

HERBERT RIVER IMPROVEMENT TRUST

GENERAL MEETING MINUTES

***Thursday 9th February 2017
at 9.00 am***



- A. ATTENDANCE** – Present were Mr RA Bosworth (Chairperson), Mrs LF Carr (Secretary), Cr AJ Lancini (Member), Cr WG Skinner (Member), Mr GB Accornero (Member) and Mr T Smith (Trust Engineer.)

- B. APOLOGY** – Mr KT Phillips (Member)

- C. MINUTES** - Confirmation of minutes of the General Meeting held on 8th December 2016.

RESOLVED – That the minutes be approved.
(Mr GB Accornero and Cr AJ Lancini – carried)

- D. WORKS REPORT** – The Trust Engineer, Mr Tim Smith, provided an update of works for the months of December and January.

RESOLVED – The trust engineer is to investigate the possibility of redirecting some of the Project 2 money to other priority works in the district.
(Cr WG Skinner and Mr GB Accornero – carried)

- E. CORRESPONDENCE** –

1. LETTER FROM DEPARTMENT OF NATURAL RESOURCES AND MINES (DNRM)

Consideration of letter dated 9 December 2016 regarding proposed permanent road closure of Long Pocket Lane adjoining Lot 20 on CWL2103 and Lot 2 on RP712596 (Locality of Long Pocket) for sugar cane purposes, with views and/or requirements to be submitted in writing to the office by 19 January 2017.

RESOLVED – That the trust has no requirements.
(Cr AJ Lancini and Cr WG Skinner – carried)

2. EMAIL FROM Mr NORMAN CRASWELL (SCRT)

Consideration of email received 2 January 2017 regarding agreement with DNRM re: grant funds. It was discussed at a meeting with Executive Director Mandy Downs, her Director and Manager, and a representative from the Department's legal section, the need for sub-contractors to hold liability insurance to protect the State Government and State Council. Rob Lait (who was in attendance at the meeting, along with Norman, and Tim Horrell – lawyer) stated that Cairns trust pays each sub-contractor plus the engineer supervising the project. Doing this means the sub-contractors need the liability insurance (as stated.) The solution discussed at the meeting is for each trust to engage one contractor for a project and that contractor engages the sub-contractors and pays them. This would mean that the contractor would hold the relevant liability insurance (and professional indemnity if applicable) and not the sub-contractor, and that the contractor is responsible for the project, not the trust. This will require each trust to develop a contract document, call quotations etc. for the works, and ensure that the successful tenderer has the necessary insurance (as required by the agreement.) If our trust would prefer to continue using the current method (as explained by Rob) then the trust must insist sub-contractors hold the necessary insurance. If the Council does the work and is paid by the trust, it would be considered to be the contractor. Norman also asked for comments on this.

RESOLVED – That the River Improvement Trusts are the constructing authority under the River Improvement Trust Act 1940, and have the appropriate insurance (including liability and professional indemnity) when it's needed. The trust is the entity that carries the risks for the works during the construction and afterwards (when the contractors are gone.)

(Mr GB Accornero and Cr AJ Lancini – carried)

The meeting adjourned for morning tea at 10.35 am and resumed at 11.07 am.

3. EMAIL FROM NORMAN CRASWELL (SCRT)

Consideration of email received 31 January 2017 with the Trust to advise him as soon as possible if all of its works has been completed for 2015/2016.

RESOLVED – That the secretary communicates with Norman to advise that the trust has completed all of its works for 2015/16 and that the trust looks forward to the receipt of additional funds.

(Mr GB Accornero and Cr AJ Lancini – carried)

4. EMAIL FROM Mr KT PHILLIPS

Consideration of email received 31 January 2017 regarding quote (by Interflow) for rehabilitation of the Ripple Creek culverts.

RESOLVED – That the quote be received and noted and Interflow be advised (by Mr KT Phillips) that the trust is not in a position to proceed at this time.

