

Western Australia

Minutes of the Special Meeting of the Murchison Shire Council, Held in the Council Chambers, Carnarvon Mullewa Road, Murchison, On Saturday 3rd February2018, commencing at 11 am.

Purpose:

- 1. The Main Roads Drawings for Stage One of the SKA Route
- 2. The Deed For The Construction, Operation, Use And Maintenance Of The Square Kilometre Array Access Roads Project

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The President declared the meeting open at 11:01 am

2. **RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**

President R Foulkes-Taylor Deputy President A Whitmarsh Cr E Foulkes-Taylor Cr G Mead Cr Q Fowler Cr P Squires

Staff Peter Dittrich - CEO Ina Edwardson - DCEO

Visitors - 1 Member of the Public

Apologies - Brian Wundenberg - Works Supervisor

<u>3.</u> Nil. **RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

PUBLIC QUESTION TIME 4.

Nil

4.1 **Standing Orders**

Council Decision: Moved: Councillor P Squires	Second	ed: Councillor Q Fowler		
That the following Local Law-Standing Orders 2001 be stood down:				
8.2 Limitation on the number of spe 8.3 Duration of speeches	eches			
Carried	For: 6	Against: 0		

NEXT MEETING

5. NEXT MEETING The next ordinary meeting is scheduled for Thursday 22 February 2018.

APPLICATIONS FOR LEAVE OF ABSENCE 6.

Deputy President A Whitmarsh requested a leave of absence for the 22 February 2018 Ordinary Council Meeting.

Council Decision: Moved: Councillor P Squires	Seconded:	Councillor E Foulkes Taylor
That Deputy President A Whitmarsh be granted a leave of absence for the 22 February 2018 Ordinary Council Meeting.		
Carried Deputy President A Whitmarsh did not vote.	For: 5	Against: 0

NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS 7.

Discuss one item pursuant to LGA s. 5.23 (2) (c) 1. Deed For The Construction, Operation, Use And Maintenance Of The Square Kilometre Array Access Roads Project

8. CONFIRMATION OF MINUTES

Not Applicable

9. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

The President thanked all for attending the meeting.

The President advised that a proposed special meeting of the Murchison Country Zone to discuss health concerns will not be going ahead, rather the issues will be covered at the regular meeting scheduled for May. Councillors were requested to submit their concerns in relation to health services in the area to either the President or the CEO prior to the May Murchison Country Zone Meeting.

10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Not Applicable.

11. DISCLOSURE OF INTERESTS

Nil

12. REPORTS OF OFFICERS

12.1 Main Roads Drawings for Stage One of the SKA Route

File:	12.8
Author:	Peter Dittrich - CEO
Interest Declared:	No interest to disclose
Date:	30 January 2018
Attachments:	Draft 100% SKA Road drawings

Matter for Consideration:

Council to consider the draft SKA Road 100% drawings for Stage 1 of the project.

Background:

Main Roads is undertaking an upgrade of the roads that will be used during the construction of the SKA project. The work will be undertaken in two stages.

Comment:

The drawings for Stage 1 were provided to the Shire on the afternoon of 24 January 2018. These drawings were reviewed by the Works Supervisor on 25 January 2018. A copy of the drawings was provided to some of the affected lease holders on Monday 29 January 2018. Three amended drawings were received on 30 January 2018. Given the short time frame the Shire has not undertaken any formal consultation with the affected lease holders.

Main Roads has advised as follows:

We've spoken to each lease holder individually about the grids and which they would like to keep/remove etc. which is incorporated into the drawings.

The two northern crossings are on Boolardy Station and we've talked them through/ shown the drawings to the CSIRO.

And for the Murchison crossing Peter Swaan has been out to the site twice specifically to go over the plans with Katie and then Dan.

Mr David Pollock provided the following feedback to Main Roads:

We have just received your plans for the road upgrade through Wooleen from Peter Dittrich.

We are disappointed to note that the grid at SLK 33.75 remains in its present location, despite our entreaties to move it.

I feel compelled to reiterate the reasons why we consider it would be in the States interests to move it to the more suitable location (SLK 32.15 Twin Peaks - Wooleen Rd) as we have discussed previously on the phone. I would also like to note that you had no objection to moving the grid during those discussions. The grid is currently positioned just before a sharp corner that leads into an S bend and a heavily vegetated creek. The corner is too sharp, unnecessary, and dangerous. The road also has a tendency to become eroded in average rainfall events due to the inappropriate angle the road enters the creek, increasing maintenance costs. The creek at this location is also frequently occupied by my cattle, as there is a windmill less than 500m downstream of the crossing. The cattle only add to the danger this crossing presents. A simple solution would be to straighten the road on the south side to cross the creek enter and exit at right angles to the flow of water, thereby eliminating all corners. Visibility of oncoming traffic and animals would be much improved, and erosion would be minimalised.

I have noticed that as per the plans you have not realigned the road in this manner, and assume this has been due to a lack of funds. I think this is a mistake but perhaps it is unavoidable. Nonetheless, I think the grid should be moved to SLK 32.15 Twin Peaks - Wooleen Rd because without moving the grid the necessary realignment cannot take place in the future as the necessary straitening of the creek crossing will interfere with the current position of the grid. The grid must be moved if the realignment is to take place.

As the grid needs to be replaced anyway I do not see any extra cost to the State for moving its location other than those associated with changing the location for it on the plans, and I implore you to reassess this matter. If this dangerous corner cannot be addressed at this stage, at least accommodate the possibility for it to be addressed in the future by moving the grid now.

