

SHIRE OF MOORA
MINUTES OF THE SPECIAL MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MOORA
24 JUNE 2015

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* Separate Attachments
4.1 Letter

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

The Shire President declared the meeting open at 4.01pm.

1.2 DISCLAIMER READING

No responsibility whatsoever is implied or accepted by the Shire of Moora for any act, omission or statement or intimation occurring during this meeting.

It is strongly advised that persons do not act on what is heard at this meeting and should only rely on written confirmation of Council's decision, which will be provided within fourteen (14) days of this meeting.

2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

ATTENDANCE

CE Gardiner	-	Shire President / Presiding Member
TG Humphry	-	Deputy President
DV Clydesdale-Gebert	-	Councillor
R Keamy	-	Councillor
MR Pond	-	Councillor
KM Seymour	-	Councillor
MR Holliday	-	Councillor
JW McLagan (from 4.15pm)-	-	Councillor
AJ Leeson	-	Chief Executive Officer
DK Trevaskis	-	Deputy Chief Executive Officer
JL Greay	-	Manager Engineering Services
PR Williams (from 4.03pm)-	-	Manager Development Services

PUBLIC

Wade Pearson	Ron Manning	Ian Seymour	Bruce Topham
Cynthia Topham	Cynthia McMorran	Terry Reynolds	Andrea Reynolds
Tony White	Marion Seymour	Michelle Barnard	Andrew Barnard
Simon De Lange	Max Lewis	Des Seymour	Owen Cocking
Adam Martin	Daniel Martin	Jim Lowe	Brendan Pratt
Tom Sayers	Jenny Pearson	Tyson Galbraith	Steve Antonio

APOLOGIES

Cr Chris Hawkins	Scott Galbraith	Sally Galbraith
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3. PUBLIC QUESTION TIME

Wade Pearson

Why has it taken it to get to this stage before having a special meeting by Council to resolve this issue?

Shire President

Responded outlining Council had a presentation from the President of the Miling Progress Association (MPA) which indicated concerns about the hastiness of the by-pass community consultation process decision. Today's meeting is in response to an invitation from Minister Nalder's office for Council to consider commenting and providing feedback on Minister Nalder's preference/recommendation being the Eastern Bypass route. Letter from the minister's office was received during the Council meeting on Wednesday 17th June 2015.

Ian Seymour

Can the Councillors consider when deciding their vote that this decision isn't about which route to take but the extension of time for the community to consider?

Shire President

Yes ... (clarified above)

Adam Martin

Why is Council having a motion to spend money on a consultation when the Miling community have already had their chance to?

Shire President

Responded advising that Council at this juncture is simply considering whether or not to take up Minister Nalder's offices invitation.

Tony White

Spoke outlining that all intentions and endeavours have been made looking for the best outcome for the Miling community, further apologising for any confusion in regard to the Miling Progress Association's role throughout but the towns best interest have always been first and foremost.

Andrea Reynolds

Was Main Roads consultation in Miling not enough? Why do we need to get consultants in at an expense to delve into this further?

Shire President

Agreed the Main Roads process has been done thoroughly, after presentation last week a motion was decided to put to council to consider (at the request of MPA).

At 4.15pm Cr McLagan entered the meeting

Adam Martin

Can you please explain why the Minister has gone to you now?

Alan Leeson

Indication was that the Minister had signed off on it, the Chief Executive Officer confirmed and asked that if they want comment from council that it be put in writing; this was done last week and was put to council then.

Owen Cocking

Why is council involved in this decision? Shouldn't it just be the community members in Miling? Why should my rates be contributed towards this?

Shire President

Council gave Miling a chance and has not expensed any funds directly towards this issue... this motion has since been drawn up for consideration.

Cynthia McMorran

Why is this being done again when there has already been consultation done in Miling with Main Roads and with MPA?

Shire President

As above...

Public question time concluded at 4.21pm

4. PETITIONS AND PRESENTATIONS

Nil

5. REPORTS OF OFFICERS**5.1 MILING TOWNSITE GREAT NORTHERN HIGHWAY BYPASS PROPOSAL**

At 4.23pm Cr Seymour declared a financial and proximity interest as he is a family member of the company that owns lands which may be used for the Great Northern Highway bypass on the east / south east side of the Miling townsite and left the meeting.

FILE REFERENCE: TP/PTMII

REPORT DATE: 18 June 2015

APPLICANT/PROPONENT: Minister for Transport W.A – Michael Buba

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Chief Executive Officer, Alan Leeson

ATTACHMENTS: Letter

PURPOSE OF REPORT:

Council to consider an invitation from the Western Australian Government's Minister for Transport's office, for Council to provide feedback in relation to the preferred alignment of the proposed heavy vehicle bypass on the Great Northern Highway Miling.

BACKGROUND:

Since October/November 2014 the issue of a Miling Bypass has been investigated by a project team on behalf of Main Roads and the State Government. Throughout that process there has been consultation with Council and the Miling Community and directly affected land owners.

COMMENT:

The matter did somewhat come to a head last week with a presentation to Council on the preferred bypass route recommended by the Main Roads project team and formally endorsed by the Minister for Transport being the eastern option, just to the east of the Miling Recreation Ground and the Water Corporation Tank.

The Minister is now seeking comment from Council given it is the head governance organisation within the community. To this juncture, Council has been well briefed on the status of the issue to this point, and has been comfortable with the process undertaken by the project team.

