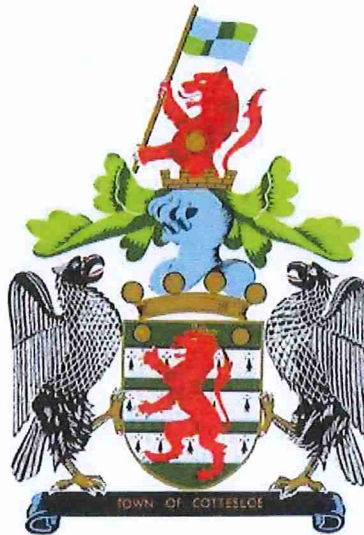


TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

ORDINARY COUNCIL MEETING
HELD IN THE
Council Chambers, Cottesloe Civic Centre
109 Broome Street, Cottesloe
6:00 PM Tuesday, 22 April 2025

A blue ink signature of Mark Newman, written in a cursive style.

MARK NEWMAN
Chief Executive Officer

2 May 2025

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Agenda and minutes are available on the Town's website www.cottesloe.wa.gov.au

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS	1
2	DISCLAIMER	1
3	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION	1
4	PUBLIC QUESTION TIME	2
4.1	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	2
4.2	PUBLIC QUESTIONS	2
5	PUBLIC STATEMENT TIME.....	2
6	ATTENDANCE	2
6.1	APOLOGIES	3
6.2	APPROVED LEAVE OF ABSENCE.....	3
6.3	APPLICATIONS FOR LEAVE OF ABSENCE	3
7	DECLARATION OF INTERESTS.....	3
8	CONFIRMATION OF MINUTES.....	3
9	PRESENTATIONS	4
9.1	PETITIONS.....	4
9.2	PRESENTATIONS.....	4
9.3	DEPUTATIONS	4
10	REPORTS.....	5
10.1	REPORTS OF OFFICERS.....	5
	CORPORATE AND COMMUNITY SERVICES	6

ITEMS CARRIED EN BLOC

10.1.1	MONTHLY FINANCIAL STATEMENTS FOR THE PERIOD ENDING 31 MARCH 2025	6
	DEVELOPMENT AND REGULATORY SERVICES.....	10
10.1.3	DRAFT LOCAL PLANNING POLICY NO. 5 - UNHOSTED SHORT-TERM RENTAL ACCOMMODATION (STRA)	10
	ENGINEERING SERVICES	16
10.1.4	PUBLIC OPEN SPACE STRATEGY	16
10.1.5	SKATE PARK MURAL	20

10.1.7	NORTH STREET TREE REMOVAL REQUEST	23
	EXECUTIVE SERVICES	26
10.1.10	RECEIVAL OF MINUTES OF THE ANNUAL GENERAL MEETING OF ELECTORS	26
10.1.12	CEO QUARTERLY INFORMATION BULLETIN	28
10.2	RECEIPT OF MINUTES AND RECOMMENDATIONS FROM COMMITTEES	30
10.2.1	RECEIPT OF SEA VIEW GOLF CLUB REDEVELOPMENT ADVISORY COMMITTEE MINUTES	30
 ITEMS DEBATED		
	CORPORATE AND COMMUNITY SERVICES	31
10.1.2	GUIDING PRINCIPLES FOR DEVELOPMENT ON NORTH COTTESLOE SURF LIFE SAVING CLUB SKI SHED ROOF	31
	ENGINEERING SERVICES	36
10.1.6	NAPOLEON STREET COTTESLOE VILLAGE BUSINESS ASSOCIATION SPRING INSTALLATION PROPOSAL.....	36
10.1.8	MARINE PARADE SHARED PATH - PUBLIC CONSULTATION	41
10.1.9	BUDGET AMENDMENT - FORESHORE HANDRAILS	48
	EXECUTIVE SERVICES	54
10.1.11	2025 LOCAL GOVERNMENT ELECTIONS.....	54
11	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	58
12	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING BY:.....	58
12.1	ELECTED MEMBERS	58
12.2	OFFICERS.....	58
13	MEETING CLOSED TO PUBLIC.....	58
13.1	MATTERS FOR WHICH THE MEETING MAY BE CLOSED.....	58
13.1.1	SEA VIEW GOLF CLUB (SVGC) CLUBHOUSE REDEVELOPMENT - DESIGN SOLUTIONS.....	58
13.1.2	BUS SHELTER ADVERTISING EXPRESSION OF INTEREST (EOI).....	59
13.2	PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC	60
14	MEETING CLOSURE	60

1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member announced the meeting opened at 6:05 pm.

I would like to begin by acknowledging the Whadjuk Nyoongar people, Traditional Custodians of the land on which we meet today, and pay my respects to their Elders past and present. I extend that respect to Aboriginal and Torres Strait Islander peoples here today.

2 DISCLAIMER

The Presiding Member drew attention to the Town's Disclaimer.

3 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The Presiding Member announced that the meeting is being livestreamed on the Town's website this evening and the recording will remain on the website and available to the public. Anyone attending the meeting, particularly if they are speaking, may be captured on the livestream recording.

The Presiding Member acknowledged this meeting was our CEO's last Council meeting.

Matthew joined us at a challenging time, in the middle of COVID –

When he joined us, our integrated planning documents and our Planning Scheme were out of date. We were also working on our Precinct plan for Cottesloe Village. Our community amenities had not been upgraded for years and were in need of upgrade.

In his time with the Town we have finalised our Council plan. Matthew introduced us to the modern practice in integrated planning, which had resulted in a Council plan with actions to deliver for our community, and an achievable deliverables timeframe. And Our Local Planning Strategy and the Village Precinct Plan have been endorsed and is now sitting with WAPC.

There has been a lot of work on those projects, by our planning staff under Matthew's guidance – and its great that he has taken us to this stage.

Under Matthew's leadership we have delivered major projects for the community – Dutch Inn playground, Anderson Pavilion, East Cottesloe playground, the Cottesloe skatepark. Importantly, he ensured that we got funding for these projects, including full funding for the skatepark, wherever available. We also got state grant for the full cost of the shark barrier, which is really good news for the community and for all users of Cottesloe beach.

Matthew has managed the day to day running of the Town;

His detailed understanding of the regulatory framework of local government is faultless and we have been very well guided by him.

He has managed to maintain composure and good humour in the face of challenges. He's also taken the time on quite a few occasions to cook some fabulous sausages for our community!

On behalf of Council and the Cottesloe Community – I'd like to thank Matthew and wish him all the very best for the next stage of his career.

4 PUBLIC QUESTION TIME

4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4.2 PUBLIC QUESTIONS

Nil

5 PUBLIC STATEMENT TIME

Item 10.1.2 Guiding Principles For Development On North Cottesloe Surf Life Saving Club Ski Shed Roof

Mrs Yvonne Hart

Mrs Hart outlined her dissatisfaction with the 5 Principles for development on the Ski Shed Roof and suggested that Council do not accept any of the principles. Mrs Hart thanked the CEO and wished him all the best for his future in local government and beyond.

6 ATTENDANCE

Elected Members

Mayor Lorraine Young

Cr Helen Sadler

Cr Melissa Harkins

Cr Brad Wylynko

Cr Michael Thomas

Cr Katy Mason

Cr Jeffrey Irvine

Cr Sonja Heath

Attended by electronic means

The Presiding Member advised that Cr Heath had declared that their method of remote attendance would allow the elected member to maintain communication and enable them to fully participate in the meeting and that they were able to maintain confidentiality for any part of the meeting that was closed.

