



CONFIRMED MINUTES

OF THE

SPECIAL MEETING OF COUNCIL

13 AUGUST 2020


NOTICE OF MEETING

Dear Council Member,

The next Special Meeting of the Shire of Broome will be held on Thursday, 13 August 2020 in the Council Chambers, Corner Weld and Haas Streets, Broome, commencing at 5:00PM for the purpose of considering:

- SALTWATER COUNTRY RHYTHM AND RIDE EVENT 2020 - FUNDING REQUEST
- RFT 20-03 TOWN BEACH JETTY CONSTRUCTION

Regards,



S MASTROLEMBO
Chief Executive Officer

13/08/2020

OUR MISSION

"To deliver affordable and quality Local Government services."

CORE VALUES OF THE SHIRE

The core values that underpin the achievement of the mission will be based on a strong customer service focus and a positive attitude:

Communication
Respect
Transparency

Integrity
Innovation
Courtesy

DISCLAIMER

The purpose of Council Meetings is to discuss, and where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting.

Persons should be aware that the provisions in section 5.25 of the *Local Government Act 1995* establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person. The Shire of Broome expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a Member or Officer, or the content of any discussion occurring, during the course of the Council meeting.

Should you require this document in an alternative format please contact us.

SHIRE OF BROOME
SPECIAL MEETING OF COUNCIL
THURSDAY 13 AUGUST 2020
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**MINUTES OF THE SPECIAL MEETING OF COUNCIL OF THE SHIRE OF BROOME,
HELD IN THE COUNCIL CHAMBERS, CORNER WELD AND HAAS STREETS, BROOME,
ON THURSDAY 13 AUGUST 2020, COMMENCING AT 5:00PM.**

1. OFFICIAL OPENING

The Chairperson welcomed Councillors, Officers and members of the public and declared the meeting open at 5:01PM.

2. ATTENDANCE AND APOLOGIES

ATTENDANCE

Councillor:	Cr H Tracey Cr P Matsumoto Cr C Mitchell Cr B Rudeforth Cr P Taylor Cr N Wevers	Shire President
Apologies:	Cr D Male Cr F West	Deputy President
Leave of Absence	Cr E Foy	30 July 2020 – 30 August 2020
Officers:	Mr S Mastrolembo Mr J Watt Mr N Cain Mr A Graffen Mr D Kennedy Mr P Collins	Chief Executive Officer Director Corporate Services Director Development and Community Services Director Infrastructure Manager Governance, Strategy and Risk Manager Engineering
Public Gallery:	Jakeb Waddell Cara Peek Adele Peek	Broome Advertiser

3. DECLARATIONS OF FINANCIAL INTEREST / IMPARTIALITY

FINANCIAL INTEREST			
Councillor	Item No	Item	Nature of Interest
Nil.			

IMPARTIALITY

Councillor	Item No	Item	Nature of Interest
		Nil	

4. PUBLIC QUESTION TIME

Nil.

5. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

The Chief Executive Officer advises that there are matters for discussion on the agenda for which the meeting may be closed, in accordance with section 5.23(2) of the *Local Government Act 1995*.

COUNCIL RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. C/0820/001

Moved: Cr C Mitchell

Seconded: Cr N Wevers

That the following Agenda items be considered under 8. Matters Behind Closed Doors, in accordance with section 5.23(2) of the Local Government Act 1995, as specified:

6.2.1 RFT 20-03 TOWN BEACH JETTY CONSTRUCTION

Item 6.2.1 and any attachments are confidential in accordance with section 5.23(2) of the Local Government Act 1995 section 5.23(2)(e)(ii) as it contains “a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government”.

CARRIED UNANIMOUSLY 6/0

6. REPORTS FROM OFFICERS

6.1 OUR PEOPLE

Cara Peek on behalf of Saltwater Country Inc. made a deputation to Council in relation to Item 6.1.1

6.1.1 SALTWATER COUNTRY RHYTHM AND RIDE EVENT 2020 - FUNDING REQUEST

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	FIS10
AUTHOR:	Director Development and Community
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Development and Community
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

Council has previously provided funding towards the Saltwater Country Rhythm and Ride event and, in May 2019, resolved to enter into a Three-Year Funding Agreement to continue the provision of funds.

With the advent of the COVID-19 pandemic, and the ability of holding large-scale events in 2020 at risk, in April 2020 Council resolved to reallocate the funds towards other initiatives designed to provide additional community support.

With the easing of COVID-19 State Government Restrictions, organisers of the Saltwater Country Rhythm and Ride Event have approached the Shire requesting the reinstatement of funding to ensure the 2020 Event occurs.

This Agenda Item is requesting Council reconsider the resolution made in April 2020, which repurposed the previously agreed 2020 Saltwater Country Rhythm and Ride funding towards COVID-19 related support, and to now reinstate previously agreed funding of \$60,000 (ex GST) to Saltwater Country Inc. to assist in the delivery of the 2020 Rhythm and Ride event.

