



AGENDA

FOR THE SPECIAL MEETING

OF COUNCIL

TO BE HELD ON

TUESDAY 13 AUGUST 2013

Commencing 1.00 pm

SHIRE OF YALGOO

NOTICE OF SPECIAL COUNCIL MEETING

A SPECIAL MEETING OF COUNCIL WILL BE HELD IN THE COUNCIL CHAMBERS ON TUESDAY
13 AUGUST 2013 COMMENCING AT 1.00pm.

Purpose of Meeting –

The purpose of the Special Meeting is to consider a matter regarding Capital works required to be completed by Top Iron on the Yalgoo Ninghan Road.

S Daishe
Chief Executive Officer

8 August 2013

CONTENTS

1.	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS	2
2.	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE	2
3.	DISCLOSURE OF INTERESTS.....	2
4.	PUBLIC QUESTION TIME	2
4.0	RESPONSE TO QUESTIONS TAKEN ON NOTICE.....	2
4.1	QUESTIONS WITHOUT NOTICE.....	2
5.	MATTERS FOR WHICH THE MEETING MAY BE CLOSED	3
6.	BUSINESS AS NOTIFIED	3
6.0	Purpose of Meeting.....	3
6.1	Top Iron-Capital Works Yalgoo Ninghan Road	3
7.	URGENT BUSINESS.....	5
8.	MATTERS FOR WHICH THE MEETING MAY BE CLOSED	5
9.	MEETING CLOSURE	5



Agenda for the Special Meeting of the Yalgoo Shire Council,
to be held in the Council Chambers, 37 Gibbons Street, Yalgoo,
on Tuesday 13 August 2013 commencing at 1.00pm.

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

MEMBERS

STAFF

GUESTS

OBSERVERS

LEAVE OF
ABSENCE

APOLOGIES

3. DISCLOSURE OF INTERESTS

Disclosures of interest made before the Meeting

4. PUBLIC QUESTION TIME

4.0 RESPONSE TO QUESTIONS TAKEN ON NOTICE

4.1 QUESTIONS WITHOUT NOTICE

5. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

6. BUSINESS AS NOTIFIED

6.0 Purpose of Meeting

The purpose of the Special Meeting is to consider a matter regarding Capital works required to be completed by Top Iron on the Yalgoo Ninghan Road.

6.1 Top Iron-Capital Works Yalgoo Ninghan Road

File:	RD08
Author:	Ron Adams, EMWI
Interest Declared:	No interest to disclose
Date:	2 August 2013
Attachments	Nil

Matter for Consideration

Capital works required to be completed by Top Iron on the Yalgoo Ninghan Road.

Background

Top Iron has been negotiating a road agreement with the Shire for use of the Yalgoo Ninghan Road.

Part of the agreement and negotiation phase of this process is to determine what capital improvements are required to be done to the road prior to trucking commencement, and the commencement of the road use agreement.

Top Iron plan to haul ore using 53.5 metre road trains as previously advised. Top Iron will enter the Yalgoo Ninghan Road at the Great Northern intersection and travel north to the Geraldton Mount Magnet Road then to the port at Geraldton.

The Shire requires Top Iron to improve the road prior to trucking. This is the capital investment required by the shire to accommodate the Top Iron trucking program. The Executive Manager, Works and Infrastructure and Specialist Roads Technician have inspected and scoped the required improvements.

The Shire's Works team has a full list of projects to complete in the 2013-14 year with Regional Roads and Roads to Recovery programs and the Shire maintenance program.

The Shire has a panel of preferred suppliers via its panel that was established in 2012-13.

Statutory Environment

Local Government Act 1995

s.3.1 (1) the general function of the local government is to provide for the good government of persons in its district.

S.6.8 Expenditure from municipal fund not included in annual budget

- (a) Is incurred in a financial year before the adoption of the annual budget
- (b) Is authorised in advance by resolution

Strategic Implications

Provision of infrastructure that is of regional benefit.

Policy Implications

Use of Common Seal

Financial Implications

The works required are estimated to cost between \$5,000,000 and \$5,500,000.

If Top Iron fund the Shire to carry out this work this amount will need to be disclosed as income and expenditure in the 2013-14 Annual Budget.

Consultation

- Sharon Daishe, CEO
- Cliff Hodder, Specialist Road Technician
- Christine Harvey, Accounting Consultant
- Heather Boyd, EMC

Comment

It is proposed that the Shire carries out this work for Top Iron, under the supervision of the Shire's Specialist Road Technician who will supervise the widening of the road to suit Top Iron's trucking program. This approach will ensure continuity in road construction method from the existing pavement.

The cost to do this work is approximately \$5,000,000 to \$5,500,000 and is to be financed entirely by Top Iron.

The Shire will manage risk by requiring Top Iron to make advance payments. The Shire will halt work when the funds from each payment are expended, until the next payment is made.

The Shire will own the asset at the completion of the works and continue its management through maintenance and asset renewal programs.

The Shire will need to maintain control of this construction so as to ensure the Shire specification and road asset is constructed to our design and engineering requirements.

Top Iron has indicated their preference to commence these works as soon as possible and would like to execute a funding agreement for a capital works program with the Shire.

The Shire's Executive Team has determined a funding strategy and management strategy for this work including payments in advance prior to works and audit process during and at the completion of works.

Voting Requirements

Absolute Majority

OFFICER RECOMMENDATION

Private Capital Works Agreement for Widening of Yalgoo Ninghan Road

That Council:

- 1. Authorises the CEO to negotiate an agreement for Top Iron to pay the Shire to carry out a project to widen and seal sections of the Yalgoo Ninghan Road that is between the Great Northern Hwy and Minjar Haulage Road; and**
- 2. Authorises the President and the CEO to execute the agreement by affixing the Common Seal to the contract between the Shire of Yalgoo and Top Iron; and**
- 3. Authorises income of \$5.5M and expenditure of \$5.5M to be included in the 2013-14 Annual Budget.**

Moved:

Seconded:

Motion put and carried/lost

7. URGENT BUSINESS

8. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

9. MEETING CLOSURE