Officers

Mr William Matthew Scott

Chief Executive Officer

Mr Shaun Kan

Director Engineering Services

Mr Paul Cleaver
Mrs Vicki Cobby
Ms Jacquelyne Pilkington
Ms Magdalena Domanska

A/Director Development and Regulatory Services
Director Corporate and Community Services
Governance & Executive Office Coordinator
Executive Services Officer

6.1 APOLOGIES

Nil

Officers Apologies

Nil

6.2 APPROVED LEAVE OF ABSENCE

Cr Chilla Bulbeck

6.3 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 DECLARATION OF INTERESTS

Cr Sadler declared an IMPARTIALITY INTEREST in item 10.1.8 by virtue “ I am a board member of WestCycle and is not involved with any grant applications”

8 CONFIRMATION OF MINUTES

OCM048/2025

Moved Cr Harkins

Seconded Cr Thomas

That the Minutes of the Ordinary Meeting of Council held on Tuesday 25 March 2025 be confirmed as a true and accurate record.

Carried 8/0

CONFIRMATION OF ANNUAL GENERAL MEETING OF ELECTORS

OCM049/2025

Moved Cr Harkins

Seconded Cr Irvine

That the Minutes of the Annual General Meeting of Electors held on Tuesday 18 March 2025 be confirmed as a true and accurate record.

Carried 8/0

9 PRESENTATIONS**9.1 PETITIONS*****Section 9.4 - Procedure of Petitions***

The only question which shall be considered by the council on the presentation of any petition shall be -

- a) that the petition shall be accepted; or*
- b) that the petition not be accepted; or*
- c) that the petition be accepted and referred to a committee for consideration and report; or*
- d) that the petition be accepted and dealt with by the full council.*

Nil

9.2 PRESENTATIONS

Nil

9.3 DEPUTATIONS

Nil

10 REPORTS**10.1 REPORTS OF OFFICERS****OCM050/2025****Moved Cr Sadler****Seconded Cr Mason****COUNCIL RESOLUTION**

That Council adopts en-bloc the following Officer Recommendations contained in the Agenda for the Ordinary Council Meeting 22 April 2025:

Item #	Report Title
10.1.1	Monthly Financial Statements For The Period Ending 31 March 2025
10.1.3	Guiding Principles For Development On North Cottesloe Surf Life Saving Club Ski Shed Roof
10.1.4	Public Open Space Strategy
10.1.5	Skate Park Mural
10.1.7	North Street Tree Removal Request
10.1.10	Receival Of Minutes of the Annual General Meeting Of Electors
10.1.12	CEO Quarterly Information Bulletin
10.2.1	Receipt Of Sea View Golf Club Redevelopment Advisory Committee Minutes

Carried 8/0**For: Mayor Young, Crs Sadler, Harkins, Wylynko, Thomas, Mason, Irvine and Heath****Against: Nil**

CORPORATE AND COMMUNITY SERVICES**10.1.1 MONTHLY FINANCIAL STATEMENTS FOR THE PERIOD ENDING 31 MARCH 2025**

Directorate: Corporate and Community Services
Author(s): Vicki Cobby, Director Corporate and Community Services
Authoriser(s): William Matthew Scott, Chief Executive Officer
File Reference: D25/15971
Applicant(s):
Author Disclosure of Interest: Nil

SUMMARY

It is a requirement of the *Local Government (Financial Management) Regulations 1996*, Regulation 34 that monthly financial statements are presented to Council, in order to allow for proper control of the Town's finances and to ensure that income and expenditure are compared to budget forecasts.

OFFICER RECOMMENDATION IN BRIEF

That Council RECEIVES the Monthly Financial Statements for the period 1 July 2024 to 31 March 2025.

BACKGROUND

In order to prepare the attached financial statements, the following reconciliations and financial procedures have been completed and verified:

- Reconciliation of all bank accounts;
- Reconciliation of rates and source valuations;
- Reconciliation of assets and liabilities;
- Reconciliation of payroll and taxation;
- Reconciliation of accounts payable and accounts receivable ledgers;
- Allocation of costs from administration, public works overheads and plant operations; and
- Reconciliation of loans and investments.

OFFICER COMMENT

The following comments and/or statements provide a brief summary of major financial/budget indicators and are included to assist in the interpretation and understanding of the attached financial statements:

- The net current funding position as at 31 March 2025 was \$8,085,431 compared to \$5,653,787 at the same time last year.
- Operating revenue exceeds the year-to-date budget by \$85,901 while operating expenditure is less than the year-to-date budget by \$237,289. An explanation of

material variances is provided in Note 3: Explanation of Material Variances, in the attached financial statements.

- Cash and investments are shown in Supplementary Information 3: Cash and Financial Assets at Amortised Cost, of the attached financial statements. The Town has 47.56% of funds invested with the Westpac Banking Corporation, 36.92% with the National Australia Bank, and 15.51% with the Commonwealth Bank of Australia.
- The balance of cash-backed reserves was \$7,256,476 as at 31 March 2025, as shown in Supplementary Information 4: Reserve Accounts.
- The Capital Works Program is detailed in Supplementary Information 5: Capital Acquisitions. It shows that capital expenditure is less than the year-to-date budget by \$569,725. An explanation of material variances is provided in Note 3: Explanation of Material Variances in the attached financial statements.
- Rates, sundry debtors, and other receivables are shown in Supplementary Information 7: Receivables. Outstanding rates amount to \$1,879,916, compared to \$1,000,587 at the same time last year. Sundry debtors and other receivables indicate that 55.3%, or \$360,370, are older than 90 days, which includes outstanding infringements.
- Information on borrowings is shown in Supplementary Information 10: Borrowings, of the attached financial statements. The Town had total principal outstanding of \$1,771,630 as at 31 March 2025.

List of Accounts Paid for March 2025

The list of accounts paid during March 2025 is included in the attachment. This includes purchases made via electronic fund transfers and cheque payments, credit card payments, and fuel cards payments.

The following material payments are brought to the Council's attention:

- \$584,080.75 to Department of Fire and Emergency Services for Emergency Services Levy,
- \$178,527.65 and \$178,373.51 to the Town of Cottesloe Staff for Fortnightly payroll
- \$137,533.00 to the Officer of the Auditor General for the 2023/24 Annual Financial Audit.
- \$137,533.00 to the Town of Mosman Park for rental fees on the Depot site
- \$118,822.18 to Solo Resource Recovery for waste collection services
- \$115,040.06 to Western Metropolitan Regional Council for waste disposal charges
- \$51,831.00, \$51,251.00 and \$48,899.00 to the Australian Taxation Office for Payroll deductions
- \$46,082.52, \$45,481.80 and \$45,277.03 to the SuperChoice Services Pty Ltd for Superannuation contributions
- \$37,109.59 to Managed IT Pty Ltd for IT Services and license agreements
- \$37,076.75 and \$37,076.75 to Surf Life Saving WA for Lifeguard services
- \$35,842.02 to Electricity Generation and Retail for electricity costs

- \$31,350.00 to Orikan Australia Pty Ltd for sensors installation and maintenance.

