



Town of Port Hedland

MINUTES

OF THE

SPECIAL MEETING
OF THE TOWN OF PORT HEDLAND COUNCIL

HELD ON

TUESDAY 8 NOVEMBER 2011

AT 5.30 PM

IN COUNCIL CHAMBERS
McGREGOR STREET, PORT HEDLAND

*Purpose of Meeting: To consider:
'Development of Precinct 3 at the Port Hedland International
Airport via Private Treaty with BHP Billiton; Major Land
Transaction Business Plan'*

*Paul Martin
Chief Executive Officer*

OUR COMMITMENT

To enhance social, environmental and economic well-being through leadership and working in partnership with the Community.

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ITEM 1 OPENING OF MEETING

1.1 Opening

The Mayor declared the meeting open at 5:36 pm and acknowledged the traditional owners, the Kariyarra people.

ITEM 2 RECORDING OF ATTENDANCE AND APOLOGIES

2.1 Attendance

Mayor Kelly A Howlett
Councillor George J Daccache
Councillor Arnold A Carter
Councillor Stan R Martin
Councillor Jan M Gillingham
Councillor David W Hooper
Councillor Gloria A Jacob

Mr Paul Martin	Chief Executive Officer
Ms Natalie Octoman	Director Corporate Services
Mr Russell Dyer	Director Engineering Services
Mr Eber Butron	Director Planning & Development
Mr Graeme Hall	Acting Director Community Development
Miss Josephine Bianchi	Governance Coordinator

2.2 Apologies

Nil.

2.3 Approved Leave of Absence

Councillor Michael (Bill) Dziombak
Councillor Julie E Hunt

ITEM 3 PUBLIC TIME

5:36pm Mayor opened Public Question Time

3.1 Public Questions

3.1.1 Jan Ford

The Port Hedland Community Progress Association has a goal to see a university established in Hedland by 2020. Back in 2007 Council started some negotiations to consider creating students accommodation in town. Can Council advise whether this matter has progressed further?

Mayor advised that this question is taken on notice.

The Pilbara Arts, Crafts and Design Aboriginal Corporation (PACDAC) is a joint owner of the Courthouse Art Gallery together with the Town of Port Hedland. PACDAC would like to get hold of the old school site in Mackay Street as many of their children attended back in the 1940s and 1950s. Is this something that Council could look into?

Mayor advised that this question is taken on notice.

Jan Ford advised that yesterday she forwarded an email to Council that she received from a business person asking whether there is any land available to build permanent staff accommodation in Port Hedland. Is any land available at the airport for this type of accommodation?

Chief Executive Officer advised that there will be a lot of opportunities of this type once Council considers the matter.

5:39pm Mayor closed Public Question Time

5:39pm Mayor opened Public Statements Time

3.2 Public Statements

Nil.

5:40pm Mayor closed Public Statements Time

ITEM 4 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

ITEM 5 DECLARATION BY MEMBERS TO HAVE GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPER PRESENTED BEFORE THE MEETING

Mayor K A Howlett	Cr A A Carter
Cr G J Daccache	Cr S R Martin
Cr G A Jacob	Cr J M Gillingham
Cr D W Hooper	

ITEM 6 REPORTS OF OFFICERS**6.1 Corporate Services**

5:40pm Councillors A A Carter and G J Daccache declared a Financial Interest in Agenda Item 6.1.1 as they are BHP Billiton shareholders with shares over the statutory limit.

Councillors A A Carter and G J Daccache left the room.

5:40pm Councillor G A Jacob declared an Impartiality Interest in Agenda Item 6.1.1 'Development of Precinct 3 at the Port Hedland International Airport via Private Treaty with BHP Billiton; Major Land Transaction Business Plan', as her former partner is a BHP Billiton employee.

Councillor G A Jacob did not leave the room.

201112/178 Council Decision/Officer's Recommendation

Moved: Cr S R Martin

Seconded: Cr D W Hooper

That the Meeting be closed to members of the public as prescribed in Section 5.23 (2) (d) of the Local Government Act 1995, to enable Council to consider the following Agenda Item:

1. 6.1.1 'Development of Precinct 3 at the Port Hedland International Airport via Private Treaty with BHP Billiton; Major Land Transaction Business Plan'

CARRIED 5/0

5:40pm Mayor advised that the meeting is now closed to the public.

201112/179 Council Decision

Moved: Cr S R Martin

Seconded: Cr J M Gillingham

That Standing Orders be suspended.

CARRIED 5/0

5:41pm Mayor advised that Standing Orders have been suspended.

201112/180 Council Decision

Moved: Cr S R Martin

Seconded: Cr G A Jacobs

That Standing Orders be resumed.

CARRIED 5/0

5:54pm Mayor advised that Standing Orders have been resumed.

201112/181 Council Decision

Moved: Cr S R Martin

Seconded: Cr G A Jacobs

That this Special meeting of Council will reconvene on Wednesday 9 November 2011, at 5pm in Council Chambers.

CARRIED 5/0

201112/182 Council Decision

Moved: Cr S R Martin

Seconded: Cr J M Gillingham

That the Meeting be opened to members of the public.

