

Town of
Port Hedland



TOWN OF PORT HEDLAND

MINUTES AIRPORT COMMITTEE MEETING

**WEDNESDAY 1 OCTOBER 2014 AT
12:30PM**

**COUNCIL CHAMBERS, MCGREGOR
STREET, PORT HEDLAND**

**“A nationally significant, friendly city, where people
want to live and are proud to call home”**

*M.J. (Mal) Osborne
Chief Executive Officer*

TERMS OF REFERENCE - AIRPORT COMMITTEE OF THE TOWN OF PORT HEDLAND COUNCIL**AIM/PURPOSE**

The Airport Committee is established to ensure that the Port Hedland International Airport is recognised as a leading regional airport in the area of passenger and freight movements and customer satisfaction and to:

- Develop a comprehensive Airport Master Plan and commence implementation of key initiatives that are identified;
- Actively pursue the generation of income from a variety of sources at the Airport including through leases, rentals, advertising, freight and any other means; and
- Upgrade terminal facilities including baggage screening and departure lounges.

MEMBERSHIP*Elected Members:*

Mayor Kelly Howlett

Councillor Gloria Jacob (Presiding Member)

Councillor Jan Gillingham (Deputy Presiding Member)

Councillor Julie Hunt

Councillor Lorraine Butson

Community Members:

Ms Florence Bennett

Dr Ken King

Vacant position

Deputy Members:

Councillor David Hooper

Councillor Troy Melville

QUORUM

The quorum for the Committee is to be a minimum of 50% of its membership.

DELEGATION

- i) To determine whether a tender is required to be sought or not as specified in LG (F&G) Reg 11F.
- ii) To choose tenderers for products services on behalf of the local government in accordance with LG (F&G) Reg 18.

TENURE

Ongoing

MEETING FREQUENCY

Bi-monthly

DATES OF MEETINGS

The following dates have been set and advertised in accordance with the Local Government Act 1995 for Airport Committee Meetings to be held at 12:30 pm in Council Chambers:

- Friday, 13 December 2013
- Wednesday, 15 January 2014
- Wednesday, 5 February 2014
- Wednesday, 5 March 2014
- Wednesday, 2 April 2014
- Wednesday, 4 June 2014
- Wednesday, 13 August 2014
- Wednesday, 1 October 2014

RESPONSIBLE OFFICER

Director Engineering Services

(Terms of Reference adopted by Council at its Ordinary Meeting held 25 January 2012.

Meeting dates adopted and membership amended by Council at its Ordinary Meeting held on 14 March 2012.

Additional community members appointed by Council at its Ordinary Meeting held on 9 May 2012.

Dates of Meetings amended by Council at its Ordinary Meeting held on 24 October 2012.

Dates of Meetings amended by Council at its Ordinary Meeting held on 23 January 2013.

Terms of Reference amended by Council at its Ordinary Meeting held 26 June 2013.

Terms of Reference amended by Council at its Ordinary Meeting held 23 October 2013.

Terms of Reference amended by Council at its Ordinary Meeting held on 30 April 2014.)

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ITEM 1 OPENING OF MEETING

The Deputy Presiding Member declared the meeting open at 12:35pm and acknowledged the traditional owners, the Kariyarra people.

ITEM 2 RECORDING OF ATTENDANCE AND APOLOGIES**2.1 Attendance***Elected Members*

Mayor Kelly Howlett

Councillor Jan Gillingham (Deputy Presiding Member)

Councillor Julie Hunt

Councillor Lorraine Butson

Officers

Mal Osborne Chief Executive Officer

Russell Dyer Director Engineering Services

Clare Phelan Director Corporate Services

Leonard Long Acting Director Planning & Development

Brett Reiss Program Director Airport Redevelopment

Jenella Voitkevich Manager Infrastructure Development

Josephine Bianchi Coordinator Governance

Grace Waugh Minute Taker/ Governance Officer

2.2 Apologies

Ms Florence Bennett

Dr Ken King

2.3 Approved Leave of Absence

Councillor Gloria Jacob (Presiding Member)

ITEM 3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**3.1 Questions from Public at Airport Committee Meeting held on Wednesday 13 August 2014**

Nil

3.2 Questions from Committee Members at Airport Committee Meeting held on Wednesday 13 August 2014

3.2.1 Presiding Member Jacob

What is happening with the exterior landscaping of the airport?

Program Director Airport Redevelopment advised that the exterior landscaping works have now been divided into several separate scopes of work. These works are programmed to proceed around mid-October following the completion of the current interim improvements.

ITEM 4 PUBLIC TIME

Important note:

'This meeting is being recorded on audio tape 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 also reminded that in accordance with Section 20.3 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 presiding member to do so.'

Deputy Presiding Member opened Public Question Time at 12:38pm.

4.1 Public Question Time

Nil

Deputy Presiding Member closed Public Question Time at 12:38pm.

Deputy Presiding Member opened Public Statement Time at 12:39pm.

4.2 Public Statement Time

Nil

Deputy Presiding Member closed Public Statement Time at 12:39pm.

ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE

5.1 Mayor Howlett

Can the airport website be more informative and updated regularly?

Chief Executive Officer clarified whether Mayor Howlett wanted more information on the redevelopment of the airport or just in general.

Information on the redevelopment but also in general. The last update was on 22 August 2014 and the link doesn't work. The Town should put more on the website as it is a significant investment by the Town and we should be proud of it.

Director Corporate Services advised that the current resources have been working on the new Town of Port Hedland website which was launched on Monday 29 September 2014. The Town will investigate whether updates can happen automatically from the Town website to the airport website. The Town will also look into whether it is viable to have a separate website for the airport or whether there should be a section on the Town's website about the airport.

Will there be an improvement process or plan put in place for this?

Chief Executive Officer advised in the affirmative.