ATTACHMENTS

- 10.1.1(a) **Monthly Financial Statements for the period 1 July 2024 to 31 March 2025**
 [under separate cover]
- 10.1.1(b) **Payment Listing March 2025 [under separate cover]**

CONSULTATION

Internal

STATUTORY IMPLICATIONS

Local Government Act 1995

Section 6.4

Local Government (Financial Management) Regulations 1996

Regulation 34

POLICY IMPLICATIONS

There are no perceived policy implications arising from the officer's recommendation.

STRATEGIC IMPLICATIONS

This report is consistent with the Town's *Council Plan 2023-2033*.

Priority Area 4: Our Leadership and Governance - Strategic leadership providing open and accountable governance.

Major Strategy 4.3: Deliver open, accountable and transparent governance.

RESOURCE IMPLICATIONS

Resource requirements are in accordance with the existing budgetary allocation.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

There are no perceived sustainability implications arising from the officer's recommendation.

RISK MANAGEMENT IMPLICATIONS

Regulation 34 of the *Local Government (Financial Management) Regulations 1996* requires that Monthly Financial Reports be presented at an Ordinary Council Meeting within two months of the end of the relevant month. Failure to accept this report may result in the town not meeting its legislative obligations.

VOTING REQUIREMENT

Simple Majority

OCM051/2025

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Sadler

Seconded Cr Mason

THAT Council RECEIVES the Monthly Financial Statements for the period 1 July 2024 to 31 March 2025

Carried by En Bloc Resolution 8/0

DEVELOPMENT AND REGULATORY SERVICES**10.1.3 DRAFT LOCAL PLANNING POLICY NO. 5 - UNHOSTED SHORT-TERM RENTAL ACCOMMODATION (STRA)**

Directorate: Development and Regulatory Services
Author(s): Ed Drewett, Acting Manager Planning Services
Authoriser(s): Paul Neilson, Acting Director Development and Regulatory Services
File Reference: D25/14981
Applicant(s): N/A
Author Disclosure of Interest: Nil

SUMMARY

The purpose of this report is to consider a draft Local Planning Policy (LPP) to address Unhosted Short-Term Rental Accommodation (STRA).

OFFICER RECOMMENDATION IN BRIEF

That Council adopt draft Local Planning Policy No. 5 for the purpose of advertising in accordance with Schedule 2, Part 2, clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

BACKGROUND

On 25 March 2025, Council resolved to initiate an Amendment to Local Planning Scheme No. 3 which proposes to introduce, modify and delete various land uses and definitions to ensure consistency with the state planning framework associated with Short-term rental accommodation.

<https://www.cottesloe.wa.gov.au/council-meetings/ordinary-council-meeting/25-march-2025-ordinary-council-meeting/357/documents/agenda-ordinary-council-meeting-25-march-2025.pdf>

To support the proposed changes, a draft LPP has been prepared to provide guidelines for the assessment of development applications for unhosted STRA, to ensure the location, scale, design and operation is appropriate to maintain the amenity and character of the locality.

OFFICER COMMENT

The draft LPP has been prepared to complement and align with the proposed Scheme amendment and is consistent with WAPC's Planning Bulletin 115/2024 *STRA – Guidance for local government* which recommends the development of a policy to ensure holistic consideration of planning framework changes.

The Town's Officers have developed the draft policy having regard to guidance provided by WALGA for unhosted STRA and reviewing other local government draft policies including City of South Perth, City of Vincent, Shire of Harvey and City of Busselton.

The draft policy was also considered by Elected Members at the Elected Members Workshop held on Tuesday 1 April.

Registered unhosted STRA

As of 4 April 2025, the Department of Energy, Mines, Industry Regulation and Safety (DEMIRS) STRA register has a total of 123 unhosted properties within the Town (see attached). A development approval will be required for a number of these properties in the event that the property is used as unhosted STRA for more than 90 nights in a 12 month period.

Town staff have reviewed the STRA register to assist in preparing the policy. In particular, the amount of bedrooms and maximum guest numbers of registered unhosted STRA have been assessed and these details are illustrated for Council's information. This is shown on Attachment 1.

Operation and management

The draft LPP includes a checklist on what should be included in a Management Plan and House Rules, to demonstrate how the unhosted STRA can be operated without undue impact on neighbours and the wider locality.

The information requested is consistent with the WALGA's Local Planning Policy Guidelines. The Management Plan and House Rules will be advertised to neighbours and form part of the development approval.

Waste Management

The required Management Plan and House Rules detailed in the draft LPP for unhosted STRA includes a requirement for the applicant to set out waste management procedures. This is consistent with WALGA's Local Planning Policy Guidelines and will ensure that the STRA use can be adequately serviced.

Dwelling occupancy

Land use definitions provided in the *Planning and Development (Local Planning Schemes) Regulations 2015* prescribe a maximum of 12 people per night for unhosted STRA.

WALGA's Local Planning Policy Guidelines advises that there may be scenarios where further limiting occupancy is appropriate and can be guided by an LPP. This may be to achieve reasonable amenity outcomes for occupants, or to manage external impacts where 12 persons may be considered a significantly more intense use of a building than would reasonably be expected with regards to its size, location or typology.

Town Officers considered appropriate dwelling occupancy appropriate for the Town taking account of the above considerations. An analysis of the 123 unhosted STRA currently on the STRA register within the Town shows that the most common type of registered dwellings are

2 bedrooms accommodating up to 4 guests, followed by dwellings with 3 bedrooms which accommodate up to 6 guests (see Attachment 1). Approximately 89% consist of unhosted STRA properties of 3 bedrooms or less. In terms of guests, approximately 97% of properties have a maximum of 8 or less guests and of these, approximately 62% are a maximum of 4 guests or under.

The draft policy recommends that the maximum number of guests should relate to the number of bedrooms provided, with a maximum of 8 guests for a dwelling with 4 bedrooms or more (if guests are over 12 years old). The draft policy does provide flexibility when considering rentals by family groups however as it allows for an additional child (children 12 and under) per bedroom up to a maximum of 12 guests.

Maximum occupancy as follows:

Number of bedrooms	Maximum number of guests*
1	2
2	4
3	6
4+	8

**Excludes one child (12 years and under) per bedroom (Example: 4+ bedrooms can accommodate up to 8 adults, plus 4 children = maximum 12 guests).*

It is considered that this approach aligns capacity with dwelling size, encourages family friendly use without promoting large scale group stays. As noted above, current statistics for registered unhosted STRA's in the Town suggest that the most common types are 2 and 3 bedroom dwellings with 4 to 6 guests. Properties with a maximum of 8 guests tend to be rare (only 3% of the 123 registered).

Nonetheless, in unique situations, applications to accommodate more than 8 guests (over the age of 13) can be considered only if it can be demonstrated that they satisfy the draft policy objective, have a comprehensive management plan, and will achieve reasonable amenity for occupants and surrounding neighbours.

The Town will apply conditions to all proposed unhosted STRA to ensure adherence to Management Plans/House Rules, and time limitations of approvals may be applied where appropriate. However, all registered properties will still be able to have up to 12 guests for 90 days in a 12-month period, as this is exempt from requiring development approval under the state government regulations.

Parking

Under the *deemed-to-comply* provisions of the Residential Design Codes, new single houses on land zoned up to R40, and grouped dwellings and multiple dwellings on land zoned up to R25, generally require one or two on-site car bays depending on their proximity to a train station or high frequency bus stop. However, ancillary dwellings (granny flats) may be exempt from requiring a car-parking bay based on their location, and car parking for new residential development on higher density zoned land will be dependent on location and number of bedrooms.

