



I hereby give notice that a Special Meeting of Council will be held on:

Date: Tuesday, 24 March 2020
Time: 9.00am
Location: Administration Centre
10 Furneaux Street
Cooktown

AGENDA AND BUSINESS PAPERS

Special Council Meeting

24 March 2020

**Linda Cardew
Chief Executive Officer**

Order Of Business

1 Attendance 3

2 Meeting Opened 3

3 Apologies 3

4 Community, Economy and Innovation - Reports..... 4

 4.1 Cooktown Expo 2020..... 4

- 1 ATTENDANCE**
- 2 MEETING OPENED**
- 3 APOLOGIES**

4 COMMUNITY, ECONOMY AND INNOVATION - REPORTS





4.1 COOKTOWN EXPO 2020

File Number: D20/8014

Author: Manager Tourism

Authoriser: Lawrence Booth, Director Community, Economy and Innovation

Attachments:

- 1 TEQ Correspondence - Mass Gatherings  
- 2 Cooktown Expo 2020 Community Advisory Committee Meeting - Minutes of Extraordinary Meeting 23 March 2020  

PRECIS

This Special Meeting has been called Under Section 258 of the Local Government Regulation 2012. As advised in the Notice of Special Meeting, the business to be conducted at the Special Council Meeting will be a decision on the future of the Cooktown Expo 2020.

BACKGROUND/HISTORY

The Cooktown 2020 Advisory Committee was established in 2014 to develop and coordinate the Cooktown 2020 celebrations and program of events. The committee is made up of a number of community key stakeholders, Traditional Owners and Cook Shire Council staff. The Advisory Committee is governed by the "Terms of Reference: *Cooktown 2020 Advisory Committee*, version 11" adopted by Cook Shire Council in November 2018.

As required under the Terms of Reference, any decisions of a material nature that may commit Council to provide resources or expose it to a liability or legal obligation are recommendations only and will be considered for endorsement at the following Council meeting. Therefore, this Special Meeting of Council has been called to allow a prompt and informed decision to be made about the future of Cooktown Expo 2020, as the impact of the worldwide COVID-19 pandemic situation is constantly evolving.

The Committee met on Monday 23 March 2020 following a meeting of Council's Expo 2020 Project Control Group (PCG) on Friday 20 March to consider the future of Expo 2020. The Committee endorsed the PCG's recommendation as to the future of the Expo, which is presented for consideration in this report. To assist Council in its decision making, this report provides the background to the current pandemic situation on Cape York as provided by Council officers at the PCG and Community Advisory Committee Meetings.

CORONAVIRUS COVID-19 STATUS REPORT

As a result of the Coronavirus COVID-19 pandemic, the Australian and Queensland Governments have issued advice regarding organising public gatherings. State legislation regarding mass gatherings has now been passed into law, having received the Queensland Governor's assent as outlined below.

Everyone in the community must play a role if the spread of COVID-19 is to be slowed. This includes people considering organising, attending or supporting attendance at a public gathering. A public gathering is any function or event attended by a large group of people, such as conferences, music festivals, sporting events, some religious and life celebrations, cultural events, elections and other public occasions.

The best way to prevent infection is to avoid being exposed to the virus. There is currently no vaccine to prevent COVID-19.

From 17 March 2020, the Australian Government has taken the precautionary measure of recommending indoor public gatherings involving more than 100 people, and outdoor public gatherings involving more than 500 people, be cancelled.

On receipt of this advice from the Australian Government, the Cooktown Expo 2020 Project Control Group meeting met on Friday 20 March 2020, to conduct a high level risk assessment and undertake a deliberate decision making process on the future of the three week Expo planned for 17 July – 4 August 2020.

The PCG considers that there are 3 possible scenarios regarding the future of the Expo:

1. To proceed as planned
2. To postpone the event to a date to be determined
3. Cancel the event

The discussion at the PCG considered the following matters:

- The Mass Gatherings advice from the Australian Government
- The safety of the Cook Shire and Cape communities and the surrounding Indigenous communities
- The likelihood of the event being successful and fulfilling its obligations and values
- The availability and willingness of performers, suppliers and visitors due participate in the Expo due to COVID-19 travel and social distancing restrictions
- Contractual obligations from funding bodies, suppliers and artist agreements
- Guiding principles of the Community Advisory Committee
- Opportunities for Bama involvement
- The need to help the Cape community to return to normal life post the pandemic
- Opportunities to reinvigorate the program of events if the event was delayed
- The economic stimulus that the Expo would provide to Cooktown and Cape York post COVID-19

The advice from the Federal Government requires that the decision to hold, restrict, modify, postpone or cancel events should be based on a thorough assessment of the risk. Before going ahead with any planned event, the safety of the community needs to be considered and event organisers must ensure that all the potential risks associated with a particular event have been properly considered.

