

**MINUTES OF THE COMMERCIAL SERVICES COMMITTEE MEETING
OF THE BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET, BALLINA,
ON 12/06/24 AT 4 PM**

Attendance

Crs Sharon Cadwallader (Mayor - in the chair, online), Kiri Dicker, Simon Chate, Eoin Johnston, Stephen McCarthy, Eva Ramsey, Phillip Meehan and Rodney Bruem (online).

Paul Hickey (General Manager), Matthew Wood (Director, Planning and Environmental Health Division), Caroline Klose (Director, Corporate and Community Division), Tracy Lister (Manager Communications and Customer Service), Paul Tsikleas (Manager Commercial Services), Leanne Harding (Coordinator Property), Janelle Snellgrove (Executive Support Officer, Corporate and Community) and Nikki Glassop (Administration Officer, Corporate and Community) were in attendance.

There were three people in the gallery at this time.

1. Acknowledgement of Country

In opening the meeting the Mayor provided an Acknowledgement of Country.

2. Apologies

An apology was received from Cr Jeff Johnson.

RECOMMENDATION

(Cr Eva Ramsey/Cr Simon Chate)

That such apology be accepted and leave of absence granted.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Nigel Buchanan

3. Declarations of Interest

Nil.

4. Deputations

Nil.

**MINUTES OF THE COMMERCIAL SERVICES COMMITTEE MEETING
OF THE BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET, BALLINA,
ON 12/06/24 AT 4 PM**

5. Committee Reports

5.1 Policy (Review) - Private Structures within Council Owned Waterways

RECOMMENDATION

(Cr Phillip Meehan/Cr Rodney Bruem)

1. That Council adopts the Private Structures within Council Owned Waterways Policy, as per Attachment 2 to this report, subject to the following amendment to clause 1.5:

“Council is unable to guarantee the Council owned waterways profile will always allow floatation of pontoons. Council maintenance of the waterways will be carried out in accordance with the funding allocated in Council’s long term financial plan, as per Council’s adopted Delivery Program and Operational Plan.”

2. That Council also include in the policy a reference that Council will maintain a list of approved contractors.

FOR VOTE - Cr Sharon Cadwallader, Cr Kiri Dicker, Cr Simon Chate, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Phillip Meehan and Cr Rodney Bruem

AGAINST VOTE - Cr Eva Ramsey

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Nigel Buchanan

5.2 Ballina Byron Gateway Airport - Car Rental Leasing Proposals

RECOMMENDATION

(Cr Rodney Bruem/Cr Stephen McCarthy)

That Council notes the contents of this report in respect to the process followed for the car rental leasing proposals, for the Ballina Byron Gateway Airport.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Nigel Buchanan

5.3 Boeing Avenue, Ballina - Industrial Land Sale - Method

A **Motion** was moved by Cr Eoin Johnston and seconded by Cr Kiri Dicker.

1. That Council authorises the sale of Lots 1 to 9 (inclusive) in proposed plan of subdivision of Lot 1 DP 1290238 by public auction and authorises the General Manager to set price reserves based on market conditions and the current high level of demand for industrial land.

**MINUTES OF THE COMMERCIAL SERVICES COMMITTEE MEETING
OF THE BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET, BALLINA,
ON 12/06/24 AT 4 PM**

2. That Council authorises the General Manager to enter into open or general agency agreements with local real estate agents who wish to participate in the auction campaign.
3. That the contracts for sale of Lots 1 to 9 (inclusive) in point one, are to include “use it or lose it” provisions to reduce the possibility of land purchase for property speculation and land banking.
4. That in respect to point one, the General Manager is authorised to execute all necessary sale documents and affix the Council seal to same.

An **Amendment** was moved by Cr Phillip Meehan and seconded by Cr Simon Chate

1. That Council authorises the sale of Lots 1 to 9 (inclusive) in proposed plan of subdivision of Lot 1 DP 1290238 by public auction and authorises the General Manager to set price reserves based on market conditions and the current high level of demand for industrial land.
2. That Council authorises the General Manager to enter into open or general agency agreements with local real estate agents who wish to participate in the auction campaign.
3. That the contracts for sale of Lots 1 to 9 (inclusive) in point one, are to include “use it or lose it” provisions to reduce the possibility of land purchase for property speculation and land banking.
4. That in respect to point one, the General Manager is authorised to execute all necessary sale documents and affix the Council seal to same
5. That the agents commission be set at 1.5% of the sale price.

