

MINUTES OF SPECIAL COUNCIL MEETING

Held on

Monday 17 January 2022 at 6.00pm

Held at Council Chamber, 83 Mandurah Terrace Mandurah

PRESENT:

MAYOR	R WILLIAMS	
COUNCILLOR	B POND	COASTAL WARD
COUNCILLOR	J GREEN	COASTAL WARD
COUNCILLOR	D PEMBER	EAST WARD
COUNCILLOR	D WILKINS	EAST WARD
COUNCILLOR	A KEARNS	EAST WARD
COUNCILLOR	C KNIGHT [Deputy Mayor]	NORTH WARD
COUNCILLOR	P JACKSON	NORTH WARD
COUNCILLOR	A ZILANI	NORTH WARD
COUNCILLOR	D SCHUMACHER	TOWN WARD
COUNCILLOR	P ROGERS	TOWN WARD
COUNCILLOR	R BURNS	TOWN WARD

MR	M NEWMAN	CHIEF EXECUTIVE OFFICER
MS	J THOMAS	DIRECTOR PLACE AND COMMUNITY
MR	J CAMPBELL-SLOAN	DIRECTOR STRATEGY AND ECONOMIC DEVELOPMENT
DR	N CARROLL	ACTING DIRECTOR BUILT AND NATURAL ENVIRONMENT
MR	B INGLE	ACTING DIRECTOR BUSINESS SERVICES
MRS	T JONES	MANAGER GOVERNANCE, PROCUREMENT AND PROPERTY
MRS	L SLAYFORD	MINUTE OFFICER

1 OPENING OF MEETING

Prior to commencement of this electronic meeting Elected Member connections by electronic means were tested and confirmed.

The Mayor declared the meeting open at 6.03pm.

2 ACKNOWLEDGEMENT OF COUNTRY

Mayor Williams acknowledged that the meeting was being held on the traditional land of the Bindjareb people, and paid his respect to their Elders past and present.

3 APOLOGIES

Leave of Absence
Councillor C Di Prinzio

4 DISCLAIMER

The Mayor advised that the purpose of this Special Council Meeting 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 of the *Local Government Act 1995* (Section 5.25(e)) and the *City of Mandurah Standing Orders 2016* (Section 13.1(1)) 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 City of Mandurah 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.

5 PUBLIC QUESTION TIME

Nil.

SP.1/1/22 AMENDMENT TO STANDING ORDERS

The Mayor advised the meeting that the *City of Mandurah Standing Orders Local Law 2016* will be modified to ensure Council Members can participate in and follow the meeting as it progresses.

MOTION

Moved: Mayor R Williams
Seconded: Councillor C Knight

That Council suspend the operation of the following provision of the *City of Mandurah Standing Orders Local Law 2016* for the duration of this electronic meeting to ensure Council Members can follow and participate in the meeting as it progresses:

- 1. Agree under Standing Orders 8.1(1) and 12.2, that instead of requiring a show of hands, a vote will be conducted by exception with the Presiding Member**

calling for those Members against each motion. If no response is received the motion will be declared carried and minuted accordingly.

CARRIED: 12/0

6 DEPUTATIONS

Nil.

7 DECLARATION OF INTERESTS

Nil.

8 QUESTIONS FROM ELECTED MEMBERS

Questions of which due notice has been given

Nil.

Questions of which notice has not been given

Nil.

9 REPORTS

SP.2/1/22 RISK ASSESSMENT OF PROCEEDING WITH 2022 CRAB FEST EVENT (REPORT 1)

Summary

The City of Mandurah (City) has been undertaking the event planning for Mandurah Crab Fest 2022 since August 2021 with the event scheduled to run from Friday 18 to Sunday 20 March 2022. This process has included the sourcing of event sponsors, opening applications for stall holders, appointing a preferred amusement operator and extensive business engagement to create unique ticketed and non-ticketed experiences for Crab Fest 2022. City officers have also successfully negotiated and secured culinary ambassadors and headline music acts for all three days. Further to this, event programming and mapping has also been completed.

