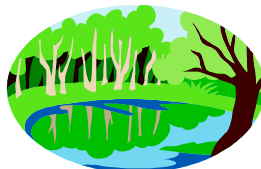


HERBERT RIVER IMPROVEMENT TRUST

GENERAL MEETING MINUTES

THURSDAY 7 FEBRUARY 2013

AT 9.15 AM



- A. ATTENDANCE – Present were Mr WH Pickering (Chairperson), Cr WG Skinner (Member), Cr DG Carr (Member), Ms Leanne Mash (Trust Secretary), Mr BE Leach (Trust Engineer) and Mr B Simmonds (Trust Inspection Officer)

Finance Manager, Carol Trost was present when the meeting commenced

- B. ACCOUNTS FOR PAYMENT AND STATEMENT OF RECEIPTS AND DISBURSEMENTS -
The Secretary submitted accounts for payment as hereunder and statements of receipts and disbursements for the period up to 7 February 2013:-

<u>General Fund</u> -	EFT.....	<u>\$277,997.20</u>
		<u>\$277,997.20</u>

Resolved – That payment of accounts as submitted be approved and the statement of receipts and disbursements be received and noted.
(Councillors Carr and Skinner - Carried)

Finance Manager, Carol Trost left the meeting at 9.30 am

- C. MINUTES - Confirmation of Minutes of the General Meeting held on 6 December 2012.

Resolved – That the minutes of the General Meeting held on 6 December 2012 be approved.
(Councillors Skinner and Carr - Carried)

- D. WORKS REPORT –
Consideration of Trust Engineer's December 2012 / January 2013 report of works performed to date and activities in progress dated 4 February 2013.

A private works job was carried out on A and L Di Bella's property on Palm Creek prior to Christmas and during the inundation rains after Christmas directly after it, the works held however as it was a drain off area with fresh dirt and no grass to hold it together, the job was pushed forward hydraulically. These works will be patched as maintenance to a reasonable standard with the aim to carry these works out completely following the wet season.

Engineering currently compiling a list of existing and new sites from the January 2013 ex Tropical Cyclone Oswald rain and flooding event. Could be anticipated that vast majority of trust assets are unlikely to be eligible for NDRRA grant funding.

The Trust discussed WBM's detailed proposal for Further Modelling Lower Herbert and a meeting of the Lower Herbert Study Group will be convened to discuss this mitigation scheme and follow up with community consultation. The Trust's aim would be to secure funding for the project.

The need for communities to look at flood mitigation possibilities and review existing and unauthorised levees on the flood plain was discussed also. The Trust needs to look at more equitable measures to co-exist.

Terrain's Michael Nash entered the meeting at 10.07 am

Regarding overtopping of the Halifax Levee during the recent flood north of River Avenue at Halifax, the Trust will seek residents to advise of their concerns with the levee and the Trust will arrange a meeting to meet with them to up date them about the study.

The meeting adjourned at 10.29 am for morning tea and resumed at 10.45 am

Resolved – That the Report be received and noted.
(Councillors Carr and Skinner - Carried)

E. SESSION WITH HERBERT RIVER CATCHMENT COORDINATING COMMITTEE

Consideration of discussions held with Terrain NRM, Michael Nash regarding proposed Catchment group activities for which support by the Trust would be welcomed.

Terrain's main issue is the QRA projects not going ahead. There is a combination of state and federal money and if information is not provided in time, the State is not going to re-negotiate. Michael will need to know shortly if any of these projects are going to be finalised by 30 June 2013. Trust Engineer advised that he does not anticipate any problems with Girgenti's work at Anabranch and Terrain is attempting to have restoration included in the exemptions however he requires confirmation of the other 3 jobs. Trust Engineer will provide scope on Monday. Work on top of Palm Creek was suggested as another project that could be carried out.

The Coolbie beach access permit also requires to be finalised as the DERM permit is required before installing the access. GPS coordinates have been forwarded to Trust Engineer.

Resolved – That the discussions be noted.
(Councillors Skinner and Carr - Carried)

F. CORRESPONDENCE –

1. STATE COUNCIL OF RIVER TRUSTS' QLD INC

Consideration of correspondence from State Council of River Trusts' Qld Inc Secretary dated 28 November 2012 forwarding minutes of the Annual General Meeting held on 18 October 2012, copy of Minutes of the Executive Meeting held on 17 October 2012, and a copy of the address by Lawrence Hannah for the Trust's information. (101/0008)

Resolved – That the Minutes be received and noted.
(Councillors Skinner and Carr - Carried)

