



# Minutes of the Special Meeting held on 03 February 2016



- 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 03 February 2016 commencing at 9:00am**

**Councillors Present:**

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

**Council Officers Present:**

B Omundson (Acting Chief Executive Officer); S Waters (Chief Executive Officer – Project Director Commercial Operations); M McGoldrick (Chief Financial Officer); B Davis (Administration Support Officer); C Middleton (Manager Communications Officer); D Staley (Director Planning & Community); G Jarvis (Director Corporate Services); J Raiteri (Director Engineering Services); L Maher (Communications Officer)

**Other Details:**

The meeting commenced at 9.06am

The meeting closed at 10.26am

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on 03 February 2016 commencing at 9:00am**

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

- 10.1 2016/02/03.01.01 WHITSUNDAY REGIONAL AIRPORTS/AERODROMES  
– AUTHORISATION OF THE ESTABLISHMENT OF A  
MOBILE MACRO SITE**

**Moved by: J CLIFFORD  
Seconded by: J ATKINSON**

**That Council authorise Telstra and Urbis to establish a Macro Site on the Whitsunday Coast Airport Terminal roof as a low impact solution in upgrading the current mobile capability at the Whitsunday Coast Airport terminal.**

**Subject to the completion of requirements under the Telecommunications Act.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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

- 10.2 2016/02/03.01.02 WHITSUNDAY REGIONAL AIRPORTS/AERODROMES  
– COMMUNITY CONSULTATION**

**Moved by: J ATKINSON  
Seconded by: J CLIFFORD**

**That Council receive the independent Whitsunday Coast Airport International Export Hub Project – Community Consultation Report by JTA Australia.**

**Noting that the Report has been provided to the State Government Department of Natural Resources and Mines and State Development as additional information requested in granting free hold title to Council over the Airport reserve.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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10. Office of the Mayor & CEO
- 10.3 2016/02/03.01.03 FORMATION OF WHITSUNDAY COAST AIRPORT AND INSTRUCTURE PTY LTD

Moved by: J ATKINSON  
Seconded by: J CLIFFORD

That Council notes the forming of Whitsunday Coast Airport and Infrastructure Corporation in fulfilling Council's resolution of the 22 of October 2015.

Furthermore that in forming the Corporation Council approves:

The initial transitional Directors – Mr Barry Omundson, Acting Chief Executive Officer and Ms Suzanne Brown, Principal McKay's Solicitors

The interim Chief Executive Officer – Mr Scott Waters, with the position of Chief Executive Officer to be market tested and the appointment of a permanent Chief Executive to be approved by the board once established

The Acting Chief Executive Officer Mr Barry Omundson be authorised to form a transitional committee to deliver governance oversight and oversee the transition of Council's Airport Business Unit to the Whitsunday Coast Airport and Infrastructure Corporation

Council notes that the transition from Council Business Unit to a Corporatised entity will require the establishment of a working capital facility

Council notes that the initial transitional Directors and Interim Chief Executive Officer appointments are subject to, the Acting Chief Executive Officer being delegated the following:

- A. Effect an appropriate directors and officer policy to protect the interim directors with the corporation to pay the cost of such protection;
- B. That the Acting Chief Executive Officer negotiate with Ms Suzanne Brown an appropriate market directors remuneration;
- C. That Whitsunday Regional Council enter into a deed of indemnity with the Initial Directors and interim Chief Executive Officer to compensate the Initial Directors and interim Chief Executive Officer for any losses that may be sustained in their roles as Chief Executive Officer or Director.
- D. And notwithstanding any conflict of interest that McKays Solicitors are able to supply continued services including Suzanne Brown in her capacity as a Lawyer not a Director;
- E. Despite any conflict of interest as the Acting Chief Executive Officer Whitsunday Regional Council is able to give effect to matters as Initial Director of the Corporation;
- F. That the Acting Chief Executive Officer not be paid a Board remuneration.