The WA State Government has recently announced and reaffirmed that Western Australia will transition to an open border on 5 February 2022. The State Government's guidelines for the delivery of major events are very clear and under the current directions allow for the delivery of Crab Fest 2022 as planned.

Subsequent to these directions, the WA State Government has already stated that there will be a review of the guidelines four weeks post the border opening, with no guarantee that

amendments won't be made that could have implications on the City's capacity to deliver of the event.

City officers have undertaken a risk assessment (Confidential Attachment 1.1) in consideration of proceeding with Crab Fest in 2022 or cancelling the event for the third consecutive year due to the uncertainty surrounding Covid-19 and the associated restrictions that may be in place within the community. The risk assessment undertaken is aligned to the City's Risk Management Framework and has five key focus areas being Reputational, Financial and Economic, Legal / Compliance, Health and Operational.

To date the City hasn't officially announced Crab Fest 2022, however January 21 is the point where both the City, partners and vendors will begin to incur financial costs that cannot be recouped should the event not proceed.

City officers have been monitoring other decisions, in relation to events that are being made both here in WA and in other states. At present, there are still a number of major events being planned across the country but at the same time many event organisers are either cancelling / postponing events or at the very least considering their options.

Council is requested to give consideration to the risk assessment conducted by City officers on the delivery of Crab Fest 2022 and support the recommendation not to proceed with Crab Fest 2022. Council is also asked to support the reallocation of the Crab Fest budget to support smaller activations during summer 2022, to reserve a portion to for activities in the later part of 2022 with the remaining funds to be used to reduce the City's operating deficit.

Officer Recommendation

That Council:

1. Agrees not to proceed with the 2022 Mandurah Crab Fest event due to the significant financial, reputational, legal and operational risks associated with delivering the event under the uncertainty of the current environment in Western Australia.
2. Approves a decrease in operating expenditure of \$220,000* from the Crab Fest event budget to reduce the City's operating deficit.
3. Approves the reallocation of \$186,000* from the 2022 Mandurah Crab Fest event budget to enable the City to deliver a number of smaller events and activations across the summer months.
4. Approves the reallocation of \$80,000* from the 2022 Mandurah Crab Fest event budget to be placed in reserve for launch activities in the 2022/23 financial year associated with the Trolls in Western Australia project.

Council Resolution

MOTION

Moved: Mayor R Williams
Seconded: Councillor A Zilani

That Council:

1. **Agrees not to proceed with the 2022 Mandurah Crab Fest event due to the significant financial, reputational, legal and operational risks associated with**

delivering the event under the uncertainty of the current environment in Western Australia.

- 2. Approves a decrease in operating expenditure of \$220,000* from the Crab Fest event budget to reduce the City's operating deficit.**
- 3. Approves the reallocation of \$186,000* from the 2022 Mandurah Crab Fest event budget to enable the City to deliver a number of smaller events and activations across the summer months.**
- 4. Approves the reallocation of \$80,000* from the 2022 Mandurah Crab Fest event budget to be placed in reserve for launch activities in the 2022/23 financial year associated with the Trolls in Western Australia project.**

CARRIED WITH ABSOLUTE MAJORITY: 12/0

10 CLOSE OF MEETING

There being no further business the Mayor declared the meeting closed at 6.13pm.

CONFIRMED (MAYOR)

Attachment to Minutes: 17 January 2022 Council Reports



NOTICE OF MEETING

**SPECIAL MEETING OF COUNCIL
CONSIDERING RISK ASSESSMENT OF PROCEEDING
WITH 2022 CRAB FEST EVENT**

Members of Council are advised that a meeting will be held in the Council
Chambers 83 Mandurah Terrace, Mandurah on:

Monday 17 January 2022 at 6.00pm

MARK R NEWMAN
Chief Executive Officer
13 January 2022

AGENDA

1 OPENING OF MEETING AND ANNOUNCEMENT OF VISITORS

2 ACKNOWLEDGEMENT OF COUNTRY

3 APOLOGIES

4 IMPORTANT NOTE

Members of the public are advised that any decisions made at the meeting tonight, can be revoked, pursuant to the *Local Government Act 1995*. Therefore, members of the public should not rely on any decisions until formal notification in writing by Council has been received.