BACKGROUND

Council considered the most recent funding agreement with Saltwater Country Inc. (Attachment 1) for the Rhythm and Ride event (the Event) at the May 2019 Ordinary Meeting of Council and resolved the following:

COUNCIL RESOLUTION: **(REPORT RECOMMENDATION)**

Moved: Cr H Tracey

Seconded: Cr M Fairborn

That Council:

- 1. Endorses a total budget of \$282,086 for the 2019/20 Events, Economic Development and Tourism Funding Program.**
- 2. Support the following applications from available funds in the 2019/20 budget and enter into agreements to formalise the funding:**

...

- d) Saltwater Country Inc. to enter into a three-year agreement for support to the value of \$60,000 per year, to be made as a cash payment for the cost associated Events infrastructure and Prizes, conditional on the provision of annual financial reports, and if available audited financial reports, for the event including itemised breakdown of expenditure of Shire of Broome funding, supported by supplier invoices as evidence of expenditure of the Shire's cash contribution.**

...

- 4. Notes funding to each applicant above is granted subject to adherence to the Economic, Events and Tourism Development Funding Program Guidelines.**
- 5. Completes minor amendments to the Events Economic and Tourism Development funding guidelines and funding parameters section, to ensure clarity for applicants, clearly set the expectation of what an applicant can expect to be funded for and ensure that Shire resources are utilised in the most effective manner.**

CARRIED UNANIMOUSLY 5/0

Within this same item, Shire officers considered the allocation of in-kind services as part of the application review process and, based upon the review, recommended all funding allocations are 1) made as cash payments to the recipients, 2) clearly outline the portion of funds being allocated to cover the cost of Council fees and charges and 3) clearly outline the portion to be used for other activities.

The Council agenda item also recognised the application for the event as scoring the highest possible criteria assessment score and noted:

"The event aligns with the strategic documents of the Shire of Broome and has the capacity to deliver tourism, events and economic development outcomes.

The applicant has demonstrated extensive knowledge and experience in the delivery of large events over a sustained period.

The value of this event to the community includes a training and development program undertaken over the full year to develop skills amongst local youth to deliver all aspects of the event building local capacity. The applicant has demonstrated a substantial organisational financial contribution to this project.

Officers recommend the support of this application of \$60,000, which is a partial amount of the funds requested."

In late-2019 / early-2020 the COVID-19 pandemic began negatively influencing the global economy and caused significant changes in travel and health arrangements to the extent the WA Minister for Emergency Services made a Declaration of State of Emergency on 15 March 2020.

Subsequent to the above-mentioned Declaration the WA Minister for Health declared a public health state of emergency in respect of COVID-19 on 23 March 2020.

Following on from these Declarations a series of State Government Directions were issued targeting health, travel restrictions, personal hygiene and other measures designed to mitigate the spread of the virus.

Included in these measures were very tight restrictions on the number of people being permitted to gather in any one location and the closure of parts of the state of WA to other people, with the Kimberley region effectively being separated from other parts of WA, Australia and the world.

At the time of the Declarations it was uncertain how long restrictions, and the subsequent economic impacts, would continue and, consequently, many organisations commenced making radical changes to operations, including the Shire.

Broad and sweeping changes were requested of Council by the Premier and Members of Parliament, to provide relief to families and businesses from the impacts of the spread of COVID-19, and legislative changes were implemented to assist local governments to undertake these requests.

Council undertook to adhere to these requests and, amongst other initiatives, sought to freeze increases to local government household rates, fees and charges in the 2020-2021 financial year.

These initiatives, and others, were included in the Council approved COVID-19 Support Packages, which were based on the information available at the time and any reasonably foreseeable actions and / or outcomes.

The initiatives required redirection of funds from other Council activities.

Council, at the April 2020 Ordinary Council Meeting, considered the position of several initiatives previously approved for funding assistance, including the Rhythm and Ride Event, and resolved the following:

COUNCIL RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. C/0420/001

Moved: Cr C Mitchell

Seconded: Cr D Male

That Council:

1. ***Withdraws funding support in 2020-2021 for scheduled 2020 events for Shinju Matsuri Inc. (\$130,000 ex GST) and Saltwater Country Inc. (\$60,000 ex GST), that had been supported at the Ordinary Meeting of Council held 30 May 2019, due to the impacts of the COVID-19 pandemic.***
...
3. ***Consider, for inclusion in the Municipal Budget for 2021-2022, the allocation of \$195,000 for the Economic, Events and Tourism Development Funding program and in-principle supports the allocation of funding and enters into agreements with recipients for the following projects:***
...
 - (c) ***Reaffirmed support to Saltwater Country Inc. to the value of \$60,000 (ex GST) to be made as a cash payment for the 2021 'Rhythm and Ride Rodeo' costs associated with events infrastructure and prizes.***...

CARRIED UNANIMOUSLY 8/0

Noting the 2020-2021 financial year would be a fiscally sensitive year, Elected Members and Shire officers commenced reviewing and reducing expenses being considered for inclusion in the Draft 2020-2021 Annual Budget during the later months of the 2019-2020 financial year.