**PROCEDURAL MOTION**

**Moved by: A WILLCOX**  
**Seconded by: P RAMAGE**

**That the motion be tabled to the next available briefing session.**

**MEETING DETAILS:**

*Cr Whitney called a Point of Order against Cr Clark followed by a further Point of Order by Cr Clifford against Cr Clark during the debate. Cr Clark acknowledged the Point of Order, and pursuant to the Standing Orders, both Cr Clifford and Cr Clark resumed their seats.*

The procedural motion was Defeated 3/4

**Call for Division**

<b>For</b>	<b>Against</b>
Cr Ramage	Cr Whitney
Cr Clark	Cr Collins
Cr Willcox	Cr Clifford
	Cr Atkinson

The motion was Carried 4/3

**Call for Division**

<b>For</b>	<b>Against</b>
Cr Whitney	Cr Willcox
Cr Clifford	Cr Ramage
Cr Collins	Cr Clark
Cr Atkinson	

**CARRIED**

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10. Office of the Mayor & CEO

10.4 2016/02/03.01.04 WHITSUNDAY COAST AIRPORT 2015 PASSANGER  
NUMBERS AND ACHEIVEMENTS

Moved by: J CLIFFORD

Seconded by: A WILLCOX

That Council receive the 2015 end of year passenger number report and forecast analysis for the Whitsunday Coast Airport.

Noting that:

- a) the airport has achieved a record result in excess of 320 000 passengers for the first time; and
- b) the airport achieved the strongest growth out of the top 50 regional airports in the country, from July – November 2015.

Furthermore, that additional domestic and international route development opportunities be explored in continuing the growth and development of the airport for the benefit of the region's economy. Focusing upon job creation and economic confidence.

#### MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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16. Procedural Motion

16.1 2016/02/03.01.05 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 9.32am 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 – International Operations  
Whitsunday Coast Airport  
Section 275 (e) contracts proposed to be made by it

14.1.2 Whitsunday Regional Airports/Aerodromes – Whitsunday Coast Airport  
Commercial Terminal Leases, External Apron, Bus and Car Parking  
Negotiations  
Section 275 (e) contracts proposed to be made by it

- 14.1.3 **Whitsunday Regional Airports/Aerodromes – Airport and Aerodrome Reserve Freeholding Process**  
**Section 275 (e)** contracts proposed to be made by it  
**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
- 14.1.4 **Whitsunday Regional Airports/Aerodromes – Request for Binding Bid Update**  
**Section 275 (e)** contracts proposed to be made by it  
**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
- 14.1.5 **Whitsunday Regional Airports/Aerodromes – Mackay Whitsunday Taxis CCTV Installation**  
**Section 275 (e)** contracts proposed to be made by it
- 14.1.6 **Whitsunday Regional Airports/Aerodromes – Novation of All Contracts, Leases, Agreements, Licences, Memorandums of Understanding and Letters of Intent**  
**Section 275 (e)** contracts proposed to be made by it
- 14.1.7 **Whitsunday Regional Airports/Aerodromes – Whitsunday Aeroclub Inc.**  
**Section 275 (e)** contracts proposed to be made by it
- 14.1.8 **Whitsunday Regional Airports/Aerodromes – Whitsunday Heliport, Fixed Base Operation and General Aviation Facility**  
**Section 275 (e)** contracts proposed to be made by it

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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*Mayor Whitney declared the following:*

*Item 14.1.7 Whitsunday Regional Airports/Aerodromes – Whitsunday Aeroclub Inc. a perceived conflict of interest (as per section 173 of the Local Government Act 2009) on the matter of her neighbour being the Whitsunday Aeroclub Inc. Secretary and left the meeting room at 10.03am taking no part in the debate or decision of the meeting; Deputy Mayor Willcox chaired the meeting in her absence.*

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*Mayor Whitney returned to the Meeting Room at 10.05am*

