

**MINUTES OF THE FINANCE COMMITTEE MEETING
OF THE BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET, BALLINA,
ON 16/03/21 AT 4.00PM**

Attendance

Crs David Wright (Mayor - in the chair), Phillip Meehan (via Zoom), Sharon Parry (via Zoom), Eoin Johnston, Stephen McCarthy, Keith Williams (arrived at 4.05pm), Sharon Cadwallader and Ben Smith.

Paul Hickey (General Manager), Kelly Brown (Director, Corporate and Community Division), Paul Busmanis (Manager, Engineering Works), Linda Coulter (Manager Financial Services), Paul Tsikleas (Manager Commercial Services), Caroline Klose (Manager Communications) and Sandra Bailey (Secretary) were in attendance.

There were two people in the gallery at this time.

1. Apologies

Apologies were received from Crs Nathan Willis and Jeff Johnson.

RECOMMENDATION

(Cr Ben Smith/Cr Sharon Cadwallader)

That such apologies be accepted and leave of absence granted.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson, Cr Nathan Willis and Cr Keith Williams

2. Declarations of Interest

Nil

3. Deputations

- **Simon van Kempen, TS Lismore Cadets** – spoke in favour of Item 4.11 – Operational Land – 26 Endeavour Close, Ballina.

Cr Keith Williams arrived at the meeting at 4.05pm.

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4. Committee Reports

4.11 Operational Land - 26 Endeavour Close, Ballina

RECOMMENDATION

(Cr Sharon Cadwallader/Cr Eoin Johnston)

1. That Council approves the establishment of a community lease with TS Lismore over the majority of 26 Endeavour Close, Ballina for a maximum period of 12 months at the minimum statutory fee (currently \$510).
2. That Council approves a lease / licence with the Rainbow Region Dragon Boat Club Inc for the office and sunroom area at 26 Endeavour Close, Ballina, for a maximum period of 12 months, at the minimum statutory fee, on the basis that no new permanent buildings are constructed during this period.
3. If, as per point two, the Rainbow Region Dragon Boat Club does not proceed on this basis, the office and sunroom area are to be shared by Cumbalum Residents Association, Ballina Coast Care and Richmond Landcare Inc for meetings only, at times when the site is not occupied by TS Lismore Cadets.
4. That Council provides approval for TS Lismore Cadets to commence overnight stays subject to full compliance with building and fire requirements being undertaken by TS Lismore at their cost.
5. That a further report be provided back to Council in 12 months on the results of the co-use arrangement and the impact of utilising this site for overnight stays.

FOR VOTE - Cr David Wright, Cr Sharon Parry, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Keith Williams and Cr Sharon Cadwallader

AGAINST VOTE - Cr Phillip Meehan and Cr Ben Smith

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Nathan Willis

4.1 North East Weight of Loads Group (NEWLOG)

RECOMMENDATION

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council endorses the draft NEWLOG budget for 2021/22, as per the contents of this report.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Nathan Willis

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4.2 Dust Sealing Program - Long Term Financial Plan

RECOMMENDATION

(Cr Eoin Johnston/Cr Keith Williams)

1. That Council adopts the proposed ten year delivery program for the dust sealing of unsealed roads, as per Table 3 in this report.
2. That Council's Roads and Transport Asset Management Plan be amended to reflect the adopted program.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Nathan Willis

4.3 Rating Structure - 2021/22

A **Motion** was moved by Cr Ben Smith and seconded by Cr Keith Williams

1. That for the draft 2021/22 Operational Plan, Council approves the application of a base rating structure, which applies the following principles:
 - a) Marginally less than 50% of the rate income for the residential category of properties being generated from the base amount
 - b) Business, farmland and mining categories to have the same base amount as the residential base amount
 - c) A total of 19.20% income from the rate yield to be sourced from the business category properties
 - d) Farmland rate in the dollar is approximately 83% of the residential rate in the dollar
 - e) The mining category rate in the dollar to be set as the same rate as the business category (currently no mining category properties in the shire).
2. That Council notes the indicative figures for this rating structure for 2021/22, are as per Tables Eight and Nine of this report.