During this same period, as a result of reductions in COVID-19 cases in WA borne through the existence of strong health, gatherings and travel measures, the Premier began lifting restrictions through the announcement of the WA Roadmap.

This Roadmap is designed to ease Western Australia's COVID-19 restrictions to benefit community and businesses and has been developed in conjunction with the National Cabinet principles and based on the best health advice for WA.

Whilst welcomed by the community and businesses, the easing of restrictions was initially linked to behavioural and COVID-19 positive case number outcomes, and not dates, resulting in many community groups and businesses (including the Shire) being unsure of what future initiatives could be undertaken and when they could occur.

During June 2020, due to positive case numbers reducing faster than predicted, the Premier implemented each of the next steps of the Roadmap earlier than anticipated.

As at the time of writing this Agenda Item, the second-last phase of the *Roadmap* (Phase Five) has been pushed back to 15 August 2020 due to high numbers of COVID-19 positive cases in Victoria and New South Wales and the remote possibility these cases may, in some manner, make their way to Western Australia.

The next phases of the *Roadmap*, as referenced on the State Government website (www.wa.gov.au), state:

"Phase 5 would see remaining restrictions removed, except WA's hard border and access to remote Aboriginal communities.

It would also see the removal of WA's 2 square metre rule and the 50 per cent capacity for our major venues.

Phase Six was going to include the removal of WA's hard border with the rest of the country and travel restrictions currently in place for remote Aboriginal communities.

A tentative date for the removal of WA's hard border was planned to be included as part of Phase Six, however, this was put on hold due to the rapidly evolving situation in Victoria.

When an indicative date is set in the future, it will be contingent on locally acquired infection rates in the eastern states.

The WA hard border will only be removed when the WA Chief Health Officer is confident the spread of infection is controlled in the eastern states."

Following the announcement of the Phase Four lifting of restrictions and just prior to the announcement of the Phase Five lifting of restrictions, organisers of Rhythm and Ride restated, in writing, their intention to continue with the 2020 Event, and requested the Shire honour the original funding agreement.

At a meeting held with Event organisers on 30 June 2020, with the Director Development and Community present, the position of the Event organisers was reinforced, with the organisers again stating the 2020 event would be occurring and they had funding from other sources to assist in supporting the funding agreement from Council.

Event organisers indicated programming amendments may be required to accommodate the shortened lead time to the event depending on several key aspects including:

- COVID-19 guidelines;
- Travel restrictions; and
- Timing of Council's reconsideration of funding.

It was noted event organisers have committed to the provision of a high-quality event, regardless of the lead time, attracting intrastate visitors and Kimberley locals alike.

Shire officers were advised by the event organisers they have been contacted by past participants and attendees, from across the State, to see if the event is proceeding.

With funding assistance, Shire officers are confident the Event will proceed.

The Executive Chairperson of Saltwater Country Inc. met with the Shire President and Chief Executive Officer on 3 August 2020 where discussion to progress the reconsideration of the Rhythm and Ride funding application to enable the event to be held in 2020.

Accordingly, Saltwater Country Inc. have provided the Shire with:

- An additional letter requesting funding (includes confirmation of event date) (Attachment 2);
- An event budget for Rhythm and Ride 2020 (Attachment 3); and
- A comparison of outcomes for the 2020 Rhythm and Ride Event compared to the original application (Attachment 4).

This Agenda Item is requesting Council reconsider the resolution made in April 2020, which repurposed the previously agreed 2020 Rhythm and Ride event funding towards COVID-19 related support, and to now provide \$60,000 (ex GST) to Saltwater Country Inc. to assist in the delivery of the 2020 Rhythm and Ride event.

COMMENT

Rhythm and Ride is an Indigenous-led event designed to provide entertainment as well as providing a rite of passage for young Broome people to gain work experience in all elements of the event, as well as offering longer term Indigenous employment opportunities through education, experience and partnership.

The event raises funds to:

- Help combat the key issues of youth suicide and domestic violence in a culturally intelligent and relevant way, providing access and opportunity participants, both current and future, through the programs undertaken by Saltwater Country Inc.; and
- Build future Rhythm and Ride Events towards larger-scale events and to help build the sustainability of the Event.

The event itself is marketed as a Rodeo, Campdraft and Country Music event, and was established in 2016.

The 2020 Event is scheduled for 11-12 September.

Shire officers have been advised much of the groundwork has been undertaken in order to meet this timeframe.

The event has previously attracted competitors from across Western Australia including:

- Wagin
- Gidgegannup
- Perth
- Newman
- Karratha
- Derby
- Port Hedland
- Halls Creek
- Fitzroy Crossing
- Warmun (Turkey Creek)
- Kununurra

Competitors from across Australia and International locations have also taken part in previous years, although it is recognised this is unlikely to occur this year due to COVID-19 pandemic travel restrictions.

Event organisers are confident there will be little negative impact regarding participant and attendee numbers and have commenced preparing mitigation measures to ensure a full event programme is delivered.

Event organisers have indicated there is a likelihood participant numbers may increase due to a lack of events having occurred because of COVID-19 restrictions.