Can the Town put a photograph a fortnight on the Town of Port Hedland Facebook page to show the development at the airport?

Chief Executive Officer advised in the affirmative.

Manager Infrastructure Development advised that there is a fortnightly update that should be going on the Town's Facebook page.

Are there any plans to have Christmas decorations at the airport? The Town can ask the other companies at the airport to decorate their areas and can have a competition.

Chief Executive Officer advised that this can be looked into as the interim works should be completed by the end of October 2014.

Manager Infrastructure Development advised that there is an allocation in the 2014/15 budget for Christmas decorations for the whole of the town and will see whether it can cover the airport.

Can a Christmas decoration competition can be held with the other businesses where a prize is offered?

Chief Executive Officer advised that this question is taken on notice.

ITEM 6 DECLARATION BY MEMBERS TO HAVE GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPER PRESENTED BEFORE THE MEETING

Deputy Presiding Member Gillingham	Councillor Hunt
Mayor Howlett	Councillor Butson

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Confirmation of Minutes of the Airport Committee Meeting held on Wednesday 13 August 2014

AC201415/004 RECOMMENDATION/ AIRPORT COMMITTEE DECISION

MOVED: MAYOR HOWLETT

SECONDED: CR HUNT

That Council confirm that the Minutes of the Airport Committee Meeting held on Wednesday 13 August 2014 are a true and correct record.

CARRIED 4/0

ITEM 8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

ITEM 9 PETITIONS/ DEPUTATIONS/ PRESENTATIONS/ SUBMISSIONS

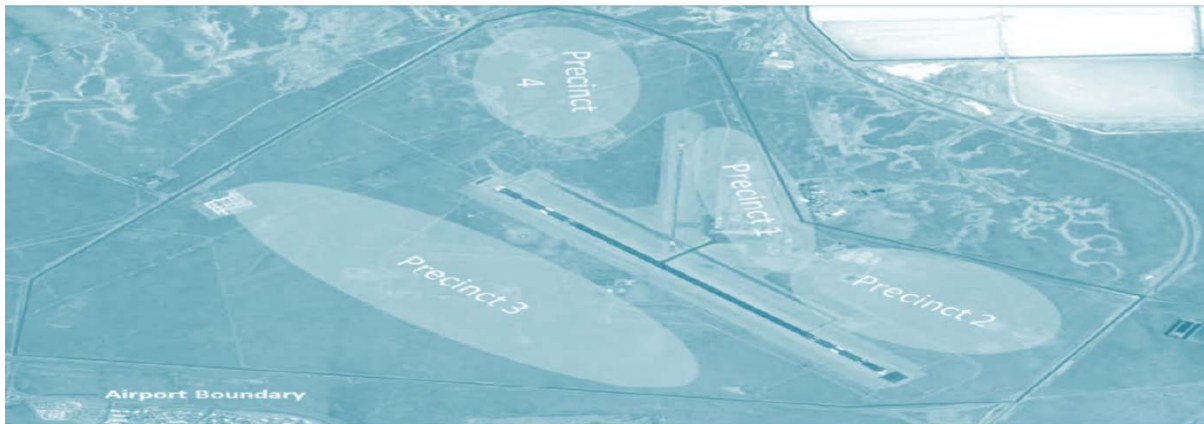
9.1 Brett Reiss, Program Director Airport Redevelopment

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.

Port Hedland International Airport program director airport redevelopment update

presentation to airport committee October 2014



overview

- Virgin Australia international services strategy
- redevelopment strategy
- airport interim improvement program
- projects update



Virgin Australia international services strategy



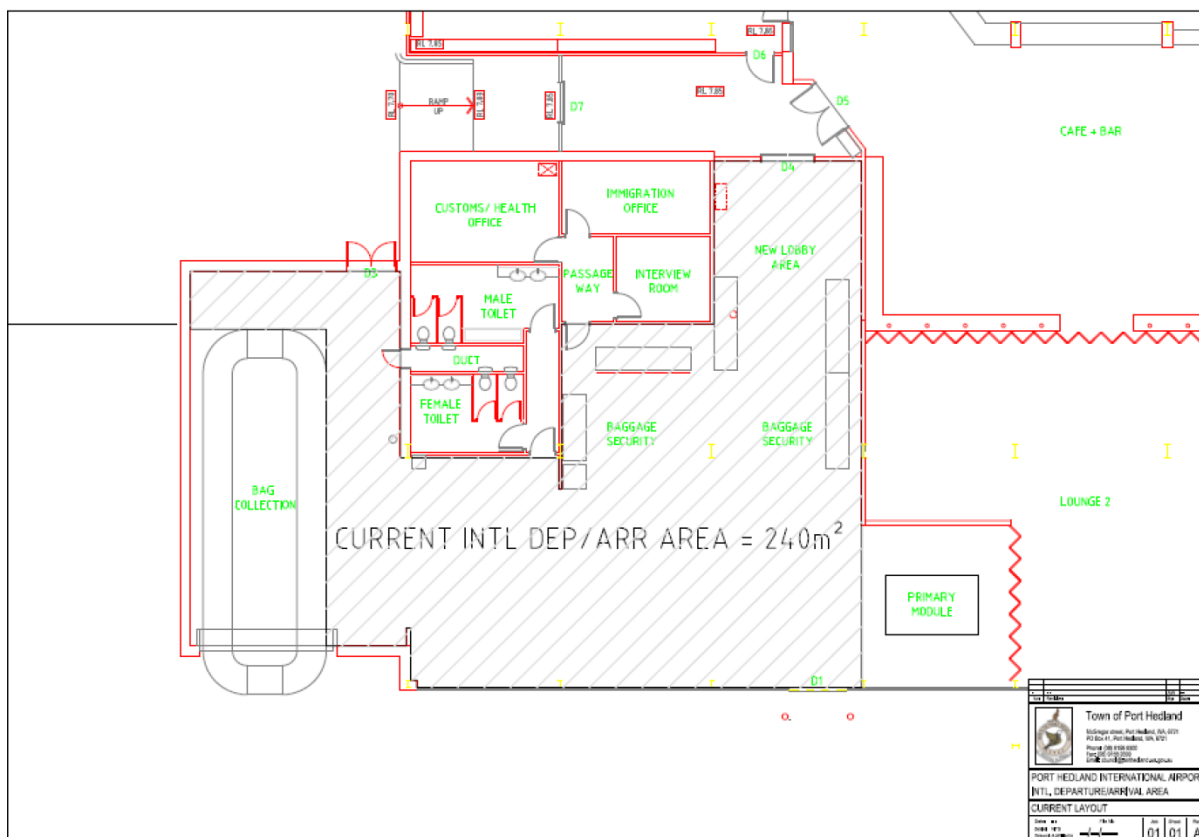
Virgin Australia international services strategy

