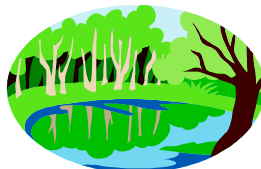


HERBERT RIVER IMPROVEMENT TRUST

GENERAL MEETING MINUTES

THURSDAY 29TH MARCH, 2012

AT 9.00 A.M.



- A. ATTENDANCE – Present were Mr. W.H. Pickering (Chairperson), Cr. G.P. Gianotti (Member), Cr. P.D. 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 the 2nd February, 2012.

Resolved – That the minutes of the General Meeting held on the 2nd February, 2012 be approved.
(Crs. Lynch and Gianotti - Carried)

- C. WORKS REPORT –

Consideration of Trust Engineer's February, 2012 report of works performed to date and activities in progress.

Resolved – That the Report be received and noted.

That the Trust carry out the repairs to the breach in the damaged levee bank at Frances Creek.
(Crs. Lynch and Gianotti - 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 29th March, 2012:-

<u>General Fund</u> -	Cheque	\$Nil
	EFT.....	\$19,217.47
		<u>\$19,217.47</u>

Resolved – That payment of accounts as submitted be approved and the statement of receipts and disbursements be received and noted.
(Crs. Lynch and Gianotti - Carried)

E. SESSION WITH MICHAEL NASH OF HERBERT RIVER CATCHMENT COORDINATING COMMITTEE.

Consideration of discussions held with the Catchment Coordinator and Acting Terrain NRM, Hinchinbrook Area Team Leader, Mr. Michael Nash who advised that he has finalised the Reef Rescue project proposal for the Morselli location, subject to completion of budget information with Hinchinbrook Shire Council Engineering staff. Michael further advised that CSIRO are undertaking a barra migration and water quality project with assistance from the Catchment Group.

Resolved – That the discussions be noted.
(Crs. Gianotti and Lynch - Carried)

F. CORRESPONDENCE –

1. HINCHINBROOK SHIRE COUNCIL, Ingham, 8th March, 2012, advising that Council resolved at its General Meeting held on 6th March, 2012 to make a collaborative approach to the Department of Environment and Resource Management with the Trust with respect to both short and long term solutions to stream obstructions and waterway health in the Hinchinbrook Shire and requesting the Trust to advise its current position in relation to this matter.

Resolved – That Hinchinbrook Shire Council be advised that the Trust welcomes the opportunity and will work with the Council and the Catchment Group to achieve more satisfactory outcomes in relation to stream obstructions and waterway health in the Hinchinbrook Shire.
(Crs. - Carried)

2. LORENZO ROSADI, Halifax, 23rd March, 2012, advising of issues with the levee surrounding his and neighbouring properties on Musgrave Street, Halifax which is now causing flood water to funnel from the river directing it across residential land. (101/0009)

Resolved – That the Trust request Mr. Bruce Mahony to reduce the height of the rockwork / fill placed on his land to levels that existed prior to Cyclone Yasi.
(Mr. Pickering and Cr. Gianotti - Carried)

3. STATE COUNCIL OF RIVER TRUSTS, 1st March, 2012, forwarding a Date Claimer for the Annual General Meeting to be hosted by the Burdekin Shire Rivers Improvement Trust on Thursday 18th October, 2012 with the Meet & Greet to be held on Wednesday 17th October, 2012. (104/0004)

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

4. HERBERT RIVER CANEGROWERS, Ingham, 10th February, 2012, making representations of behalf of members in the area surrounding the confluence of Cattle, Leichardt and Waterview Creeks:-

- Mammarella Farming;
- Casale B.L. & L.T.; and
- Matrippolito G.G. & L.T.

Advising that during rainfall events in January and February, 2012 a significant difference in the pattern of flooding in the farm areas under their management has been observed which is indicative of a blockage in the normal hydrology of these areas, believed to be caused by debris from Cyclone Yasi. Requesting that the Trust accept this as notification on behalf of the growers mentioned under the disaster clean-up campaign as its impacts are now very evident.

(103/0001)

Resolved – That the Canegrowers be advised that the locations of Casale and Matrippolito have been included in earlier submissions for timely and preventative works approval, and the Trust will be investigating other locations in the area for additional inclusion.
(Crs. Lynch and Gianotti - Carried)

5. STATE COUNCIL OF RIVER TRUSTS, 6th February, 2012, forwarding information from Department of Environment and Resource Management titled "Template Policy and Procedure for Managing Public Interest Disclosures for Category 2 Water Authorities and River Improvement Trusts November, 2011" and advising that the Department is currently developing guidelines to assist river improvement trusts convert to accrual accounting. Advising that the State Council requested that the Department prepare the guidelines as soon as possible to allow time for review and comment and advising that the State Council has requested an early meeting with the Department and Queensland Audit Office (QAO) before the guidelines are finalised to discuss the question of Trust assets and how to value same.

Seeking advice if the Trust would be available to meet with the Department and QAO on this matter. (104/0001)

Resolved –That the Trust endorse the advice by the Secretary of the State Council of River Trusts that we are prepared to meet with the Department of Environment & Resource Management and Queensland Audit Office.

(Crs. Lynch and Gianotti - Carried)

DEPARTMENT OF ENVIRONMENT AND RESOURCE MANAGEMENT, Brisbane, 6th February, 2012, responding to the State Council of River Trusts that for the purpose of determining whether works are Trust Assets, Trusts will need to consider the non-current asset policies on the Queensland Treasury website and enclosing Chapter 2 of the policy dealing with Recognition of Assets.

Resolved –That the Trust advise it is prepared to meet with the Department of Environment & Resource Management regarding discussions on treatment of assets for accrual accounting.