2. QUEENSLAND OMBUDSMAN

Consideration of correspondence from Queensland Ombudsman dated 12 December 2012 in response to former Trust Secretary complaint letter dated 30 July 2012 concerning Department of Environment and Resource Management refusal of funding applications lodged for preventative and restorative works involving riverbank assets as a consequence of Cyclone Yasi and associated flooding in February and March 2011. Advising that a review by their office is not appropriate as it is not their policy to investigate matters which have not been finalised and also the main reason for declining to investigate the complaint is that it appears that the Emergency Management Queensland Guidelines are being changed and the Department has advised the Ombudsman's office that the Trust may have until June 2013 to submit claims as the approval process for Cyclone Yasi claims has not yet been finalised. If at a later date, for example after the extended deadline of 1 April 2013, should the Trust remain dissatisfied with the Department's administrative actions, the Trust may write to the Ombudsman again explaining why it thinks that its decisions are wrong and what the Trust is trying to achieve. The Ombudsman will then assess the complaint and determine what, if any, action will be taken. (103/0025)

Resolved – That the advice be received and noted and the Trust communicate with the Ombudsman's Office regarding acceptance of the decision as presented, with the ability to revisit outcomes after 1 April 2013.

(Mr Pickering and Councillor Carr - Carried)

3. DEPARTMENT OF NATURAL RESOURCES AND MINES

Consideration of correspondence dated 13 December 2012 seeking the Trust's views in relation to an application from the Herbert River Gun Club Inc for a Perpetual Lease for Recreation (Gun Club) over Lot 88 on Crown Plan CWL3679 at Sportsman Parade Ingham. Current use of the land is Special Lease for Recreation (Gun Club) purposes and the parcel adjoins Reserve for Environmental purposes (TYTO Wetlands) (Lot 125 on CWL3109) and Reserve for Recreation Purposes (Lot 97 on CWL3190) with Hinchinbrook Shire Council as Trustees. The current lessees are applying for more long term tenure and the Department is investigating both the application for a perpetual lease as well as renewing the lease.

Resolved – That the Trust advise the Department that it has no objection to the application from the Herbert River Gun Club Inc for a Perpetual Lease for Recreation (Gun Club) over Lot 88 on Crown Plan CWL3679 and has no requirements.

(Councillors Carr and Skinner - Carried)

4. A AND L DI BELLA

Consideration of correspondence from A and L Di Bella dated 10 December 2012 lodging an urgent request for works to be undertaken to repair erosion on Palm Creek adjacent their property. More than twelve months ago the Trust inspected and quoted on the repair works required and they were advised there would only be a guarantee of the works if the Trust carried them out. They therefore paid 100% of the cost of works (approximately \$17,000) over twelve months ago and to date no works have been carried out. Requesting the works be carried out as a matter of priority as they have paid in full for the total cost of the works and do not understand the delay. (103/0003)

Consideration of correspondence from A and L Di Bella dated 17 December 2012 advising the Trust carried out repair works on the Palm Creek section adjacent their farm on or about 12 December 2012. Advising they do not believe the works carried out were in line with the quote received, nor equivalent to the amount paid or to the standard they expected from the Trust for the \$17,243 paid. The work done appears to be significantly less in value with only topsoil placed in the hollow but no rock. They believe the repairs carried out will be subject to erosion in any future torrential rain or flood event and reminds the Trust that they were assured that if the Trust undertook the work there would be a future guarantee for the stability of such repairs. (103/0003)

Consideration of correspondence from Trust Secretary to Herbert River District Canegrowers whom act on behalf of A and L Di Bella dated 17 December 2012 advising that the works are not yet complete.

Resolved – That the advice be received and noted and A and L Di Bella be advised that the Trust Engineer will inspect the works at Palm Creek adjacent to their property and enter into further discussions.

(Councillors Carr and Skinner - Carried)

5. DEPARTMENT OF NATURAL RESOURCES AND MINES

Consideration of correspondence dated 21 December 2012 formally advising the Trust's annual budget has been approved under Section 13(3)(d) of the *River Improvement Trust Act 1940* and a copy of the budget will be forwarded in 2013. Apologising for the delay in having the budget approved. (102/0001)

Resolved – That the advice be received and noted.

(Councillors Skinner and Carr - Carried)

6. BRUCE MAHONY

Consideration of correspondence dated 28 January 2013 requesting the Trust to inspect a blockage on the river side of the Halifax Washaway. Advising that the recent works carried out were very good but well overdue and need to be followed up with removal of soil from the outlets for maximum benefit. The blockage is of one of the main channels which as it has nowhere to go, it then overloads the northern most channels and spills out causing excessive damage and erosion to surrounding property including the main road, Sucrogen rail and his cane land. Requesting the Trust to inspect the area now as the extent and direction of this damage is very obvious following the recent flood. (103/0003)

Resolved – That the Trust inspect the blockage during its inspections following this meeting.

