

**MINUTES OF THE COMMERCIAL SERVICES COMMITTEE MEETING
OF THE BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET, BALLINA,
ON 16/11/16 AT 5.00 PM**

Attendance

Crs David Wright (Mayor - in the chair), Phillip Meehan, Eoin Johnston, Stephen McCarthy, Nathan Willis, Keith Williams, Sharon Cadwallader and Ben Smith.

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 (Manager Commercial Services) and Sandra Bailey (Secretary) were in attendance.

There were four people in the gallery at this time.

1. Apologies

Apologies were received from Cr Sharon Parry and Cr Jeff Johnson.

RECOMMENDATION

(Cr Ben Smith/Cr Sharon Cadwallader)

That such apologies be accepted.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Sharon Parry and Cr Jeff Johnson

1A. Election of Chairperson

The Mayor advised that he would Chair meetings of the Commercial Services Committee in accordance with Clause 267 of the Local Government (General) Regulation 2005.

2. Declarations of Interest

Nil

3. Deputations

- **John Wallington** – spoke in favour of the proposal in Item 4.2 - Zip Line Proposal.
- **Andrew Ince, Boral** – spoke in favour of Item 4.1 – Bitupave – Request to Lease Area for Stockpiling.

**MINUTES OF THE COMMERCIAL SERVICES COMMITTEE MEETING
OF THE BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET, BALLINA,
ON 16/11/16 AT 5.00 PM**

4. Committee Reports

4.1 Bitupave - Request to Lease Area for Stockpiling

RECOMMENDATION

(Cr Keith Williams/Cr Nathan Willis)

1. That Council resolves to grant Bitupave Ltd (Boral) a lease over Part of Lot 2 DP 1130300 for a term of three years with an option for a further term of five years for Part Lot 2 DP 1130300 for stockpiling purposes, at a commencement rate of \$20,000 plus GST.
2. That Council undertakes a subdivision of Lot 2 DP 1130300 for leasehold purposes to create an area of approximately 5,600m² as per the required lease area with Bitupave (Boral) responsible for all costs associated with the subdivision.
3. The General Manager is authorised to execute and fix the Council seal to all lease documentation, applications and plans of subdivision to facilitate leasing of Part Lot 2 DP 1130300 to Bitupave Ltd for stockpiling purposes.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Sharon Parry and Cr Jeff Johnson

4.2 Zip Line Proposal

A **Motion** was moved by Cr Sharon Cadwallader and seconded by Cr Ben Smith

That Council conduct an Expression of Interest process, subject to Department of Primary Industries - Lands approval, for the potential provision of tourist orientated facilities on the Pat Morton Headland.

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

FOR VOTE - Cr Stephen McCarthy, Cr Sharon Cadwallader and Cr Ben Smith

AGAINST VOTE - Cr David Wright, Cr Phillip Meehan, Cr Eoin Johnston, Cr Nathan Willis and Cr Keith Williams

ABSENT. DID NOT VOTE - Cr Sharon Parry and Cr Jeff Johnson

RECOMMENDATION

(Cr Keith Williams/Cr Nathan Willis)

That Council thank Messrs Collocott and Wallington for submitting their proposal for the establishment and operation of a Zip Line at Lennox Head. However, Council declines to accede to their request to use public funds to instigate the project for the reasons outlined in this report.

**MINUTES OF THE COMMERCIAL SERVICES COMMITTEE MEETING
OF THE BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET, BALLINA,
ON 16/11/16 AT 5.00 PM**

FOR VOTE – Cr David Wright, Cr Phillip Meehan, Cr Eoin Johnston, Cr Nathan Willis and Cr Keith Williams

AGAINST VOTE - Cr Stephen McCarthy, Cr Sharon Cadwallader and Cr Ben Smith

ABSENT. DID NOT VOTE - Cr Sharon Parry and Cr Jeff Johnson

4.3 Sale of Council Land - 86 Plateau Drive, Wollongbar

RECOMMENDATION

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council notes the contents of this report in respect to the sale of Lot 15 DP 1204621.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Sharon Parry and Cr Jeff Johnson

5. Confidential Session

RECOMMENDATION

(Cr Keith Williams/Cr Nathan Willis)

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 Sale of Council Land - 86 Plateau Drive, Wollongbar

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.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Sharon Parry and Cr Jeff Johnson

(The Council moved into Confidential Session at 5.35 pm).

**MINUTES OF THE COMMERCIAL SERVICES COMMITTEE MEETING
OF THE BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET, BALLINA,
ON 16/11/16 AT 5.00 PM**

Open Council

RECOMMENDATION

(Cr Nathan Willis/Cr Keith Williams)

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

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Sharon Parry and Cr Jeff Johnson

(The Council moved into Open Council at 5.36 pm).

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

5.1 Sale of Council Land - 86 Plateau Drive, Wollongbar

RECOMMENDATION

(Cr Sharon Cadwallader/Cr Nathan Willis)

1. That Council approves the sale of Lot 15 DP 1204621 at the negotiated price, as per the contents of this report.
2. That Council authorises the General Manager to fix the Council seal and execute all contract documentation for the sale of Lot 15 DP 1204621.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Sharon Parry and Cr Jeff Johnson

Adoption of Recommendations from Confidential Session

RECOMMENDATION

(Cr Sharon Cadwallader/Cr Ben Smith)

That the recommendations made whilst in Confidential Session be adopted.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Sharon Parry and Cr Jeff Johnson

MEETING CLOSURE

5.38 pm