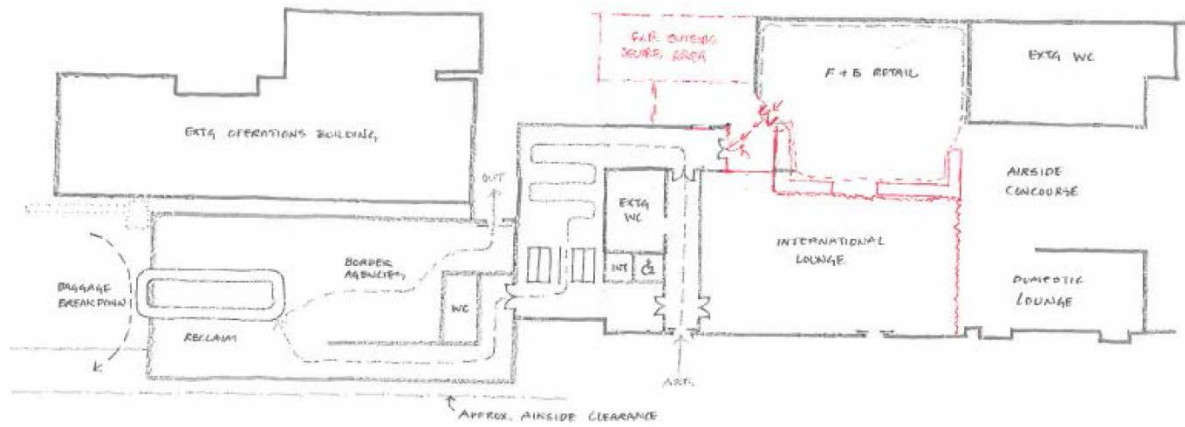
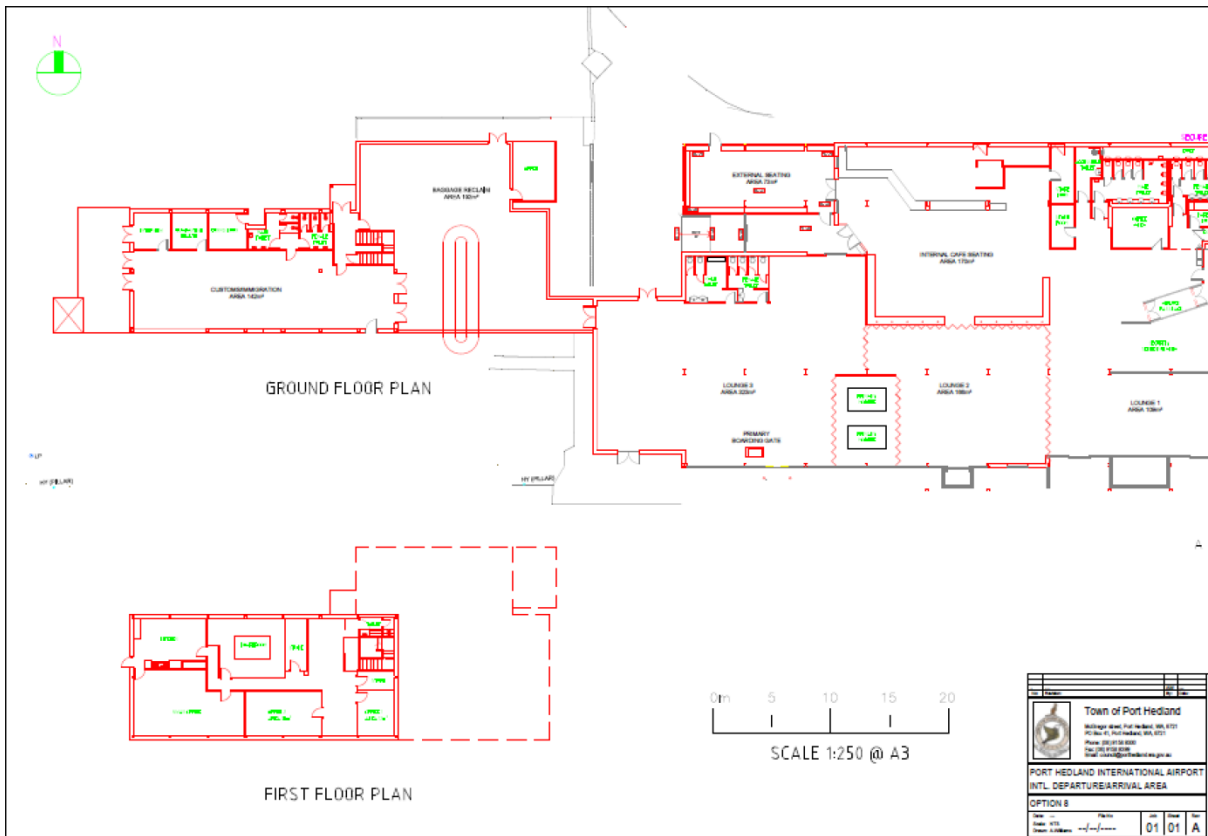
- change from open charter to RPT service
 - arriving with pax from Bali & departing with pax to Bali
 - same day F100 service
 - possible move to 737/800
- now a need to increase international area
 - current layout 240sqm
 - option 8 (\$1m)
 - functional review