The draft policy recommends that access and parking is addressed in the Management Plan submitted with each application, and that all guest, staff and visitor parking associated with the unhosted STRA is to be contained on-site and not located on-street or within the verge. However, for older developments that have no on-site parking an applicant will need to demonstrate how car parking can be accommodated in the Management Plan.

Whilst most STRA applications will likely include on-site parking arrangements, it is possible that some STRA occupants will not require parking, such as for overseas or interstate visitors. The draft policy therefore provides flexibility for this to be addressed by the applicant in the Management Plan, and the application may be granted for an initial period of 12 months where the appropriateness of the use is dependent on the effectiveness of proposed management procedures.

Time limitation of approvals

While it may not be applicable for all development applications, the draft LPP includes a provision which enables the Town to place a time limitation on an initial approval for unhosted STRA where the appropriateness of the use is dependent upon the effectiveness of proposed management arrangements.

If no complaints are received during this initial 12 month period, then subsequent approvals need not include a time limit.

ATTACHMENTS

10.1.3(a) Unhosted STRA Register Analysis [under separate cover]

10.1.3(b) Draft Local Planning Policy No. 5 - Unhosted Short-Term Rental Accommodation [under separate cover]

CONSULTATION

Schedule 2, Part 2, Division 2 – Local Planning Policies of the *Planning and Development (Local Planning Schemes) Regulations 2015* sets out the requirements for preparing local planning policies. In particular, clause 4 states:

- (1) *If the local government resolves to prepare a local planning policy the local government must, unless the Commission otherwise agrees, advertise the proposed policy as follows —*
 - (a) *publish in accordance with clause 87 the proposed policy and a notice giving details of —*
 - (i) *the subject and nature of the proposed policy; and*
 - (ii) *the objectives of the proposed policy; and*
 - (iii) *how the proposed policy is made available to the public in accordance with clause 87; and*
 - (iv) *the manner and form in which submissions may be made; and*
 - (v) *the period for making submissions and the last day of that period;*

- (b) *if, in the opinion of the local government, the policy is inconsistent with any State planning policy, give notice of the proposed policy to the Commission;*
 - (c) *give notice of the proposed policy in any other way and carry out any other consultation the local government considers appropriate.*
- (2) *The period for making submissions specified in a notice under subclause (1)(a)(v) must not be less than the period of 21 days after the day on which the notice is first published under subclause (1)(a).*

The policy is proposed to be advertised for a period of no less than 21 days as follows:

- notice in the local (Post) newspaper,
- notice, copy of the Policy and electronic submission form on the Town's website,
- notice and copy of the Policy at the front counter of the Town's Administration Office, and
- notice on the Town's Facebook page and email database.

STATUTORY IMPLICATIONS

- *Planning and Development (Local Planning Schemes) Regulations 2015 (Schedule 2, Part 2, clause 4)*
- *Planning & Development (Local Planning Schemes) Amendment (Short-Term Rental Accommodation) Regulations 2024 (All)*
- *Short Term Rental Accommodation Act 2024 (All)*
- *Planning Bulletin 115/2024 (All)*

POLICY IMPLICATIONS

The policy will apply to the whole of the municipality. Local Planning Policies are due regard planning instruments when local governments make planning determinations. The policy will assist the Town in exercising discretion more effectively and provide guidance on what is generally acceptable, while still allowing flexibility to consider site-specific circumstances and make informed judgments.

STRATEGIC IMPLICATIONS

This report is consistent with the Town's *Council Plan 2023-2033*.

Priority Area 4: Our Leadership and Governance - Strategic leadership providing open and accountable governance.

Major Strategy 4.3: Deliver open, accountable and transparent governance.

RESOURCE IMPLICATIONS

Resource requirements are in accordance with the existing budgetary allocation.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

There are no perceived sustainability implications arising from the officer's recommendation.

RISK MANAGEMENT IMPLICATIONS

If a STRA draft policy is not supported, then owner/applicants may be unaware of the Council's expectations in respect to the use. Further, the policy promotes consistency and transparency and provides guidance to Council staff in discretionary decision making which may avoid undesirable precedents being set.

VOTING REQUIREMENT

Simple Majority

OCM052/2025

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Sadler

Seconded Cr Mason

THAT Council adopt for the purpose of advertising Draft Local Planning Policy No. 5 – 'Unhosted Short-Term Rental Accommodation' in accordance with Schedule 2, Part 2, clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 201*

Carried by En Bloc Resolution 8/0

ENGINEERING SERVICES**10.1.4 PUBLIC OPEN SPACE STRATEGY**

Directorate: Engineering Services
Author(s): Renuka Ismalage, Manager Projects and Assets
Authoriser(s): Shaun Kan, Director Engineering Services
File Reference: D25/14828
Applicant(s): Internal
Author Disclosure of Interest: Nil

SUMMARY

For the Council to consider the informing plan relating to the Public Open Space Renewals, Upgrade and Activations Plan (Attachment A) within the Public Open Space (POS).

OFFICER RECOMMENDATION IN BRIEF

That Council NOTES that the attached renewal, upgrade and activation plan will be used to develop a draft Asset Management Plan and a Public Open Space Strategy document. These will be presented to an Elected Members Workshop in the later part of 2025.

BACKGROUND

In March 2023, the Council adopted the current Asset Management Plan (AMP).

In December 2023, the Council adopted a new Council Plan (2023 to 2033), integrating both the Strategic Community Plan and Corporate Business Plan.

In March 2024, the Council Plan deliverables prioritisation was approved by the Council.

In April 2024, the Council adopted the Asset Management Strategy that covered a number of major asset modules, which included the POS.

The intent is that output from this management plan will inform the AMP, which will, in turn, be used to develop the Long Term Financial Plan (LTFP).

OFFICER COMMENT**The Public Open Space Strategy Overview**

The POS Strategy ensures the provision of the needed infrastructure for families and groups to meet their recreational needs to maintain and improve their overall health and well-being.

Together with the Asset Management Framework, this strategy provides a robust decision-making tool for prioritising the upkeep of the public open space (renewal, upgrade and activation) over the next 5 years. The plan also includes the renewal of the ageing assets such as reticulation, beach showers and foreshore furniture for the same period.

The implementation of the POS will achieve the following objectives:

- Objective 1: To provide public infrastructure for recreational purposes for the community.
- Objective 2: Maximise and match to the date the use and capacity of current and future facilities; and
- Objective 3: Preservation of the amenities their condition to ensure they continue to remain available for the public.

Public Open Space Renewal, Upgrade and Activation Plan (Attachment A)

The Public Open Space Renewal, Upgrade and Activation Plan is developed based on the following principles:

- Developed through a condition assessment of existing infrastructure within the Town's POS and the Playground Strategy noted by Council in 2019;
- Operating maintenance are prioritised based on safety, efficiency and aesthetics;
- 5 year investments for the upgrade of the existing POS infrastructure and playgrounds are summarised in the table below:
 - (a) Approximately \$90,000 per annum for the next 5 years needs to be assigned to the POS reserve to fund for the renewal of Reticulation, beach showers, foreshore furniture and fencing;
 - (b) The Foreshore Master Plan implementation (our largest POS) has been included in the plan, given its significance, with an estimated cost of \$32 million that includes a \$5 million contribution from Council;
 - (c) The carpark design for the Recreation Precinct Masterplan, the remaining element of the rationalised version of the project has been included for the purpose of Asset Management (\$1.6 million); and
 - (d) The playground improvement cost approximately \$700,000.