The **Amendment** was **CARRIED**

FOR VOTE - Cr Kiri Dicker, Cr Simon Chate, Cr Stephen McCarthy, Cr Eva Ramsey and Cr Phillip Meehan

AGAINST VOTE - Cr Sharon Cadwallader, Cr Eoin Johnston and Cr Rodney Bruem

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Nigel Buchanan

The **Amendment** then became the **Motion** and was **CARRIED**

RECOMMENDATION

(Cr Eoin Johnston/Cr Kiri Dicker)

1. That Council authorises the sale of Lots 1 to 9 (inclusive) in proposed plan of subdivision of Lot 1 DP 1290238 by public auction and authorises the General Manager to set price reserves based on market conditions and the current high level of demand for industrial land.

**MINUTES OF THE COMMERCIAL SERVICES COMMITTEE MEETING
OF THE BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET, BALLINA,
ON 12/06/24 AT 4 PM**

2. That Council authorises the General Manager to enter into open or general agency agreements with local real estate agents who wish to participate in the auction campaign.
3. That the contracts for sale of Lots 1 to 9 (inclusive) in point one, are to include “use it or lose it” provisions to reduce the possibility of land purchase for property speculation and land banking.
4. That in respect to point one, the General Manager is authorised to execute all necessary sale documents and affix the Council seal to same.
5. That the agents commission be set at 1.5% of the sale price.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Nigel Buchanan

5.4 Childcare Centre Site - Lot 31 Dundee Avenue, Wollongbar - Status

RECOMMENDATION

(Cr Rodney Bruem/Cr Phillip Meehan)

That Council notes the contents of this report in respect to the status of the Council owned childcare site at Lot 31 Dundee Avenue, Wollongbar.

FOR VOTE - Cr Sharon Cadwallader, Cr Simon Chate, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Eva Ramsey, Cr Phillip Meehan and Cr Rodney Bruem
AGAINST VOTE - Cr Kiri Dicker

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Nigel Buchanan

5.5 Wollongbar Medium Density Housing Project - Status

RECOMMENDATION

(Cr Phillip Meehan/Cr Rodney Bruem)

That Council notes contents of this status report on the Wollongbar Medium Density Housing Project.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Nigel Buchanan

6. Confidential Session

Cr Kiri Dicker left the meeting at 05:29 pm.

RECOMMENDATION

(Cr Eva Ramsey/Cr Simon Chate)

**MINUTES OF THE COMMERCIAL SERVICES COMMITTEE MEETING
OF THE BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET, BALLINA,
ON 12/06/24 AT 4 PM**

That Council moves into committee of the whole with the meeting closed to the public, to consider the following item in accordance with Section 10A (2) of the Local Government Act 1993.

6.1 Ballina Byron Gateway Airport - Car Rental Leasing Proposals

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with 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

and in accordance with 10D(2)(c), on balance, the discussion of the matter in an open meeting is not considered to be in the public interest due to the ongoing commercial negotiations and the release of any information could prejudice those negotiations

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Nigel Buchanan

(The Council moved into Confidential Session at 5.28pm).

Open Council

RECOMMENDATION

(Cr Simon Chate/Cr Eva Ramsey)

That Council move into Open Council and out of Committee of the Whole.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Kiri Dicker, Cr Jeff Johnson and Cr Nigel Buchanan

(The Council moved into Open Council at 5.37pm).

The Mayor reported to the Open Meeting the recommendation made while in Confidential Session:

6.1 Ballina Byron Gateway Airport - Car Rental Leasing Proposals

RECOMMENDATION

(Cr Rodney Bruem/Cr Phillip Meehan)

**MINUTES OF THE COMMERCIAL SERVICES COMMITTEE MEETING
OF THE BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET, BALLINA,
ON 12/06/24 AT 4 PM**

1. That Council resolves to adopt option one and offer five-year leases/licenses to the five incumbent car rental operators at the Ballina Byron Gateway Airport, based upon the rental structures detailed in option one of this report.
2. That Council authorises the General Manager to finalise negotiations and affix the Council seal to lease, licences and associated documentation.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Kiri Dicker, Cr Jeff Johnson and Cr Nigel Buchanan

Adoption of Recommendation from Confidential Session

RECOMMENDATION

(Cr Simon Chate/Cr Rodney Bruem)

That the recommendation made whilst in Confidential Session, be adopted.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Kiri Dicker, Cr Jeff Johnson and Cr Nigel Buchanan

MEETING CLOSURE

5.39pm