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**16. Procedural Motion**

**16.2 2016/02/03.01.06 PROCEDURAL MOTION - REOPENING OF MEETING**

**Moved by: J CLIFFORD  
Seconded by: J ATKINSON**

**That the meeting be reopened to the general public at 10.11am.**

**MEETING DETAILS:**

The motion was Carried 7/0

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**14.1 Confidential Matters – Office of the Mayor & CEO**

**14.1.1 2016/02/03.01.07 WHITSUNDAY REGIONAL AIRPORTS/AERODROMES  
– INTERNATIONAL OPERATIONS WHITSUNDAY  
COAST AIRPORT**

**Moved by: J CLIFFORD  
Seconded by: A WILLCOX**

**That Council receive the Whitsunday Coast Airport International Operations Project report and approve Stage 3 of the project. To commence the implementation of international operations at the Whitsunday Coast Airport and receive designation as a Category 2, Regional International Airport.**

**Furthermore, that Council and the Whitsunday Coast Airport and Infrastructure Corporation discuss funding contributions for the services via the State Government of Queensland's Aviation Attraction Investment Fund.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**14.1 Confidential Matters – Office of the Mayor & CEO**

**14.1.2 2016/02/03.01.08 WHITSUNDAY REGIONAL AIRPORTS/AERODROMES  
– WHITSUNDAY COAST AIRPORT COMMERCIAL  
TERMINALS LEASES, EXTERNAL APRON, BUS AND  
CAR PARKING NEGOTIATION**

**Moved by: J CLIFFORD  
Seconded by: J ATKINSON**

**That Council authorise the Whitsunday Coast Airport and Infrastructure Corporation to negotiate terms and reach agreement with:**

- a) Helitaxi**
- b) Red Spot Car Rentals**

- c) Whitsunday 2 Everywhere, incorporating Cruise Whitsunday and Daydream Island transfers
- d) Whitsunday Transit

Furthermore that any agreements are reviewed and approved by the transition committee and that the agreements may include airside apron as well as landside bus and car parking requirements.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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**14.1 Confidential Matters – Office of the Mayor & CEO**

**14.1.3 2016/02/03.01.09 WHITSUNDAY REGIONAL AIRPORTS/AERODROMES  
– AIRPORT AND AERODROME RESERVE  
FREEHOLDING PROCESS**

Moved by: J ATKINSON  
Seconded by: P RAMAGE

That Council authorise the purchase of Lot 50 HR808298, (gazetted on 26 October 1991, pages 765,766) County of Herbert, Parish of Bonaventura being all that land contained in Title reference No. 49023183, or known as the Whitsunday Coast Airport reserve for the purpose of landing aircraft. On the basis that the offer to freehold does not exceed the independent valuation undertaken by Knight Frank and that the funds utilised for the purchase are sourced from the airport business unit reserve fund.

Furthermore that the following actions are undertaken and that it is noted the Department of Natural Resources and Mines have advised that no further action is required to finalise the offer to freehold the Whitsunday Coast Airport reserve:

- a) Council’s signed statutory declaration that the free hold land will not be sold and remain in the ownership of Whitsunday Regional Council is submitted directly to the Department of Natural Resources and Mines;
- b) The Priority Development Area application be amended and limited only to Lot 50 being the airport site;
- c) The current industry investigation area in the proposed town planning scheme co-located with the Airport site and proposed Priority Development Area be amended to Lot 50’s Southern boundary, accessed via Gunyarra; and
- d) The freeholding application of the proposed Lot 6 and 7 at the Collinsville Aerodrome and co-located land be continued.

**MEETING DETAILS:**

The motion was Carried 7/0

CARRIED

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- 14.1 Confidential Matters – Office of the Mayor & CEO  
14.1.4 2016/02/03.01.10 WHITSUNDAY REGIONAL AIRPORTS/AERODROMES  
– REQUEST FOR BINDING BID UPDATE

Moved by: J CLIFFORD  
Seconded by: J COLLINS

That Council receive the update from the Interim General Manager Commercial regarding the ongoing negotiations within the Request for Binding Bid Process.

