846

Prepared by: Governance Officer

Background

The Coraki Public Recreation Reserve Board met on 14 December 2009.

The Board has the function of care, control and management of Coraki Caravan Park and to provide input to the Reserve Trust in respect of the Caravan Park and other Public Recreation Reserves in Coraki.

Report

Issues

The Coraki Public Recreation Reserve Board considered the following matters at its meeting held on 14 December 2009:

- Disabled Toilet Block – Payment for construction
- Review of Park Rules and Site Fees - consultation process (separate report provided)
- Signs – Alcohol Free Zone – replacement signs
- Security Lights for Ladies Toilets – electrical repairs
- Key Cutting – Keys in General – spare keys and keys to washing machines – collection of income from washing machines
- Management Plan - review
- Supervision of Children visiting Amenities Block – included in new rules
- Clothes line – proposed purchase
- Boom gate – deferred to next meeting
- Cash Flow Forecasting – planned Capital Expenditure will reduce bank balance to about \$10,000 at the end of February 2010
- Meeting Schedule for 2010 – deferred to next meeting
- Compliments to the Caretakers and Board members for their hard work.

A copy of the Minutes of the Coraki Public Recreation Reserve Board Meeting held on 14 December 2009 had been circulated separately to each Councillor.

Conclusion

Consideration of the recommendations by the Trust will satisfy the Trust's obligations.

RECOMMENDATION

Recommended that the information be received and noted.

RT090210/ 4 RESOLVED (Cr. Mustow/Cr. Morrissey)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

4 MATTERS REFERRED TO CLOSED MEETING

Set out below is section 10A(2) of the *Local Government Act 1993* in relation to matters which can be dealt with in a closed part of a meeting.

The matters and information are the following:

- (a) personnel matters concerning particular individuals (other than councillors)
- (b) the personal hardship of any resident or ratepayer
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret
- (e) information that would, if disclosed, prejudice the maintenance of law
- (f) matters affecting the security of the council, councillors, council staff or council property
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.

In accordance with the *Local Government Act 1993* and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

4.1 MID RICHMOND RESIDENTS VILLAGE - PROPOSED LEASE

Reason for Confidentiality

This matter is classified CONFIDENTIAL under section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

As part of the Reserve Trust's future planning it is necessary from time to time to acquire or lease land/property. Such negotiations need to be undertaken on a confidential basis so that the trust does not lose any commercial advantage. Disclosure of information in this report would effectively place the Reserve Trust at a "business" disadvantage.

RECOMMENDATION

Recommended that:

1. The Reserve Trust resolve into Closed Meeting to consider business identified, together with any late reports tabled at the meeting.
2. Pursuant to section 10A(1)-(3) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.
3. The correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the *Local Government Act 1993*.

Section 10A(4) of the Local Government Act 1993 provides that members of the public be allowed to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

- *Motion to close meeting - moved and seconded.*
- *Any written representations to be read by the General Manager. (Details to be recorded in minutes.)*
- *Verbal representations made in accordance with the Supplementary provisions of the Code of Meeting Practice. (Acknowledgement of process [and time, etc.] to be recorded in minutes.)*

Pursuant to section 10A(4), the public invited to make representations to the council meeting before any part of the meeting is closed, as to whether that part of the meeting should be closed.

The General Manager reported that no written representations had been received in respect to the items listed for consideration in the Closed Meeting.

The Mayor called for verbal representations from the gallery.

There were no representations from the gallery.

RT090210/ 5 RESOLVED (Cr. Morrissey/Cr. Cox)

That:

1. The Reserve Trust resolve into Closed Meeting to consider business identified, together with any late reports tabled at the meeting.
2. Pursuant to section 10A(1)-(3) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.
3. The correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the *Local Government Act 1993*.

FOR VOTE - All Council members voted unanimously.

The Silver Sands Holiday Park Co-ordinator retired from the meeting at this stage, the time being 2.35 p.m.

The Reserve Trust closed its meeting at 2.36 p.m. The public and media left the Chamber.

The Open Meeting resumed at 2.44 p.m.

5 RESOLUTIONS OF CLOSED MEETING

The following resolution of the Reserve Trust, while the meeting was closed to the public, was read to the meeting by the General Manager.

MID RICHMOND RESIDENTS VILLAGE - PROPOSED LEASE

That the report be received and noted.

The Meeting closed at 2.45 p.m.

CONFIRMED - 16 February 2010

CHAIRMAN