Public Open Space Renewal, Upgrade and Activation Plan								
Playgrounds	Condition	Maintenance Cost	Future Renewal	Years				
				2025-26	2026-27	2027-28	2028-29	2029-30
Playground Upgrade Program								
1 Civic Centre	3	\$9,350	\$200,000	\$200,000				
2 Grant Marine Park	3	\$9,180	\$350,293		\$350,293			
3 Jasper Green	3	\$8,660	\$93,412			\$93,412		
4 Andrews Place	4	\$5,800	\$58,382				\$58,382	
5 Harvey Field Recreation Precinct (Carparks)	4		\$1,639,050					\$1,639,050
Foreshore Master Plan				\$14,647,000	\$10,677,000	\$6,676,000		
John Black Dune Masterplan				\$80,000				
Other Renewal Projects								
1 Reticulation				\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
2 Beach Showers				\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
3 Furniture + Fence				\$30,000	\$30,000	\$30,000	\$30,000	\$30,000
Completed Projects								
1 Dutch Inn Reserve		\$8,360	\$388,321					
2 East Cottesloe Playground		\$6,480	\$494,894					
3 Skate Park		\$12,000	\$749,507					
Projects In Progress								
1 Harvey Field			\$227,278					

Given the above, the Council is asked to note that the allocations within Attachment A will be used to develop the draft Asset Management Plan.

ATTACHMENTS

**10.1.4(a) Attachment A - Public Open Space Renewal Upgrade and Activation Plan v4
[under separate cover]**

CONSULTATION

Elected Members

Public Open Space Working Group

STATUTORY IMPLICATIONS

Local Government Act 1995

Section 2.7 Role of Council

POLICY IMPLICATIONS

There are no perceived policy implications arising from the officer's recommendation.

STRATEGIC IMPLICATIONS

This report is consistent with the Town's *Council Plan 2023-2033*.

Priority Area 2: Our Town - Healthy natural environs and infrastructure meeting the needs of our community.

Major Strategy 2.1: Town infrastructure is well planned, effectively managed and supports our community, whilst protecting and promoting our unique heritage and character

RESOURCE IMPLICATIONS

Council will need to consider setting aside an average of \$574,000 annually through the LTFP into reserves to afford the asset renewals highlighted within the Public Open Space Renewal, Upgrade and Activation Plan, without the Foreshore Project.

This annual assignment increases to \$7 million with the Foreshore incorporated without Council's \$5 million contribution. With Council's contribution, the annual reserve requirements become \$6 million.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

This will enhance POS for our community.

RISK MANAGEMENT IMPLICATIONS

Without this POS Strategy, the Asset Management Plan will remain outdated which then impacts the preparation of a Long Term Financial Plan.

VOTING REQUIREMENT

Simple Majority

OCM053/2025

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Sadler

Seconded Cr Mason

THAT Council:

1. **NOTES the attached Public Open Space Public Open Space Renewal, Upgrade and Activation Plan. (Attachment A);**
2. **NOTES that the Public Open Space Renewal, Upgrade and Activation Plan. Outputs will be utilised to develop a draft Asset Management Plan; and**
3. **NOTES that a Public Open Space Strategy Document will be developed and presented to an Elected Members Workshop in 2025 before the future public consultation as part of the overall Asset Management**

Carried by En Bloc Resolution 8/0

10.1.5 SKATE PARK MURAL

Directorate: Engineering Services
Author(s): Shaun Kan, Director Engineering Services
Authoriser(s): William Matthew Scott, Chief Executive Officer
File Reference: D25/15006
Applicant(s): Internal
Author Disclosure of Interest: Nil

SUMMARY

For Council to consider a decorative painting design and installation (Mural) proposal from Skate Sculpture.

OFFICER RECOMMENDATION IN BRIEF

That Council ENDORSES the proposal.

BACKGROUND

In June 2024, the Town inaugurated its first skate park within John Black Dune Park and continues to develop the landscaping within this public open space in partnership with the Cottesloe Coastcare and Perth Natural Resource Management (NRM).

Since then, the facility continues to be widely used and is one of the key attractions within Cottesloe located within the Foreshore Precinct.

Skate Sculpture, the skate park builders, have recently offered to install a Mural (in keeping with the Town's brand and style guidelines and coastal vibe) at no cost to Council. The design is attached. Common Ground, the builders of the pump track have previously donated the line marking to the BMX bike facility.

A Council decision is required given that this does increase the level of service.

OFFICER COMMENT

Options for Council are either to:

- Option 1: Accept the proposal;
- Option 2: Accept the proposal in principle and develop another design based on a particular set of principles; or
- Option 3: Reject the proposal.

Option 1 is preferred for the following reasons:

- Accepting the Mural proposal will add aesthetical value to the Skate park and reduces the risk of graffiti; and
 - Whilst there is an increase in service levels, this is expected to be marginal with the refreshing of the Mural because this is more than likely done at a frequency of once every several years. It is open for Council to decide not to maintain this after it fades away.
-

Given the qualitative benefit to cost analysis, the recommendation is for Council to approve the installation.

Council is to note that in response to a question taken on notice at the Agenda Forum, the proposed design within the attachment has no cultural association. This is an image of a blue wave signifying Cottesloe's coastal environment using one of the Town's corporate colours.

Alternatively, it is open for Council to amend the officer's recommendation to accept Option 2 which delivers the same outcome. However, this requires already at capacity staffing resource to liaise with the donor to develop a design.

ATTACHMENTS

10.1.5(a) Skate Sculpture Artwork Design [under separate cover]

CONSULTATION

Elected Members

STATUTORY IMPLICATIONS

Local Government Act 1995

Section 2.7 – Role of Council

POLICY IMPLICATIONS

There are no perceived policy implications arising from the officer's recommendation.

STRATEGIC IMPLICATIONS

This report is consistent with the Town's *Council Plan 2023-2033*.

Priority Area 1: Our Community - Connected, engaged and accessible.

Major Strategy 1.1: Supporting an active, healthy and inclusive community culture, our residents enjoy access to a range of social, cultural and recreation activities.

RESOURCE IMPLICATIONS

There will be an increase in resource requirements but the expected maintenance is minimal given that this is done once every few years.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

The installation improves amenity and the risk of vandalism.

RISK MANAGEMENT IMPLICATIONS

Going against the officer's recommendation exposes the asset to the risk of graffiti and the lost of opportunity of enhancing the aesthetics at no cost.

VOTING REQUIREMENT

Simple Majority

OCM054/2025

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Sadler

Seconded Cr Mason

THAT Council APPROVES the proposed design and installation (Option 1).

Carried by En Bloc Resolution 8/0

10.1.7 NORTH STREET TREE REMOVAL REQUEST

Directorate: Engineering Services
Author(s): Shaun Kan, Director Engineering Services
Authoriser(s): William Matthew Scott, Chief Executive Officer
File Reference: D25/15246
Applicant(s): Internal
Author Disclosure of Interest: Nil

SUMMARY

For Council to consider a tree removal request from the residents of 10 North Street.

OFFICER RECOMMENDATION IN BRIEF

That Council DECLINES the request for a number of reasons within the officer's comment and REQUESTS the Chief Executive Officer (CEO) to continue monitoring the tree and bring a report back to an Ordinary Council Meeting if needed.

BACKGROUND

The residents of 12 North Street wrote to a number of elected members in February 2025 asking for the removal of a tree on the verge fronting their property as it had caused damage to their boundary wall, water mains and footpath (Attachment B).