#### AMENDMENT

Moved by: A WILLCOX  
Seconded by:

That Council receive the update from the Interim General Manager Commercial regarding the ongoing negotiations within the Request for Binding Bid Process.

Furthermore, that Council finalise negotiation with the current proponent and continue with the request for binding bid with the new entity.

*The Amendment lapsed due to lack of seconder*

#### MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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- 14.1 Confidential Matters – Office of the Mayor & CEO  
14.1.5 2016/02/03.01.11 WHITSUNDAY REGIONAL AIRPORTS/AERODROMES  
– MACKAY WHITSUNDAY TAXIS CCTV  
INSTALLATION

Moved by: J CLIFFORD  
Seconded by: D CLARK

That Council authorise the installation of CCTV at the Whitsunday Coast Airport Taxi rank as requested by Mackay Whitsunday Taxis, noting that the installation, maintenance and all costs associated with the CCTV system will be borne by Mackay Whitsunday Taxis.

#### MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**14.1 Confidential Matters – Office of the Mayor & CEO**

**14.1.6 2016/02/03.01.12 WHITSUNDAY REGIONAL AIRPORTS/AERODROMES  
– NOVATION OF ALL CONTRACTS, LEASES,  
AGREEMENTS, LICENCES, MEMORANDUMS OF  
UNDERSTANDING AND LETTERS OF INTENT**

**Moved by: J CLIFFORD  
Seconded by: J ATKINSON**

**That Council authorise the novation of all contracts, leases, agreements, licences, memorandums of understanding and letters of intent specifically relating to the Whitsunday Coast Airport at Proserpine, from the Whitsunday Regional Council to the Whitsunday Coast Airport and Infrastructure Corporation.**

**Furthermore, where legal instruments or agreements have expired or are due to expire at or before 30 June 2016, that the transition committee be authorised to renegotiate or extend the current legal instrument or agreement.**

**MEETING DETAILS:**

The motion was Carried 7/0

CARRIED

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**14.1 Confidential Matters – Office of the Mayor & CEO**

**14.1.7 2016/02/03.01.13 WHITSUNDAY REGIONAL AIRPORTS/AERODROMES  
– WHITSUNDAY AEROCLUB INC.**

**Moved by: D CLARK  
Seconded by: J COLLINS**

**That Council authorise the Acting Chief Executive Officer to execute the Aero Club Lease agreement at the Whitsunday Coast Airport for a term of ten (10) Years.**

**MEETING DETAILS:**

Mayor Whitney declared a perceived conflict of interest (as per section 173 of the Local Government Act 2009) on the matter of her neighbour being the Whitsunday Aeroclub Inc. Secretary and left the meeting room at 10.24am taking no part in the debate or decision of the meeting; Deputy Mayor Willcox chaired the meeting in her absence.

The motion was Carried 6/0

CARRIED

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***Mayor Whitney returned to the Meeting Room at 10.25am.***

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14.1 Confidential Matters – Office of the Mayor & CEO

14.1.8 2016/02/03.01.14 WHITSUNDAY REGIONAL AIRPORTS/AERODROMES  
– WHITSUNDAY HELIPORT, FIXED BASE  
OPERATION AND GENERAL AVIATION FACILITY

Moved by: J CLIFFORD

Seconded by: J COLLINS

That Council authorise the Whitsunday Coast Airport and Infrastructure Corporation to negotiate terms and reach agreement with Helibiz in establishing a Heliport and Fixed Base Operation General Aviation Facility at the Whitsunday Coast Airport, subject to approval of the transitional committee and appropriate town planning applications and approvals.

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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*The meeting closed at 10.26am*

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Confirmed as a true and correct recording this 10 February 2016

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**CR JENNIFER WHITNEY  
MAYOR**