

**MINUTES OF THE COMMERCIAL SERVICES COMMITTEE MEETING
OF THE BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET, BALLINA,
ON 6/09/17 AT 4.00 PM**

Attendance

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

Paul Hickey (General Manager), John Truman (Civil Services Group Manager), Vince Hunt (Acting Development and Environmental Health Group Manager), Steve Barnier (Strategic and Community Facilities Group Manager), Paul Tsikleas (Manager Commercial Services), Leanne Harding (Property Officer Commercial), Kylie Hardy (Airport Chief Operating Officer), Linda Coulter (Manager Financial Services) and Sandra Bailey (Secretary) were in attendance.

There were 16 people in the gallery at this time.

1. Apologies

Nil

2. Declarations of Interest

Cr Sharon Cadwallader – declared an interest in Item 4.3 – Brighton Street, East Ballina – Options. (Nature of Interest: non pecuniary non significant – she owns properties in Brighton Street). She will be remaining in the meeting while the matter is discussed and voting on the matter.

3. Deputations

- **Nerida Baker, Café Horizon** – spoke in favour of Item 4.4 – Airport Café – Leasing Proposal.
- **Meleta Wood, Ballina Meals on Wheels** – spoke in favour of Item 4.2 – Ballina Shire Meals on Wheels Inc – 61 Crane Street, Ballina.
- **Karen Miller, TS Lismore Naval Cadets** – spoke in favour of Item 4.1 – Operational Land – 26 Endeavour Close, Ballina.

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4. Committee Reports

4.1 Operational Land - 26 Endeavour Close, Ballina

RECOMMENDATION

(Cr Sharon Cadwallader/Cr Nathan Willis)

1. That Council notes the contents of this report and approves a three year community group lease at a nominal rent to TS Lismore Australian Naval Cadets at 26 Endeavour Close, Ballina.
2. This new lease is to include an allowance for the facilities to be shared with other community groups, subject to Council approval.
3. That Council authorises the General Manager to finalise negotiations, execute and affix the Council seal to all relevant lease documentation.
4. That during the course of the lease period Council make contact with the Australian Naval Cadets regarding that body's intention to take charge of lease negotiations for Naval Cadet units and what type of rental arrangements they will be considering as part of those negotiations.

FOR VOTE - All Councillors voted unanimously.

4.2 Ballina Shire Meals on Wheels Inc - 62 Crane Street Ballina

RECOMMENDATION

(Cr Eoin Johnston/Cr Sharon Cadwallader)

1. That Council offer Ballina Shire Meals on Wheels Incorporated a 5 + 5 year lease of 62 Crane Street, Ballina at a rental reflecting the service to the community provided by the organisation (i.e. \$1.00).
2. That Council authorises the General Manager to finalise negotiations, execute and affix the Council seal to all relevant lease documentation.

FOR VOTE - All Councillors voted unanimously.

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4.3 Brighton Street, East Ballina - Options

RECOMMENDATION

(Cr Ben Smith/Cr Phillip Meehan)

That Council notes the contents of this report and agrees to take no further action in regards to the northern section of Brighton Street (between Bonview Street and The Serpentine) at East Ballina.

FOR VOTE - All Councillors voted unanimously.

4.4 Airport Cafe - Leasing Proposal

RECOMMENDATION

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council notes the contents of this report in respect to the current arrangements for the lease of the Airport Café.

FOR VOTE - All Councillors voted unanimously.

5. Confidential Session

RECOMMENDATION

(Cr Sharon Cadwallader/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 Airport Cafe - Leasing Options

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:-

- d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret

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 commercial leasing matters are to be discussed.

FOR VOTE - All Councillors voted unanimously.

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(The Council moved into Confidential Session at 4.47 pm).

Open Council

RECOMMENDATION

(Cr Sharon Cadwallader/Cr Nathan Willis)

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

FOR VOTE - All Councillors voted unanimously.

(The Council moved into Open Council at 5.03 pm).

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

5.1 Airport Cafe - Leasing Options

RECOMMENDATION

(Cr Sharon Cadwallader/Cr Ben Smith)

1. That Council adopts option one as outlined in this report and authorises the General Manager to offer a new five plus five year agreement for lease to Elmia Air Pty Ltd based upon the terms and conditions detailed in this report.
2. That Council authorises the General Manager to finalise negotiations, execute and affix the Council seal to all relevant lease documentation.

FOR VOTE - All Councillors voted unanimously.

Adoption of Recommendations from Confidential Session

RECOMMENDATION

(Cr Keith Williams/Cr Nathan Willis)

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

FOR VOTE - All Councillors voted unanimously.

MEETING CLOSURE

5.03 pm