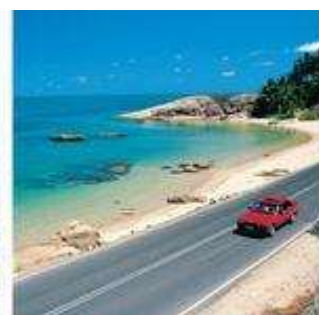




Minutes of the Special Meeting held on 22 October 2015



- Council's Guiding Principles:
- To act in the best interests of the whole community
 - To manage the Shire's finances prudently and effectively
 - To provide for the community quality services on a day to day basis
 - To initiate sustainable capital works programs to enhance the local economy
 - To provide excellent customer service for both citizens and visitors
 - To support Council's workforce with appropriate training and safe working practices
 - To act in the best interests of the natural environment at all times



Minutes of the Special Meeting held at
Proserpine Council Chambers, 83 – 85 Main Street, Proserpine
on **22 October, 2015** commencing at **9:00am**

Councillors Present:

J Whitney; J Clifford; J Atkinson; J Collins; P Ramage; D Clark; A Willcox

Council Officers Present:

S Waters (Chief Executive Officer – Project Director Commercial Operations);
B Omundson (Acting Chief Executive Officer); B Davis (Administration Officer);
L Maher (Communications Officer)

Teleconference:

R Niemann (McCullough Robertson); A Adams (Corview)

Other Details:

The meeting commenced at 9.00am

The meeting closed at 10.48am

**Minutes of the Special Meeting held at
Proserpine Council Chambers, 83 – 85 Main Street, Proserpine
on 22 October, 2015 commencing at 9:00am**

10.	OFFICE OF THE MAYOR & CEO	4
10.1	2015/10/22.01 Expression of Interest Process Deed – Whitsunday Coast Airport	4
10.2	2015/10/22.02 Whitsunday Regional Airports/Aerodromes – State Government of Queensland Support	4
10.3	2015/10/22.03 Whitsunday Regional Airports/Aerodromes – Community Consultation	4
16.	PROCEDURAL MOTION	5
16.1	2015/10/22.04 Procedural Motion - Closure of Meeting	5
16.2	2015/10/22.05 Procedural Motion - Reopening of Meeting	5
14.1	CONFIDENTIAL MATTERS – OFFICE OF THE MAYOR & CEO	6
14.1.1	2015/10/22.06 Whitsunday Regional Airports/Aerodromes – Expression of Interest Respondents	6
14.1.2	2015/10/22.07 Whitsunday Regional Airports/Aerodromes – Conducting Beneficial Enterprise and Obtaining Treasurers Approval	6

10. Office of the Mayor & CEO

10.1 2015/10/22.01 EXPRESSION OF INTEREST PROCESS DEED – WHITSUNDAY COAST AIRPORT

Moved by: J CLIFFORD
Seconded by: J ATKINSON

That Council receive the advice from the Project Director Commercial Operations (CEO), with regard to Council's fulfilment and exceeding of the requirement of the Expression of Interest Process Deed, entered into between the State Government of Queensland and Whitsunday Regional Council on the 15th of September 2010.

Furthermore, that the historical background and resolutions be received and noted.

MEETING DETAILS:

The motion was Carried 5/2

CARRIED

~~~~~

**10. Office of the Mayor & CEO**

**10.2 2015/10/22.02 WHITSUNDAY REGIONAL AIRPORTS/AERODROMES – STATE GOVERNMENT OF QUEENSLAND SUPPORT**

**Moved by: J CLIFFORD**  
**Seconded by: J COLLINS**

**That Council receive the advice from the Project Director Commercial Operations (CEO), with regard to fulfilment of Council's resolution of the 13<sup>th</sup> of May 2015 in seeking the support of the State Government of Queensland for the growth and development of Whitsunday Coast Airport.**

**MEETING DETAILS:**

The motion was Carried 5/2

**CARRIED**

~~~~~

10. Office of the Mayor & CEO

10.3 2015/10/22.03 WHITSUNDAY REGIONAL AIRPORTS/AERODROMES – COMMUNITY CONSULTATION

Moved by: J ATKINSON
Seconded by: J CLIFFORD

That Council receive the advice from the Project Director Commercial Operations (CEO), with regard to current and ongoing fulfilment of Council's resolution of the 13th of May 2015 in conducting community consultation for the Whitsunday Coast Airport International Export Hub Project.

MEETING DETAILS:

The motion was Carried 4/3

CARRIED

~~~~~

**16. Procedural Motion**

**16.1 2015/10/22.04 PROCEDURAL MOTION - CLOSURE OF MEETING**

Moved by: J CLIFFORD

Seconded by: J COLLINS

That Council in accordance with Section 275 of the Local Government Regulations 2012, Council close the meeting to the public at 9.42am for the purpose of discussing employee or industrial matters, budget, rating concessions, contractual matters, legal proceedings, planning matters or other business likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

**14.1.1 Whitsunday Regional Airports/Aerodromes – Expression of Interest Respondents**

**Section 275 (h)** other business for which a public discussion would be likely to prejudice the interest of the local government or someone else, or enable a person to gain a financial advantage

**14.1.2 Whitsunday Regional Airports/Aerodromes – Conducting Beneficial Enterprise and Obtaining Treasurers**

**Section 275 (h)** other business for which a public discussion would be likely to prejudice the interest of the local government or someone else, or enable a person to gain a financial advantage

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