5 PUBLIC QUESTION TIME

Public Question time provides an opportunity for members of the public to ask a question of Council. For more information regarding Public Question Time please visit the City's website www.mandurah.wa.gov.au or telephone 9550 3787.

6 DEPUTATIONS

Any person or group wishing to make a Deputation to Council regarding a matter listed on this agenda for consideration must complete an application form. For more information regarding making a deputation please visit the City's website www.mandurah.wa.gov.au or telephone 9550 3787.

7 DECLARATIONS OF FINANCIAL, PROXIMITY AND IMPARTIALITY INTERESTS

8 QUESTIONS FROM ELECTED MEMBERS (WITHOUT DISCUSSION)

8.1 Questions of which due notice has been given

8.2 Questions of which notice has not been given

9 REPORTS:

<i>No.</i>	<i>Item</i>	<i>Page No</i>	<i>Note</i>
1	Risk Assessment of Proceeding with 2022 Crab Fest Event	4 - 10	Absolute Majority Required

10 CLOSE OF MEETING

1	SUBJECT:	Risk Assessment of Proceeding with 2022 Crab Fest Event
	DIRECTOR:	Director Strategy and Economic Development
	MEETING:	Special Council Meeting
	MEETING DATE:	17 January 2022

Summary

The City of Mandurah (City) has been undertaking the event planning for Mandurah Crab Fest 2022 since August 2021 with the event scheduled to run from Friday 18 to Sunday 20 March 2022. This process has included the sourcing of event sponsors, opening applications for stall holders, appointing a preferred amusement operator and extensive business engagement to create unique ticketed and non-ticketed experiences for Crab Fest 2022. City officers have also successfully negotiated and secured culinary ambassadors and headline music acts for all three days. Further to this, event programming and mapping has also been completed.

The WA State Government has recently announced and reaffirmed that Western Australia will transition to an open border on 5 February 2022. The State Government's guidelines for the delivery of major events are very clear and under the current directions allow for the delivery of Crab Fest 2022 as planned.

Subsequent to these directions, the WA State Government has already stated that there will be a review of the guidelines four weeks post the border opening, with no guarantee that amendments won't be made that could have implications on the City's capacity to deliver of the event.

City officers have undertaken a risk assessment (Confidential Attachment 1.1) in consideration of proceeding with Crab Fest in 2022 or cancelling the event for the third consecutive year due to the uncertainty surrounding Covid-19 and the associated restrictions that may be in place within the community. The risk assessment undertaken is aligned to the City's Risk Management Framework and has five key focus areas being Reputational, Financial and Economic, Legal / Compliance, Health and Operational.

To date the City hasn't officially announced Crab Fest 2022, however January 21 is the point where both the City, partners and vendors will begin to incur financial costs that cannot be recouped should the event not proceed.

City officers have been monitoring other decisions, in relation to events that are being made both here in WA and in other states. At present, there are still a number of major events being planned across the country but at the same time many event organisers are either cancelling / postponing events or at the very least considering their options.

Council is requested to give consideration to the risk assessment conducted by City officers on the delivery of Crab Fest 2022 and support the recommendation not to proceed with Crab Fest 2022. Council is also asked to support the reallocation of the Crab Fest budget to support smaller activations during summer 2022, to reserve a portion to for activities in the later part of 2022 with the remaining funds to be used to reduce the City's operating deficit.

Disclosure of Interest

Nil

Location

The Crab Fest footprint includes the following City Centre areas:

- Mandurah Ocean Marina
- Mandjar Square and Boardwalk

- Eastern Foreshore
- Mandurah Terrace
- Smart Street Mall

Previous Relevant Documentation

- SP.1/11/20 30/11/2020 2020-21 City of Mandurah Events Program Update: Noted non-approval of the New Year's Eve fireworks event by the Chief Health Officer and would therefore be cancelled, approved cancellation of 2021 Mandurah Crab Fest event and approved a reallocation of a portion of the Crab Fest budget to reduce the City's operating deficit.
- G.15/10/20 27/10/2020 Festivals and Events 2020-21 Program Considerations: Approved cancellation of the Mandurah Street Party and Mandurah Christmas Pageant, approved New Year's Eve event to proceed as fireworks only.

