



## **ORDINARY MEETING**

**21 FEBRUARY 2024**

**9 A.M.**

**PRESENT:** Cr T James (Chairperson)  
Cr R Coghlan  
Cr A Eden  
Cr J Neal  
Cr B Moller  
Cr M O'Halloran  
Cr B Olds  
Cr R Pyne  
Cr K Vallely  
Cr C Zeiger

**APOLOGY:**

**OFFICERS:**

M Martin	Chief Executive Officer
C Posgate	Director People and Organisational Performance
E Johnson	Director Planning, Growth and Sustainability
M Wuth	Director Cairns Infrastructure and Assets
D Puia	Director Lifestyle and Community
L Whitton	Director Finance & Business Services
N Masasso	Director Economic Development and Advocacy
G Everson	Associate Director Service Delivery
A Combe	Executive Manager Marketing & Communications
P Rogato	Media Coordinator
A Turnbull	Executive Manager Office of the CEO
A Patterson	Executive Manager Licensing and Compliance
S Foster	Executive Manager Creative Life
S Cottrell	Minute Secretary

\* Due to technical difficulties the visual portion of the live streaming is not available. Audio and the minutes are available via livestreaming.

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**BUSINESS NOT ON THE AGENDA**

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**CLOSED SESSION**

**1. BUDGETARY MATTER – OUTSTANDING DEBT REPORT ..... 11**  
63/8/31-01 | #7330471v1

## **PRESCRIBED CONFLICT OF INTEREST / DECLARABLE CONFLICT OF INTEREST**

Item 2 - Cr Moller declarable a conflict of interest in relation to this matter in that he is an honorary solicitor for the Gordonvale RSL who are the recipient of a 1 year Resource and Performance Agreement to the value of \$7,000 excluding GST.

He dealt with this conflict by leaving the meeting when this matter was discussed and decided.

Item 6 – Cr Moller had a declarable conflict of interest in agenda item 6 relating to the interested party CQ University.

He is currently the Chair of the Cairns Regional Engagement Committee of CQ University which is an advisory committee with no decision-making powers. In this role he sometimes attends basketball games at the Cairns Taipans who are sponsored by CQ University and have received tickets to the value of \$1,510 during this term of Council.

He dealt with conflict by leaving the meeting and did not participate in the discussion or decision making in relation to this matter.

## **PURPOSE OF MEETING**

To consider the matters listed on the agenda.

## **CONFIRMATION OF MINUTES OF ORDINARY MEETING 24 JANUARY 2024**

MOLLER / COGHLAN

**That the Minutes of the Ordinary Meeting held on Wednesday, 24 January 2024 be confirmed.**

*carried unanimously*

**1. CEO MONTHLY REPORT ..... 43**  
**93/1/2 | #7352332**

OLDS / MOLLER

1. That Council notes:
  - a. The status of Council Resolutions
  - b. The CEO Month in Review
  - c. The Understory Film Festival 2023 Wrap Up
  - d. The Ex-Tropical Cyclone Jasper Flooding Recovery Update
  
2. That Council approves:
  - a. The extension of event activities in the Lagoon Carpark, Cairns Esplanade until 2:00am on Monday 17 June 2024 for IRONMAN Cairns, and then for each subsequent year under the IRONMAN Cairns Major Events Sponsorship agreement (2024-2028).
  
  - b. The extension of event activities in Fogarty Park, Cairns Esplanade until 12:00am (midnight) on Saturday 27 July 2024 for the Cairns Italian Festival La Festa event.
  
  - c. The extension of event activities on the Eastern Event Lawn, Cairns Esplanade until 12:00am (midnight) on Friday 13 September 2024 for the Cairns Amateurs Carnival Gala Ball, and then for each subsequent year under the Cairns Amateurs Carnival Major Events Sponsorship agreement (2024-2026).
  
