



TWEED
SHIRE COUNCIL

Chair: Tr K Milne

Trustees: G Bagnall (Deputy Chair)
C Byrne
B Longland
W Polglase
P Youngblutt

Agenda

Tweed Heads Jack Evans Boat Harbour Reserve Trust Meeting Thursday 16 June 2016

held at **Council Chambers, Murwillumbah Civic & Cultural
Centre, Tumbulgum Road, Murwillumbah**
commencing at 5.00pm

THIS PAGE IS BLANK

Items for Consideration of the Trust:

ITEM	PRECIS	PAGE
	CONFIRMATION OF MINUTES	5
1	[CONMIN-JEBH] Confirmation of Ordinary Minutes of the Tweed Heads Jack Evans Boat Harbour Reserve Trust Meeting held Thursday 19 May 2016	5
	REPORTS THROUGH THE EXECUTIVE MANAGER OF THE TRUST	7
	REPORTS FROM DIRECTOR PLANNING AND REGULATION	7
2	[PR-JEBH] Community Markets	7

THIS PAGE IS BLANK

CONFIRMATION OF MINUTES

- 1 [CONMIN-JEBH] Confirmation of Ordinary Minutes of the Tweed Heads Jack Evans Boat Harbour Reserve Trust Meeting held Thursday 19 May 2016

SUBMITTED BY: Corporate Governance



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.2 Improve decision making by engaging stakeholders and taking into account community input
 - 1.2.2 Decisions made relating to the allocation of priorities will be in the long-term interests of the community
-

SUMMARY OF REPORT:

The Minutes of the Ordinary Tweed Heads Jack Evans Boat Harbour Reserve Trust Meeting held Thursday 19 May 2016 are attached for information and adoption by the Trust.

RECOMMENDATION:

That the Minutes of the Ordinary Tweed Heads Jack Evans Boat Harbour Reserve Trust Meetings held Thursday 19 May 2016 be adopted as a true and accurate record of proceedings of that meeting.

REPORT:

As per Summary.

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice Version 2.5.

b. Budget/Long Term Financial Plan:

Not applicable.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

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).*

Attachment 1

Minutes of the Ordinary Tweed Heads Jack Evans Boat Harbour Reserve Trust Meeting held Thursday 19 May 2016 (ECM 4067619).

REPORTS THROUGH THE EXECUTIVE MANAGER OF THE TRUST

REPORTS FROM DIRECTOR PLANNING AND REGULATION

2 [PR-JEBH] Community Markets

SUBMITTED BY: Building and Environmental Health

SUMMARY OF REPORT:

The Market Policy and Events Strategy were adopted by Council at its 17 March 2016 meeting. A number of available community market sites were identified, inclusive of the Jack Evans Boat Harbour Reserve.

This report seeks Council, as Trustee, support for a series of concurrent processes to allow:

- the more immediate activation of the Jack Evans Boat Harbour and Salt Central market sites through an expressions of interest process;
- the temporary, ongoing operation of the other markets currently in operation Kingscliff (Jack Bayliss Park), Kingscliff (Lions Park), Tweed Heads (Recreation Ground), and Pottsville (Philip Street) to enable sufficient time for the required development application and modification processes for these markets;
- to gain development approval for the Murwillumbah (Knox Park), Kingscliff (Jack Bayliss Park), Tweed Heads (Recreation Ground), and Pottsville (Philip Street) sites; and
- following the completion of these application processes, to conduct a broader expressions of interest process to establish new operational approvals for a 3 year period, in accordance with Council's adopted Market Policy.

The current status of the development consents and operational approvals for each of the markets are as follows (site relevant to this report in red):

Community Market Sites	DA Consent	Operational	Current Approval Expiration Date
Tweed Heads - Jack Evans Boat Harbour	DA12/0394	No - Relinquished	Not Applicable
Tweed Heads - Recreation Ground	Required	Yes	30 June 2016
Kingscliff – Jack Bayliss Park	Required	Yes	30 June 2016

Community Market Sites	DA Consent	Operational	Current Expiration Date	Approval
Kingscliff – Lions Park	DA12/0480	Yes	30 June 2016	
Casuarina - Salt central	DA13/0634	No	Not Applicable	
Pottsville – Philip St Reserve	Required	Yes	30 June 2016	
Murwillumbah – Knox Park	Required	No - Relinquished	Not Applicable	

NB. The current market operators for the Kingscliff Lions Park (the Kingscliff Night Markets) have been operating in breach of their development consent by allowing 10 food vendors (instead of 4 approved). The modification of the relevant conditions of consent would be needed to enable this arrangement to continue. Consideration of the impact these additional food vendors is having on established food premises in Kingscliff is necessary.