In the same month, the residents of 10 North Street informed the Town of similar infrastructure damage issues and traffic safety (sight distance) concerns when turning right from their crossover which is caused by the same tree (Attachment C). The Town had previously installed a mirror to mitigate this risk.

10 North Street has asked for the Town to identify a more effective solution whilst 12 North Street requested the tree removal.

Council is to note the correspondence from residents, and the traffic safety report including a tree damage assessment. There is still a pending arborist report at the time of writing this report.

OFFICER COMMENT**Tree Assessment Report**

The officer's tree assessment report (Attachment A) has concluded that:

- The tree despite its lean is in a healthy and structurally sound condition;
 - There is a crack in the wall belonging to 12 North Street that is likely caused by the tree and the width of this fracture does not appear to be increasing;
Note: There was building works that occurred at 10 North Street in 2018.
 - Water Corporation in repairing the damage has removed roots close to the utility main that was causing the damage; and
-

- The Town has modified both the roots and footpath to avoid further damage to the pedestrian walkway.

Traffic Safety Report

The investigation has concluded that turning right from 10 North Street is unsafe with or without the tree. The scenario that retains the tree has right turn movements hindered by sight distance and traffic queuing along North Street heading towards West Coast Highway. The removal of the tree whilst eliminates the sight distance problem, it does not make the right turn movement any safer or easier.

Options for Council

- Option 1: Retain the tree and requests the CEO to continue monitoring the situation and bring a report back to an OCM if needed; or
- Option 2: Authorise the removal of the tree.

On balance, the recommended course is Option 1 by virtue that:

- Water Corporation has removed the roots causing damage to the utilities main and this is likely to be the same ones that are affecting the wall (not worsening);
- The tree removal will not make the right turn maneuverer any safer and there is an engineering solution available whereby vehicles can safely turn left onto North Street and make a U turn at an appropriate location to head back towards West Coast Highway; and
- Consistent with the Street Tree Policy.

ATTACHMENTS

- 10.1.7(a) Attachment A - Email and Photos - 10-12 North Street [under separate cover]
- 10.1.7(b) Attachment B - Email from 12 North Street [under separate cover]
- 10.1.7(c) Attachment C - Email from 10 North Street [under separate cover]

CONSULTATION

Town staff

STATUTORY IMPLICATIONS

Local Government Act 1995

Section 2.7 – Role of Council

POLICY IMPLICATIONS

The officer's recommendation is consistent with the Street Tree Policy.

STRATEGIC IMPLICATIONS

This report is consistent with the Town's *Council Plan 2023-2033*.

Priority Area 2: Our Town - Healthy natural environs and infrastructure meeting the needs of our community.

Major Strategy 2.4: Work collaboratively to protect, enhance and increase our natural assets and green canopy.

RESOURCE IMPLICATIONS

Resource requirements are in accordance with the existing budgetary allocation.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

There are no perceived sustainability implications arising from the officer's recommendation.

RISK MANAGEMENT IMPLICATIONS

Council going against the officer's recommendation is going against the Street Tree Policy and will set precedence for North Street.

VOTING REQUIREMENT

Simple Majority

OCM055/2025

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Sadler

Seconded Cr Mason

THAT Council DECLINES the street tree removal request at 10 North Street and REQUESTS the Chief Executive Officer to monitor said street tree.

Carried by En Block Resolution 8/0

EXECUTIVE SERVICES**10.1.10 RECEIVAL OF MINUTES OF THE ANNUAL GENERAL MEETING OF ELECTORS**

Directorate: Executive Services
Author(s): Jacquelyne Pilkington, Governance & Executive Office Coordinator
Authoriser(s): William Matthew Scott, Chief Executive Officer
File Reference: D25/14797
Applicant(s):
Author Disclosure of Interest: Nil

SUMMARY

Following the Annual General Meeting of Electors held on Tuesday, 18 March 2025 it is recommended that Council receive the unconfirmed minutes of the meeting as attached.

OFFICER RECOMMENDATION IN BRIEF

That Council receive the Unconfirmed Minutes of the Annual General Meeting of Electors held on Tuesday, 18 March 2025 relating to the 2023/24 financial year.

BACKGROUND

At its 25 February 2025 Ordinary Council Meeting, Council resolved to set the date of the Annual General Meeting of Electors as 5:30pm on Tuesday, 18 March 2025 in the Lesser Hall.

The meeting was attended by 9 electors (inclusive of 6 elected members), 6 members of staff and 1 member of the media.

OFFICER COMMENT

There were no motions carried at the meeting aside from the receipt of the previous year's minutes and the acceptance of the Annual Report 2023/2024.

ATTACHMENTS

10.1.10(a) Annual General Meeting of Electors Minutes [under separate cover]

CONSULTATION

Nil

STATUTORY IMPLICATIONS

Local Government Act 1995

- 5.27. Electors' general meetings
- 5.32 Minutes of electors' meetings
- 5.33 Decisions made at electors' meetings

POLICY IMPLICATIONS

There are no perceived policy implications arising from the officer's recommendation.

STRATEGIC IMPLICATIONS

This report is consistent with the Town's *Council Plan 2023-2033*.

Priority Area 4: Our Leadership and Governance - Strategic leadership providing open and accountable governance.

Major Strategy 4.3: Deliver open, accountable and transparent governance.

RESOURCE IMPLICATIONS

Resource requirements are in accordance with the existing budgetary allocation.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

There are no perceived sustainability implications arising from the officer's recommendation.

RISK MANAGEMENT IMPLICATIONS

Section 5.33 requires Council to consider all decisions made at an electors meeting at the next ordinary council meeting or the next subsequent ordinary council meeting (or special council) if it is not practical for the next immediate ordinary council meeting. Confirmation of the previous elector's meeting's minute and acceptance of the 23/24 Annual Report are decisions from the meeting, but require no further action. Should Council not resolve the officer recommendation there is a possible non-compliance with s5.33.

VOTING REQUIREMENT

Simple Majority

OCM056/2025

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Sadler

Seconded Cr Mason

THAT Council RECEIVES the Unconfirmed Minutes of the Annual General Meeting of Electors for the 2023/24 financial year held on Tuesday, 18 March 2025

Carried by En Bloc Resolution 8/0

10.1.12 CEO QUARTERLY INFORMATION BULLETIN

Directorate: Executive Services
Author(s): Jacquelyne Pilkington, Governance & Executive Office Coordinator
Authoriser(s): William Matthew Scott, Chief Executive Officer
File Reference: D25/15384
Applicant(s): Nil
Author Disclosure of Interest: Nil

SUMMARY

To provide Council information and statistics on key activities during the year on a quarterly basis, as requested by Council or recommended by the Administration.

OFFICER RECOMMENDATION IN BRIEF

THAT Council notes the information provided in the Quarterly Information Bulletin (Attachments).

BACKGROUND

This report is consistent with the Town's Council Plan 2023 – 2033, Priority Area 4: Our Leadership and Governance - Strategic leadership providing open and accountable governance and Major Strategy 4.3: Deliver open, accountable and transparent governance.

OFFICER COMMENT

Elected Members should be aware that the Council Plan deliverables do not currently have a priority rating. Deliverable priorities will be considered by Council at a future meeting. In the interim all deliverables have been commented on.