3. That Council endorses the nomination of Palm Cove into the 2024 Queensland top tourism town awards.

*carried unanimously*

Cr Moller left the meeting at 9.11

**2. RESOURCE AND PERFORMANCE AGREEMENT WITH ANZAC DAY REGIONAL EVENTS ..... 61**  
**58/1/2 | #7356378**

ZEIGER / EDEN

That Council:

1. Enters into a one-year Resource and Performance Agreement with ANZAC Day regional event organisers for the period 1 March 2024 to 30 June 2024 to the following organisations;

- a. RSL Queensland Sub Branch - Babinda to the value of \$7,000 (ex GST)
- b. RSL Queensland Sub Branch – Gordonvale to the value of \$7,500 (ex GST)
- c. RSL Queensland Sub Branch - Edmonton to the value of \$7,000 (ex GST)
- d. RSL Queensland Sub Branch – Edge Hill to the value of \$6,000 (ex GST)
- e. Australian Air Force Cadets Cairns – Stratford to the value of \$9,500 (ex GST)
- f. Yorkeys Knob Boating Club to the value of \$6,500 (ex GST)
- g. Rotary, Cairns Northern Beaches -Trinity Beach to the value of \$9,500 (ex GST)

2. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to finalise any and all matters associated with the Resource and Performance Agreement.

*carried unanimously*

Cr Moller returned to the meeting at 9.15

**3. FINANCIAL PERFORMANCE REPORT FOR THE PERIOD ENDED 26 JANUARY 2024..... 191**  
 63/17/2-01 | #7346496

COGHLAN / VALLELY

That Council notes the financial performance report for the period ended 26 January 2024.

*carried unanimously*

**4. 2022/23 FINANCIAL STATEMENTS AND ANNUAL REPORT FOR CAIRNS ART GALLERY LIMITED ..... 215**  
 63/17/2-01 | #7307582

MOLLER / COGHLAN

That Council note the financial statements and annual report for Cairns Art Gallery Limited for the year ended 30 June 2023.

*carried unanimously*

**5. MEMORANDUM OF UNDERSTANDING BETWEEN CAIRNS REGIONAL COUNCIL AND JAMES COOK UNIVERSITY 2023 PROGRESS REPORT ..... 272**

58/6/1 | #7328849

MOLLER / PYNE

That Council notes the contents of this report.

*carried unanimously*

Cr Moller left the meeting at 9.26

**6. MEMORANDUM OF UNDERSTANDING BETWEEN CAIRNS REGIONAL COUNCIL AND CQUNIVERSITY AUSTRALIA 2023 PROGRESS REPORT ..... 281**

58/6/1 | #7328854

ZEIGER / COGHLAN

That Council notes the contents of this report.

*carried unanimously*

Cr Moller returned to the meeting at 9.30

**7. CAIRNS TRAFFIC ADVISORY COMMITTEE (CTAC) MINUTES ..... 289**

81/1/13 | #7352237

VALLELY / ZEIGER

That Council notes the minutes of the Cairns Traffic Advisory Committee (CTAC) of 5 December 2023.

*carried unanimously*

**8. TENURE ARRANGEMENT – SURRENDER OF EXISTING FREEHOLD LEASE AND OFFER OF NEW FREEHOLD LEASE OVER PART OF LOT 3 ON RP701079, 28 GROVE STREET CAIRNS NORTH - DIVISION 5..... 298**  
19/28/44 | #7324985

EDEN / NEAL

That Council:

1. Approves the surrender of the freehold lease by Cairns Junior Choral Society Inc over part of lot 3 on RP701079, 28 Grove Street Cairns North;
2. Applies an exception in accordance with section 236(1)(b)(ii) of the *Local Government Regulation 2012* pursuant to section 236(2) for the purpose of the leasing of land to a community organisation over part of Council freehold land described as lot 3 on RP701079, 28 Grove Street Cairns North;
3. Supports a freehold lease offer to the Cairns Italian Festival Inc for a term of 3 years for community hall purposes over part of lot 3 on RP701079, 28 Grove Street, Cairns North in accordance with Council’s registered standard terms lease agreement and conditional upon the ongoing accommodation of existing user groups at the premises; and
4. Delegates authority to the Chief Executive Officer under section 257 of the Local Government Act 2009 to negotiate and finalise any and all matters relating to the freehold lease arrangements.