MASS GATHERINGS DIRECTION (NO 2)

To further assist Council in its deliberations, the Mass Gathering Directions (No 2) from the Queensland State Government is reproduced below in its entirety.

The legislation passed by the Queensland Government on 20 March 2020 is outlined below. Further information can be accessed via this link <https://www.health.qld.gov.au/system-governance/legislation/cho-public-health-directions-under-expanded-public-health-act-powers/mass-gatherings>

Following is a direction from Queensland's Chief Health Officer in accordance with emergency powers arising from the declared public health emergency under the *Public Health Act 2005 (Qld)* Section 362B.

On 29 January 2020, under the Public Health Act 2005, the Minister for Health and Minister for Ambulance Services made an order declaring a public health emergency in relation to coronavirus disease (COVID-19). The public health emergency area specified in the order is for 'all of Queensland'. Its duration has been extended by regulation to 19 May 2020.

Further to this declaration, I, Dr Jeannette Young, Chief Health Officer, reasonably believe it is necessary to give the following directions pursuant to the powers under s 362B of the Public Health Act to assist in containing, or to respond to, the spread of COVID-19 within the community.

Preamble

- 1 This Public Health Direction replaces the Public Health Directions for Non-Essential Mass Gatherings of 500 persons or more and the Non-Essential Indoor Gatherings of 100 persons or more made on 19 March 2020.

Revocation

- 2 The Public Health Direction for Non-Essential Mass Gatherings of 500 persons or more given on 19 March 2020 pursuant to section 362B of the Public Health Act 2005 is revoked.
- 3 The Public Health Direction for Non-Essential Indoor Gatherings of 100 persons or more given on 19 March 2020 pursuant to section 362B of the Public Health Act 2005 is revoked.

Citation

This Public Health Direction may be referred to as the Mass Gatherings Direction (No.2)

PART 1 — DIRECTION - NON-ESSENTIAL MASS GATHERINGS

- 5 A person who owns, controls or operates premises in the State of Queensland must not allow a mass gathering to occur on the premises from the time of publication of this direction until the end of the declared public health emergency.
- 6 A person must not organise a mass gathering on premises in the State of Queensland from the time of publication of this direction until the end of the declared public health emergency.
- 7 A person must not attend a mass gathering on premises in the State of Queensland from the time of publication of this direction until the end of the declared public health emergency.

COOKTOWN EXPO 2020 ADVISORY COMMITTEE

The Cooktown Expo 2020 Advisory Committee met on Monday 23 March 2020 to consider the future of the expo based on the recommendation of the PCG and evaluated the following matters in its deliberations:

- The updated State Government legislation around mass gatherings
- The importance of respecting Cape York's vulnerable populations, include neighbouring Aboriginal Shires
- The willingness of both Council and external funders to be flexible with existing funding arrangements
- The options for holding a low-key commemorative event this year, perhaps via live streaming

- Opportunities to reinvigorate the program of events in 2021.

At the conclusion of the meeting, the following motion was passed:

“To postpone the Cooktown Expo 2020 event, until a future date to be determined by Cook Shire Council and the Cooktown Expo 2020 Advisory Committee, due to the significant and widespread impacts of COVID-19 and on recommendation of the Cooktown Expo 2020 Project Control Group.”

Moved by: *Loretta Sullivan*

Seconded by: *Richard Ferguson*

Carried

LINK TO CORPORATE PLAN

*Key Strategic Priority: **Community*** - A sense of common purpose, whilst respecting local diversity, with the goals and aspirations of individual communities reflected in localised strategy and planning

Strategy 4: Encourage vibrant and active community participation in arts, culture and natural heritage activities to enrich lifestyle and encourage tourism

Objective 4a: Visitors and locals are attracted to arts, cultural and heritage destinations within the Shire.

*Key Strategic Priority: **Economy*** – Locality specific economic growth, understanding and development of potential for primary industries, including agriculture and aquaculture opportunities, appropriate to each community and the Shire as a whole.

Strategy 2: In partnership with local business, industry groups, economic and regional development organisations and neighbouring local governments continue to develop strategies to assist, strengthen, develop and promote existing and businesses and industries.

Objective 2c: Develop 2020 Event as a platform to increase tourist and visitor numbers to the Shire.

*Key Strategic Priority: **Environment*** – Respect for the unique natural environment of the Cape, its history and the provision of sustainable, safe access for the enjoyment of the Cape’s communities and visitors.

Strategy 1: Maintain a proactive response to public health and safety matters

Objective 1b: The community’s exposure to health risk is minimised by undertaking specific intervention based preventative programs including inspections and licensing of food preparation premises and support

CONSULTATION

There has been extensive consultation around this matter with the Mayor, Executive Leadership Team, partners, stakeholders and funders.