Virgin Australia international services strategy

- option functional review
 - Consider alternate layout which doesn't involve the existing operations building.
 - Preserve and reuse existing hard points (toilets and the like).
 - Provide appropriate amenity for dep/arr functions.
 - Minimise re-work within the existing terminal.
 - Seek a solution which could contribute positively to the staging of the ultimate terminal expansion.
 - Desire to minimise international aircraft turnaround times.
 - Desire to simplify security 'sweep' of terminal spaces between Arr + Dep functions.





PORT HEDLAND INTERNATIONAL AIRPORT
 INTL. ARRIVALS ROUTE
 SCALE 1:250 @ A3 / B14435 SK003_Rev A

redevelopment strategy



interim improvement program



interim improvement program

project	status
terminal secure area extension	<ul style="list-style-type: none"> works commence 18 June – mid October
bus parking	<ul style="list-style-type: none"> final paving & line marking completed
terminal painting	<ul style="list-style-type: none"> Being programed in stages
public art – art installation wall, terminal exterior, shade sails	<ul style="list-style-type: none"> design brief developed request for proposal to be issued mid October
shade sails	<ul style="list-style-type: none"> scope finalised reviewing WALGA suppliers
verge works – landscaping, shade structures, paths, bi-plane	<ul style="list-style-type: none"> scope revised and quotes being obtained
rubbish bin compound, pedestrian handrails, second exit lane, roundabout	<ul style="list-style-type: none"> works program being developed





projects update



projects update

- screening authority transition
 - equipment ordered & delivery due in October
 - services contract
- electrical ring-main – stage 3 works commenced
- northern apron extension - deferred
- transport logistics subdivision – redesign & approvals
- Services – water and sewer – stage 1 scoping



ITEM 10 REPORTS OF OFFICERS**10.1 Corporate Services****10.1.1 Port Hedland International Airport Committee Meeting Dates and Times**

Grace Waugh, Governance Officer
File No. 13/05/0002

DISCLOSURE OF INTEREST BY OFFICER

Nil

AC201415/005 RECOMMENDATION/ AIRPORT COMMITTEE DECISION

MOVED: CR HUNT

SECONDED: CR BUTSON

That the Airport Committee recommend that Council adopt and advertise the following Port Hedland International Airport Committee meeting dates, times and venue for the year ahead:

DATE	TIME	Venue
Wednesday, 3 December 2014	12:30pm	Council Chambers
Wednesday, 4 February 2015	12:30pm	Council Chambers
Wednesday, 1 April 2015	12:30pm	Council Chambers
Wednesday, 3 June 2015	12:30pm	Council Chambers
Wednesday, 12 August 2015	12:30pm	Council Chambers
Wednesday, 7 October 2015	12:30pm	Council Chambers
Wednesday, 2 December 2015	12:30pm	Council Chambers

CARRIED 4/0

EXECUTIVE SUMMARY

This agenda item seeks Airport Committee endorsement to recommend to Council to adopt the committee's scheduled meeting dates.

It is recommended that committee meetings are still held bi-monthly with project update reports circulated to committee members on alternate months.

DETAILED REPORT

At Council's Ordinary Meeting of 30 April 2014, Council resolved that the Port Hedland International Airport Committee would meet bi-monthly rather than monthly.

"201314/315 Officer's Recommendation/ Council Decision

Moved: Cr Hunt Seconded: Cr Gillingham

That Council:

1. *Adopt recommendation AC201314/048 from the Airport Committee meeting held on 2 April 2014 and listed on page 49 and 50 of those Minutes;*
2. *Adopt the following meeting framework;*

<i>Meeting/ Briefing/ Forum</i>	<i>Time</i>	<i>Day</i>	<i>Week</i>
<i>Confidential Concept Forum</i>	<i>11:45 – 12:15pm</i>	<i>Wednesday</i>	<i>First week of every second month (April, June, August, October, December)</i>
<i>Public Agenda Briefing Session</i>	<i>12:15 – 12:30pm</i>	<i>Wednesday</i>	<i>First week of every second month</i>
<i>Committee Meeting</i>	<i>12:30pm</i>	<i>Wednesday</i>	<i>First week of every second month</i>

3. *Change the date of August 2014 Airport Committee meeting from 6 August 2014 to 13 August 2014;*
4. *Acknowledge that the venue will be Council Chambers;*
5. *Amend the Airport Committee Terms of Reference accordingly; and*
6. *Note a local public notice will be issued outlining the proposed meeting dates.*

CARRIED 7/0"

Consultation

- Coordinator Governance
- Chief Executive Officer
- Program Director Airport Redevelopment

The Port Hedland International Airport Committee meets on the first Wednesday of every second month. As part of the committee schedule, members consider agenda items and receive a projects update presentation by the Program Director Airport Redevelopment. It is recommended that committee meetings remain scheduled on a bi-monthly basis.

Most Elected Members may attend the WA Local Government Convention & Trade Exhibition in Perth which is generally held in the first week of August therefore it is recommended that the August Airport Committee Meeting date be the second Wednesday of the month being Wednesday 12 August 2015.

FINANCIAL IMPLICATIONS

The cost of the advertising of the Airport Committee dates is included in the 2014/15 budget.

STATUTORY AND POLICY IMPLICATIONS

Section 12 of the Local Government (Administration) Regulations 1996 states that at least once a year a local government is to give local public notice of the date, time and place of committee meetings.

