

**MINUTES OF THE COMMERCIAL SERVICES COMMITTEE MEETING  
OF THE BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET, BALLINA,  
ON 15/02/23 AT 4.30PM**

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**Attendance**

Crs Sharon Cadwallader (Mayor - in the chair), Kiri Dicker, Simon Chate, Jeff Johnson, Eoin Johnston, Stephen McCarthy, Nigel Buchanan, Phillip Meehan and Rodney Bruem.

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), Linda Coulter (Manager Financial Services), Caroline Klose (Manager Communications and Customer Service), Leanne Harding (Coordinator Property, Airport and Commercial Services) and Sandra Bailey (Secretary) were in attendance.

There were two people in the gallery at this time.

**1. Acknowledgement of Country**

In opening the meeting the Mayor provided an Acknowledgement of Country.

**2. Apologies**

An apology was received from Cr Eva Ramsey.

**RECOMMENDATION**

(Cr Jeff Johnson/Cr Simon Chate)

That such apology be accepted and leave of absence granted.

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Eva Ramsey

**3. Declarations of Interest**

Nil

**4. Deputations**

- **Tere Sheehan, Club Lennox** – spoke in favour of Item 5.1 – Club Lennox Sports – Perimeter Fencing and Marquee.

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**5. Committee Reports**

**5.1 Club Lennox Sports - Perimeter Fencing and Marquee**

**RECOMMENDATION**

(Cr Rodney Bruem/Cr Phillip Meehan)

That Council as lessor and landowner provides landowner's consent for Ballina Bowling and Recreation Club Ltd (Club Lennox Sports) to:

1. Erect an aluminium fence up to 1.8m in height, at their cost, as exempt development where the applicable exempt development criteria is met.
2. Lodge a development application for the marquee for a temporary period, in its current location as outlined in Attachment 1.

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Eva Ramsey

**5.2 Wollongbar Residential Land Holding - Development Options**

A **Motion** was moved by Cr Simon Chate and seconded by Cr Eoin Johnston

1. That Council conduct a tender process for the design and construction of a residential housing development on Lots 19 to 30 of the Wollongbar Urban Expansion Area – Stage 3 site, with the priority objectives of the development including the:
  - Generation of a recurrent revenue scheme for Council, with the project to be financially sustainable
  - Delivery of opportunities for housing for key workers
  - Design that maximises environmental outcomes and is compatible with the neighbourhood amenity
  - Allows opportunities for Council to sell and / or lease out components of the development.
2. The tender is to include a requirement for the tenderer to provide a presentation to Council to assist Councillors in their understanding of the concepts proposed and the outcomes to be achieved.
3. One of the key assessment criteria in the tender assessment is a proven ability to deliver residential housing projects that create opportunities for key workers.
4. That Council take no further action on Lots 1 to 18 until the outcomes from this tender process are known, to minimise any land use conflict that could eventuate from this development.

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5. That Council continue to lobby the State and Federal Governments to increase the provision of social housing in the Ballina Shire, particularly with the number and percentage of dwellings identified as social housing, having decreased between the 2016 and 2021 census.

Cr Jeff Johnson left the meeting at 05:47 pm during the debate on this item.

An **Amendment** was moved by Cr Phillip Meehan and seconded by Cr Nigel Buchanan

That Council sell the residential allotments (Lots 1 to 30), plus the childcare centre lot to realise a surplus.

The **Amendment** was **LOST**.

FOR VOTE - Cr Nigel Buchanan and Cr Phillip Meehan

AGAINST VOTE - Cr Sharon Cadwallader, Cr Kiri Dicker, Cr Simon Chate, Cr Eoin Johnston, Cr Stephen McCarthy and Cr Rodney Bruem

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Eva Ramsey

The **Motion** was **CARRIED**.

FOR VOTE - Cr Sharon Cadwallader, Cr Kiri Dicker, Cr Simon Chate, Cr Eoin Johnston, Cr Stephen McCarthy and Cr Rodney Bruem

AGAINST VOTE - Cr Nigel Buchanan and Cr Phillip Meehan

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Eva Ramsey

**RECOMMENDATION**

(Cr Simon Chate/Cr Eoin Johnston)

1. That Council conduct a tender process for the design and construction of a residential housing development on Lots 19 to 30 of the Wollongbar Urban Expansion Area – Stage 3 site, with the priority objectives of the development including the:
  - Generation of a recurrent revenue scheme for Council, with the project to be financially sustainable
  - Delivery of opportunities for housing for key workers
  - Design that maximises environmental outcomes and is compatible with the neighbourhood amenity
  - Allows opportunities for Council to sell and / or lease out components of the development.
2. The tender is to include a requirement for the tenderer to provide a presentation to Council to assist Councillors in their understanding of the concepts proposed and the outcomes to be achieved.
3. One of the key assessment criteria in the tender assessment is a proven ability to deliver residential housing projects that create opportunities for key workers.

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4. That Council take no further action on Lots 1 to 18 until the outcomes from this tender process are known, to minimise any land use conflict that could eventuate from this development.
5. That Council continue to lobby the State and Federal Governments to increase the provision of social housing in the Ballina Shire, particularly with the number and percentage of dwellings identified as social housing, having decreased between the 2016 and 2021 census.