From the authors perspective it is logical and expected that the State Government would seek a comment/position from Council on such an important issue within the Shire of Moora community. It is fair to say to this point, the issue has been very emotive at the Miling community level and to some extent that has led to a lack of objectivity at various stages of the planning and consultation. Council's position has been, albeit unofficially, to allow the process to play out with members of the Miling Community being provided with an opportunity to formally make the views/preferences known, and subsequently Council need not be formally involved.

Given the request from the Minister for Transport and the deputation from the Miling Progress Association Executive on the 17th June 2015, it is incumbent on the author to now put the matter up for Council to formally consider.

The Miling Progress Association have requested that consideration be given to engaging a consultant/facilitator independent of Council, Main Roads and the Miling Progress Association to go back to the Miling Community to draw out some further understanding of the bypass proposal/s put forward by the Main Roads project team.

POLICY REQUIREMENTS:

Not applicable

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995

STRATEGIC IMPLICATIONS:

There are no strategic implications in consideration of this matter.

SUSTAINABILITY IMPLICATIONS:

➤ **Environment**

There are no known significant environmental implications associated with this proposal.

➤ **Economic**

There are no direct financial economic implications for Council in relation to this matter. This may potentially impact on the economic fabric of Miling in terms of what impact the re-routing of the highway around Miling may or may not have.

➤ **Social**

There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

The cost of an external consultant to drive a secondary community consultation process is likely to cost in the vicinity of \$10,000 plus GST. This is a very modest cost in terms of the life investment and impact of a bypass in Miling.

SUMMARY:

Strong leadership is required of Council in relation to this issue on behalf of the community and a greater buy into the issue has been requested of Council by the Miling Progress Association and indeed the Minister for Transport.

This is however not at the discretion of Council, however it is the authors' view that Council should take this issue and commence a secondary consultative process to be externally facilitated in order to achieve an outcome that can be objectively fed back to the Minister for Transport on behalf of the Miling community collectively. Hypothetically if it were the bypass around Moora, I have no doubt Council would be at the forefront of a process in terms of planning and consultation strategies.

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATION

Moved Cr McLagan, seconded Cr Holliday that

1. *Council accepts the invitation from the office of Minister Dean Nalder MLA, Minister for Transport to provide feedback in regard to the preferred eastern alignment endorsed by Minister Nalder concerning the Miling townsite by-pass,*
2. *Council prior to formalising any feedback to Minister Nalder's office engage an independent consultant/facilitator to undertake a formal consultation process in a collaborative manner with the Miling community to provide adequate opportunity and time for the community to consider holistically the preferred option endorsed by Minister Nalder's office being the "eastern option" and the merits of such, thus forming the basis of the requested feedback/comment sought from Council by Minister Nalder's Office, furthermore that this feedback be provided no later than 31 August 2015;*
3. *Council endorse expenditure not exceeding \$10,000 plus GST to fund the engagement of an external consultant.*

MOTION WITHDRAWN

NEW MOTION**COUNCIL RESOLUTION**

87/15 Moved Cr McLagan, seconded Cr Keamy that

- 1) ***The Shire of Moora Council accepts the invitation from the Minister for Transport, Hon Dean Nalder to provide feedback to him on the preferred alignment for a proposed heavy vehicle by-pass on Great Northern Highway at Miling.***

- 2) *The Shire of Moora Council submit to Minister for Transport, Hon Dean Nalder, feedback regarding the preferred alignment for a proposed heavy vehicle by-pass on Great Northern Highway at Miling.*
- 3) *The Shire of Moora employs a consultant to report to Council on a preferred alignment for a proposed heavy vehicle by-pass on Great Northern Highway at Miling.*
- 4) *The Shire of Moora Council provides in the 2015/16 budget, \$10 000 (ten thousand) exclusive of G.S.T to fund a report to Council regarding a preferred alignment for a proposed heavy vehicle by-pass on Great Northern Highway at Miling.*
- 5) *Objects clause:*
 - A) *The consultant reports to the Shire of Moora Council,*
 - B) *The consultant adhere to the Shire of Moora growth plan,*
 - C) *The consultant raise areas of concern from the Miling community on the preferred alignment for a proposed heavy vehicle by-pass on Great Northern Highway at Miling,*
 - D) *The consultant seek suggestion from the Miling community on the preferred alignment for a proposed heavy vehicle by-pass on Great Northern Highway at Miling,*
 - E) *The consultant issue a report to the Shire of Moora Council, for the consideration of Council, pertaining to the preferred alignment for a proposed heavy vehicle by-pass on Great Northern Highway at Miling.*
 - F) *The consultant issue a full and final report on the preferred alignment for a proposed heavy vehicle by-pass on Great Northern Highway at Miling, to the Shire of Moora Council four weeks from the date of engagement or no later than 31st August 2015.*
 - G) *Shire of Moora Council reserves the right to act on all, part or none of the consultant's report and recommendations.*

CARRIED 5/2

NOTE

Council accepted the new motion as they felt it set out in more detail the manner and terms of reference under which a secondary community consultation process would take place.

6. CLOSURE OF MEETING

There being no further business, the President thanked the members of the public for their attendance and input and declared the meeting closed at 4.41pm.

CONFIRMED

PRESIDING MEMBER