A Special Cook Shire Council Project Control Group Meeting was held on 20 March 2020.

The Cook Shire Council Community, Economy and Innovation Department held a Meeting on 20 March 2020.

An Extraordinary Meeting of the Cooktown Expo 2020 Advisory Committee was held on 23 March 2020.

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

The legal implications will need to be further researched, including the potential that Council may need to investigate insurance claims due to force majeure or loss of income.

Further information and Queensland Health directions related to new mass gatherings legislation is available on the Queensland Health website (and links below).

500+ persons outdoor: <https://www.health.qld.gov.au/system-governance/legislation/cho-public-health-directions-under-expanded-public-health-act-powers/mass-gatherings>

100+ persons indoor: <https://www.health.qld.gov.au/system-governance/legislation/cho-public-health-directions-under-expanded-public-health-act-powers/non-essential-indoor-gatherings>

POLICY IMPLICATIONS

N/A

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

If Cooktown Expo 2020 is to be cancelled, modified or postponed, there will be contractual agreements and obligations that may have financial implications for Council. These will include the headline talent artist agreements, the hiring of stage, lighting and audio, the hiring of showers and toilets, the hire of Tent City, the hire of amusement rides, accommodation for entertainers and suppliers, workshop providers, State and Federal funding, marketing contractors and sponsorship. Final budgetary implications will need to be determined once a final decision has been made by Council and items are negotiated with the individual funders, contractors and suppliers.

Existing State and Federal grant funding bodies have confirmed their willingness to work with Council to ensure approved funding is preserved and its future use is flexible, should the event be postponed to a later date.

Council officers will provide a further report to Council summarising the outcomes of these negotiations in due course, as well as to recommend the dates during which the postponed event will be held following through consultation with all stakeholders.

RECOMMENDATION

That Council postpone the Cooktown Expo 2020 event, until a future date to be determined by Cook Shire Council and the Cooktown Expo 2020 Advisory Committee, due to the significant and widespread impacts of COVID-19 and on the recommendation of the Cooktown Expo 2020 Project Control Group and Cooktown Expo 2020 Advisory Committee.

Tourism and Events Queensland

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20 March 2020

Dear QDEP stakeholder,

Yesterday, Thursday, 19 March 2020, I wrote among other things to advise that the Queensland Government were about to pass into law legislation concerning events in the context of COVID19.

Today I write to confirm that legislation has been passed into law, having received the Governor's assent.

The legislation can be found [HERE](#).

Further information and Queensland Health directions related to mass gatherings is available on the Queensland Health website (and links below).

500+ persons outdoor: <https://www.health.qld.gov.au/system-governance/legislation/cho-public-health-directions-under-expanded-public-health-act-powers/mass-gatherings>

100+ persons indoor: <https://www.health.qld.gov.au/system-governance/legislation/cho-public-health-directions-under-expanded-public-health-act-powers/non-essential-indoor-gatherings>

For clarity, the 19 May 2020 date noted in Section 362B of the Public Health act relates to the extension date of the existing 2005 legislation and NOT specifically to the timeframe limiting mass gatherings in Queensland. There is a chance the legislation may be extended further.

'The public health emergency area specified in the order is for 'all of Queensland'. Its duration has been extended by regulation to 19 May 2020'.

As noted in my previous letter, as each event proponent's contractual situation is different, your contract manager is best placed to discuss your specific situation should you require clarification.

Yours Sincerely,



John Drummond Montgomery
Events Group Executive

MINUTES

Date:	23 March 2020	Time:	9.03am
Location:	Council Chambers, Council Administration Office, 10 Furneaux Street, Cooktown		
Chair:	Cr Peter Scott – Mayor, Cook Shire Council		
Terms of Reference:	Develop and coordinate the Cooktown Expo 2020 celebrations and programme of events.		
Minute taker:	Kimberley Sullivan – Executive Assistant, Cook Shire Council		
Attendees:	<p>Cr Larissa Hale – Cook Shire Council Linda Cardew, Chief Executive Officer, Cook Shire Council Lawrence Booth – Director, Community, Economy and Innovation (teleconference) Vanessa Gillen – Cooktown Expo 2020 Creative Director, Cook Shire Council (videoconference) Kathrina Southwell – Tourism and Community Grants Officer, Cook Shire Council Sha-lane Gibson – 2020 Indigenous Projects Officer, Cook Shire Council Doug Jene – 2020 Operations Coordinator, Cook Shire Council Shane Gibson – Indigenous Partnerships Officer Jenni James – Senior Grants Officer Tony Roberts – Curator, Cooktown Botanic Gardens, Cook Shire Council Loretta Sullivan – Cooktown Re-enactment Association Bev Shay – Cooktown Historical Society working group Jean Stephan – Vera Scarth-Johnson Gallery Association / Arts working group Richard Ferguson – National Trust of Australia (Queensland) (videoconference) Vicki Howick – Nature’s Powerhouse</p>		
Apologies:	<p>Cr Kaz Price – Cook Shire Council / Nature’s Powerhouse Sally Eales – Manager Tourism, Cook Shire Council Harold Ludwick – National Trust of Australia (Queensland) Jo Wynter – Vera Scarth-Johnson Gallery Association / Arts working group Erica Deeral – Wayburr Warra Traditional Owner</p>		