(Councillors Carr and Skinner - Carried)

7. RIPPLE CREEK FLOOD GATES

Consideration of correspondence from Herbert River Improvement Trust dated 21 December 2012 in response to correspondence from Lower Herbert Water Management Authority dated 5 October 2012 in relation to concerns raised regarding damage on the inlet pipe of the Ripple Creek flood gate and an area of erosion in Ripple Creek, Bemerside. Advising that the maintenance of the Ripple Creek flood gates has been scheduled as part of the Natural Disaster Relief and Recovery Arrangements whereby AECOM have been engaged to carry out the works and the scour in Ripple creek has been scheduled to commence in early 2013 and is part of the Critical Riparian Water Course project. (028/0007)

Resolved – That the advice be received and noted.

(Councillors Carr and Skinner - Carried)

8. LOT 22 OLD WHARF ROAD MACKNADE

Consideration of request from Ms Liz Kraaz of Lot 22 Old Wharf Road Macknade advising their property on the Herbert River is 6 acres of rural vacant land apart from their house and seeking assistance from the Trust to help fix the problem which occurred during the recent flooding event when floodwaters broke through and pushed a large amount of dirt through the neighbours cane property and left a huge hole in the ground on their land. (103/0028)

Resolved – That the Trust inspect the property during its inspections following this meeting.

(Councillors Skinner and Carr - Carried)

9. RECORD OF INSPECTION – THURSDAY 6 DECEMBER 2012

Consideration of Record of Inspection from Trust Engineer dated 7 December 2012 regarding inspections carried out by the Trust on 6 December 2012 at Ingegneri Property (Stone River), Herd Levee (River Avenue Halifax), Halifax Levee Chutes, Halifax Levee (Skene Avenue Halifax) and Halifax Washaway.

Resolved – That the Record of Inspection be received and noted.
(*Councillors Skinner and Carr - Carried*)

10. DAVE WESTON – LOT 117 ON CWL658 – 78 EDDLESTON DRIVE CORDELIA

Consideration of enquiry from Mr Dave Weston on 4 February 2013 seeking the Trust's position on correspondence to him dated 4 April 2012 from the Trust advising that the "sinkhole" on the landward side and bank damage to the river side of the "unauthorised" levee at his property at 78 Eddleston Drive Cordelia should be eligible for NDRRA funding. The Trust inspected the site on 29 March 2012 and observed damage which appeared to result from drainage at this location naturally flowing back into the river but being blocked by the levee structure. Pooling of runoff appeared to have produced the hydraulic loading necessary to cause the sink back towards the river. Mr Weston advised on 27 June 2012 that the Trust's letter was not quite correct as he advised that the natural flow was the "opposite" direction.

Resolved – That the Trust inform Mr Weston that the advice sent on 4 April 2012 remains accurate.
(*Councillors Skinner and Carr - Carried*)

11. DEPARTMENT OF NATURAL RESOURCES AND MINES

Consideration of correspondence dated 30 January 2013 advising Minister for Police and Community Safety activated the Commonwealth / State Natural Disaster Relief and Recovery Arrangements (NDRRA) after heavy rainfall and flooding caused by ex-Tropical Cyclone Oswald between 21 - 28 January 2013. Inviting the Trust to provide submissions for restoration of essential public assets as per State and Federal agreement to provide grant and loan assistance to disaster affected community members. Reminding the Trust of the Commonwealth Government's revised NDRRA requirements resulting in number of key policy changes relevant to Trusts and Boards. The soon to be released 2013 *Queensland Disaster Relief and Recovery Guidelines* will incorporate the changes made by the Commonwealth and will be amended to ensure alignment with Commonwealth requirements. Also providing a brief summary of the key changes to the Commonwealth Determination 2012. (103/0028)

Resolved – That the advice be received and noted and the Trust seek clarification from the Department of eligibility of assets in light of the 2012 Federal determination.
(*Mr Pickering and Councillor Skinner - Carried*)

G. GENERAL BUSINESS –

Chairperson Bill Pickering tabled a statement recently discussed at the Herbert River Catchment Group Meeting regarding the Trust's Yasi NDRRA submissions.

The meeting adjourned at 12.15 pm for lunch

H. INSPECTIONS - The Trust conducted the following inspections:-

- Robert and Sandra Henney – Gangemi's Road Hawkins Creek;
- Bruce Mahony - Halifax Washaway – meet near where Mr Mahony's farm paddock starts;
- Lorenzo Rosadi - Halifax Skene Avenue Halifax – meet at Halifax Levee beside pump station;
- Frank Barbi - Levee at rear of 1 Mona Road Halifax;
- Des and Laveena Herd – 18 River Avenue Halifax; and
- Liz Kraaz – 22 Old Wharf Road Macknade.

I. CONCLUSION – The meeting and inspections concluded at 5.15 pm

Mr WH Pickering
TRUST CHAIRPERSON