

Cherbourg Aboriginal Shire Council



Minutes For Council Meeting

*Held On
20 & 21 October 2021*

MINUTES

*Cherbourg Aboriginal Shire
Council Meeting*

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COUNCIL MEETING

HELD ON 20 & 21 October 2021

Attendance

*Mayor Elvie Sandow
Deputy Mayor Tom Langton
Cr Fred Cobbo
Cr Leighton Costello
Cr Bronwyn Murray*

*Officers Zala
 Eileen Jacobs*

Mayors Welcome

Sorry Business - 1 minute silence for Late Gabrielle Gadd

Meeting Commenced: 9.30am

Councillor Conflicts of Interests

Nil

Prescribed Conflict of Interest

Nil

Declarable Conflict of Interest

Nil

Minute Approval Council Meeting

Resolution

That the minutes of the Council Meeting held on 16 September 2021 be adopted.

*Moved : Cr Fred Cobbo
Seconded: Cr Leighton Costello*

*Motion No. 2175 Carried
FOR VOTE: COUNCIL VOTED UNANOMOUSLY*

CHIEF EXECUTIVE OFFICERS REPORT

Council Bus Hire

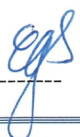
Council has decided that it will raise the bus hire fee to \$500. The Fee must be paid up front, no wage deduction will be accepted and bus must only be driven within a 500klm radius.

Resolution

That the new Bus Hire Fee be raised to \$500. This fee must be paid up front, no wage deductions will be accepted and the bus must only be driven within a 500klm radius.

*Moved : Cr Bronwyn Murray
Seconded: Deputy Mayor Tom Langton*

*Motion No. 2176 Carried
FOR VOTE: COUNCIL VOTED UNANOMOUSLY*



Local Laws

Background

On 21 July 2021, Council resolved to adopt the Proposed New Local Laws and undertake public consultation, State Interest Checks and review of the anti-competitive provisions.

Public Consultation

From 13 August 2021 to 10 September 2021 Council invited public consultation on the Proposed New Local Laws.

A notice inviting comments from the public was published via Council's website.

Council did not receive any substantive comments in response to the public consultation that was carried out.

Queensland South Native Title Service requested copies of the Local Laws for review on 18 August 2021 on behalf of the Wakka Wakka People, and a response was provided on the same date. No comments were received from QSNTS.

State Interest Checks

Between 12 August 2021 and 1 October 2021, Council carried out State interest checks in accordance with section 29A of the Local Government Act 2009.

- Department of Premier and Cabinet;
- Department of Agriculture and Fisheries;
- Department of Environment and Science;
- Department of Children, Youth Justice and Multicultural Affairs;
- Department of Education;
- Department of Health;
- Department of Justice and Attorney-General;
- Department of Employment, Small Business and Training;
- Department of Energy and Public Works;
- Department of Fire and Emergency Services;
- Department of Regional Development, Manufacturing and Water;
- Department of Police;
- Department of Tourism, Innovation and Sport;
- Department of Transport and Main Roads;
- Department of Child Safety, Youth and Women;
- Department of Communities, Housing and Digital Economy;
- Department of Resources;
- Department of State Development, Infrastructure, Local Government and Planning; and
- Department of Treasury.

Out of those twenty (20) State Departments, responses were received from the following seven (7) State agencies:

- Department of State Development, Infrastructure, Local Government and Planning, on 30 August 2021;
- Department of Environment and Science, on 2 September 2021;
- Darling Downs Health, on 9 September 2021;
- Department of Agriculture and Fisheries, on 9 September 2021;
- Department of Energy and Public Works, on 10 September 2021;
- Queensland Police Service, on 14 September 2021; and
- Department of Transport and Main Roads, on 24 September 2021.

Council has obtained legal advice on the comments received from State agencies and no amendments are required to the Proposed New Local Laws.