Traditionally the event forms part of the Northern Australia and Western Australian competitive rodeo circuit, as well as linking into the national circuit.

The event aims to bring together the local community as well as attract tourists and competitors to Broome and has been recognised as one of Broome's key tourism events.

Additionally, the event promotes the premier nature of bucking stock from the Kimberley region, which has led to intrastate usage of this stock and interstate interest in the breeding stock in the Kimberley.

The event also uses and promotes local musicians with additional opportunities being developed to ensure local musicians are supported beyond Rhythm and Ride.

Following the event, many Indigenous youth are invited to continue with further training and development, providing a rite of passage into full time employment opportunities through the Saltwater Academy.

The organisation, Saltwater Country Inc., was founded by local Indigenous leaders in recognition of the importance of celebrating the past, present and future of Indigenous leadership and resilience, and is committed to a collaborative and innovative approach enabling Broome people of all ages and cultural backgrounds to develop opportunities and expand the ways they contribute to the community.

This is considered especially relevant in 2020 where the event can bring the community together, supporting a positive psychosocial response, and improving social and emotional wellbeing objectives inclusive of the whole community.

Recent organisations providing volunteers and in-kind services for Rhythm and Ride include, although are not limited to:

- RTS – Road Line Traffic Services
- Cleanaway
- Footprint Cleaning
- Goolarri Media Enterprises
- Australian Red Cross
- Roebuck Plains Station
- Kullarri Building
- Broome Circle

Additional to the Shire of Broome, recent funding providers, of which there are several, include, although are not limited to:

- Nyamba Buru Yawuru
- Tourism WA – Regional Events Scheme
- Tourism WA – Regional Aboriginal Event Scheme
- Department of Local Government, Sport and Cultural Industries – Active Regional Communities Initiative Scheme
- Department of Foreign Affairs and Trade

- Department of Primary Industries and Regional Development
- Life Without Barriers
- Agunya
- H and M Tracey Construction
- Footprint Cleaning
- Topstock WA Feed Services
- Cleanaway
- Horizon Power

Additional support organisations include, although are not limited to:

- Broome Explorer Bus
- Cygnet Bay Peals
- Pindan Printing
- Werewolf Security
- Troppo Sound
- Wanna Play?
- Broome Visitor Centre
- Broome Advertiser
- Dunning's
- Absolute Ocean Charters
- Printing Ideas
- Stephanie Coombes Creative Photography

Economically, approximately 1,250 people visited Broome for the 2019 event, specifically for the event, generating an estimated additional income of \$332,400 for local business.

Further, an additional \$20,300 of Indigenous spend was generated by the 2019 event.

The event itself is estimated to have generated an additional \$162,700 in local expenditure.

Below is a summary of some of the Shire of Broome requirements to be met by the event organisers as part of receiving funding support:

- All event collateral is to recognise the Shire of Broome as a Presenting Partner, with the Shire of Broome logo having priority placement.
- Shire of Broome signage is to be displayed at key locations throughout the event as well as being included as a Presenting Partner on official event signage.
- Event organisers are to promote the Shire of Broome in various media publications and mediums.
- Event organisers are required to acknowledge the contribution of the Shire of Broome through acknowledgement statements, speaking and presentation opportunities and radio, print and photography promotions.
- Event organisers are to provide regular reporting to Shire officers and Council prior to each event, and to also provide acquittal information highlighting community participation, tourism flow-on and economic benefits.

Tourism WA have committed \$30,000 in grant funding for the 2020 Event, with a further \$30,000 in funding pledged from other agencies subject to Council reinstating the previously agreed funding of \$60,000. Additional revenue for the event, through sales, entry fees and sponsorship, is estimated at \$102,000.

CONSULTATION

Regarding this latest request from Saltwater Country Inc., the following agencies have been consulted:

- Saltwater Country Inc.
- Tourism WA
- Kimberley Development Commission
- WA Local Government Association

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Council's Tourism Administration Policy (Policy 3.4.9) states, as the objective:

"To realise the benefits from tourism, promote coordination, infrastructure sharing opportunities and integration of tourism with other business sectors to optimise benefits and minimise any adverse impacts to the community and other industries. Ensuring a sustainable tourism industry that has balance between environmental, cultural and heritage values, and community lifestyle."

This Policy identifies Council will, amongst other items;

- Work collaboratively with organisations for the promotion and development of Broome as a visitor destination;
- Lobby State and Federal Government departments to ensure the Shire of Broome is receiving its fair and appropriate allocation of available funds for industry development; and
- Encourage Local Business Associations and Tourism Associations to actively engage with Tourism WA and other industry stakeholders as a means of increasing the profile of the Shire of Broome as a tourism destination.

Funding for the event is sourced from the Economic, Events and Tourism Development Fund, which is guided by this Policy.

Saltwater Country Inc. has demonstrated, through previous agreements held with the Shire of Broome, they meet Council's objectives and general requirements under the Policy.

FINANCIAL IMPLICATIONS

The request is for a reinstatement of the originally agreed event funding amount of \$60,000 (ex GST), being for a cash payment for the costs associated with event infrastructure and prizes.