ATTACHMENTS

10.1.12(a) CEO Quarterly Information Bulletin [under separate cover]

CONSULTATION

Nil

STATUTORY IMPLICATIONS

Local Government Act 1995

Section 5.41 Functions of CEO

POLICY IMPLICATIONS

There are no perceived policy implications arising from the officer's recommendation.

STRATEGIC IMPLICATIONS

This report is consistent with the Town's *Council Plan 2023-2033*.

Priority Area 4: Our Leadership and Governance - Strategic leadership providing open and accountable governance.

Major Strategy 4.3: Deliver open, accountable and transparent governance.

RESOURCE IMPLICATIONS

Resource requirements are in accordance with the existing budgetary allocation.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

There are no perceived sustainability implications arising from the officer's recommendation.

RISK MANAGEMENT IMPLICATIONS

The CEO Quarterly Information Bulletin enhances transparency and accountability, enabling Council to monitor progress against strategic and operational objectives. It provides early identification of emerging issues, allowing timely intervention and informed decision-making. Regular reporting also supports good governance and mitigates risks by ensuring appropriate oversight of key projects, compliance matters, and resource management.

VOTING REQUIREMENT

Simple Majority

OCM057/2025

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Sadler

Seconded Cr Mason

THAT Council notes the information provided in the Quarterly Information Bulletin

Carried by En Block Resolution 8/0

10.2 RECEIPT OF MINUTES AND RECOMMENDATIONS FROM COMMITTEES

10.2.1 RECEIPT OF SEA VIEW GOLF CLUB REDEVELOPMENT ADVISORY COMMITTEE MINUTES

Attachments: 10.2.1(a) Unconfirmed Minutes - Sea View Golf Club Redevelopment Advisory Committee Meeting - 3 April 2025 [under separate cover]

OCM058/2025

Moved Cr Sadler Seconded Cr Mason

THAT Council RECEIVES the attached Unconfirmed Minutes of the Sea View Golf Club Redevelopment Advisory Committee Meeting held on Thursday, 3 April at 4pm and ADOPTS the recommendations contained within SUBJECT to Item 13.1.1.

Carried by En Bloc Resolution 8/0

CORPORATE AND COMMUNITY SERVICES**10.1.2 GUIDING PRINCIPLES FOR DEVELOPMENT ON NORTH COTTESLOE SURF LIFE SAVING CLUB SKI SHED ROOF**

Directorate: Corporate and Community Services
Author(s): Vicki Cobby, Director Corporate and Community Services
Authoriser(s): William Matthew Scott, Chief Executive Officer
File Reference: D25/15392
Applicant(s):
Author Disclosure of Interest: Nil

SUMMARY

For Council to consider guiding principles to be established for activation and development on the North Cottesloe Surf Life Saving Club's (NCSLSC) ski shed roof.

OFFICER RECOMMENDATION IN BRIEF

That Council APPROVES the five guiding principles for the activation and development of the NCSLSC ski shed roof.

BACKGROUND

In August 2024, the Town met with North Cottesloe Surf Life Saving Club (NCSLSC) regarding their intention to request permission to sub-lease to a third party to operate a sauna on the roof of the ski shed.

In February 2025 the Town advised the Surf club that subject to DPLH approval and Council approval sublease of the ski shed roof was legally possible.

At the 25 March 2025 OCM, Council resolved to defer consideration of this item so that the administration can present to Council on recommended principals for a potential sauna and public open space development on the NCSLSC ski shed roof at the April briefing forum.

At the Elected Members Confidential Workshop on 1 April 2025, the administration presented guiding principles for discussion.

OFFICER COMMENT

The administration has prepared the following guiding principles to be applied to any applications for activation on the NCSLSC roof.

- 1. Development is to be single storey, located on the northern boundary, limited to no more than 33% of the total site area, with an east–west orientation designed to preserve the existing ocean view corridor from the corner of Eric Street and Marine Parade.**

Ideally maintaining an open interface to ensure minimal visual obstruction, the majority of the ski shed roof is to remain as public open space, with any development to be ancillary to public access and designed to enhance public amenity.

- 2. Any structures must be compatible with the character of the surrounding built form.**

This includes consideration of materials, form, and roof profile that reflect the existing coastal aesthetic and low-rise character of the area. While structures such as repurposed sea containers are acceptable, their design and finish must ensure they integrate sympathetically with the surrounding built form and contribute positively to the visual character of the streetscape.

- 3. All improvements at the conclusion of the lease term to be removed at the proponent's cost and the site returned in its original condition.**

While all structures and services are to be removed, the Town may, at its discretion, negotiate the retention of improvements that enhance community amenity—such as landscaping elements, tables, or seating—which would then become the property of the Town.

- 4. The proposal must include secure locker facilities.**

The proposal must include secure locker facilities to support safe storage for users. Additional minor elements that enhance user experience—such as ice showers or similar wellness features—may also be considered, provided they are appropriately integrated, do not impact the overall scale or view corridor, and remain consistent with the lightweight, low-impact nature of the development. Amenities such as toilets or change rooms are not anticipated as part of this proposal.

- 5. The Club and/or operator is to assume all risks and costs associated with the development, and indemnify the Town against all liabilities arising from the installation and operation of the structure.**

The Club and/or operator is to assume all risks and costs associated with the development and must indemnify the Town against all liabilities arising from the installation and operation of the structure. This obligation aligns with Regulation 17 of the Local Government (Uniform Local Provisions) Regulations 1996, which outlines similar responsibilities for works on local government land. The proponent is also responsible for obtaining all required development and building approvals at their own cost.

ATTACHMENTS

Nil

CONSULTATION

Elected Members

STATUTORY IMPLICATIONS

Local Government (Uniform Local Provisions) Regulations 1996,
Regulation 17 (8).

POLICY IMPLICATIONS

There are no perceived policy implications arising from the officer's recommendation.

STRATEGIC IMPLICATIONS

This report is consistent with the Town's *Council Plan 2023-2033*.

Priority Area 1: Our Community - Connected, engaged and accessible.

Major Strategy 1.1: Supporting an active, healthy and inclusive community culture, our residents enjoy access to a range of social, cultural and recreation activities.

RESOURCE IMPLICATIONS

Resource requirements are in accordance with the existing budgetary allocation. A commercial sublease arrangement with NCSLSC is likely to introduce a new revenue stream, aligning it with the Long Term Financial Plan's Principle "Council to continually explore options for increasing revenue opportunities".

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

There are no perceived sustainability implications arising from the officer's recommendation.

RISK MANAGEMENT IMPLICATIONS

Failure to establish clear guiding principles for the Lessor to reference during the preparation of their application is likely to result in a prolonged and potentially frustrating approval process. These delays may postpone the activation of the space, delaying both the enhancement of community amenity and the introduction of a new revenue stream. Additionally, extended timelines may increase costs for the proponent, which could ultimately impact the community that benefits from their operations.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

Moved Cr Harkins

Seconded Cr Thomas

THAT Council APPROVE the following guiding principles for activation and development on the North Cottesloe Surf Life Saving ski shed roof;

1. Development is to be single storey, located on the northern boundary, limited to no more than 33% of the total site area, with an east-west orientation designed to preserve the existing ocean view corridor from the corner of Eric Street and Marine Parade;
2. Any structures must be compatible with the character of the surrounding built form;
3. All improvements at the conclusion of the lease term to be removed at the

proponent's cost and the site returned in its original condition;

4. The proposal must include secure locker facilities;
5. The Club and/or operator is to assume all risks and costs associated with the development, and indemnify the Town against all liabilities arising from the installation and operation of the structure

OCM059/2025

COUNCILLOR AMENDMENT

Moved Mayor Young

Seconded Cr Harkins

To include after point 5

And that Council notes:

1. that financial arrangements relating to the use of the space, and possible financial contribution towards beautification and maintenance of the ski shed roof area, are to be separately discussed and agreed with the proponent of any redevelopment and activation, and
2. community consultation and consultation with neighbouring businesses will be carried out before approval is given to any proposal for activation and redevelopment of the ski shed roof, other than changes not involving built form or commercial use.