~~~~~

Ren Niemann and Alistair Adams joined the meeting via teleconference at 9.45am

~~~~~

**16. Procedural Motion**

**16.2 2015/10/22.05 PROCEDURAL MOTION - REOPENING OF MEETING**

Moved by: J CLIFFORD

Seconded by: J ATKINSON

That the meeting be reopened to the general public at 10.45am

**MEETING DETAILS:**

The motion was Carried 7/0

~~~~~



~~~~~  
**Ren Niemann and Alistair Adams left the meeting 10.45am**  
~~~~~

- 14.1 Confidential Matters – Office of the Mayor & CEO**
14.1.1 2015/10/22.06 WHITSUNDAY REGIONAL AIRPORTS/AERODROMES
– EXPRESSION OF INTEREST RESPONDENTS

Moved by: J CLIFFORD

Seconded by: J COLLINS

That Council receive the Expression of Interest assessment from the Transaction Panel and Probity Advisor in authorising the project to continue to proceed to Request for Binding Bid.

Furthermore, that the Mayor and Acting Chief Executive Officer write to each of the respondents who have not been successful in proceeding to Request for Binding Bid and thank them for their interest in forming a partnership with our Council.

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

- ~~~~~
14.1 Confidential Matters – Office of the Mayor & CEO
14.1.2 2015/10/22.07 WHITSUNDAY REGIONAL AIRPORTS/AERODROMES
– CONDUCTING BENEFICIAL ENTERPRISE AND
OBTAINING TREASURERS APPROVAL

Moved by: J ATKINSON

Seconded by: J CLIFFORD

That Council resolve the following:

- 1. The conduct of a beneficial enterprise as described in paragraph 2 below, is directed at benefiting, and can reasonably be expected to benefit, the whole or part of the Whitsunday local government area.**
- 2. The beneficial enterprise is described as being for the purposes of, and in connection with, ownership and investment in the Whitsunday Coast Airport, the aerodromes at Bowen and Collinsville, their associated landholdings and infrastructure, and other assets (Airport Assets), in order to develop and expand the Whitsunday Coast Airport to an international standard and for the development, operation and management of the Airport Assets (beneficial enterprise).**
- 3. To conduct the beneficial enterprise, and to participate with an association:**
 - a. which may consist of one or more special purpose vehicles; and**
 - b. which may be any one or more of the following (but not as an unlimited partner of a partnership or with an unlimited corporation):**

- i. a partnership;
 - ii. a corporation limited by shares but not listed on a stock exchange;
 - iii. a corporation limited by guarantee but not listed on a stock exchange; or
 - iv. another association of persons that is not a corporation (including a trust),
4. Council is satisfied on reasonable grounds that conducting the beneficial enterprise, participating with an association, and entering into following financial arrangements are necessary and convenient for performing its functions under the *Local Government Act 2009* (Qld):
- a. entering into a joint venture, partnership or trust;
 - b. forming, or participating in forming, a corporation;
 - c. acquiring, consolidating, dealing with, disposing of, holding or issuing bonds, debentures, inscribed stock, shares, stock or other securities of any statutory body or corporation;
 - d. entering into an arrangement, covenant, guarantee, promise or undertaking to meet liabilities or obligations incurred by or to a person, whether or not the person is a party to the arrangement, covenant, guarantee, promise or undertaking;
 - e. borrowing an amount;
 - f. lending an amount;
 - g. investing an amount;
 - h. taking land or an interest in land;
 - i. acquiring, consolidating, dealing with, disposing of or holding buildings or other structures, for providing infrastructure or other facilities for the public or part of the public;
 - j. granting or taking a lease, or letting or taking on hire for a period, a building, equipment, land, machinery, plant or other property, including a finance lease, as lessee, lessor, hirer, owner or tenant;
 - k. granting financial accommodation by or to a person, whether or not the person is a party to the arrangement;
 - l. accepting, discounting, drawing, endorsing or issuing a bill of exchange, promissory note, payment order or other negotiable instrument, other than a cheque within the meaning of the *Cheques Act 1986* (Cth), section 5(1) or 10;
 - m. holding property as a trustee or agent;
 - n. acquiring, consolidating, dealing with, disposing of, holding or reissuing foreign currency; and
 - o. any other type 1 or type 2 financial arrangement under the *Statutory Bodies Financial Arrangements Act 1982* (Qld).
5. Council resolves to prepare a submission to the Treasurer seeking approval under section 70 of the *Statutory Bodies Financial Arrangements Act 1982* (Qld) for it to exercise the power to enter into the financial arrangements identified above.
6. Council resolves to delegate to the Chief Executive Officer all powers and functions necessary to support the conduct of the beneficial enterprise, including:
- a. the preparation of the submission to the Treasurer;

- b. to give effect to the Treasurer's approval, including any conditions attached to that approval; and
- c. the establishment of the beneficial enterprise.

MEETING DETAILS:

The motion was Carried 4/3

CARRIED

~~~~~

*The meeting closed at 10.48am*

~~~~~

Confirmed as a true and correct recording this 28th day of October 2015

**CR JENNIFER WHITNEY
MAYOR**