RECOMMENDATION:

That the Tweed Heads Jack Evans Boat Harbour Reserve Trust consents to immediately proceed with the expression of interest process for the community market site at Jack Evans Boat Harbour – Anzac Memorial Precinct.

REPORT:

The Market Policy and Events Strategy were adopted in March 2016. A number of available community market sites were identified, inclusive of the Jack Evans Boat Harbour Reserve.

The community market at Jack Evans Boat Harbour is currently not operational, however is the subject of development consent DA12/0394.

Council Considerations

Council is currently considering the periodic expression of interest process for community market sites of Kingscliff (Lions Park), Kingscliff (Jack Bayliss Park), Tweed Heads (Recreation Ground), and Pottsville (Philip Street) that expire on 30 June 2016. It is recommended that these markets to continue to operate while other actions, like the development application process and market management guidelines for the EOI process are advanced.

It is considered the development application and determination process for the community market sites along with the expression of interest process will take approximately 9 months.

Jack Evans Boat Harbour (Anzac Memorial Precinct) and Salt Central Community Market Sites

These market sites are subject to development consent provisions. A market previously operated at the Harbour site however had been surrendered as the market failed to establish for one reason or another. There has been recent interest in the re-establishment of a market at Harbour site and new market at Salt Central.

The options Council is currently considering, as below, therefore reflect the current approvals expiry date, the periods of time for both the application and determination process and the expression of interest process and taking into account the new market sites of Jack Evans Boat Harbour and Salt Central.

OPTIONS:

Seek Council Resolution and relevant Trust endorsement to either:

Option 1:

1. Extends the current community market operating approvals for the community market sites of Kingscliff (Jack Bayliss Park), Kingscliff (Lions Park), Tweed Heads (Recreation round), Pottsville (Philip Street) and Murwillumbah (Knox Park) (noting that Knox Park approval has been relinquished); for a period of 9 months from 1 July 2016 to 31 March 2017 to provide sufficient time for:
 - (a) the completion of the relevant development application and modification and determination processes for each site; and
 - (b) the completion of a subsequent expressions of interest process to establish a new three year operating approval for these markets between July 2017 and June 2020

2. Immediately proceed with the expression of interest process to establish new operating approvals for the community market sites with existing development consents being Jack Evans Boat Harbour and Salt Central.

Option 1 is recommended.

Option 2:

Concurrently advance the development and modification application processes (where required) and conduct a broader expressions of interest process for all market sites in a more immediate timeframe.

This option is not supported, given that the relevant development approvals are considered necessary before proceeding with a broader EOI process. It is considered more appropriate to conduct these processes in a staged manner, as identified in the recommended Option 1.

CONCLUSION:

Option 1 is recommended to ensure the ongoing operation of current markets and allowing enough time to undertake the application and determination process for the community market sites of; Kingscliff (Jack Bayliss Park), Tweed Heads (Recreation Ground), Pottsville (Philip Street) and Murwillumbah (Knox Park) whilst taking advantage of the current interest shown in the new market sites of Jack Evans Boat Harbour and Salt Central.

Note: All markets will be aligned to expire together on 30 June 2020.

To facilitate Option 1 endorsement is required by the Trust to consent to:

Immediately proceed with the expression of interest process for the community market site at Jack Evans Boat Harbour – Anzac Memorial Precinct.

IMPLICATIONS:

a. Policy:

Markets v1.1

b. Budget/Long Term Financial Plan:

Option 1 – Increased income from rents paid for Jack Evans Boat Harbour and Salt Central.

Option 2 – Increased income from rents paid for Jack Evans Boat Harbour and Salt Central.

c. Legal:

Option 2 holds an increased risk of an inadequate EOI process.

d. Communication Engagement

Not Applicable.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

THIS PAGE IS BLANK