FOR VOTE - Cr Sharon Cadwallader, Cr Kiri Dicker, Cr Simon Chate, Cr Eoin Johnston, Cr Stephen McCarthy and Cr Rodney Bruem  
AGAINST VOTE - Cr Nigel Buchanan and Cr Phillip Meehan  
ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Eva Ramsey

**5.3 Ballina Byron Gateway Airport - Infrastructure Update**

A **Motion** was moved by Cr Rodney Bruem and seconded by Cr Stephen McCarthy

1. That Council notes the contents of this report in respect to Ballina Byron Gateway Airport infrastructure project updates.
2. In order to improve the current car parking capacity and overflow issues at the Ballina Byron Gateway Airport, Council authorises the General Manager to proceed with the following actions:
  - (a) Progress the steps necessary to introduce a two hour parking limit along Airport Boulevard and Boeing Avenue.
  - (b) Undertake a feasibility assessment on retaining two or three lots on the proposed Boeing Avenue subdivision to develop a long term car park for the Airport, or a car storage facility for rental cars, subject to further reporting to Council.
  - (c) Utilise the Runway Overlay Project construction compound, as per Attachment 3 to this report, as a short term solution for rental car storage, until Council confirms the long term usage of this land.
  - (d) Prepare and lodge a development application to develop a new car park precinct to the east of the existing car park, as per Attachment 4 to this report.

An **Amendment** was moved by Cr Phillip Meehan and seconded by Cr Stephen McCarthy

1. That Council notes the contents of this report in respect to Ballina Byron Gateway Airport infrastructure project updates.

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2. In order to improve the current car parking capacity and overflow issues at the Ballina Byron Gateway Airport, Council authorises the General Manager to proceed with the following actions:
  - (a) Progress the steps necessary to introduce a two hour parking limit along Airport Boulevard.
  - (b) Utilise the Runway Overlay Project construction compound, as per Attachment 3 to this report, as a short term solution for rental car storage, until Council confirms the long term usage of this land.
  - (c) Prepare and lodge a development application to develop a new car park precinct to the east of the existing car park, as per Attachment 4 to this report.
3. That Council investigate the feasibility of a new passenger pick up area within short walking distance of the airport terminal, and investigate the feasibility of increasing the length of the current drop off/pick up zone by adjusting the no parking area.
4. That Council investigate relaxing the parking restrictions on Southern Cross Drive to allow people the option to park and walk to the airport.

The **Amendment** was **LOST**.

FOR VOTE - Cr Phillip Meehan

AGAINST VOTE - Cr Sharon Cadwallader, Cr Kiri Dicker, Cr Simon Chate, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Nigel Buchanan and Cr Rodney Bruem

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Eva Ramsey

The **Motion** was **CARRIED**.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Eva Ramsey

**RECOMMENDATION**

(Cr Rodney Bruem/Cr Stephen McCarthy)

1. That Council notes the contents of this report in respect to Ballina Byron Gateway Airport infrastructure project updates.
2. In order to improve the current car parking capacity and overflow issues at the Ballina Byron Gateway Airport, Council authorises the General Manager to proceed with the following actions:
  - (a) Progress the steps necessary to introduce a two hour parking limit along Airport Boulevard and Boeing Avenue.

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- (b) Undertake a feasibility assessment on retaining two or three lots on the proposed Boeing Avenue subdivision to develop a long term car park for the Airport, or a car storage facility for rental cars, subject to further reporting to Council.
- (c) Utilise the Runway Overlay Project construction compound, as per Attachment 3 to this report, as a short term solution for rental car storage, until Council confirms the long term usage of this land.
- (d) Prepare and lodge a development application to develop a new car park precinct to the east of the existing car park, as per Attachment 4 to this report.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Eva Ramsey

**5.4 Shops 5 and 6 Wigmore Arcade - Leasing**

**RECOMMENDATION**

(Cr Eoin Johnston/Cr Nigel Buchanan)

That Council notes the contents of this report regarding the leasing of shops 5 and 6 in the Wigmore Arcade.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Eva Ramsey

**6. Confidential Session**

**RECOMMENDATION**

(Cr Rodney Bruem/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.

**6.1 Shops 5 and 6 Wigmore Arcade - Leasing**

**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 due to the ongoing commercial negotiations and the release of any information could prejudice those negotiations, as well as disclosing private and commercial information.

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Eva Ramsey

(The Council moved into Confidential Session at 6.35pm).

**Open Council**

**RECOMMENDATION**

(Cr Rodney Bruem/Cr Simon Chate)

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

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Eva Ramsey

(The Council moved into Open Council at 6.37 pm).

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

**6.1 Shops 5 and 6 Wigmore Arcade - Leasing**

**RECOMMENDATION**

(Cr Phillip Meehan/Cr Rodney Bruem)

1. That Council authorises the General Manager to grant a lease to Mr A Baldwin for shops 5 & 6 Wigmore Arcade Ballina for 5 + 5 + 5 years based on the terms and conditions contained within this report.
2. That Council authorises the General Manager to execute all lease documentation and attach the Council seal.

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Eva Ramsey

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**Adoption of Recommendations from Confidential Session**

**RECOMMENDATION**

(Cr Eoin Johnston/Cr Nigel Buchanan)

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

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Eva Ramsey

**MEETING CLOSURE**

6.38 pm