ATTACHMENTS

Nil

25 August 2014

AC201415/006 AIRPORT COMMITTEE DECISION**MOVED: CR BUTSON****SECONDED: MAYOR HOWLETT**

That the Airport Committee, in accordance with section 8.11 'Suspension' of the Town of Port Hedland Standing Orders Local Law, suspend section 8.3 and 8.9.

CARRIED 4/0

1:25pm Deputy Presiding Member advised that sections 8.3 and 8.9 of the Standing Orders have been suspended.

AC201415/007 AIRPORT COMMITTEE DECISION**MOVED: MAYOR HOWLETT****SECONDED: CR HUNT**

That the Airport Committee, in accordance with section 8.11 'Suspension' of the Town of Port Hedland Standing Orders Local Law, resume section 8.3 and 8.9.

CARRIED 4/0

1:29pm Deputy Presiding Member advised that sections 8.3 and 8.9 of the Standing Orders are resumed.

10.1.2 Airport Committee Membership – Community Member

Grace Waugh, Governance Officer
File No. 30/09/0037

DISCLOSURE OF INTEREST BY OFFICER

Nil

RECOMMENDATION/ MOTION**MOVED: MAYOR HOWLETT****SECONDED: CR HUNT**

That the Airport Committee recommended that Council:

1. Thank all applicants for their interest in the Port Hedland International Airport Committee Community Member;
2. Amend the Port Hedland International Airport Terms of Reference to include an additional community member; and
3. Appoint Mr Brad Pawlenko and Mr Jason Green as members of the Port Hedland International Airport Committee.

NO VOTE RECORDED

EXPLANATORY NOTE: No vote has been recorded for this resolution as discrepancies arose between committee members as to who had raised their hand to vote in favour of the officer's recommendation and whether the raising of the hand indicated a vote in favour of the officer's recommendation or not. The Deputy Presiding Member sought advice on how to proceed with this item and was advised by the Administration that the item could be considered at the next Ordinary Meeting of the Council if need be.

AC201415/008 AIRPORT COMMITTEE DECISION**MOVED: MAYOR HOWLETT****SECONDED: CR BUTSON**

That the Airport Committee refer item 10.1.2 'Airport Committee Membership – Community Member' to the 22 October 2014 Ordinary Council meeting due to discrepancies in the vote.

CARRIED 4/0

EXECUTIVE SUMMARY

The purpose of this agenda item is to seek approval to appoint a new member for the Airport Committee following the recent resignation of Mr Serge Doumergue.

DETAILED REPORT

The Airport Committee was established to ensure that the Port Hedland International Airport is recognised as a leading regional airport in the area of passenger and freight movements and customer satisfaction.

The committee consists of five elected members and three community members.

Serge Doumergue tendered his resignation from the committee in June 2014; this left a vacant position that required filling.

An Expression of Interest process to recruit a new member to the Airport Committee was initially undertaken in July 2014. This included a public notice being placed in the North West Telegraph and a community notice release. During this process one application from a local community member was received.

The Town decided to re-advertise the Expression of Interest to ensure more community members had the opportunity to submit an application considering that the first round of advertising was undertaken during school holidays, and also to ensure that a diverse group of applicants could be attracted.

After the second round of advertising the Town received a total of six applications from the following community members:

- Mr Arnold Carter
- Mr Anoop Malaviya
- Mr Brad Pawlenko

- Mr Chris McMahon
- Mr Jason Green
- Mr Shah Nagamuttu

Applicants were asked to submit their resume and cover letter stating why they should be considered for the committee. A copy of the resumes and cover letters are attached under separate confidential cover.

The applicants were assessed by an internal review panel consisting of the Chief Executive Officer, Program Director Airport Redevelopment and Manager Corporate Information. The criteria utilised was based on experience:

- As a strategic thinker and business leader
- As a committee or board member
- In aviation, infrastructure and commercial projects
- In senior and executive positions

Because of the great level of interest received from community members, it is recommended that the committee considers engaging two additional committee members– Mr Brad Pawlenko and Mr Jason Green.

Mr Brad Pawlenko is the Program Manager for the Pilbara at LandCorp and is based in Port Hedland. Mr Pawlenko has a background in urban and regional planning for commercial and industrial developments. Mr Pawlenko's solid experience at executive level would assist the committee in the airport redevelopment planning.

Mr Jason Green is the General Manager of the Ibis Styles Hotel Port Hedland. He has extensive experience in the hospitality industry. Mr Green has a background in travel, tourism and marketing and would be an asset to the committee.

Appointing more than one committee member will require an amendment to the committee's Terms of Reference (TOR). The TOR are also being assessed as part of the airport redevelopment program review.

FINANCIAL IMPLICATIONS

Expenditure for the public notice is included in the current 2014/15 budget.

Committee members are not remunerated for their time.

STATUTORY AND POLICY IMPLICATIONS

The applications are confidential in accordance with section 5.23(2)(b) and (e) as the applications disclose personal information.

Section 6.2.2 "Gateway City & an attractive destination" of the Strategic Community Plan applies as the Town develops the Port Hedland International Airport as a leading regional airport in the area of passenger and freight movements and customer satisfaction.

ATTACHMENTS

1. Confidential – Application from Mr Arnold Carter (Under Separate Cover)
2. Confidential – Application from Mr Anoop Malaviya (Under Separate Cover)
3. Confidential – Application from Mr Brad Pawlenko (Under Separate Cover)
4. Confidential – Application from Mr Chris McMahon (Under Separate Cover)
5. Confidential – Application from Mr Jason Green (Under Separate Cover)
6. Confidential – Application from Mr Shah Nagamuttu (Under Separate Cover)

5 August 2014

10.2 Office of the CEO**10.2.1 Port Hedland International Airport – Projects Update September 2014**

Julie Rouse, Executive Assistant, Office of the CEO
File No. 08/02/0025

DISCLOSURE OF INTEREST BY OFFICER

Nil

AC201415/009 RECOMMENDATION/ AIRPORT COMMITTEE DECISION

MOVED: CR HUNT

SECONDED: MAYOR HOWLETT

That the Airport Committee note the Port Hedland International Airport projects update September 2014 report.

