

**MINUTES OF THE COMMERCIAL SERVICES COMMITTEE MEETING
OF THE BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET, BALLINA,
ON 18/11/14 AT 4.00 PM**

Attendance

Crs David Wright (Mayor - in the chair), Jeff Johnson, Sharon Cadwallader, Susan Meehan, Paul Worth, Ben Smith and Robyn Hordern.

Paul Hickey (General Manager), John Truman (Civil Services Group Manager), Rod Willis (Development and Environmental Health Group Manager), Steve Barnier (Strategic and Community Facilities Group Manager), Paul Tsikleas (Commercial Services Manager), Neil Weatherson (Airport Manager) and Sandra Bailey (Secretary) were in attendance.

There were 14 people in the gallery at this time.

1. Apologies

Apologies were received from Crs Keith Williams, Keith Johnson and Ken Johnston.

RECOMMENDATION

(Cr Ben Smith/Cr Robyn Hordern)

That such apologies be accepted.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Keith Williams, Cr Keith Johnson and Cr Ken Johnston

2. Declarations of Interest

Nil

3. Deputations

- **Graham Eggins, Mens Shed** – spoke in relation to Item 4.3 – Southern Cross Industrial Estate – 54 North Creek Road, Ballina.

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4. Committee Reports

4.3 Southern Cross Industrial Estate - 54 North Creek Road, Ballina

RECOMMENDATION

(Cr Sharon Cadwallader/Cr Robyn Hordern)

1. Council approves the allocation of up to \$20,000 from the Property Development Reserve to undertake investigations to determine the development potential and market value of 54 North Creek Road, Southern Cross Industrial Estate (Part Lot 98 DP 1194043).
2. Upon completion of these investigations the matter is to be reported back to Council to determine the merits of selling a portion of this land to the Men's Shed, along with consideration of any other long term options for this site.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Keith Williams, Cr Keith Johnson and Cr Ken Johnston

4.1 Shuttle Bus Concession Desks - Airport

RECOMMENDATION

(Cr Ben Smith/Cr Susan Meehan)

1. That Council resolves to accept the tender from Hawkins Investments for desk four, along with the negotiated outcomes with Xcede Airport Transfers for desk five and Byron Easy Bus for desk six, as detailed within this report.
2. The General Manager is authorised to finalise negotiations with all three tenderers based on point one.
3. The use of Council's Common Seal is approved to be affixed to the respective licence agreements.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Keith Williams, Cr Keith Johnson and Cr Ken Johnston

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4.2 Wollongbar Residential Estate - Stage 1 Update

RECOMMENDATION

(Cr Paul Worth/Cr Sharon Cadwallader)

1. That Council notes the contents of this report providing an update on the status of the Wollongbar Residential Estate development.
2. That Council authorises Lot 5 to be placed on the market for sale, inclusive of the teak tree.
3. That Council endorses street names identified in this report for the naming of the road created as part of this development
4. That Council approves an allocation of \$96,000 from the Property Development Reserve to allow the finalization of the construction and development of Stage 1 of the Wollongbar Residential Estate.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Keith Williams, Cr Keith Johnson and Cr Ken Johnston

4.4 Land Acquisition - Road Widening

RECOMMENDATION

(Cr Ben Smith/Cr Robyn Hordern)

1. That Council approves the land acquisition of an area of approximately 1,250m² being portion of Part Lot 360 DP 1189176, Cumbalum for road widening, as identified within this report.
2. That Council approves a budget of up to \$25,000 for this acquisition with those funds to be sourced from the Roads Capital Expenditure budget.
3. That Council authorises the Council seal to be attached to any documents associated with the land acquisition.