Background

The City's major event program has been affected on a number of occasions since the onset of the Covid-19 pandemic in 2020. The constantly changing conditions around event delivery has made it difficult to plan and deliver large scale events. Since 2020 the City has had to cancel a number of larger events including:

- Crab Fest 2020 and 2021
- Winter Festival 2020 (Note: 2021 event duration reduced due to snap lockdown)
- Children's Festival 2020
- Christmas Pageant 2020
- New Year's Eve 2020

In December 2021 the City successfully delivered the Mandurah Christmas Pageant and New Year's Eve fireworks, both events were delivered in line with Western Australian State Government COVID-19 event guidelines.

Prior to Christmas 2021, two updates were presented (November and December) to the City's Executive Leadership Team regarding the planning for Crab Fest 2022 with the presentation in December outlining the potential risks based on the WA State Government's announcement to open the state border on 5 February 2022. The announcement provided some basic advice with respect to what protocols will need to be in place to deliver large events over 1,000 people. The requirements included:

- Event attendees to check in via the COVID Safe app
- Event attendees to be double vaccinated against Covid-19
- COVID Marshalls be present at the event (ratio 1 per 500)

On 1 January 2022 the State Government provided further directions on the requirements to be followed in order to deliver an open non entry controlled event. The advice at this stage is clear that under the current conditions Crab Fest 2022 can proceed as planned. There is also further advice that the guidelines will be reviewed four weeks post the February 5 border opening. Any changes in crowd density, double vaccination capture requirements or capacities would have a serious impact on the City's ability to deliver Crab Fest in 2022 under its current plan and budget. Crab Fest is a large complex open event, there would be great difficulty in making any late amendments to the event footprint or having controlled access areas (if required).

Comment

In order to provide a balanced argument to either continue with Crab Fest 2022 or not proceed with the event, City officers have undertaken a risk assessment for both scenarios. Using the City's Risk

Management Framework the risk factors officers have been identified with the risk level and rating determined (see Confidential Attachment 1.1). The table below is a copy of the City of Mandurah Risk rating chart that has been used to guide the process.

CITY OF MANDURAH RISK RATING CHART (in force 18/02/2021)

THE CITY OF MANDURAH RISK RATING CHART						
		Likelihood Rating X Impact Rating = Risk Rating				
		Insignificant 1	Minor 2	Moderate 3	Major 4	Catastrophic 5
Almost Certain 5	Likely 4	5 Medium	10 High	15 High	20 Extreme	25 Extreme
		4 Low	8 Medium	12 High	16 High	20 Extreme
		3 Low	6 Medium	9 Medium	12 High	15 High
		2 Negligible	4 Low	6 Medium	8 Medium	10 High
		1 Negligible	2 Negligible	3 Low	4 Low	5 Medium

Impact → Likelihood ↑

The City has reached a crucial point in the planning for the delivery of Crab Fest 2022. To date the City has only expended minor funds in the planning for the event. However, by Friday 21 January the City will be under pressure to finalise deposits and contracts for a number of elements associated with the event.

Crab Fest 2022 Proceeding

Under the current Department of Health Guidelines issued 30 December 2021, the City can deliver Crab Fest in the intended format for 2022, see below statement from the guidelines:

Category B: Unmanaged entry events

‘For all outdoor, unfenced events, where entry is unmanaged, it is reasonably expected that event organisers undertake pre-event communication advising patrons that vaccination is a requirement to attend and that ‘spot-checks’ may be undertaken. If the event involves an online registration/ticketing process and can accommodate the change, it is reasonable to ask patrons to check a box, declaring that they and all individuals they are purchasing tickets for have been fully vaccinated. Note, there is no expectation to change the format of any event. Event organisers are simply asked to take reasonable measures to ensure patrons are aware of, and comply with, the vaccination requirement.’