CARRIED 4/0

EXECUTIVE SUMMARY

This agenda items provides an update on Port Hedland International Airport redevelopment projects.

DETAILED REPORT

The Town of Port Hedland has committed to an investment of more than \$100 million over the next five years on the Port Hedland International Airport Redevelopment Program.

The proposed redevelopment program and final strategy was presented to the Airport Committee at its 2 April 2014 meeting. This included strategic review outcomes, concepts, strategic priorities and timeframes.

The redevelopment strategy, including staging of works, was also adopted by Council at its 28 May 2014 Ordinary Council Meeting.

An updated Airport projects spreadsheet is attached outlining progress on current projects.

Internal Consultation

- Program Director Airport Redevelopment
- Manager Airport
- Manager Infrastructure Development
- Manager Investment and Business Development

FINANCIAL IMPLICATIONS

Budget allocations have been updated to reflect revised 2014/2015 allocations from the 2014/2015 Budget.

STATUTORY AND POLICY IMPLICATIONS

Section 6.2.2 “Gateway City & an attractive destination” of the Community Strategic Plan applies as the Town develops the Port Hedland International Airport as a leading regional airport in the area of passenger and freight movements and customer satisfaction.

ATTACHMENTS

1. Airport Project Update spreadsheet for September 2014

1 September 2014

ATTACHMENT 1 TO ITEM 10.2.1

capital works program				
project	budget	expenditure / commitments	project status	expected completion timeframe
bus parking	\$350,000	\$324,590	<ul style="list-style-type: none"> Trial of bus parking configuration is complete Line marking procured and scheduled for completion within 2 weeks Signage ordered 	<ul style="list-style-type: none"> End September
car park/ground transport reconfiguration	\$1,000,000	\$0	<ul style="list-style-type: none"> Draft works program has been developed. Includes improved pedestrian access and shade, new bin compound and dedicated access, additional exit lane to short term car park and service road improvements Commencement pending completion of Terminal project due to resources 	<ul style="list-style-type: none"> End FY (in stages)
electrical ring main	\$5,124,077 (2013/14 & 2014/15)	\$2,260,230	<ul style="list-style-type: none"> Stage 3 work has commenced Liaising with Air Services Australia regarding power supply locations and timeframes 	<ul style="list-style-type: none"> Stage three completed and commissioned December, with ASA works complete shortly thereafter
main apron extension	\$5,000,000	\$106,691	<ul style="list-style-type: none"> 2014/15 extension of northern apron extension programming under review in consideration of potential changes required to international lounge as this affects the priority of programming 	<ul style="list-style-type: none"> Under review
quarantine incinerator	\$600,000	\$0	<ul style="list-style-type: none"> Project scope under review 	<ul style="list-style-type: none"> Pending review of project scope
main apron strengthening	\$1,300,000	\$0	<ul style="list-style-type: none"> New project being developed to strengthen the main apron parking area to accommodate power in push back arrangement and address current faults in pavement Designs are currently being prepared 	<ul style="list-style-type: none"> Pending design and construction tender process, expected after wet season
terminal precinct – interim improvements	\$1,910,000	\$1,329,108	<ul style="list-style-type: none"> Café and secure area upgrade commenced, with departures toilets demolished for refurbishment and external café modifications nearing completion Procurement process commenced for verge improvements and shade 	<ul style="list-style-type: none"> Café and secure area upgrades due for completion in October Other works to be staged, with expected completion in December
transport and logistics subdivision	\$8,360,000	\$0	<ul style="list-style-type: none"> Design modification required as outcome of strategic review process – quotes being obtained Services investigation ongoing New WAPC approval required 	<ul style="list-style-type: none"> Construction tender to be advertised after design review, expected November Construction to commence March 2015
water and sewer service upgrade	\$5,400,000	\$25,000	<ul style="list-style-type: none"> Design consultant engaged and work has commenced to determine best route for services 	<ul style="list-style-type: none"> Project to be staged over 2 years, pending approvals from Water Corporation
perimeter fence upgrade	\$1,500,000	\$0	<ul style="list-style-type: none"> Feature survey has been conducted to determine location and scope of upgrade Tender documentation to be prepared for advertising in October 	<ul style="list-style-type: none"> Pending award of tender
apron lighting upgrades	\$1,300,000	\$0	<ul style="list-style-type: none"> Quotes have been sourced as per preferred contractors list and are being reviewed 	<ul style="list-style-type: none"> Schedule to be developed pending feedback from contractors and lead time for infrastructure
Commercial projects				

project	project status	expected completion timeframe
business and investment opportunities	<ul style="list-style-type: none"> • ongoing discussions with new hire car operators 	
leases	<ul style="list-style-type: none"> • lease negotiations continuing with: <ul style="list-style-type: none"> - Qantas kiosks (being considered by tenant) - North West Aviation Services (office space) - Airservices Australia (Permanent Fire Station) - Export Bar and Café (Coffee Cart) 	<p>All to be finalised by November 2014</p>
communication, marketing and stakeholder engagement	<ul style="list-style-type: none"> • website usage steady: <ul style="list-style-type: none"> - July: 3,566 visits - August: 3,342 visits - September: 3,538 visits - October: 3,824 visits - November: 3,539 visits - December: 4,854 visits - January: 3,381 visits - February: 3,739 visits - March: 4,381 visits - April: 4,451 visits - May: 4,543 visits - June: 4,743 visits - July: 4,274 visits - August: 3,565 visits 	<ul style="list-style-type: none"> • stakeholder engagement ongoing • new flight information feed to be installed on home page end 2014 (currently pending supplier programming)

