

HERBERT RIVER IMPROVEMENT TRUST

GENERAL MEETING MINUTES

THURSDAY 7TH MAY, 2009
AT 9.00 A.M.



A. ATTENDANCE –

Present were Mr. W.H. Pickering (Chairperson), Cr. G.P. Gianotti (Member), Cr. P. Lynch (Member), Mr. R.W. Clark (Trust Secretary), Mr. B.E. Leach (Trust Engineer) and Mr. S. Hall (Trust Works Manager).

B. MINUTES -

Confirmation of Minutes of the General Meeting held on 9th April, 2009 and Special Meeting held on 28th April, 2009.

Resolved – That the minutes of the General Meeting held on 9th April, 2009 and Special Meeting held on 28th April, 2009 be approved as a correct record of proceedings.
(Crs. Lynch and Gianotti - Carried)

C. WORKS REPORT –

Consideration of Trust Engineer's April, 2009 report of works performed to date and activities in progress.

Resolved – That the Report be received and noted.

That Rockfield Technologies Pty. Ltd. be engaged to provide information on the items for the floodgates as identified.
(Crs. Gianotti and Lynch - Carried)

D. ACCOUNTS FOR PAYMENT -

1. The Secretary submitted accounts for payment as hereunder and statements of receipts and disbursements for the period up to 7th May, 2009:-

<u>General Fund</u> -	Cheque	\$ 94.90
	EFT	<u>\$61,764.55</u>
		<u>\$61,859.45</u>

Resolved – That payment of accounts as submitted be approved and the statement of receipts and disbursements be received and noted.

(Mr. Pickering and Cr. Gianotti – Carried)

2. 2008 / 2009 BUDGET REVIEW.

The meeting considered a review of the current Budget.

Resolved – That the 2008 / 2009 Budget Review as presented be adopted and submitted for State Government approval.

(Crs. Gianotti and Lynch - Carried)

E. CORRESPONDENCE –

1. ATTORNEY-GENERAL, THE HON. ROBERT McCLELLAND MP, Canberra, 19th March, 2009, informing the Trust that he has approved its application for Australian Government funding in the sum of \$30,000 for Further Modelling – Lower Herbert under the 2008 / 2009 round of the Natural Disaster Mitigation Program. An Emergency Management Queensland representative will contact the Trust shortly to finalise the contractual and financial arrangements. (104/0011)

Resolved – That the advice be received and noted.

(Cr. Gianotti and Mr. Pickering – Carried)

2. DEPARTMENT OF ENVIRONMENT & RESOURCE MANAGEMENT, Brisbane, 17th April, 2009, advising that the State Government announced on the 7th April, 2009 a moratorium on the clearing of certain regrowth vegetation which prohibits the clearing on freehold land and state leasehold land for agriculture and grazing of:-

- All native vegetation within 50 metres of identified watercourses in the priority Mackay / Whitsunday, Wet Tropics, and Burdekin reef catchments; and
- Mapped endangered regrowth vegetation.

The Department has mapped the moratorium affected areas which is available at www.derm.qld.gov.au and a copy of the map on DVD will be forwarded in the near future to assist the Trust to identify areas affected by the moratorium.

Clearing of native vegetation within moratorium affected areas should not be undertaken, unless the clearing is:-

- In an area shown as Category X on a Property Map of Assessable Vegetation;
- Where a landholder has a valid development approval for which the clearing is a necessary part;
- To reduce fire hazard, or to protect life and property from fire;
- For a native forest practice;
- For an urban purpose in an urban area; and
- Subject to an exemption in schedule 8 of the *Integrated Planning Act 1997* other than clearing of vegetation to which the moratorium applies.

All clearing of native vegetation in areas not affected by the moratorium remains subject to the existing vegetation clearing laws in Queensland in the usual way, and landholders should check with the Department to determine if clearing is consistent with one of the exemptions.

The moratorium will be in place for an initial period of three months to ensure that high value regrowth vegetation cannot be cleared pre-emptively while the Government is working with peak stakeholders, including the Local Government Association of Queensland, to improve the vegetation clearing laws in Queensland.

Resolved – That the advice be received and noted.