(Crs. Lynch and Gianotti - Carried)

6. STATE COUNCIL OF RIVER TRUSTS, 26th February, 2012, enclosing a copy of a letter received from Hon. Rachel Nolan MP, Minister for Finance, Natural Resources and The Arts dated 17th February, 2012 advising that the Government has decided that Trusts will remain in their current form as statutory bodies. Further advising that a consultative committee will be formed to consider the review of the *River Improvement Trust Act* and an issues paper will be prepared, however this will not occur until after the State elections. (101/0002)

Resolved – That the advice be received and noted.

(Crs. Lynch and Gianotti - Carried)

7. DEPARTMENT OF ENVIRONMENT AND RESOURCE MANAGEMENT, Brisbane, 13th February, 2012, advising that regarding the Trusts request for additional assistance under Queensland Disaster Relief and Recovery Arrangements to undertake timely preventative debris clearing, the proposed timely preventative works have been refused under Section 4.9.8 of the *Queensland Reconstruction Authority's Submission Guide for NDRRA Funding Applicants* as the submission was made outside the deadline and under the circumstances the Trust's application for \$3,508,910.20 cannot be supported and is therefore refused. (103/0025)

Resolved – That the advice be received and the Trust continue discussions with the Department of Environment & Resource Management regarding the overturning of this decision and receiving approval of these works.

(Mr. Pickering and Cr. Lynch - Carried)

8. HERBERT RIVER CANEGROWERS, Ingham, 27th March, 2012, advising they have been consulted by a number of growers situated along Old Wharf Road, Macknade concerning a breach of the levee during the flood event on 20th and 21st March, 2012 causing damage to the adjacent road and growing crops by deposition of road material within the cane paddocks. Enquiring whether the Trust is in a position to assist in restoration works to ensure the future integrity of the aforesaid road and adjacent paddocks from further damage. Further advising it is believed that unauthorised tree clearing and earthwork activity in the vicinity of the breach in the past two years may have been a contributing factor to the damage sustained and requesting the Trust advise the outcome of investigations of the alleged unlawful activities. (101/0002)

Resolved – That the Trust carry out an inspection of the area for further consideration.
(Crs. Gianotti and Lynch - Carried)

9. ROCKWORK AT MAHONY PROPERTY, HALIFAX.
Consideration of land tenure and location of rockwork at the Mahony property at Halifax.

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

10. RECORD OF INSPECTION – THURSDAY 2ND FEBRUARY, 2012.
Consideration of Record of Inspection from Trust Engineer dated 8th February, 2012 regarding inspections carried out by the Trust on Thursday 2nd February, 2012 at the following properties:-

- Tento Property – Lot 3 on SP235344, Taylors Beach Road – request to clean Swampy Creek mainly in the area where it crosses the Taylors Beach Road as it is suffering severe blockages;
- Lenzo Property – Lot 8 on RP713068, Zammit's Road – inspection of levee structure about Waterview Creek adjacent house and sheds;
- Fontana's Road – consideration of land tenure and location of levee construction at Fontana's Road adjacent bank of Frances Creek.

Resolved – The Trust noted that correspondence has been forwarded to Mr. Pino Lenzo advising that the Trust observed at the inspection that fresh and additional work to the western extent of the levee structure about Waterview Creek adjacent his house and sheds, and that Mr. Lenzo confirmed he had added material to the eastern extent, but only to the previously established level, however the section to the west of the Moreton Bay Ash Tree had been raised. Confirming that Mr. Lenzo agreed to remove the material from the western section to previously established levels and requesting he notify the Trust as soon as the work is carried out.

The Trust noted that correspondence has been forwarded to Mr. William Tento advising that the Trust observed at the inspection that the creek is bounded by Mr. Fudriga's property and Mr. Tento's property is further to the west and that the Trust is not able to assist with his request as these works are the responsibility of the respective landholders. Further advising that there may be some assistance available through the Department of Environment & Resource Management and their approval to undertake works may be necessary depending on tenure at this location.

That the Trust request Hinchinbrook Shire Council to investigate the Fontana's Road levee and take appropriate action and liaise with adjacent landholders on this issue.
(Crs. Lynch and Gianotti - Carried)

G. GENERAL BUSINESS –

1. SECTION 11 NOTICES.
Consideration of Section 11 Notices for certain freehold land.

Resolved - That the Trust seek the opinion and views from the Department of Environment & Resource Management regarding the power of the Trust to impose a Section 11 Notice on freehold land in the following situations:-

- i) Alligator Ponds Drain which is drainage infrastructure and not riverbank; and
 - ii) Situations where there is different tenure e.g. road reserve or other reserve tenure existing between a riverbank and adjoining freehold land.
- (Mr. Pickering and Cr. Gianotti - Carried)*

2. NEXT MEETING DATE.

Consideration of the Trust's next meeting date.

Resolved – That the Trust next meet on Thursday 26th April, 2012 at 9.00 a.m. to be followed by a meeting of the Lower Herbert Flood Study Group to consider the final report by BMT WBM Pty. Ltd.

(Crs. Gianotti and Lynch – Carried)

Trust Chairperson, Mr. W.H. Pickering left the meeting at 12 noon.

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

- Mr. Bruce Mahony – Herbert River - Halifax side of Washaway.
- Mr. Lorenzo Rosadi – Herbert River – behind 84 Musgrave Street, Halifax).
- Mr. Robert Toigo – Herbert River – behind 8 Eddleston Drive, Cordelia.
- D. & G. Weston – Herbert River - 78 Eddleston Drive, Cordelia
- Mr. Bruce Valinoti – Herbert River - 1073 Cordelia Road, Cordelia.

I. CONCLUSION – The meeting concluded at 3.30 p.m.

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