10.2.2 Port Hedland International Airport Conditions of Use Document

Brett Reiss, Program Director Airport Redevelopment
File No. 08/02/0025

DISCLOSURE OF INTEREST BY OFFICER

Nil

AC201415/010 RECOMMENDATION/ AIRPORT COMMITTEE DECISION

MOVED: MAYOR HOWLETT

SECONDED: CR BUTSON

That the Airport Committee recommends that Council:

- 1. Note the proposed Port Hedland International Airport Conditions of Use document; and**
- 2. Note that airport users will be engaged prior to the Conditions of Use document's implementation.**

CARRIED 3/0

EXECUTIVE SUMMARY

This item outlines a proposed 'Conditions of Use' document which will inform aviation operators of the commercial terms and conditions which apply at Port Hedland International Airport.

The document is intended to clarify existing understandings and clearly articulate aviation operators responsibilities at the airport. Airport users will be engaged prior to the document's implementation.

DETAILED REPORT

Conditions of Use document overview

An airport Conditions of Use (CoU) document is common for major airports and details the commercial terms and conditions which any aviation operator must comply and agrees with when using the airport's facilities. It aims to ensure that in the absence of any other commercial airport agreement, all airport users are formally bound by the terms under which they may use the airport's facilities. For the purpose of this agreement airport users include regular passenger transport (RPT) airline operators, general aviation operators, air charter operators, and air freight aircraft.

The Conditions of Use document will complement existing plans and procedures such as the Transport Security Program and the Aerodrome Manual.

The document is intended to be a publicly available deed and will be published on the airport's website and distributed to all airport aviation users.

Conditions of Use documentation reference the Town of Port Hedland's published fees and charges for the airport, as well as the general airport usage terms upon which airline operators may use the airport. When operators use facilities governed by these deeds they are deemed to have agreed with the terms contained therein. The implementation of a Conditions of Use document will help to minimise risk to the organisation and ensure all airport users are bound by key terms and conditions.

Officers have reviewed other airport's Conditions of Use documentation and workshopped the document to ensure its applicability to Port Hedland. The proposed document has been developed to ensure all reasonable legal and operations matters were covered.

Conditions of Use document – Key Terms

The proposed Conditions of Use includes the following key terms.

Subject Matter	Key Provision
Legal Entity	Town of Port Hedland
Facilities affected by this agreement (Agreed Term 2)	Port Hedland International Airport Airfield (PHIA) facilities, terminal building and related landside facilities associated with aeronautical operations
Proposed Uses (Agreed Term 2)	The terms and conditions for the provision of Aviation Services and Government Mandated Services to users of the Airport.
Term of agreement (Agreed Terms 1.2 and 2.5(b))	Commencing once approved & published, and continuing in perpetuity, but reviewed annually by PHIA
Services provided (Agreed Term 2)	The Conditions concern the provision of Aviation Services and Government Mandated Services, but not General Airport Services or personal User aircraft security.
Use of Airport (Agreed Term 3)	The User accepts the Conditions as governing its use of the Airport.
Contact details (Agreed Term 4)	PHIA contact and telephone information is included.
Compliance with laws (Agreed Term 5)	The User must comply with the Conditions and all laws, regulations and other restrictions set out in clause 5.1(a). The User must not do anything that puts the Airport in breach of any legislation. PHIA may terminate the User's right to use the Airport if the User is in default under the Conditions.
Information required from Users (Agreed Term 6)	Information required to be given to PHIA by regular passenger transport (RPT) and Non-RPT operators is prescribed.

Subject Matter	Key Provision
Aviation Charges (Agreed Terms 7 and Schedule 2)	Users must pay the Aviation Charges (which are specified in Schedule 2) when they use the Facilities and Services of the Airport. Charges are incurred upon the landing, take-off or parking of aircraft. The manner of payment of Aviation Charges is prescribed. PHIA may vary any of the Aviation Charges at any time.
Government Mandated Charges (Agreed Term 8)	Users must pay the Government Mandated Charges applicable for Government Mandated Services provided. This includes (but is not limited to) terminal passenger screening, checked baggage screening, airside perimeter patrolling, security management, and quarantine. The manner of payment of the Government Mandated Charges is prescribed.
Failure to pay Government Mandated Charges or Aviation Charges (Agreed Term 9)	Interest is payable on late charges. The User has the right to dispute charges, and the dispute mechanism is prescribed. PHIA has the right to refuse a User use of the Airport, detain a User's aircraft and equipment until outstanding amounts are paid, or sell any of the User's property or detailed aircraft to recover charges plus interest. PHIA agrees to have reasonable grounds for taking such action, and must first have attempted to negotiate in good faith with the User as to any dispute. PHIA has the right to request the User provide it with a bank guarantee or bond if the User fails to pay charges on 2 or more occasions or if PHIA has had to take recovery action against the User.
Security (Agreed Term 10)	This clause relates to the bank guarantee or bond provided by the User pursuant to clause 9.
Moving aircraft (Agreed Term 11)	PHIA may request a User move its aircraft to another position in the Airport or remove its aircraft from the Airport altogether.
Sale of Aircraft (Agreed Terms 12 and Schedule 3)	PHIA may sell a User's aircraft if Aviation Charges or Government Mandated Charges have not been paid within 60 Business Days after the due date in order to recover the unpaid charges, costs and interest. PHIA's liability to the User for any loss the User might incur as a result of the aircraft sale is excluded.
Facilities and services unavailable (Agreed Term 13)	The User acknowledges that the Facilities and Services and Government Mandated Services may be temporarily unavailable