An allocation of \$250,000 is contained within the 2020-2021 Annual Budget for the funding of initiatives, such as the Event, although funding directly towards the Event was withdrawn by the Council resolution in April 2020, as referred previously.

Funding associated with the Events, Economic Development and Tourism Funding grant program was earmarked by Council to assist in offsetting any negative financial impacts associated with COVID-19 support.

The full extent of the financial impact of COVID-19 on the Shire's financial position is currently not yet known.

The funding request is within the current budget allocation with the only discerning fact being the request for funding for the 2020 event previously being withdrawn by Council, hence the requirement for this Agenda Item.

Organisers of the event have indicated:

- The full value of the funding request is required in order to host the event;
- A full event programme can still be delivered despite a shortened lead time;
- Other agencies have indicated funding will be provided to ensure the event can proceed; and
- Other bodies have been approached to assist in sponsorship, with positive levels of success thus far.

The Audited Financial Report for the acquittal of the 2019 Rhythm and Ride event (Attachment 5), as audited by Letizia Palmer Chartered Accountants, identifies total revenue of \$190,500 with the primary financier being the Shire of Broome at \$60,000, followed by Sponsorship and licensing fees (\$41,500) and State Government Grants (\$25,000).

Revenue exceeded expenses for the 2019 Event by \$22,300, with half of those profits being used towards the 2020 Event and the other half being used to assist in the delivery of other Saltwater Country Inc. programs (the original application for Rhythm and Ride noted the event as a fundraiser towards the Saltwater Academy).

RISK

Risks associated with the provision of reinstating the funding for the 2020 Rhythm and Ride event are divisible into three defined options:

1. To provide full funding;
2. To provide partial funding; or
3. To provide no funding.

Risks and mitigation matters associated with each of the above options include, although are not limited to the following:

To provide full funding

- The fact the event could fail to attract enough numbers, be of limited success and fail to meet required outcomes provides a reputational risk to Council through association. The fact the organising committee has agreements with other bodies is seen as a mitigation in this regard.
- The fact the event could fail to sell enough tickets to the programme of events may provide a financial risk to Council due to the possibility of further requests for funding. The use of the Three-Year Funding Agreement, with clearly defined funding amounts, assists to minimise this risk.
- Community perception around the financial support of this event, and not others, may lead to additional financial and reputational risk. Discussion with other event holders, and consideration of their current arrangements may assist in the mitigation of this risk.
- Financially, the 2020-2021 financial year is expected to be very difficult to deliver on all requests and initiatives due to the likelihood of reduced rate payments, and the freezing of fees and charges, with any additional funding requests posing some financial risk. Continual review of the Annual Budget, through Finance and Costing Reviews, will help mitigate this.

To provide partial funding

- Organisers have indicated the provision of partial funding will mean the event will not proceed. This represents reputational risk to Council due to the perception it has 'stopped' the event from happening. Community members and local businesses have traditionally benefitted from a community participation and wellbeing perspective as well as from a financial perspective with the event occurring. Providing funding to the full value will assist in mitigating this.
- State government agencies willing to provide funding may also perceive Council is the reason the event did not occur. These agencies have a current mandate to spend money in the community and the regions, to boost local economies and support the tourism industry. Failing to fully support the event may have reputational and financial knock-on through a lack of future support to Council initiatives. Providing funding to the full value will assist in mitigating this.
- By not adhering to the originally agreed funding agreement a legal and reputational risk to Council may exist should the event organisers wish to pursue the matter legally. Although unlikely to succeed, as previous actions by Shire officers and Council to redirect allocated event funding to other initiatives were conducted in good-faith and due to the impacts associated with COVID-19, there still exists a risk this may be considered a departure from the original agreement. Providing funding to the full value will assist in mitigating this.

To provide no funding

- The level of future State Government agency support being lower than expected may occur if Council is not seen to fully support the event as these agencies are willing to provide funding assistance towards the event. Providing funding to the full value will assist in mitigating this.
- Organisers have indicated the provision of no funding will mean the event will not proceed. This represents reputational risk to Council due to the perception it has 'stopped' the event from happening. Community members and local businesses have traditionally benefitted from a community participation and wellbeing perspective as well as from a financial perspective with the event occurring. Providing funding to the full value will assist in mitigating this.
- By not adhering to the originally agreed funding agreement a legal and reputational risk to Council may exist should the event organisers wish to pursue the matter legally. Although unlikely to succeed, as previous actions by Shire officers and Council to redirect allocated event funding to other initiatives were conducted in good-faith and due to the impacts associated with COVID-19, there still exists a risk this may be considered a departure from the original agreement. Providing funding to the full value will assist in mitigating this.