FOR VOTE - Cr David Wright, Cr Jeff Johnson, Cr Sharon Cadwallader, Cr Paul Worth, Cr Robyn Hordern and Cr Ben Smith

AGAINST VOTE - Cr Susan Meehan

ABSENT. DID NOT VOTE - Cr Keith Williams, Cr Keith Johnson and Cr Ken Johnston

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4.5 Land Sale - Southern Cross Industrial Estate

RECOMMENDATION

(Cr Ben Smith/Cr Sharon Cadwallader)

1. That Council approves the sale of approximately 1,395m² of Southern Cross industrial land, as detailed within this report, with the sale price to be determined as per the separate report elsewhere in this agenda.
2. That Council authorises the Council seal to be attached to the contract for sale and subdivision documentation required as well as any other related documents.
3. That Council takes pro-active steps to maintain its land stock.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Keith Williams, Cr Keith Johnson and Cr Ken Johnston

4.6 Wigmore Arcade Complex - Update Report & Lease Agreements

RECOMMENDATION

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council notes the contents of this report in regards to the progress of the Wigmore Arcade Complex refurbishment project.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Keith Williams, Cr Keith Johnson and Cr Ken Johnston

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4.7 Russellton Industrial Estate - Update Report

RECOMMENDATION

(Cr Paul Worth/Cr Robyn Hordern)

1. That Council notes the contents of this update report for the Russellton Industrial Estate.
2. That Council supports the following actions to progress the development of this Estate:
 - a) A revised staging plan to increase the viability of any development
 - b) Investigations into the possibility of selling the house on the Stoville property
 - c) Investigations into the possibility of completing boundary adjustments with Mr Fleming and Mr Flynn.
 - d) That funds of \$25,000 be allocated from the Property Development Reserve to cover the investigations referred to in a), b) and c).
3. That Council approves a further allocation of \$30,000 from the Property Development Reserve to offset the expenditure already incurred this financial year on the Russellton Industrial Estate, primarily relating to the payment of Council fees.

FOR VOTE - Cr David Wright, Cr Sharon Cadwallader, Cr Susan Meehan, Cr Paul Worth, Cr Robyn Hordern and Cr Ben Smith

AGAINST VOTE - Cr Jeff Johnson

ABSENT. DID NOT VOTE - Cr Keith Williams, Cr Keith Johnson and Cr Ken Johnston

5. Confidential Session

RECOMMENDATION

(Cr Sharon Cadwallader/Cr Ben Smith)

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

5.1 Land Sale Price - Southern Cross Industrial Estate

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

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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 as Council is in the process of negotiating a sale for the property in question and without the ability to have these discussions in confidential session Council may not be in a position to maximise the return on the sale of this land to the community.

5.2 Wigmore Arcade Complex - Update Report and Lease Agreements

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 as Council is currently negotiating with the tenants and the discussion of this information in an open Council meeting may restrict Council's ability to maximise the return to the community.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Keith Williams, Cr Keith Johnson and Cr Ken Johnston

(The Council moved into Confidential Session at 5.33 pm).

Open Council

RECOMMENDATION

(Cr Ben Smith/Cr Susan Meehan)

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

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Keith Williams, Cr Keith Johnson and Cr Ken Johnston

(The Council moved into Open Council at 5.43 pm).

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The General Manager reported to the Open Meeting the recommendations made while in Confidential Session:

5.1 Land Sale Price - Southern Cross Industrial Estate

RECOMMENDATION

(Cr Sharon Cadwallader/Cr Ben Smith)

1. That Council approves the sale price negotiated for Part Lot 98 DP 1194043 Stinson Street, Ballina is as per option two of this report.
2. That Council authorises the Council seal to be attached to the contract for sale and subdivision documentation required as well as any other related documents.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Keith Williams, Cr Keith Johnson and Cr Ken Johnston

5.2 Wigmore Arcade Complex - Update Report and Lease Agreements

RECOMMENDATION

(Cr Susan Meehan/Cr Sharon Cadwallader)

1. That Council notes the contents of this report on the Wigmore Arcade tenancies and endorses the agreements outlined within this report.
2. That Council allocate up to \$10,000 towards a pro-active marketing strategy for the Wigmore Arcade, funded from the Property Development Reserve.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Keith Williams, Cr Keith Johnson and Cr Ken Johnston

Adoption of Recommendations from Confidential Session

RECOMMENDATION

(Cr Ben Smith/Cr Sharon Cadwallader)

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

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Keith Williams, Cr Keith Johnson and Cr Ken Johnston

MEETING CLOSURE

5.45 pm