Subject Matter	Key Provision
	from time to time and that the User may be limited or prevented from operating at the Airport.
Services not provided (Agreed Term 14)	Services not provided by PHIA at the Airport are listed. Charges do not include fees for such services.
Airport security (Agreed Term 15)	<p>PHIA is responsible for security at the Airport.</p> <p>The Airport has a Transport Security Program which the User must comply with. Users and its employees must have valid Aviation Security Identification Cards (ASICs) for display.</p> <p>PHIA is the authorised screening authority for passenger and checked baggage screening.</p> <p>PHIA has an Airport Security Committee, and Major Users must appoint a representative to attend committee meetings.</p> <p>PHIA conducts Airport exercises and training at the Airport.</p>
Aviation safety (Agreed Term 16)	<p>PHIA is responsible for aviation safety at the Airport. The Aerodrome Manual outlines PHIA's requirements regarding safety, and Users must comply with such requirements.</p> <p>PHIA has prepared and implemented a Drug and Alcohol Management Plan (DAMP) for the Airport. Users are obliged to determine whether they must implement their own DAMP.</p> <p>A User's authority to drive airside is governed by this clause.</p> <p>There is an Airport Emergency Committee which meets to discuss the Aerodrome Emergency Plan as required.</p>
Environment policy (Agreed Term 17)	Users must comply with PHIA's Environmental Policy.
Building or construction works (Agreed Term 18)	All building works by the User requires PHIA's consent.
Insurance (Agreed Term 19)	Users must maintain a policy of insurance for at least \$20,000,000 insuring against injury, death and damage to property whether or not arising out of the User's use of its aircraft. The insurance policy must note PHIA's financier's interest.
Release and indemnity (Agreed Term 20)	The User is liable for and indemnifies PHIA from any liability or loss suffered by PHIA in connection with the items listed in clause 20.1.

Subject Matter	Key Provision
	The User uses the Airport at its own risk and releases PHIA from any damage, loss, injury or death, or anything PHIA is permitted or required to do under the Conditions, in the absence of any negligent act of PHIA.
Exclusion of warranties and conditions (Agreed Term 21)	PHIA makes no representation or warranty in connection with the User's use of the Airport or the Facilities and Services.
Statistical information (Agreed Term 22)	The User must provide PHIA or its designated representative with statistical passenger information.
Dispute resolution (Agreed Term 24)	Dispute resolution procedures are prescribed.
Confidentiality (Agreed Term 24)	Confidentiality provisions are included.
GST (Agreed Term 25)	Amounts quoted in the Conditions do not include GST, and GST is payable on any supply made in connection with the Conditions.
Privacy and data protection (Agreed Term 26)	PHIA may collect personal information. Clause 26 restricts PHIA's use of personal information collected.
User personnel (Agreed Term 28)	PHIA may require Users to remove from the Airport staff members working at the Airport.
Common User Conditions (Agreed Terms 29 and Schedule 5)	Common User Conditions are prescribed under Schedule 5 and include check-in services, baggage handling, departures, Flight Information Display Screens (FIDS), PA system, and general User requirements.

The Airport Conditions of Use have been developed to be acceptable to users, and are consistent with conditions used at other Australian airports. However, the conditions are customised for Port Hedland International Airport purposes.

Conditions of Use document – implementation

Following Airport Committee and Council consideration, airport users will be engaged on the document. It is intended that the document will apply from 1 November 2014.

Strategic outcomes

The implementation of the document will:

- Provide a base deed containing airport terms, conditions and charges which will apply post 31 October 2014
- Provide a further legal basis for the recovery of aeronautical charges
- Formalise aviation charges and provides a further legal basis for the recovery of these charges

- Detail all other conditions to which the airport would expect an aircraft operator to comply in terms of insurance, compliance, agreed operations and all other risk related issues

FINANCIAL IMPLICATIONS

The Conditions of Use document references the Town's scheduled fees and charges for the airport. It is intended that the document's implementation will assist with the recovery of fees and charges.

STATUTORY AND POLICY IMPLICATIONS

The Town's Strategic Community Plan (section 6.2.2 Gateway City and an attractive destination) outlines the goal to develop the Port Hedland International Airport as a leading regional airport in the area of passenger and freight movements and customer satisfaction.

In section 6.4.1 it further outlines the goal to deliver responsible management of infrastructure, assets, resources and technology.

ATTACHMENTS

1. Draft Port Hedland International Airport Conditions of Use document (Under Separate Cover)

2 September 2014

**ITEM 11 LATE ITEMS AS PERMITTED BY PRESIDING MEMBER/
COMMITTEE**

Nil

ITEM 12 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

ITEM 13 CONFIDENTIAL ITEMS

Nil

ITEM 14 ATTENDANCE VIA TELECONFERENCE

Nil

EXPLANATORY NOTE: The Chief Executive Officer reminded all committee members that item 15 of the Airport Committee agenda refers to applications for leave from the next Airport Committee only. In the case of elected members, the Chief Executive Officer advised that they cannot expect an application for leave submitted at a committee meeting to be valid for a Council meeting also. To ensure that this matter is clarified for all future committee meetings it was agreed upon committee members to change the title of item 15 to include reference to the next Airport Committee meeting. Chief Executive Officer also advised that elected members wishing to submit leave of absences for Council meetings outside of the Council meeting process they can do so directly with the administration.

**ITEM 15 APPLICATIONS FOR LEAVE OF ABSENCE FOR THE NEXT
AIRPORT COMMITTEE MEETING**

Nil

ITEM 16 CLOSURE**16.1 Date of Next Meeting**

The next Airport Committee Meeting of Council will be held on Wednesday 3 December 2014 at 12:30pm in Council Chambers.

16.2 Closure

There being no further business, the Presiding Member declared the meeting closed at 1:41pm.