Should the decision be made to proceed with Crab Fest 2022, it would be necessary to seek a further \$70,000 of unbudgeted funds as a contingency to be able to amend the event footprint should the Department of Health change event delivery guidelines, including fencing of the event and mandatory capturing of attendee vaccination records.

Consideration should also be given to vendors, local businesses and suppliers who will very shortly be ordering and purchasing stock for Crab Fest 2022. If Council was to make the decision to cancel Crab Fest at a later stage, nearer to the event or even on the eve of the event as in 2020, these key stakeholders would be faced with considerable financial losses.

After undertaking the risk assessment, the major risks that the City, its partners and local businesses face centre largely on financial and reputational losses.

The key risks include:

Strategic Risk	Identified Risk	Risk Level	Risk Likelihood	Risk Rating
Reputation	Late cancellation of Crab Fest 2022 could damage City, event and partners brands	Major	Almost Certain	Extreme 20
Reputation	Risk of event not being delivered to expected standards – due to performer, vendor, staff contracting COVID-19 prior to the event and not being available	Major	Likely	High 16
Financial	Potential reduced attendance due to public COVID-19 concerns will lead to lower economic return for businesses	Major	Likely	High 16

Crab Fest 2022 Not Proceeding

Should Council make the decision for Crab Fest 2022 not to proceed, the City would have the ability to work with its event partners to build strong relationships for 2023 and would not have caused damage to the reputation or brand of Crab Fest, the City or its partners. Financially, the City and its partners will be able to move forward without any losses.

City officers have also considered the potential risks should Council make the decision not to proceed with the event. The below table highlights a number of the potential risks.

Strategic Risk	Identified Risk	Risk Level	Risk Likelihood	Risk Rating
Reputation	If Council decides not to proceed and no COVID-19 impacts are seen	Minor	Possible	Medium 6
Reputation	Local business have already demonstrated that they are struggling to staff their venues. This may result in an early decision not to proceed being supported	Insignificant	Likely	Low 4
Financial	Cancellation will deliver a lower economic return for the economy (\$8.3m in 2019 prior to the onset of the global pandemic)	Moderate	Almost Certain	High 15

If an early decision was made, the City would also have the opportunity to develop and deliver an alternate (smaller) program for the remainder of the summer season building on the activities already planned through the City Centre program. Activations currently budgeted for within the City Centre program include a Cruise and Crawl event, Beats by the Beach activation and Street Performer program. City officers are proposing to expand these programs if approved by reallocating a portion of the Crab Fest project budget. At a high level, the proposal would involve monthly COVID Safe activations from February through to May as detailed below;

Month	Activation
February	Fringe Mandurah (already planned)
	Cruise & Crawl - In venue activation
March	Wine & Wander - In venue activation
	Cruise & Crawl - In venue activation
April	City Eats Walking Tour
	Western Foreshore Drive-ins

Month	Activation
	Easter in Mandurah
May	Cruise & Crawl - In venue activation

Consultation

City officers have continually consulted with the Department of Health in the planning of its major events since the onset of the pandemic in 2020. In December 2021, officers had further engagement with the Department to better understand the requirements to deliver Crab Fest 2022 under the current COVID-19 Event Guidelines. The response was clear that under the current guidelines Crab Fest 2022 can proceed, however the City should give consideration to the fact that the State's directions will be reviewed four weeks after the Western Australian border reopens on 5 February 2022 and it is possible that changes may be made.

Statutory Environment

The current statutory and legislative requirements to plan and manage major events in the City must be in accordance with the following WA State Government directions:

- COVID Event Guidelines – December 2021.

Policy Implications

The following City of Mandurah policy is applicable;

- POL-RCS 05 Events within the City of Mandurah

Economic Implications

Crab Fest has an annual budget of approximately \$436,000. The event had an estimated economic impact of \$8.3 million in 2019 prior to the onset of the global pandemic. In 2022 and following the cancellation of the 2021 event, the budget was increased by a further \$50,000 to enable new event elements to be added to the program resulting in a total budget of \$486,000.

