



Town of  
**Port Hedland**



# Special Meeting of Council Minutes

5:30pm Monday 17 December 2018

**Council Chambers, McGregor St, Port Hedland**

Port Hedland International Airport - Lease

Distribution date:  
18 December 2018

**David Pentz**

Chief Executive Officer

## **Our Vision**

*To be Australia's leading  
Port Town embracing  
community, culture  
and environment*





Our Ref: 20/01/0087  
Enquiries: Angelique Lewis, Senior Governance Officer  
Direct Line: (08) 9158 9312

Mr David Pentz  
CEO  
Town of Port Hedland  
PO Box 41  
PORT HEDLAND WA 6721

Dear David,

**SPECIAL COUNCIL MEETING – 17 DECEMBER 2018**

In accordance with Section 5.4 of the *Local Government Act 1995*, I hereby request that you arrange for a Special Meeting of Council to be held on **Monday, 17 December 2018** at 5:30pm to consider the following matter:

- Port Hedland International Airport - Lease

If you wish to discuss this matter further, please contact me directly.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Camilo Blanco', is written over a light blue circular stamp.

**Camilo Blanco**  
**Mayor**

12 December 2018

*DISCLAIMER*

*No responsibility whatsoever is implied or accepted by the Town of Port Hedland for any act, omission, statement or intimation occurring during Council Meetings. The Town of Port Hedland disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission, and statement of intimation occurring during Council Meetings.*

*Any person or legal entity that acts or fails to act in reliance upon any statement, act or omission occurring in a Council Meeting does so at their own risk. The Town of Port Hedland advises that any person or legal entity should only rely on formal confirmation or notification of Council resolutions.*

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**Item 1 Opening of Meeting**

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The Mayor is to declare the meeting open at 5:30 pm.

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**Item 2 Acknowledgement of Traditional Owners and Dignitaries**

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The Mayor acknowledged the traditional custodians, the Kariyarra people, and recognised the contribution of Kariyarra Elders past, present and future, in working together for the future of Port Hedland.

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**Item 3 Recording of Attendance**

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**3.1 Attendance**

Mayor Camilo Blanco  
Councillor Julie Arif  
Councillor Richard Whitwell  
Councillor Peter Carter  
Councillor Tricia Hebbard  
Councillor Warren McDonogh  
Councillor Telona Pitt

David Pentz	Chief Executive Officer
Anthea Bird	Director Corporate and Performance
Robert Leeds	Director Development, Sustainability and Lifestyle
Gerard Sherlock	Director Infrastructure and Town Services
Josephine Bianchi	Manager Governance
Angelique Lewis	Minute Taker

Public	0
Media	0
Staff	4

**3.2 Attendance by Telephone / Instantaneous Communications**

Nil

**3.3 Apologies**

Councillor George Daccache

**3.4 Approved Leave of Absence**

Deputy Mayor Louise Newbery

### 3.5 Disclosures of Interest

Nil

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## Item 4 Public Time

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*Important note:*

*'This meeting is being recorded on audio tape and streamed live online as an additional record of the meeting and to assist with minute-taking purposes which may be released upon request to third parties. If you do not give permission for recording your participation please indicate this at the meeting. The public is reminded that in accordance with Section 6.16 of the Town of Port Hedland Local Law on Standing Orders nobody shall use any visual or vocal electronic device or instrument to record the proceedings of any meeting unless that person has been given permission by the chairperson to do so. Members of the public are also reminded that in accordance with section 6.17(4) of the Town of Port Hedland Local Law on Standing Orders mobile telephones must be switched off and not used during the meeting.'*

*In accordance with section 6.7(3) of the Town of Port Hedland Local Law on Standing Orders, members of the public are required to complete a question form and place the completed form in the tray provided.*

The Mayor opened Public Question Time at 5:32pm.

### 4.1 Public Question Time

Nil

The Mayor closed Public Question Time at 5:33pm

The Mayor opened Public Statement Time at 5:33pm

### 4.2 Public Statement Time

Nil

The Mayor closed Public Statement Time at 5:33pm.