An **Amendment** was moved by Cr Ben Smith and seconded by Cr Stephen McCarthy

That Council receive a report on the following rating structure:

1. That for the draft 2021/22 Operational Plan, Council approves the application of a base rating structure, which applies the following principles:
 - a) Marginally less than 50% of the rate income for the residential category of properties being generated from the base amount

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- b) Business, farmland and mining categories to have the same base amount as the residential base amount
 - c) A total of 19.20% income from the rate yield to be sourced from the business category properties
 - d) Farmland rate in the dollar is approximately 85% of the residential rate in the dollar
 - e) The mining category rate in the dollar to be set as the same rate as the business category (currently no mining category properties in the shire).
2. That Council notes the indicative figures for this rating structure for 2021/22, are as per Tables Eight and Nine of this report.

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

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Nathan Willis

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

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Nathan Willis

RECOMMENDATION

(Cr Ben Smith/Cr Stephen McCarthy)

That Council receive a report on the following rating structure:

1. That for the draft 2021/22 Operational Plan, Council approves the application of a base rating structure, which applies the following principles:
 - a) Marginally less than 50% of the rate income for the residential category of properties being generated from the base amount
 - b) Business, farmland and mining categories to have the same base amount as the residential base amount
 - c) A total of 19.20% income from the rate yield to be sourced from the business category properties
 - d) Farmland rate in the dollar is approximately 85% of the residential rate in the dollar
 - e) The mining category rate in the dollar to be set as the same rate as the business category (currently no mining category properties in the shire).

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2. That Council notes the indicative figures for this rating structure for 2021/22, are as per Tables Eight and Nine of this report.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Nathan Willis

4.4 Water Operations - Long Term Financial Plan

RECOMMENDATION

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council endorses the annual charges, as per the following table, as well as the long term financial plan, as per the attachments to this report, for the water operations, for exhibition in the draft 2021/22 Operational Plan.

Charge Type	2020/21	2021/22	% Increase
Water Access Charge 20mm meter	209	216	3.5
Water Consumption under 350kl	2.35	2.43	3.5
Water Consumption over 350kl	3.53	3.65	3.5
Vacant Land Charge	209	216	3.5

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Nathan Willis

4.5 Wastewater Operations - Long Term Financial Plan

A **Motion** was moved by Cr Sharon Cadwallader and seconded by Cr Sharon Parry

1. That Council endorses the annual charges, as per the following table, as well as the long term financial plan, as per the attachments to this report, for the wastewater operations, for exhibition in the draft 2021/22 Operational Plan.

Charge Type	2020/21 \$	2021/22 \$	% Increase
Residential Availability Charge	1,027	1,037	1.0%
Vacant Land Charge	775	783	1.0%
Non Residential Usage Charge	2.61	2.64	1.0%
Non Residential Access Charge	Variable based on meter size		
Recycled Water	80% of potable water step 1		

2. That Council receive a report on the impacts of increasing the cost of recycled water from 80% to 90% of potable water.

An **Amendment** was moved by Cr Ben Smith and seconded by Cr Keith Williams

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That Council endorses the annual charges, as per the following table, as well as the long term financial plan, as per the attachments to this report, for the wastewater operations, for exhibition in the draft 2021/22 Operational Plan.

Charge Type	2020/21 \$	2021/22 \$	% Increase
Residential Availability Charge	1,027	1,037	1.0%
Vacant Land Charge	775	783	1.0%
Non Residential Usage Charge	2.61	2.64	1.0%
Non Residential Access Charge	Variable based on meter size		
Recycled Water	80% of potable water step 1		

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

FOR VOTE - Cr David Wright, Cr Phillip Meehan, Cr Sharon Parry, Cr Stephen McCarthy, Cr Keith Williams and Cr Ben Smith

AGAINST VOTE - Cr Eoin Johnston and Cr Sharon Cadwallader

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Nathan Willis

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

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Nathan Willis

RECOMMENDATION

(Cr Ben Smith/Cr Keith Williams)

That Council endorses the annual charges, as per the following table, as well as the long term financial plan, as per the attachments to this report, for the wastewater operations, for exhibition in the draft 2021/22 Operational Plan.