STRATEGIC IMPLICATIONS

Our People Goal – Foster a community environment that is accessible, affordable, inclusive, healthy and safe:

Affordable services and initiatives to satisfy community need

Participation in recreational and leisure activity

Our Place Goal – Help to protect the nature and built environment and cultural heritage of Broome whilst recognising the unique sense of the place:

A preserved, historical and cultural heritage of Broome

Retention and expansion of Broome's iconic tourism assets and reputation

Our Prosperity Goal – Create the means to enable local jobs creation and lifestyle affordability for the current and future population:

Key economic development strategies for the Shire which are aligned to regional outcomes working through recognised planning and development groups/committees

Our Organisation Goal – Continually enhance the Shire’s organisational capacity to service the needs of a growing community:

Responsible resource allocation

Effective community engagement

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. C/0820/002

Moved: Cr C Mitchell

Seconded: Cr P Taylor

That Council reinstates funding payable to Saltwater Country Inc., under existing funding agreement conditions as previously resolved for the 2020 Rhythm and Ride event, of \$60,000 (ex GST) being for event infrastructure and prizes, and noting the required funds are currently contained within the 2020/21 Annual Budget.

CARRIED UNANIMOUSLY 6/0

Attachments

1. Rhythm and Ride 2019 - Funding Application (*Confidential to Councillors and Directors Only*)

This attachment is confidential in accordance with section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(iii)) as it contains “a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the information is held by, or is about, a person other than the local government”.

2. Rhythm and Ride 2020 - Reinstatement of Funding Request
3. Rhythm and Ride 2020 - Event Budget (*Confidential to Councillors and Directors Only*)

This attachment is confidential in accordance with section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(iii)) as it contains “a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the information is held by, or is about, a person other than the local government”.

4. Rhythm and Ride 2020 - Outcomes Comparison
5. Rhythm and Ride 2019 - Audited Report (*Confidential to Councillors and Directors Only*)

This attachment is confidential in accordance with section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(iii)) as it contains “a matter that if disclosed, would reveal information about the business, professional, commercial or financial

affairs of a person, where the information is held by, or is about, a person other than the local government”.



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5 August 2020

Broome Shire Council
c/o Sam Mastrolemba
sam.mastrolemba@broome.wa.gov.au

Dear Shire Councilors,

Rhythm & Ride 2020: Request for Partnership & Funding reinstatement

The year 2020 has been a turbulent year in a number of ways and we are hoping that you can help us provide a shining light amongst all the challenges by supporting Saltwater Country and our event Rhythm and Ride. As such we at Saltwater Country are writing to request the reinstatement of the \$60,000 funding we were awarded as part of the Shire of Broome Events, Tourism and Economic Development Grant Scheme.

Despite the challenges our organization has faced as a result of COVID19 we are committed to delivering a notable event in 2020. Our event program is scheduled to begin on August 22nd with a Saltwater Activation – Movie night and will culminate on September 11th & 12th with our signature event Rhythm & Ride. We are scheduled to deliver the following event elements including but not exclusive to:

- Saltwater Activation - Movie Night
- Saltwater Academy ABCRA Officials training clinic (Stage 2 event shadowing)
- Saltwater Academy – Saltwater Stories Creative Industries Program
- Rhythm & Ride Campdraft
- Rhythm & Ride Junior Rodeo
- Rhythm & Ride Kids Git Up Day
- Rhythm & Ride Senior Rodeo
- Rhythm & Ride Country Music
- Saltwater Heroes Event
- PBR Australia wild card entry

Please note despite COVID19 the only difference anticipated from last year's program is that we will not have international or interstate contingent entertainment due to travel restrictions. Please see the attached outcomes comparison table for more detail.

We will however

- support the local music industry which has been hit hard by COVID19 by building out our music content with a number of local musicians to cover both Friday and Saturday evenings
- showcase horsemanship & entertainment from Holey Tolendo Horsemanship
- secure Jamie Clinch an Australian Rodeo Clown & entertainer that usually spends his time working and performing in North America on the circuit.

It is also anticipated that intrastate spectators and competitors may well increase quite simply because there are no other events of our kind occurring with many having been cancelled. In order to secure them and in anticipation of a favourable outcome from council we have already prepared a TV advert for GWN7 and will be ready to launch this as well as other advertising as soon as possible. We have already reached out to the ABCRA (and its competitors) and Tourism WA to push marketing further.

We have secured more than half of our event funding from State Government, small business, non-profits and a philanthropic donor including but not exclusive to Tourism WA, DPIRD, Footprint Cleaning and Life Without Barriers. Saltwater Country will also be contributing funds to the event, to ensure local Indigenous training and employment opportunities are secure. Reinstatement of Shire



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funding will be the catalyst to ensure event viability with the funds going to direct event costs such as venue, local suppliers and prize money to entice competitors in accordance with the original grant agreement. In doing so not only will you be supporting Saltwater Country, but you will be supporting local contractors, performers, employees and competitors.