*carried unanimously*

**9. CAIRNS & DISTRICT FAMILY HISTORY SOCIETY INC. RESOURCE AND PERFORMANCE AGREEMENT..... 306**  
79/5/43 | #7316086

ZEIGER / EDEN

That Council:

1. Approves entering into a three-year Resource and Performance Agreement with Cairns & District Family History Society Inc. to support their annual production of *Shadows from the Past* to the value of \$12,500 (ex GST) per annum.



2. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to finalise any and all matters relating to the above agreement.

*carried unanimously*

**10. CREATIVE AUSTRALIA – ARTS PROJECTS FOR ORGANISATIONS  
FUNDING APPLICATION ..... 314**

**79/5/7 | #7352741**

EDEN / PYNE

That Council:

1. Approves the funding submission to Creative Australia for the Arts Projects for Organisations funding round for up to \$100,000; and
2. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to finalise any and all matters relating to the above submission.

*carried unanimously*

**11. TROPICAL ARTS ASSOCIATION INC. RESOURCE AND  
PERFORMANCE AGREEMENT ..... 318**

**75/5/43 | #7290482**

ZEIGER / MOLLER

That Council:

1. Approves a three-year Resource and Performance Agreement with Tropical Arts Association Inc. to support the development and production of inclusive performances to the value of up to \$25,000 (ex GST) per annum.
2. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to finalise any and all matters relating to the above agreement.

*carried unanimously*

**12. REGIONAL ARTS DEVELOPMENT FUND (RADF) COMMITTEE APPOINTMENTS ..... 335**

**79/6/8| #7326465**

EDEN / NEAL

That Council:

1. Approves the appointment of Merindi Schrieber, Mounira Almendoar, and Rose Rigley to the RADF Committee, effective from 1 April 2024 to serve a maximum term of four years with an option to stand down after two years.
2. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to finalise any and all matters relating to the above appointments.

*carried unanimously*

**BUSINESS NOT ON THE AGENDA**

**1. PETITION – BRAMSTON BEACH GREEN WASTE**

MOLLER / O'HALLORAN

That petition #7351661 requesting Council open a new green waste drop off facility within close proximity of the Bramston Beach community, be received and referred to officers for consideration and a report to Council.

*carried unanimously*

There is 1 item in closed session. This item relates to a budgetary matter.

Can I please have a mover and a seconder to move into Closed Session under Section 254J(3)(c) of the Local Government Regulations 2012.

**CLOSED SESSION**

OLDS / MOLLER

**COUNCIL RESOLVED TO GO INTO CLOSED SESSION TO DISCUSS THE FOLLOWING MATTERS AS LISTED IN THE AGENDA:**

**1. BUDGETARY MATTER – OUTSTANDING DEBT REPORT .....3**  
**63/8/31-01 | #7330471v1**

*carried unanimously*

**OUT OF CLOSED SESSION**

**COUNCIL RESOLVED TO MOVE OUT OF CLOSED SESSION**

MOLLER / OLDS

*carried unanimously*

**RESOLUTIONS ARISING FROM MATTERS DISCUSSED IN CLOSED SESSION.**

**1. BUDGETARY MATTER – OUTSTANDING DEBT REPORT .....3**  
**63/8/31-01 | #7330471v1**

MOLLER / OLDS

That Council notes the status of the outstanding debt owed to Council as at 26 January 2024.

*carried unanimously*

**THE MEETING CLOSED AT 9.51 AM**

**CONFIRMED THIS 6<sup>TH</sup> DAY OF MARCH 2024**



.....  
**MAYOR**



.....  
**CHIEF EXECUTIVE OFFICER**