Charge Type	2020/21 \$	2021/22 \$	% Increase
Residential Availability Charge	1,027	1,037	1.0%
Vacant Land Charge	775	783	1.0%
Non Residential Usage Charge	2.61	2.64	1.0%
Non Residential Access Charge	Variable based on meter size		
Recycled Water	80% of potable water step 1		

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Nathan Willis

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4.6 Waste Operations - Long Term Financial Plan

RECOMMENDATION

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council endorses the draft fees and charges and Landfill and Resource Management and Domestic Waste Management long term financial plans, as per the attachments to this report, for exhibition in the draft 2021/22 Operational Plan.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Nathan Willis

4.7 Plant Replacement Program - Long Term Financial Plan

RECOMMENDATION

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council approves the inclusion of the Plant Replacement Program, as per Tables Two, Three and Four, and Attachment 1, for inclusion in the draft 2021/22 to 2024/25 Delivery Program and Operational Plan.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Nathan Willis

4.8 Norfolk Homes - 67 Piper Drive, Ballina - Lease

RECOMMENDATION

(Cr Sharon Cadwallader/Cr Keith Williams)

That Council notes the contents of this report in respect to the Norfolk Homes lease at 67 Piper Drive, Ballina.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Nathan Willis

4.9 Boeing Avenue, Ballina - Lots Two and Three - Subdivision and Sale

RECOMMENDATION

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council notes the contents of this report in respect to sale options for land at Boeing Avenue Ballina.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Nathan Willis

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4.10 Airline Agreement - Update

RECOMMENDATION

(Cr Keith Williams/Cr Sharon Cadwallader)

That Council notes the contents of this preliminary report on airline agreements, with the confidential report included later in this agenda detailing the commercial aspects of one agreement.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Nathan Willis

5. Confidential Session

RECOMMENDATION

(Cr Sharon Cadwallader/Cr Eoin Johnston)

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 Norfolk Homes - 67 Piper Drive Ballina - Lease Terms

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.

5.2 Boeing Avenue, Ballina - Lots Two and Three - Subdivision and Sale

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

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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 various parties have expressed strong interest in purchasing the lots and the identity of those parties may be disclosed in the course of discussion at the meeting, and any discussion in open Council may prejudice Council's commercial negotiations for the sale of the land.

5.3 Airline Agreement - Update - Confidential Terms

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 it would prejudice Council's ability to negotiate commercial terms and conditions with the service provider and release commercial information to competitors of the service provider.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Nathan Willis

(The Committee moved into Confidential Session at 5.12pm).

Open Council

RECOMMENDATION

(Cr Sharon Cadwallader/Cr Ben Smith)

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

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Phillip Meehan, Cr Jeff Johnson and Cr Nathan Willis

(The Committee moved into Open Council at 5.52pm).

Cr Phillip Meehan left the meeting at 5.45pm during the Confidential Session, after consideration of Item 5.2.

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

5.1 Norfolk Homes - 67 Piper Drive Ballina - Lease Terms

RECOMMENDATION

(Cr Ben Smith/Cr Sharon Cadwallader)

1. That Council approves the lease terms and conditions contained in the report for Norfolk Homes for 67 Piper Drive, Ballina.
2. That Council authorises the seal to be applied to all lease documents.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Nathan Willis

5.2 Boeing Avenue, Ballina - Lots Two and Three - Subdivision and Sale

RECOMMENDATION

(Cr Ben Smith/Cr Sharon Cadwallader)

1. That Council proceed with an Expression of Interest process for Lots 2 and 3, Boeing Avenue, Ballina with only one lot to be sold through this process, with the outcomes of that process to be reported back to Council.
2. That Council approves additional loan funding of \$2 million for the construction of the industrial lots on Lot 2 or 3, Ballina, subject to planning consent being obtained.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Nathan Willis

5.3 Airline Agreement - Update - Confidential Terms

RECOMMENDATION

(Cr Sharon Parry/Cr Keith Williams)

That Council adopts option one as detailed in this report and authorises the General Manager to finalise negotiations, execute all necessary documentation and affix the Council seal to same.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Phillip Meehan, Cr Jeff Johnson and Cr Nathan Willis

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Adoption of Recommendations from Confidential Session

RECOMMENDATION

(Cr Keith Williams/Cr Eoin Johnston)

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

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Phillip Meehan, Cr Jeff Johnson and Cr Nathan Willis

MEETING CLOSURE

5.55pm