

## **6.4. NOTICE OF MOTION - RESTORATION OF SAFE 4 WHEEL DRIVE CROSSING EMMAGEN CREEK**

**COUNCILLOR:** Cr Terry Melchert

### **NOTICE OF MOTION:**

I hereby give Notice of my intention to move the following Motion at the Council meeting scheduled for Thursday 28th January 2016:-

**“That Council instruct the Chief Executive Officer to arrange, as soon as possible, the restoration of the safe and convenient 4 WD crossing at Emmagen Creek on the Daintree to Cape Tribulation Drive with the same even “small rock” surface and low flow water levels (30 to 40cm) as was created by Council’s contractor during road construction works North of the crossing, and Council confirm its commitment maintaining the Cape Tribulation to Bloomfield River Road as a good quality 4WD drive track.”**

### **BACKGROUND:**

On 11th January 2016 I visited the area North of the Daintree with Councillor Clarke to meet with residents, ratepayers and small business owners, and while visiting Mr Lawrence Mason he confirmed his support for complaints received from Mrs Margaret Upite of Degarra and Mr Colin Burns of Ayton about recent Council works at the Emmagen Creek crossing.

The situation is that during the NDRRA road repairs carried out North of Emmagen creek the Council’s contractor created, at its expense, a level crossing across the creek with small rock and this provided a clear and relatively smooth road path with a low flow water level depth of 30 to 40cm.

For some reason, for which I have been unable to receive reasonable advice, Council required the contractor to excavate the crossing at the completion of the works which made it so deep that even at low flow levels it was barely safe to cross even by large 4WDs.

It made it dangerous for people like Mrs Upite and others who have smaller 4WD vehicles.

While some restoration works have taken place the water depth is still over 40cm on the downstream side and much deeper on the upstream side.

I am concerned that the track should be safe not only for tour vehicles but also for Douglas residents and those from Ayton and Wujal Wujal.

### **OFFICER'S COMMENT:**

A Request for Information (RFI) was received from Cr Melchert on 9 December 2015 pertaining to this matter and advice provided to Cr Melchert and all Councillors on 10 December 2015.

The RFI was as follows:

*"Mrs Upite has advised me that the movement of heavy trucks crossing the Emmagen Creek crossing had the effect of compacting the rocky bottom at the crossing and making it much safer for 4-wheel drive traffic.*

*Her concern is that in recent times Council has engaged plant to dig out the bottom to make it rough again and that the rock spoil which has been removed has been placed in areas which will see it wash back into the creek in the wet season.*

*Could we please be advised if such action has been taken, under what authority it was done, and the thought processes behind making a safe road condition less safe?*

*Mrs Upite has also suggested that Council install a sign on the southern bank of the Emmagen Creek crossing reinforcing the fact that the road is designed as a 4-wheel drive track only and use by other vehicles may void warranty and insurance provisions.*

*Early comment on Mrs Upite's concerns will be greatly appreciated."*

The following response was provided to the Councillor (and other Councillors) on 10 December 2015:

*"Advice has been received from the actioning Council Officer, regarding Cr Melchert's enquiry of Complaint - Council works which have Damaged Emmagen Creek Crossing – Mrs Margaret Upite Degarra, as follows:*

*Additional rock material was placed in the bottom of Emmagen Creek to assist the NDDRA contractor's truck movements, whilst construction occurred north of Emmagen Creek. As this was a temporary measure it was necessary to remove [the material] at the completion of the works, and this was done by the NDRRA Contractor, just prior to their departure from site.*

*In addition, due to the temporary rock material being placed in the creek, this had the effect of encouraging 2WDs to continue north and increased the speed at which vehicles were traversing Emmagen Creek. This had the detrimental effect of increasing the amount of water which was being splashed up each bank and the road surface was not performing well as a consequence. It was decided to take advantage of the removal of rock material in an attempt to "rock armour" the road on both banks.*

*As in any dynamic environment such as a river crossing, there is an expectation that rock and other materials will move around with floodwaters. The rock used is a river rock similar to the existing natural materials and should not detract from the visual aesthetics of the area.*

*It should also be noted that Council's policy is to encourage the use of 4WDs only north of Emmagen Creek. Signage to this effect already exists approximately 80 metres south of Emmagen Creek. As to the suggestion about including voiding insurance and warranties signage, these are commercial arrangements that Council is not privy to and as a result we could not provide the suggested signage."*

Council is committed to implementing the Cape Tribulation Road Link – Road Management Plan 2013 – 2033 revision February 2013. With reference to the relevant points raised in the Notice of Motion, the Management Plan provides:

- Emmagen Creek is to be established as a 'Gateway' to the wilderness / adventure 4wd Bloomfield Track. Inclusion of information/driver education signage and turning facilities for 2wd vehicles.
- Emmagen Creek – Maintain current flood immunity level of crossing, with minor improvements to floor surfacing to address stability / safety concerns.
- Predominantly maintain the existing unsealed road surface to promote the adventure wilderness experience.
- Pavement and road surface improvements to address steep and or structurally weak sections of the link which are predominantly located on the Donovan Range, Cowie Range and Switchback.

Recently completed NDRRA works and scheduled capital works have/will achieve these guiding principles.