### 4.3 Petitions/Deputations/Presentations/Submissions

Nil

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**Item 5 Questions from Members without Notice**

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Nil

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**Item 6 Announcements by Presiding Member without Discussion**

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Nil

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**Item 7 Declarations of All Members to Have Given Due Consideration to All Matters Contained in the Business Paper before the Meeting**

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The following Elected Members declared that they had given due consideration to all matters contained in the agenda:

Mayor Camilo Blanco  
Councillor Julie Arif  
Councillor Richard Whitwell  
Councillor Peter Carter  
Councillor Tricia Hebbard  
Councillor Warren McDonogh  
Councillor Telona Pitt

*Disclaimer*

*Members of the public are cautioned against taking any action on Council decisions, on items on this evening's Agenda in which they may have an interest, until formal notification in writing by the Town has been received. Decisions made at this meeting can be revoked, pursuant to the Local Government Act 1995.*

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**Item 8 Reports of Officers**

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Nil

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**Item 9 Matters for Which Meeting May Be Closed (Confidential Matters)**

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**9.1 Port Hedland International Airport - Lease (*File No. 13/06/0005*)****CM201819/100 COUNCIL DECISION**

MOVED: CR HEBBARD

SECONDED: CR PITT

That Council close the meeting to members of the public as prescribed in section 5.23(2)(c) and (e) of the *Local Government Act* 1995, to consider item 9.1 Port Hedland International Airport – Lease.

*CARRIED 7/0*

5:35pm The Mayor declared the meeting closed to the public.

**CM201819/101 COUNCIL DECISION**

MOVED: CR ARIF

SECONDED: CR MCDONOGH

That Council;

1. Notes that the Town of Port Hedland Chief Executive Officer and the General Manager of the Airport Operations signed a non-disclosure agreement on 4 September 2018 (confidential attachment 1) in relation to the matters outlined at Confidential briefing session with Elected Members on 4 September, which were reiterated at the 11 December 2018 briefing, and included for discussion in the documentation presented in the agenda for this Special Council meeting;
2. Agrees to a 12 month extension in the completion of the terminal development works included as part of the Capital Works Program listed in the Novation and Operating Deed (confidential attachment 2) dated 11 March 2016, extending the original deadline of 11 March 2021 to 11 March 2022;
3. Request that Port Hedland International Airport provide the Town with a Capital Works Program by 31 March 2019, for inclusion in the Initial Lessee Masterplan as detailed in the Novation and Operating Deed;

4. Agrees to change the standard reference in the Capital Works definition section of the Deed from the superseded International Air Transport Association (IATA) Level of service C (LoS C) to the current IATA Optimum;
5. Agree to vary the definition of capital works program in the Novation and Operating Deed to reference a terminal redevelopment “design” to accommodate at least 700,000 passengers per annum, with construction terminal redevelopment to accommodate at least 450,000 passengers per annum; and
6. Agree for the CEO or his delegate to work with PHIA in determining the final and most appropriate wording to change the Novation and Operating Deed and notify the Council accordingly.

*CARRIED 7/0*

#### **CM201819/102 COUNCIL DECISION**

MOVED: CR CARTER

SECONDED: CR HEBBARD

That Council open the meeting to members of the public.

*CARRIED 7/0*

5:37pm The Mayor declared the meeting open to the public.

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#### **Item 10 Closure**

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##### **10.1 Date of Next Meeting**

The next Ordinary Meeting of Council will be held on Wednesday 13 February 2019, commencing at 5:30pm, with the Public Agenda Briefing being held on Wednesday 6 February 2019, commencing at 5:30pm.

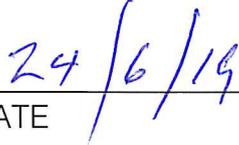
##### **10.2 Closure**

There being no further business, the Mayor declared the meeting closed at 5:41pm.

CONFIRMATION:



\_\_\_\_\_  
MAYOR



\_\_\_\_\_  
DATE