In short, we can confirm that we are committed to Rhythm & Ride going ahead subject to the Shires funding being reinstated and we have:

- confirmed venue & suppliers for the 11th & 12th of September 2020
- developed marketing collateral ready to be distributed
- secured sponsorship and grants outside of the Shire of Broome to the value of more than half of the budget
- developed a conservative budget (attached as requested)

Yours Sincerely,

Cara Peek
Chairperson
Saltwater Country



Outcomes as per event application	Expected outcomes for 2020
Nationally affiliated event A nationally affiliated sporting, cultural and entertainment event for varied demographics from wealthy horse owners to low socio-economic members of the community and everything in between.	This will continue to occur.
Two-day event Two-day event featuring a full points Australian Bushmen's Campdraft and Rodeo (ABCRA) affiliated Campdraft and Rodeo including junior and senior events, timed and rough stock riding events. With potential of expanding to a three-day event 2020 and beyond.	The event will continue as a two-day event in 2020, and look to a three-day event following all COVID-19 restrictions being lifted.
Rodeo and riding clinic Rodeo and Riding Clinic week preceding the event to encourage riders to arrive early and stay longer in Broome. These clinics could also occur throughout the year with enough funding and interest. Both the Australian Bushmen's Campdraft and Rodeo Association and the Pro Bull Riders Australia have approached Saltwater Country to facilitate clinics and provide mentorship for local riders.	Rodeo and riding clinics have not occurred throughout the year due to COVID-19 restrictions. The Australian Bushmen's Campdraft and Rodeo Association Stage 2 training will be incorporated into the event.
High profile prize High Profile Prize – Open bull rider prize not available anywhere else in WA – Wildcard Entry into a Pro Bull Riders Australia event. Pro Bull Riders Australia is an international company with an Australian circuit.	This will continue to occur as these events are still occurring in Western Australia. Access to the Australian circuit on the East coast is currently not possible. Pro Bull Riders Australia has confirmed another wildcard.
Sports participation A Sports Participation event in alignment with the Shire of Broome Major Events Strategy and Events Strategic Development Plan where local and regional competitors of all ages and capabilities can compete alongside some of the best in the country. Feedback from spectators last year was positive with a focus on the high calibre of riders and the opportunity for locals to compete, the mix of Aboriginal and non-Aboriginal competitors. Feedback received by ABCRA head office and the WA branch from competitors was very positive and competitors themselves have expressed a desire for the event to occur each year so they can lock it in and return each year as part of the regular circuit. As they continue to return, the event improves, and the prize money increased, Broome will see an influx of	This will continue to occur.

visitors and all the economic and community benefits that flow with that.	
Full points event A full points Rodeo and Campdraft attracting intrastate and interstate competitors who travel (with family and support crews) to the event to win points towards the national titles. Spectators that follow the circuit travel to Broome to watch the event. An event that attracts high calibre riders that ride for a living and therefore provide a high energy.	The event will continue to be a full points event.
Country music event A well-known headline Australian Country Music act to ensure the event becomes known for high quality and popular music as well as high quality Rodeo and Campdrafting entertainment, building towards having key international musicians perform in Broome supported by local bands to provide them a platform and local income. This will develop into a Country Music Festival.	It is unlikely the event will have international musicians or musicians from the Eastern States. WA musicians will be used.
Kids free Friday (free entry) Build a Cowgirl / Build a Cowboy events on Kids – Kids can learn how to rope and tie, ride a bull, ride a bronc, steer wrestle (school groups from 8am-2pm and open to the public from 2pm onwards). Community organisations contribute various skills to provide youth entertainment.	This will continue to occur.
Free community events Free Community Events through site activation and engagement activities in partnership with the Australian Red Cross including free movie nights and horse riding.	This will continue to occur.
Saltwater Stories exhibition Photos and stories will be gathered at the event focusing on youth and family involvement, this will then be exhibited after the event at an event free to the community. This will involve a photo competition from the event with photos provided by the community, photos taken of youth and family at the event, interviews and audio, a book will be produced for the featured community members, provided to sponsors and partners as a thank you gift and be available for purchase to raise money for Saltwater Country youth initiatives. Saltwater Stories will extend the reach and engagement further into the shoulder season.	This will continue to occur including live event training.

<p>Taste Tourism Development Opportunities with a stall preference for unique and high-quality food showcasing Aboriginal and / or local food products only available in the region.</p>	<p>This will continue to occur. Local food providers will be on site. Development of the food component for the larger event is still on track.</p>
<p>Local Products Capacity for unique high-quality merchandise and stall at the event to entice the visitors to spend locally. In 2018 Yawuru Bush Honey was incorporated into Saltwater Delights (Sponsor / partner thank you gifts).</p>	<p>This will continue to occur.</p>
<p>Tourism product and accommodation Tourism product and accommodation partnerships to entice visitors to stay longer, spend more and return, including with the Broome Visitor Centre.</p>	<p>This will continue to occur. The Broome Visitor Centre will work with Saltwater Country Inc. to develop content and advertising for this.</p>
<p>Cultural partnerships Aboriginal content in partnership with Yawuru including Welcome to Country, Smoking Ceremony and Dancers. Partnerships with local businesses to showcase cultural tourism opportunities such as Narlijia Cultural Tours Broome and the Yawuru Cultural Immersion Course. In 2018, Narlijia Cultural Tours Broome gift vouchers were included as prizes and in the Saltwater Delights gift bags. In 2018 a lot of positive feedback was received regarding the cultural content and the requests for it to increase were quite strong. It will be developed as the event grows. It is hoped that Rhythm and Ride will be able to offer Aboriginal Dance, Art and Music as a key component of the event going forward including dance competitions with visiting First Nations people from across Australia and the Globe.</p>	<p>This will continue to occur, although will be restricted to WA and local participants.</p>
<p>Community partnerships Australian Red Cross (Volunteer Recruitment and Engagement), Yawuru (Financial Support, Cultural Content and Engagement with Youth Transitions Clients) and Life Without Barriers (Financial Support, Volunteers and Client Engagement), Goolarri (Multi-media goods and services, engagement of media trainees) and Agunya (Project and Design work).</p>	<p>This will continue to occur.</p>
<p>Local procurement policy The event aims to have a real economic impact on the community with a boost in tourism income and through adopting a think local, act local approach, engaging local business and community members for goods and services unless not available in Broome, this includes</p>	<p>This will continue to occur.</p>