(Cr WG Skinner and Cr AJ Lancini – carried)

5. EMAIL FROM Mr KT PHILLIPS

Consideration of email received 1 February 2017, forwarding on an email from Kellie Swaffer (Land Administration Officer, State Land Asset Management) dated 19 December 2016, referring to Owners Consent granted by the Department on 3 August 2015 for HRIT to re-profile the bed and bank of the Herbert River, with one of the sites adjoining Lot 1 on RP709562, Mona Road, Lucinda, with the Department becoming recently aware that the cleared track by HRIT (which adjoins the lot) has not been rehabilitated back to its original state. Kellie has requested that the Department be advised if all tidal works operations have been completed, and if so, the track is to be closed and the area be reverted back to its original state.

RESOLVED – That the trust secretary responds in writing, to Ms Kellie Swaffer, stating that the trust requires the continued use of the track that has been constructed on road reserve (with Council approval.) The track's location was confirmed by a survey done by the Hinchinbrook Shire Council (HSC) and that the trust would like to point out that the Google Earth imagery that the Department has provided would appear to be inaccurate. If and when the trust no longer requires the use of the track, the trust will contact the Department.

(Mr GB Accornero and Cr AJ Lancini – carried)

6. EMAIL FROM Mr KT PHILLIPS

Consideration of email received 1 February 2017, forwarding on an email from V and M M Vitale, dated 18 January 2017, with Mr Vince Vitale stating that he would appreciate some discussion on various matters, namely the actions taken by the Trust whilst on his property. He states that the heavy truck left ruts in his yard (as it was driven to the flood gate), the nylon rope (five eight) which he had tied around the bottom of the upstream sensor pole had been removed, and the wash outs (where he was advised that steps would be provided to enable him to access his pump) are getting larger, and have not been filled.

RESOLVED – The current HRIT cannot find any correspondence to support Mr Vitale's claim about the provision of steps. However the Trust does realise that he has to access his pump and would be interested to find out what Mr Vitale has in mind so the Trust can consider the matter.

(Cr AJ Lancini and Cr WG Skinner – carried)

7. EMAIL FROM MARK SPINA

Consideration of email received 7 February 2017, regarding a washout on the top of the riverbank on his farm at Long Pocket (Lot 30/SP261259.) After heavy rainfall it has substantially increased in size and a part of the headland has been lost, and, as a matter of urgency, it should be investigated/inspected.

RESOLVED – That the Trust arrange an inspection of the site.

(Cr WG Skinner and Mr GB Accornero – carried)

F. BUSINESS –

1. -

RESOLVED -

G. FINANCIAL BUSINESS –

1. Seeking approval for payment of the following accounts as at 9th February 2017:

J T Smith & Assoc. Pty Ltd	\$4 323.00 (Paid 9/1/17)
Luke Rosadi	138.00
Luke Rosadi	184.00 (Paid 30/12/16)
Wendy Pavetto	581.43
Morton's Earthmoving	4 510.00
Mr RA Bosworth	390.00
Mr RA Bosworth (Reimburse grass seed)	59.35 (Paid 9/1/17)
BN & C Way	1 270.50 (Paid 9/1/17)
BN & C Way	5 166.70 (Paid 30/12/16)
BR Gofton	7 656.00 (Paid 30/12/16)
Errol Rose	8 596.50 (Paid 30/12/16)
Hinchinbrook Traffic Control	2 953.50 (Paid 30/12/16)
Jaycat	11 814.00 (Paid 30/12/16)
Liddles Air Services	4 034.25 (Paid 30/12/16)
Timrith Transport	137.50 (Paid 30/12/16)
W & T Garden Bails	3 553.00 (Paid 30/12/16)
Cr AJ Lancini	300.00
Mr KT Phillips (Supervisor)	5 599.80
Mr KT Phillips	150.00
Mr GB Accornero	300.00
Cr WG Skinner	300.00
Hastings NQ	21 413.86 (Paid 9/1/17)
Hastings NQ	46 564.96 (Paid 30/12/16)

RESOLVED – That the accounts be passed for payment.
(Mr GB Accornero and Cr AJ Lancini – carried)

H. CONCLUSION – The meeting concluded at 12.30 pm with the next meeting scheduled for 2 March, 2017.

Mr RA Bosworth
Trust Chair