I have included the Murchison Shire CEO into this conversation again as I have had a discussion with him on the matter in which he said he did not have a problem with the moving of grids as long as it didn't cost the Shire extra.

Main Roads responded by email advising that they would revise the drawing to include the replacement of the grid as per Mr Pollock's email.

The Works Supervisor's review identified the following concerns:

- Drawing 201714-1578 the raising of the road on east side appears unnecessary.
- Drawing 201714-1569 Raising of the road
- Drawing 201714-1581 Raising of the road
- The placement of depth markers should be place on the downside of the crossings
- Crossings should be named

Mrs K Jefferies has expressed concern as to the placement of the crossing of the Murchison River on the Twin Peaks Wooleen Road. She has suggested that the intersection with the Carnarvon Mullewa Road be moved further north and the road realigned to allow the existing crossing to be used and to minimise the removal of mature trees.

In the main the drawings for Stage 1 of the SKA project appear reasonable.

Recommendation:

That Council:

- 1. Advise Main Roads that the council approve the drawings subject to amendments being made as identified by the Works Supervisor and Mr D Pollock except those relating to the Twin Peaks Wooleen Road and related crossing on Billabalong Station.;
- 2. Main Roads be requested to provide reasons where they feel the changes per 1) above cannot be made.
- 3. Main Roads be requested to provide information in relation to the impact on the land, flora, and waterways of the realignment of the Twin Peaks Wooleen Road and the associated crossing on Billabalong Station.

Discussion:

Councillor P Squires raised concerns in relation to the raising of the road level and the impact this would have on homesteads.

Council discussed the drawings and the concerns raised by the lease holders and the Works Supervisor. Council discussed the Twin Peaks Wooleen Road re-alignment and the proposed new crossing. Concern was raised as to the impact the re-alignment and new crossing may have on water flow. Council discussed the potential positive impacts of a new crossing. In order to make an informed decision on the re-alignment and new crossing Council requested that additional information be requested from Main Roads.

Voting Requirements:

Simple majority

Council Decision: Moved: Councillor E Foulkes-Taylor

That Council:

- Advise Main Roads that the council approve the drawings subject to amendments being made as identified by the Works Supervisor and Mr D Pollock except those relating to the Twin Peaks Wooleen Road and related crossing on Billabalong Station.;
- 2. Main Roads be requested to provide reasons where they feel the changes per 1) above cannot be made.
- 3. Main Roads be requested to provide information in relation to the impact on the land, flora, and waterways of the realignment of the Twin Peaks Wooleen Road and the associated crossing on Billabalong Station.

Carried	For: 6	Against: 0
Carried	FOI: 6	Against: 0

13. ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Motion to close the meeting to the Public

Recommendation:

That the meeting move behind closed doors to discuss one item pursuant to LGA s. 5.23 (2) (c) - 1. Deed For The Construction, Operation, Use And Maintenance Of The Square Kilometre Array Access Roads Project.

Voting Requirements:

Simple Majority The Meeting adjourned at 12:11 pm and resumed at 12:19 pm

Council Decision: Moved: Councillor A Whitmarsh

That the meeting move behind closed doors to discuss one item pursuant to LGA s. 5.23 (2) (c) - 1. Deed For The Construction, Operation, Use And Maintenance Of The Square Kilometre Array Access Roads Project.

Carried:

13.1 Deed For The Construction, Operation, Use And Maintenance Of The Square Kilometre Array Access Roads Project

Motion to open the meeting to the Public

Recommendation:

That the meeting move out from behind closed doors.

Voting Requirements:

Simple Majority

Council Decision:

Moved: Councillor P Squires That the meeting move out from behind closed doors. Seconded: Councillor G Mead

Seconded: Councillor P Squires

Seconded: Councillor A Whitmarsh

For: 6

Against: 0

13.1 Deed For The Construction, Operation, Use And Maintenance Of The Square Kilometre Array Access Roads Project

Council Decision: Moved: Councillor Q	Fowler Seconded: Councillor G Mead				
That Council return the deed to Main Roads to enable them to amend the document as follows:					
Clause	Action				
Index	To be updated to reflect Clauses and page numbers.				
Background B	Main Roads recognises the significance of these roads to the Shire Community.				
2.5b	Remove 2018 and replace with from commencement date.				
2.5h	Replace with the deed shall remain in force until the end of the liability period				
3.1e	Change to - Main Roads will perform Stage 1 works in accordance with the drawings and specifications, as approved by the Council of the Shire of Murchison, except where otherwise agreed by both parties in writing.				
4.1c	Change to read ensuring that the Works will be performed during statutory daylight hours only, with exceptions to be approved in exceptional circumstances at the discretion of the Shire.				
4.2	Remove the words as a minimum throughout the clause.				
4.2c	Change the word fortnightly to monthly and add the words where resources permit.				
4.2d					
4.2f	Change reference to 4.2e				
4.2i	Remove clause as Shire is unable to assign its rights				
4.5 Remove and replace with - The Shire agrees to assist, by facilitating contact with the landowners, Main Roads in obtaining a licence under Section 5C of the Rights in Water Act 1914 to grant it access to the water bores referred to in Schedule 2 for the purpose of performing the Works under this Deed					
5.4e Needs defects liability on sheeting and maintenance for maintenance period, especially as upgrades will occur I then as mentioned in STAGE 2 definition in 1.1.					
8.5	Delete as duplicates Clause 2.6				
9.1a	Replace with The Chief Executive Officer and President of the Shire are authorised to co-sign this Deed on behalf of the Shire.				
Carried:	For: 6 Against: 0				

14. MEETING CLOSURE