Livestock, Sound and Production, Media and Marketing, Graphics and Photography, Food and Beverage, Welcome to Country, Local Aboriginal Dancers, Local Musicians (as supporting act to headline act), Traffic Management, Event Equipment, local employment and training opportunities.	
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6.2 OUR PLACE

6.3 OUR PROSPERITY

There are no reports in this section.

6.4 OUR ORGANISATION

There are no reports in this section.

7. REPORTS OF COMMITTEES
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There are no reports in this section.

8. MATTERS BEHIND CLOSED DOORS

This item and any attachments are confidential in accordance with section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(ii)) as it contains “a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government”.

COUNCIL RESOLUTION:**Minute No. C/0820/003****Moved: Cr P Matsumoto****Seconded: Cr N Wevers**

That Council move behind closed doors to discuss a matter, in accordance with section 5.23 of the Local Government Act 1995.

CARRIED UNANIMOUSLY 6/0

The public gallery in attendance left the Chambers at 5.18 PM

8.2.1 RFT 20-03 TOWN BEACH JETTY CONSTRUCTION

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	RFT 20-03
AUTHOR:	Project Engineer
CONTRIBUTOR/S:	Project Engineer Manager of Engineering
RESPONSIBLE OFFICER:	Director Infrastructure
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

The Shire of Broome has undertaken a Request for Tender (RFT) process to appoint a suitable Contractor to undertake the proposed construction of a jetty at Town Beach.

This report provides an overview of the procurement process and seeks Council's adoption of the recommendation provided in the attached confidential evaluation report.

COUNCIL RESOLUTION:**(REPORT RECOMMENDATION)****Minute No. C/0820/004****Moved: Cr H Tracey****Seconded: Cr C Mitchell****That Council:**

- Notes the recommendation in the evaluation report RFT 20-03 Town Beach Jetty Construction as presented in Attachment 1;***
- Accepts the Tender submitted by SMC Marine Pty Ltd as the most advantageous Respondent from which to form a Contract for RFT 20-03 Town Beach Jetty***

Construction to a maximum value of \$5,300,000 Ex GST after final contract negotiations;

3. **Authorises the Chief Executive Officer to sign the contract documentation and negotiate contract variations during the works if necessary;**
4. **If a contract cannot be executed, authorises tender negotiations to commence with the second preferred tenderer and the Chief Executive Officer to sign the contract documentation within the budget conditions;**
5. **Approve a budget amendment to Income account 101133710 Royalties For Regions Loc Govt Non Op Grant - Op Inc - Other Recreation & Sport MUN to reflect available grant funding of \$4,871,142 Ex GST.**
6. **Approve a budget amendment to Expense Account 111814090 Town Beach Development - Jetty Project - Other Infra New - Cap Exp MUN to reflect the required Budget of \$6,082,500 Ex GST to deliver the project.**
7. **Approve a transfer from the Public Open Space Reserve 101134890 to reflect the required budget of \$1,204,837 Ex GST.**

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY 6/0

Attachments

1. Attachment 1 - RFT 20-03 - Evaluation Report (Confidential to Councillors and Directors Only)

This attachment is confidential in accordance with section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(ii)) as it contains "a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government".

2. Attachment 2 - Whole of Life Costs - MP Rogers
3. Attachment 3 - Local Content - SMC Submission (Confidential to Councillors and Directors Only)

This attachment is confidential in accordance with section 5.23(2) of the Local Government Act 1995 section 5.23(2)((e)(ii)) as it contains "a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government".

COUNCIL RESOLUTION:

Minute No. C/0820/005

Moved: Cr P Taylor

Seconded: Cr C Mitchell

That Council open the Council Chambers to members of the public.

CARRIED UNANIMOUSLY 6/0

The public gallery in attendance returned to the Chambers at 5.22 PM and the Chairperson read aloud the resolution in relation to Item 8.2.1

9. MEETING CLOSURE

There being no further business the Chairperson declared the meeting closed at 5.24PM.

These minutes were confirmed at a meeting held Thursday 27 August 2020,
and signed below by the Presiding Person, at the meeting in which these minutes were confirmed.

Signed:

A handwritten signature in black ink, consisting of a stylized 'A' followed by a long horizontal stroke.