(Crs. Lynch and Gianotti – Carried)

3. ANDREW CRIPPS MP, MEMBER FOR HINCHINBROOK, Ingham, 17th April, 2009, forwarding copy of correspondence from Mr. Harrison Duncan of Thuringowa Central whom proposes the construction of floodways to mitigate the effects of floodwaters on public and private property in the Herbert River district during major flood events. Requesting the Trust to provide an informed opinion regarding Mr. Duncan's proposals, as far as the practicality of constructing the floodway infrastructure is concerned and what benefit such infrastructure may have in mitigation the impact of floodwaters on communities in the Herbert River district. (101/0002)

Resolved – That information be provided in relation to the proposals to allow the Member for Hinchinbrook to respond to Mr. Duncan.
(Mr. Pickering and Cr. Lynch – Carried)

4. DEPARTMENT OF ENVIRONMENT & RESOURCE MANAGEMENT, Cloncurry, 24th April, 2009, seeking the Trust's views and / or requirements in relation to an application received by the Department from **R.J. & J.M. Giddins** for Renewal of Special Lease 44424 (Lot 175 on CWL 3224), Special Lease 44420 (Lot 137 on CWL3262) and Special Lease 44434 (Lot 185 on CWL3224), Parish of Leach, at Lyons and Tarakan Roads, Abergowrie. Lease expires on 30th June, 2011 and the intended use is cane growing. (077/0001)

Resolved – That the Trust has no objection to the proposed renewal, subject to a Section 11 River Improvement Trust Notice being applied to the land adjacent to the watercourses in USL 39338, and USL 39337.
(Crs. Gianotti and Lynch – Carried)

5. STATE COUNCIL OF RIVER TRUSTS' ASSOCIATION, Fig Tree Pocket, 18th April, 2009, advising that the SCRTA Chairperson and Secretary met with Minister Robertson and a Natural Resources & Water staff member on the 7th April, 2009 regarding the Weller review and the Minister accepted the Association's submission and acknowledged that a number of important issues had been raised. Further advising that the Minister's thinking is that Trusts could be absorbed by Local Government but still be retained as some sort of entity, however did not expand on how this would work. The Minister acknowledged that the Government still has to talk with Local Government and indicated that the \$88M in assets owned by Trusts would need to be considered along with the \$230,000 contribution each year by the Department. Cabinet will decide this matter by the end of May, 2009 with implementation of whatever the decision is by the end of 2009. A copy of the Association's submission was provided to the Department who will use this in their response to the review. Also advising that the Association believes that the Minister is sympathetic to their cause but whether or not this will mean a continuation of Trusts in their present form is hard to predict. The Department advises that Trusts should continue to operate as usual until such time as a decision is made.

Resolved – That the advice be received and noted.
(Crs. Lynch and Gianotti – Carried)

6. STATE COUNCIL OF RIVER TRUSTS' ASSOCIATION, Fig Tree Pocket, 22nd April, 2009, forwarding the Government's response to the Weller Report on the future of Statutory Bodies which is "Support the transfer and retention by local government. Further detailed consultation will be undertaken prior to implementation".

Resolved – That the advice be received and noted.
(Crs. Gianotti and Lynch – Carried)

7. HINCHINBROOK SHIRE COUNCIL, Ingham, 29th April, 2009, forwarding copy of their correspondence to The Hon. Stephen Robertson, Minister for Natural Resources, Mines & Energy & Minister for Trade advising that Council considered the Government's recommendation to the Weller Report and believes that the Trust should be retained and their independent decision making preserved. As this is not going to be the case, urging the Government to consider very carefully how Trusts should be incorporated into Local Government and do whatever is necessary to preserve the "independent decision making" of Trusts. Further advising the Minister that the Council looks forward to being involved in consultation with the Government and the Trust prior to any decisions being made on how to incorporate Trusts into Local Governments. (101/0002)

Resolved – That the advice be received and noted.
(Crs. Lynch and Gianotti – Carried)

8. RECORD OF INSPECTION – TUESDAY 28TH APRIL, 2009.
Consideration of Report from Trust Engineer dated 29th April, 2009 regarding inspections held at the following properties on Tuesday 28th April, 2009:-

- Grant Adams – 10 Eddleston Drive, Cordelia;
- Heard Property – 18 River Avenue, Halifax;
- Bigwood and Amory – 15 and 17 River Avenue, Halifax;
- Carruthers Property – 45 Mona Road, Halifax; and
- Stephen Fudriga, Robert Tonto and William Tonto – Various Properties at Taylors Beach Road, Taylors Beach.

Resolved – That the Record of Inspection be received and noted.

That Mr. Grant Adams be advised that the new damage work is included in the Trust assessment and that any intention to alter the existing levee should be first referred to the Trust Engineer.

That Mr. and Mrs. Des Heard be advised that any alternations to the levee bank requires prior approval of the Trust.

That Mr. John Carruthers be advised that the Trust proposes to leave the riverbank side of the levee in its natural state.

That Messrs. Fudriga and Tonto be provided with the 2009 flood height information and details of the proposed Natural Disaster Mitigation Program (NDMP) Lower Herbert Flood Modelling Project.
(Crs. *Gianotti and Lynch* – Carried)

- F. **CONCLUSION** – The meeting concluded at 1.00 p.m.

(Sgd) Mr. W.H. Pickering,
TRUST CHAIRPERSON.