Resolution

THAT Council resolves:

- (a) pursuant to section 29(2) of the Local Government Act 2009 (*"the Act"*), to adopt the following Proposed New Local Laws, on the terms considered at this meeting:
- (i) Cherbourg Aboriginal Shire Council Local Law No. 1 (Administration) 2021, which includes a provision repealing each of Council's existing Local Laws;
 - (ii) Cherbourg Aboriginal Shire Council Subordinate Local Law No. 1 (Administration) 2021;
 - (iii) Cherbourg Aboriginal Shire Council Local Law No. 2 (Animal Management) 2021;
 - (iv) Cherbourg Aboriginal Shire Council Subordinate Local Law No. 2 (Animal Management) 2021;
 - (v) Cherbourg Aboriginal Shire Council Local Law No. 3 (Community and Environmental Management) 2021; and
 - (vi) Cherbourg Aboriginal Shire Council Subordinate Local Law No. 3 (Community and Environmental Management) 2021;
 - (vii) Cherbourg Aboriginal Shire Council Local Law No. 4 (Indigenous Community Land Management) 2021;
 - (viii) Cherbourg Aboriginal Shire Council Subordinate Local Law No. 4 (Indigenous Community Land Management) 2021;
- (*"the Proposed New Local Laws"*); and
- (b) to delegate authority to the Chief Executive Officer the power to take all steps necessary to publish the Proposed New Local Laws and Subordinate Local Laws, in accordance with sections 29B of the Act.

Moved : Deputy Mayor Tom Langton
Seconded: Cr Leighton Costello

Motion No. 2177 Carried
FOR VOTE: COUNCIL VOTED UNANIMOUSLY

Report Approval

that the Chief Executive Officer Report be adopted.

Moved : Deputy Mayor Tom Langton

Seconded: Cr Leighton Costello

Motion No. 2178 Carried
FOR VOTE: COUNCIL VOTED UNANOMOUSLY

CORPORATE SERVICES REPORT

Report Approval

that the Corporate Services Report be adopted.

Moved : Deputy Mayor Tom Langton

Seconded: Cr Fred Cobbo

Motion No. 2179 Carried
FOR VOTE: COUNCIL VOTED UNANOMOUSLY

12.15pm meeting adjourned for lunch

1.23pm meeting recommenced

1.23pm Acting Inspector - Chris Pemberton QPS

The Acting Inspector presented the QPS Update to Council.

1.41pm Acting Inspector - Chris Pemberton QPS Left Meeting

ECONOMIC & COMMUNITY SERVICES

Report Approval

That the Economic & Community Services Report be adopted

*Moved : Cr Leighton Costello
Seconded: Cr Bronwyn Murray*

*Motion No. 2180 Carried
FOR VOTE: COUNCIL VOTED UNANOMOUSLY*

OPERATIONS DEPT REPORT

Report Approval

Resolution

That the Operations Dept Report be adopted.

*Moved : Cr Fred Cobbo
Seconded: Deputy Mayor Tom Langton*

*Motion No. 2181 Carried
FOR VOTE: COUNCIL VOTED UNANOMOUSLY*

COMMUNITY SERVICES REPORT

Report Approval

Resolution

That the Community Services Report be adopted.

*Moved : Cr Leighton Costello
Seconded: Deputy Mayor Tom Langton*

*Motion No. 2182 Carried
FOR VOTE: COUNCIL VOTED UNANOMOUSLY*

CORRESPONDENCE

LGAQ

Info – Indigenous Leaders Forum

Deputy Premier

Advice – Funding Approval State Govt Financial Aid & indigenous Economic Development Grant

Assist Minister – Local Govt

New Sustainability Framework for Qld Councils.

Qld Health

Qld COVID-19 Vaccination Rollout

Tessa Fisher

Complaint – Neighbour Issues

Referred to Housing Dept

Acting Sgt Rob Firman

Clarification of proposed Bligh Street Closure.

Preston Law

Maroske Lease – Lease to Continue

Permanent Closure of a Portion of Bligh Street

This particular application relates to the permanent closure of a portion of Bligh Street to enable the resulting land to be included into the adjoining lot being Police Reserve Lot 43SP274901 (11 Fisher Street Cherbourg). The Cherbourg Police intend to construct storage/vehicle sheds on the resulting land once it has been included into the Police Reserve.

As such the road closure should not have a financial, staffing, resources impost on Councils operations or budget or impact on infrastructure services.

Cherbourg Aboriginal Shire Council
TRUSTEE & COUNCIL RESOLUTION

The Council is the Local Government Authority for the Cherbourg Aboriginal Shire and the Trustee of the Cherbourg Deed of Grant in Trust (DOGIT). As the Local Government Authority and Trustee for the DOGIT the Council has the responsibility of deciding what is in the best interest of the community. It is considered that supporting (with conditions) the permanent closure of a part of Bligh Street will facilitate the most appropriate tenure regularisation outcome given the current and continued use of the land for Police purposes, it will also improve security opportunities for the Cherbourg community and visitors which is of benefit to all community members.

