

**MINUTES OF THE COMMERCIAL SERVICES COMMITTEE MEETING  
OF THE BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
CNR CHERRY & TAMAR STREETS, BALLINA,  
ON 15/07/15 AT 4.00PM**

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**Attendance**

Cr David Wright (Chairperson), Cr Jeff Johnson (arrived at the meeting at 4.10pm), Cr Sharon Cadwallader, Cr Keith Johnson, Cr Susan Meehan, Cr Ken Johnston, Cr Paul Worth and Cr Robyn Hordern

Paul Hickey (General Manager), John Truman (Civil Services Group Manager), Steve Barnier (Strategic and Community Facilities Group Manager), Paul Tsikleas (Manager – Commercial Services), Neil Weatherson (Airport Manager), Leanne Harding (Commercial Property Officer) and Joanne Cordery (Secretary) were in attendance.

**1. Apologies**

An apology was received from Cr Ben Smith

**RECOMMENDATION**(Cr Robyn Hordern/Cr Sharon Cadwallader)

That such apology be accepted.

FOR VOTE - All Councillors voted unanimously.

**2. Declarations of Interest**

Nil.

**3. Deputations**

**4. Committee Reports**

**4.1 Richmond Christian College Cycleway**

**RECOMMENDATION** (Cr Paul Worth/Cr Robyn Hordern)

That Council not approve the use of the Gallens Road site for the cycleway and that the General Manager write to the College asking that they seek an amendment to their consent to allow the cycleway to be constructed along Tamarind Drive, to the same extent/value as proposed on the Gallens Road site. Council will also consider extending this revised cycleway to then join the existing network.

Cr Jeff Johnson arrived at the meeting at 4.10pm

FOR VOTE - All Councillors voted unanimously.

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**4.2 Acquisition of Unformed Crown Roads - Ballina Byron Gateway Airport**

**RECOMMENDATIONS** (Cr Keith Johnson/Cr Robyn Hordern)

1. That Council authorises the General Manager to make application to the Department of Trade and Investment Crown Lands to formally close and acquire the 6.604ha of unformed Crown roads at the agreed price, as per the attached plan.
2. The Council's seal is authorised to be placed on any documents pertaining to the closure and acquisition of the unformed crown roads.
3. This expenditure is to be funded from the Airport Miscellaneous Capital Expenditure budget.
4. The land is to be classified as operational land under the Local Government Act, 1993.

FOR VOTE - All Councillors voted unanimously.

**4.3 Compulsory Acquisition - Crown Land Ballina Byron Gateway Airport**

**RECOMMENDATIONS** (Cr Paul Worth/Cr Robyn Hordern)

1. That Council proceed with the compulsory acquisition of the land described as Crown land adjoining lot 3 DP 1147805 and adjoining the southernmost part Crown public road east of Lot 213 DP 755684 (see attached plan) for public purposes in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.
2. That Council make application to the Minister for Local Government and/or the Governor for approval to acquire Crown land adjoining Lot 3 DP 1147805 and adjoining the southernmost part Crown public road east of Lot 213 DP 755684 by compulsory acquisition process under the Local Government Act, 1993.
3. The Council's seal is authorised to be attached to any documents relating to this proposed acquisition.
4. This expenditure is to be funded from the Airport Miscellaneous Capital Expenditure budget.
5. The land is to be classified as operational land under the Local Government Act, 1993.

FOR VOTE - All Councillors voted unanimously.

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**4.4 Land Sale - Lot 90 Cessna Crescent, Ballina**

**RECOMMENDATIONS** (Cr Sharon Cadwallader/Cr Robyn Hordern)

1. That Council approves the sale of Lot 90 DP 1161854 Cessna Crescent, Ballina, as detailed within this report.
2. That Council authorises the Council seal to be attached to the contract for sale and any other related documents including sale transfers.

FOR VOTE - All Councillors voted unanimously.

**4.5 Wigmore Arcade Complex - Leasing Update and Roof Replacement**

**RECOMMENDATIONS** (Cr Robyn Hordern/Cr Sharon Cadwallader)

1. That Council notes the contents of this report in respect to the current lease negotiations.
2. That Council authorises the General Manager to call quotations for repairs to the River Street awning for the Wigmore Arcade Complex with \$40,000 to be allocated from the Property Development Reserve to fund this work.
3. That Council receive a report on restricting access along Winton Lane behind Wigmore Arcade.

FOR VOTE - All Councillors voted unanimously.

**4.6 Land Acquisition**

**RECOMMENDATION** (Cr Sharon Cadwallader/Cr Robyn Hordern)

That Council notes that a confidential report has been included in this agenda in respect to a strategic land purchase.

FOR VOTE - All Councillors voted unanimously.

**4.7 Commercial Projects - Year in Review and Work in Progress**

**RECOMMENDATION** (Cr Paul Worth/Cr Sharon Cadwallader)

That Council notes the contents of this report in respect to commercial projects completed during 2014/15 and in progress for 2015/16.

FOR VOTE - All Councillors voted unanimously.

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**5. Confidential Session**

**RECOMMENDATION** (Cr Robyn Hordern/Cr Sharon Cadwallader)

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.

FOR VOTE - All Councillors voted unanimously.

(The Council moved into Confidential Session at 5.01pm).

**Open Council**

**RECOMMENDATION**

That Council move into Open Council and out of Committee of the Whole.  
(Cr Keith Johnson/Cr Susan Meehan)

FOR VOTE - All Councillors voted unanimously.

(The Council moved into Open Council at 5.24pm).

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

**5.1 Land Sale Price - Lot 90 Cessna Crescent, Ballina**

**RECOMMENDATION** (Cr Paul Worth/Cr Robyn Hordern)

1. That Council approves the sale price and terms, negotiated for Lot 90 DP 1161854 Cessna Crescent, Ballina as per Option One of this report.
2. That a further report be presented to Council regarding the possibility of rezoning the land of Cessna and Boeing Avenues.

FOR VOTE - All Councillors voted unanimously.

**5.2 Wigmore Arcade Complex - Leasing Update Terms**

**RECOMMENDATIONS** (Cr Sharon Cadwallader/Cr Keith Johnson)

1. That Council authorises the General Manager to finalise negotiations with the prospective tenant for Shop 3 Wigmore Arcade, based on the terms and conditions outlined within this report.
2. That Council authorises the Council seal to be attached to any lease documentation.

FOR VOTE - All Councillors voted unanimously.

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**5.3 Land Acquisition – Details**

A **Motion** was moved by Cr Sharon Cadwallader and seconded by Cr Jeff Johnson

That Council continue to investigate the acquisition of the subject site.

The **Motion** was **LOST**.

FOR VOTE - Cr Jeff Johnson, Cr Sharon Cadwallader and Cr Ken Johnston  
AGAINST VOTE - Cr David Wright, , Cr Susan Meehan, Cr Keith Johnson, Cr Paul Worth and Cr Robyn Hordern

**RECOMMENDATION**

(Cr Keith Johnson/Cr Susan Meehan)

That Council notes the contents of this report in respect to strategic land acquisitions.

FOR VOTE - Cr David Wright, Cr Keith Johnson, Cr Susan Meehan, Cr Paul Worth and Cr Robyn Hordern  
AGAINST VOTE - Cr Jeff Johnson, Cr Sharon Cadwallader and Cr Ken Johnston.

**Adoption of Recommendations from Confidential Session**

**RECOMMENDATION** (Cr Jeff Johnson/Cr Sharon Cadwallader)

That Council adopt the recommendations made in Confidential Session.

FOR VOTE - All Councillors voted unanimously.

**MEETING CLOSURE**

5.25pm.