

**MINUTES OF THE COMMERCIAL SERVICES COMMITTEE MEETING
OF THE BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET, BALLINA,
ON 8/04/20 AT 5.28 PM**

Attendance

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

Paul Hickey (General Manager), John Truman (Director - Civil Services Division), Matthew Wood (Director, Planning and Environmental Health Division), Kelly Brown (Director, Corporate and Community Division), Paul Tsikleas (Manager Commercial Services), Julie Stewart (Airport Manager) and Sandra Bailey (Secretary) were in attendance.

There were no people in the gallery at this time.

1. Apologies

An apology was received from Cr Nathan Willis.

RECOMMENDATION

(Cr Sharon Cadwallader/Cr Stephen McCarthy)

That such apology be accepted and leave of absence granted.

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

2. Declarations of Interest

Nil

3. Deputations

Nil

**MINUTES OF THE COMMERCIAL SERVICES COMMITTEE MEETING
OF THE BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET, BALLINA,
ON 8/04/20 AT 5.28 PM**

4. Committee Reports

4.1 Ballina-Byron Gateway Airport - Long Term Financial Plan

RECOMMENDATION

(Cr Sharon Cadwallader/Cr Eoin Johnston)

1. That Council approves the inclusion of the Long Term Financial Plan for the Ballina – Byron Gateway Airport, as per the attachments to this report, in the draft 2020/21 to 2023/24 Delivery Program and Operational Plan.
2. That Council adopts the revised 2019/20 estimates, as per Attachments 1 and 2 to this report.

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

4.2 Airline Agreement - Update

RECOMMENDATION

(Cr Sharon Cadwallader/Cr Ben Smith)

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

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

4.3 Property Development - Update

RECOMMENDATION

(Cr Ben Smith/Cr Sharon Parry)

1. That the Wollongbar Urban Expansion Area – Stage Three development, be placed on hold for a period of three to six months, due to the current economic climate, with a budget of \$120,000 for 2019/20, for actual and anticipated costs, to be funded from the Property Development Reserve.
2. That Council approves a loan funded budget of \$3.6m for 2019/20 for the Boeing Avenue – Lots Two and Three development, based on actual and anticipated costs. The development application to subdivide lots two and three into 26 lots is to be prepared and submitted to Council for determination.

**MINUTES OF THE COMMERCIAL SERVICES COMMITTEE MEETING
OF THE BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET, BALLINA,
ON 8/04/20 AT 5.28 PM**

3. That due to the current economic climate Council place the Innovation Precinct project on hold to assess whether the \$3.95m in State Government grant funding can be transferred to Airport Boulevard. The rezoning of this precinct is to continue while the project is on hold.
4. If the grant funding reallocation as per point three is approved, Council approves the calling of tenders for the remainder of the entire Airport Boulevard project, with the tenders to be submitted to Council along with the preferred funding strategy (i.e. confirmation of the loan funding be needed).
5. If the grant funding reallocation as per point three is not approved, that Council receive a further report on the options for Airport Boulevard, including detailed estimates for all remaining stages of the project.
6. That Council approves the forecast cash flows for the Property Development Reserve, as per Attachment 9, to this report, in the draft Long Term Financial Plan.

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

5. Confidential Session

RECOMMENDATION

(Cr Sharon Cadwallader/Cr Sharon Parry)

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 Airline Agreement - Update on Confidential Terms

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) (d) 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
- 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.

**MINUTES OF THE COMMERCIAL SERVICES COMMITTEE MEETING
OF THE BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET, BALLINA,
ON 8/04/20 AT 5.28 PM**

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

(The Council moved into Confidential Session at 5.57 pm).

Cr Keith Williams left the meeting via video link at 5.58 pm.

Open Council

RECOMMENDATION

(Cr Sharon Cadwallader/Cr Stephen McCarthy)

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

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Nathan Willis and Cr Keith Williams

(The Council moved into Open Council at 6.02 pm).

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

5.1 Airline Agreement - Update on Confidential Terms

RECOMMENDATION

(Cr Sharon Cadwallader/Cr Eoin Johnston)

That Council notes the contents of this report and endorses the implementation of option one in respect to the existing Amended Agreement, and authorizes the General Manager to finalise negotiations.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Nathan Willis and Cr Keith Williams

**MINUTES OF THE COMMERCIAL SERVICES COMMITTEE MEETING
OF THE BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET, BALLINA,
ON 8/04/20 AT 5.28 PM**

Adoption of Recommendation from Confidential Session

RECOMMENDATION

(Cr Sharon Cadwallader/Cr Eoin Johnston)

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

FOR VOTE - All Councillors voted unanimously.

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

MEETING CLOSURE

6.04 pm