

LEGISLATIVE COUNCIL STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS

QUESTION PRIOR TO HEARING

Pilbara Ports Authority

Hon Martin Aldridge MLC asked:

I refer to the Harriet Point Agreement and I ask:

- (a) Will the Minister please provide a copy of the agreement to the committee;
- (b) If no to (a) will the Minister provide a copy of the agreement in confidence to the committee;
- (c) What is the financial cost/benefit to the Authority in 2019/20 directly related to the agreement;
- (d) Has the agreement been amended since its execution of August of 2008;
- (e) If yes to (4) on what dates were amendments made;
- (f) Who has access to the agreement;
- (g) Who are party to the agreement; and
- (h) In summary what does the agreement provide for?

Answer:

- (a) No.
- (b) No.
- (c) The Harriet Point Agreement provides that the parties to, provisions of, and the terms of any transaction contemplated by the document, must be treated confidentially.
- (d) Yes.
- (e) April 2010 and August 2012.
- (f) Access to the Harriet Point Agreement is restricted to authorised personnel of the parties, their respective professional advisers, and otherwise as required by law.
- (g) BHP and Pilbara Ports Authority.
- (h) The Harriet Point agreement was entered into between BHP and the State of Western Australia to facilitate the access by third parties to the Port of Port Hedland. This access was critical to the ability of non-BHP companies to establish their iron ore trade.

The Harriet Point Agreement provides the basis for the orderly development of port infrastructure within the Port of Port Hedland, to facilitate the progressive expansion of trade volumes within the constrained area of the Inner Harbour. The Agreement provides for such development to not adversely affect BHP's rights.

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