The current financial commitments for the Mandurah Crab Fest 2022 are negligible however, commencing from 21 January this will increase significantly in order to progress planning for the event. In addition to the City's financial commitment increasing from this point, local businesses and stallholders will soon be required to put down deposits on food, kitchen equipment and additional stock in order to secure their catering requirements for the event weekend.

Should Council make the decision to cancel Crab Fest 2022, the below table outlines the officer's recommendations for the reallocation of the project budget;

Proposed Project	Budget Allocation
Funds to be returned to reduce the City's deficit	\$250,000
New Summer Program / Activations	\$176,000
Launch Activities – Trolls Project (2022/23 Budget)	\$60,000
Total	\$486,000

Further to the above table, if Crab Fest 2022 is to proceed, officers would requested that Council allocates a further \$70,000 in contingency funds to the 2022 Crab Fest project budget to be used only for COVID-19 requirements to enable the event to be delivered under current and any amended Department of Health Event Guidelines.

Risk Analysis

A risk analysis for the 2022 Mandurah Crab Fest has identified significant financial, reputational, legal, regulatory, health and operational risks in delivering the event. These risks are outlined in Confidential Attachment 1.1.

Strategic Implications

The following strategies from the *City of Mandurah Strategic Community Plan 2020 – 2040* are relevant to this report:

Economic:

- Leverage partnerships with key stakeholders to achieve improved economic outcomes with due consideration to environmental impacts.

Social:

- Facilitate opportunities that promote community led initiatives and build local capacity and capability.
- Provide a range of social, recreational and cultural experiences for our residents and visitors to enjoy and take pride in.

Organisational Excellence:

- Listen to and engage with our community in the decision-making process.
- Ensure the City has the capacity and capability to deliver quality services and facilities through accountable and transparent business practices, governance, risk and financial management.

Conclusion

There is much uncertainty in what the COVID-19 situation may look like in Western Australia post the February 5 border re-opening. Based on the state of affairs that is evolving on the east coast, it is highly likely that community spread of COVID-19 will increase and a range on new restrictions will be in place. Currently the Department of Health Event Guidelines allows for the delivery of Crab Fest in its planned format. However, the WA State Government has already announced there will be a review of the event guidelines four weeks after the February 5 re-opening. This means that the landscape for event delivery in Western Australia may once again change with the extent of any restrictions unknown. Recent commentary from the State Government has warned that Western Australian's should have an expectation the measures put in place will be "tougher here than elsewhere".

Crab Fest is a large event held over a vast footprint that cannot be adjusted easily to accommodate last minute changes to event guidelines. The City has no certainty that between now and March 18 new restrictions won't be introduced that could potentially impact Crab Fest, making the event non-viable. The risk assessment that has been conducted clearly identified legitimate reputational, financial, legal, operational and potential health risks surrounding the delivery of the event in 2022.

As an alternative, City officers believe that it can deliver a smaller activation program in a COVID safe environment from February through May to provide residents and visitors with a community program that can have both economic and social benefits. Officers will continue to monitor the situation regarding COVID-19 and major events. Once there is stability in the Health directions for events the City can return to its normal event program.

NOTE:

- Refer **Confidential Attachment 1.1 Risk Assessment Crab Fest 2022**

RECOMMENDATION

That Council:

- 1. Agrees not to proceed with the 2022 Mandurah Crab Fest event due to the significant financial, reputational, legal and operational risks associated with delivering the event under the uncertainty of the current environment in Western Australia.**
- 2. Approves a decrease in operating expenditure of \$220,000* from the Crab Fest event budget to reduce the City's operating deficit.**
- 3. Approves the reallocation of \$186,000* from the 2022 Mandurah Crab Fest event budget to enable the City to deliver a number of smaller events and activations across the summer months.**
- 4. Approves the reallocation of \$80,000* from the 2022 Mandurah Crab Fest event budget to be placed in reserve for launch activities in the 2022/23 financial year associated with the Trolls in Western Australia project.**

****ABSOLUTE MAJORITY REQUIRED****