CARRIED 5/0

6pm

Councillors A A Carter and G J Daccache re-entered the room and resumed their chairs.

Mayor advised Councillors A A Carter and G J Daccache that this Special meeting of Council will be reconvened on Wednesday 9 November 2011, at 5pm in Council Chambers.

ITEM 1 RECONVENING OF MEETING

The Mayor resumed the meeting at 5:05pm on Wednesday 9 November 2011.

ITEM 2 RECORDING OF ATTENDANCE

Mayor Kelly A Howlett
Councillor George J Daccache
Councillor Arnold A Carter
Councillor Stan R Martin
Councillor Jan M Gillingham
Councillor David W Hooper
Councillor G A Jacob

Mr Paul Martin	Chief Executive Officer
Ms Natalie Octoman	Director Corporate Services
Mr Russell Dyer	Director Engineering Services
Mr Eber Butron	Director Planning & Development
Mr Graeme Hall	Acting Director Community Development
Miss Josephine Bianchi	Governance Coordinator

5:06pm Councillors A A Carter and G J Daccache declared a Financial Interest in Agenda Item 6.1.1 as they are BHP Billiton shareholders with shares over the statutory limit.

Councillors A A Carter and G J Daccache left the room.

5:06pm Councillor G A Jacob declared an Impartiality Interest in Agenda Item 6.1.1 'Development of Precinct 3 at the Port Hedland International Airport via Private Treaty with BHP Billiton; Major Land Transaction Business Plan' as her former partner is a BHP Billiton employee.

Councillor G A Jacob did not leave the room.

201112/183 Council Decision/Officer's Recommendation

Moved: Cr S R Martin

Seconded: Cr J M Gillingham

That the Meeting be closed to members of the public as prescribed in Section 5.23 (2) (d) of the Local Government Act 1995, to enable Council to consider the following Agenda Item:

1. 6.1.1 'Development of Precinct 3 at the Port Hedland International Airport via Private Treaty with BHP Billiton; Major Land Transaction Business Plan'

CARRIED 5/0

5:07pm Mayor advised that the meeting is now closed to the public.

201112/184 Council Decision

Moved: Cr S R Martin

Seconded: Cr G A Jacobs

That Standing Orders be suspended.

CARRIED 5/0

5:07pm Mayor advised that Standing Orders have been suspended.

201112/185 Council Decision

Moved: Cr D W Hooper

Seconded: Cr J M Gillingham

That Standing Orders be resumed.

CARRIED 5/0

5:20pm Mayor advised that Standing Orders have been resumed.

6.1.1 *Confidential Item - 'Development of Precinct 3 at the Port Hedland International Airport via Private Treaty with BHP Billiton; Major Land Transaction Business Plan'(File No.:01/04/0001)*

Officer's Recommendation

That Council:

1. Acknowledges the negotiations with BHP Billiton and thanks BHP Billiton for their final offer;
2. Notes the contents of the attached Development of Precinct 3 at the Port Hedland International Airport via Private Treaty with BHP Billiton Business Plan (including attachments) and any minor amendments;
3. Seeks public comment on the proposed major land transaction for a minimum of six (6) weeks in accordance with section 3.59 of the *Local Government Act 1995*, to commence on Saturday 12 November 2011;
4. Requests the Chief Executive Officer, or his delegate, to investigate options for the development of key worker housing in the Balance Lot being 26.718 hectares in accordance with relevant planning legislation;
5. Approves to convene a Special Council Meeting on Wednesday 11 January 2012 to consider the public submissions received during the public consultation period in accordance with section 3.59(5) of the *Local Government Act 1995* and decide whether to proceed with the proposed major land transaction, by way of absolute majority.

201112/186 Council Decision

That Council:

1. Acknowledges the negotiations with BHP Billiton and thanks BHP Billiton for their final offer;
2. Notes the contents of the Revised Development of Precinct 3 at the Port Hedland International Airport via Private Treaty with BHP Billiton Business Plan (including attachments) and any minor amendments;
3. Seeks public comment on the proposed major land transaction for a minimum of six (6) weeks in accordance with section 3.59 of the *Local Government Act 1995*, to commence on Saturday 12 November 2011;
4. Requests the Chief Executive Officer, or his delegate, to investigate options for the development of key worker housing in the Balance Lot being 26.718 hectares in accordance with relevant planning legislation;
5. Approves to convene a Special Council Meeting on Wednesday 11 January 2012 to consider the public submissions received during the public consultation period in accordance with section 3.59(5) of the *Local Government Act 1995* and decide whether to proceed with the proposed major land transaction, by way of absolute majority.

CARRIED 5/0

REASON: Council noted the content of the 'Revised' Business Plan after it underwent further revision.

201112/187 Council Decision

Moved: Cr S R Martin

Seconded: Cr J M Gillingham

That the Meeting be opened to members of the public.

CARRIED 5/0

5:22pm Councillors A A Carter and G J Daccache re-entered the room and resumed their chairs.

Mayor advised Councillors A A Carter and G J Daccache of Council's decision.

ITEM 7 CLOSURE

7.1 Closure

There being no further business, the Mayor declared the meeting closed at 5:25 pm.