1. Council as the Local Government Authority and Trustee of the DOGIT resolves to support and advise the Department of Resources:
 - a. That the Cherbourg Aboriginal Shire Council does not object to the permanent closure of a part of Bligh Street subject to conditions:
 - i. The proposed part of Bligh St to be closed, complies with DWG21_582 Amendment 1 dated 19 May 2021, Department of Resources.
 - ii. Amalgamation of proposed closed part of Bligh St with Police Reserve Lot 43SP274901.
 - iii. Submission of relevant Building Application to Council for approval of access to the proposed structure on the proposed closed part of Bligh St from/to public roads.
2. Council delegate authority to the Chief Executive Officer pursuant to s.257 of the Local Government Act, 2009 to progress the proceedings in Council's interests.

Reasons for Decision:

The permanent closure of a portion of Bligh Street;

- *does not interfere with the residential access that Bligh Street currently provides,*
- *allow for adequate access to adjacent back of properties,*
- *does not impact on any infrastructure and services.*

Moved: Cr Bronwyn Murray

Seconded: Cr Leighton Costello

Motion Noted. 2183 Carried
FOR VOTE: COUNCIL VOTED UNANOMOUSLY

Goori

Ramone Close Managing Director has advised that GOORI is currently being liquidated and has no funds to pay its debts.

Resolution

That Cherbourg Aboriginal Shire Council breaks its lease with the GOORI Company as it is being liquidated.

Moved : Cr Fred Cobbo

Seconded: Cr Leighton Costello

Motion Noted. 2184 Carried
FOR VOTE: COUNCIL VOTED UNANOMOUSLY

George Fisher

Seeking financial assistance for their "Men of Tomorrow" Program.

Denied due to budget constraints.

Resolution

That George Fisher's request for financial assistance for the "Men of Tomorrow" Program be denied due to budget constraints.

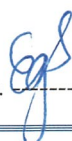
Moved : Cr Bronwyn Murray

Seconded: Cr Fred Cobbo

Motion Noted. 2185 Carried
FOR VOTE: COUNCIL VOTED UNANOMOUSLY

Minister Communities & Housing

Qld Housing & Homelessness – Action Plan 2021-2025



Cherbourg Aboriginal Shire Council Annual Financial Statements for Yr Ended 30 June 2021

Request sought to endorse the above document.

Resolution

That Council adopts the Cherbourg Aboriginal Shire Council Annual Financial Statements for the Year Ended 30 June 2021.

Moved: Cr Fred Cobbo

Seconded: Cr Leighton Costello

Motion Noted. 2186 Carried
FOR VOTE: COUNCIL VOTED UNANOMOUSLY

3.05pm meeting closed

9.30am Madeline Lea, Darcy & Ula Cavenaugh entered meeting

Darcy & Ula currently operate the REFOCUS Health & Wellbeing Centre on the Sunshine Coast. Gave a brief summary of the services that their organisation provides and notified that they were in the process of opening a medical centre in Gympie.

11.07am Madeline Lea, Darcy & Ula Cavenaugh left meeting

NAIDOC 2021

Council has decided to cancel Cherbourg NAIDOC this year- as the timing is not right.

Moved : Deputy Mayor Tom Langton

Seconded: Cr Leighton Costello

Motion Noted. 2187 Carried

FOR VOTE: COUNCIL VOTED UNANOMOUSLY

CBA banking proposal.

Council has considered this proposal and has agreed to change its banking from Westpac Bank to CBA if CBA donates a bus to assist Council in providing social and economic support to our community. This will build a great relationship between CBA and Cherbourg Community.

Resolution

That Cherbourg Aboriginal Shire Council changes its banking from Westpac Bank to CBA if CBA donates a bus to Cherbourg Aboriginal Shire Council.

Moved : Deputy Mayor Tom Langton

Seconded: Cr Bronwyn Murray

Motion Noted. 2188 Carried

FOR VOTE: COUNCIL VOTED UNANOMOUSLY

11.30am Meeting closed



*CHERBOURG ABORIGINAL SHIRE
COUNCIL*

MINUTE APPROVAL

*We certify these Minutes as being a true and correct record of the
Council Meeting held on 20 & 21 October 2021.*


Elvie Sandow
Mayor


Chatur Zala
Council Clerk

Date 17 / 11 /2021

Date 17/11 /2021