1. **Meeting opened**
9.03am
2. **Acknowledgement of Traditional Owners**
Linda Cardew acknowledged our local Wayburr Warra elders, past, present and emerging.
3. **Discussion and key comments**
Mrs Cardew welcomed everyone to the meeting and gave an overview of the present situation with COVID-19 and how Cook Shire Council and the Cook Local Disaster Management Group are responding.

State and Federal governments are providing Australia-wide directions and laws in regard to restricting personal contact with others, closure of businesses and roads, limiting activities, events and services which are not deemed to be 'essential'.

The Cooktown Expo Project Control Group met last Friday after the latest government advice and restrictions, and discussed three options for the future of the Expo – continue, cancel or postpone. Members came to the decision to recommend to the Advisory Committee that the Expo event be postponed with the primary considerations being the safety of all attendees, viability of the event and possible further restrictions imposed.

All Aboriginal Shire Councils have met with the Director-General of DATSIP. Each have said they want to close their communities and implement local practices to protect residents.

Mrs Cardew said the preferred option to postpone the event is now all but out of our hands with travel restrictions and forced business closures.

We can use this time to look at ways to revised and further develop Expo 2020 as an economic stimulus event for the region in 2021.

A Special Council Meeting has been called for tomorrow 24 March, to formally consider the recommendation from this meeting.

Cr Scott opened up the floor for comments and discussion.

Ms Stephen agreed with postponing and asked whether funding can be rolled over.

Ms James said any Council grants for Expo 2020 will be rolled over and is happy to assist individual groups contact and negotiate with other funding providers to secure those grants.

Mr Booth has called several funding bodies over the last few days and all very willing to assist and renegotiate where possible.

Mr Ferguson supported the recommendation and said as a long-term community stakeholder, NTAQ will support where possible. He said NTAQ CEO Johnathon Fisher has been in touch with the Federal Minister for Tourism and reported encouraging talks about opportunities for regional tourism stimulus events and initiatives post COVID-19.

Mrs Gillen said postponing is the right decision and is encouraged by the opportunity to make the event bigger and better next year. She also has spoken to Bill Harris of the Australian National Maritime Museum this morning who said there is still no official decision around the Endeavour voyage, but is likely to be postponed or cancelled given the current situation.

Mrs Sullivan said there is no option but to postpone. It's not easy but is the best decision to make. She said Mrs Alberta Hornsby is also supportive of the decision.

Mrs Cardew said the immediate actions by Council will be to secure staff and unpack all aspects of Expo 2020 planning. Then we need to think forward to next year with a suggested date of 17 June 2021.

A suggestion from last Friday's PCG meeting was to hold a low-key event to mark the 250th anniversary of Cook's Landing, which could be filmed or live streamed.

Mrs Sullivan said the Re-enactment Association were already planning to do something like that and would like to be involved in any events planned.

Mr Booth said he received an email from Harold Ludwick who is supportive of the postponement as well.

Mr Ferguson said the reconciliation on 19 July 1770 is another significant date to consider for commemoration.

Ms James said there is funding from Reconciliation Australia which could possibly be used for any commemorative event.

Mrs Cardew said staff and Advisory Committee members are advised to wait until after the Council resolution is made public tomorrow, before cancelling any arrangements or communicating this message to the public.

Motion to postpone the Cooktown Expo 2020 event, until a future date to be determined by Cook Shire Council and the Cooktown Expo 2020 Advisory Committee, due to the significant and widespread impacts of COVID-19 and on recommendation of the Cooktown Expo 2020 Project Control Group.

Moved by Loretta Sullivan

Seconded by Richard Ferguson

Carried

Mr Booth will coordinate a media response post Council meeting, to be sent to Advisory Committee members, consortium groups, key stakeholders and the general public.

He said there will be staff planning meeting at Council tomorrow to determine the process moving forward now.

Mr Booth expressed a commitment to engage with each Advisory Committee member group in the coming weeks and suggested we regroup in May.

4. Next meeting

TBA

5. Meeting closed

9.47am