Carried 8/0

For: Mayor Young, Crs Sadler, Harkins, Wylynko, Thomas, Mason, Irvine and Heath

Against: Nil

OCM060/2025

SUBSTANTIVE MOTION

Moved Cr Harkins

Seconded Cr Thomas

THAT Council APPROVE the following guiding principles for activation and development on the North Cottesloe Surf Life Saving ski shed roof;

1. Development is to be single storey, located on the northern boundary, limited to no more than 33% of the total site area, with an east–west orientation designed to preserve the existing ocean view corridor from the corner of Eric Street and Marine Parade;
2. Any structures must be compatible with the character of the surrounding built form;
3. All improvements at the conclusion of the lease term to be removed at the proponent's cost and the site returned in its original condition;
4. The proposal must include secure locker facilities;
5. The Club and/or operator is to assume all risks and costs associated with the development, and indemnify the Town against all liabilities arising from the

installation and operation of the structure.

And that Council notes:

6. That financial arrangements relating to the use of the space, and possible financial contribution towards beautification and maintenance of the ski shed roof area, are to be separately discussed and agreed with the proponent of any redevelopment and activation, and
7. Community consultation and consultation with neighbouring businesses will be carried out before approval is given to any proposal for activation and redevelopment of the ski shed roof, other than changes not involving built form or commercial use.

Carried 8/0

For: Mayor Young, Crs Sadler, Harkins, Wylynko, Thomas, Mason, Irvine and Heath

Against: Nil

Rationale:

- i. Inclusion of para 6 clarifies that these issues are to be dealt with separately. Without inclusion there is the risk that the proponent and the public reading the resolution may assume that there is to be no arrangements between the Town and the proponent for the use of the space or for beautification and maintenance of the area.
- ii. Inclusion of para 7 makes clear the Administration's intention to ensure appropriate consultation with stakeholders and the broader community to establish if there is support for a proposal before approval is given.

ENGINEERING SERVICES**10.1.6 NAPOLEON STREET COTTESLOE VILLAGE BUSINESS ASSOCIATION SPRING INSTALLATION PROPOSAL**

Directorate: Engineering Services
Author(s): Shaun Kan, Director Engineering Services
Authoriser(s): William Matthew Scott, Chief Executive Officer
File Reference: D25/15121
Applicant(s): ProCott Inc
Author Disclosure of Interest: Nil

SUMMARY

For Council to consider the attached proposal from the Cottesloe Village Business Association (ProCott) to permanently install a number of potted plants along Napoleon Street (the proposal).

OFFICER RECOMMENDATION IN BRIEF

That Council APPROVES the proposal with conditions.

BACKGROUND

ProCott's initial September 2024 planned 6 week potted plant trial did not proceed given the high purchasing cost of displays and the risk of having to give them away should the Town elect to discontinue the proposal. For these reasons, they are now requesting for permanent installation.

Whilst there are no changes to level of service given that ProCott is responsible for the general maintenance, Council's approval is needed because of the implications to the Town Centre streetscape.

OFFICER COMMENT

Council is to note that the officer does not have any objections to the fundamentals within the proposal subject to the following conditions. Should Council approve this, these conditions will be incorporated into a Regulation 17 Agreement, similar to the ones issued for ground anchors in recent Ordinary Council Meeting items to indemnify the Town.

- Maintenance is the responsibility of ProCott;
 - The pots will be removed at the cost of ProCott should the plants and the pots remain in an unmaintained condition or not being maintained to the satisfaction of the Town;
 - Placed a minimum 300 millimetres away from the road;
 - Does not obstruct the footpaths and maintains a minimum of 1800 millimetres footpath width;
 - Does not obstruct or affect any parking bays;
 - Does not obstruct any crossovers, accesses and line of sight;
-

- Height of the plants measured from the ground shall not exceed 750 millimetres;
- Positioned on porous paving areas; and
- The Town reserves the right to withdraw the approval should there be a justified reason to do so.

Given the officer's view, the following options are open to Council (subject to conditions):

- Option 1: Approve the permanent installation; or
- Option 2: Approve an initial trial 6 week trial as per the original intent and for an item to return to Council to determine whether it wishes to make the arrangement permanent; or
- Option 3: Rejects the proposal.

Option 1 is preferred given that the Town reserves its right to withdraw its approval should there be a justified reason.

Notwithstanding this, it is open for Council to adopt Option 2 should it wish to run this as a trial to determine whether this is befitting to Napoleon Street.

Council in making a decision is also asked to note the substantial cost to ProCott for this proposal.

ProCott will be responsible for the estimated \$500 associated with preparing this document as per our fees and charges. Council can exempt this.

ATTACHMENTS

10.1.6(a) ProCott Spring Install Design and map [under separate cover]

CONSULTATION

Nil

STATUTORY IMPLICATIONS

Local Government Act 1995

Section 2.7 – Role of Council

Local Government (Uniform Local Provisions) Regulations 1996

Regulation 17 – Private works on, over or under public places

POLICY IMPLICATIONS

There are no perceived policy implications arising from the officer's recommendation.

STRATEGIC IMPLICATIONS

This report is consistent with the Town's *Council Plan 2023-2033*.

Priority Area 2: Our Town - Healthy natural environs and infrastructure meeting the needs of our community.

Major Strategy 2.1: Town infrastructure is well planned, effectively managed and supports our community, whilst protecting and promoting our unique heritage and character

RESOURCE IMPLICATIONS

ProCott are responsible for maintenance and as such that are no resource implications.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

There are no perceived sustainability implications arising from the officer's recommendation.

RISK MANAGEMENT IMPLICATIONS

The risk of a permanent approval (Officer's Recommendation) is mitigated by the Town reserving the right to ask for the proposal to be removed should there be a justified reason to do so.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

Moved Cr Harkins

Seconded Cr Mason

THAT Council

1. APPROVES the permanent installation of the potted plants subject to the following conditions:
 - a. Maintenance is the responsibility of ProCott;
 - b. The pots will be removed at the cost of ProCott should the plants and the pots remain in an unmaintained condition or not being maintained to the satisfaction of the Town;
 - c. Placed a minimum 300 millimetres away from the road;
 - d. Does not obstruct the footpaths and maintains a minimum of 1800 millimetres footpath width;
 - e. Does not obstruct or affect any parking bays;
 - f. Does not obstruct any crossovers, accesses and line of sight;
 - g. Height of the plants measured from the ground shall not exceed 750 millimetres;
 - h. Positioned on porous paving areas;
 - i. The Town reserves the right to withdraw the approval should there be a justified reason to do so; and
2. INSTRUCTS the Chief Executive Officer to incorporate the conditions mentioned in Point One into a Regulation 17 Agreement.

OCM061/2025

COUNCILLOR AMENDMENT

Moved Mayor Young

Seconded Cr Mason

That the Officers Recommendation be amended by deleting the text in paragraph 1i and replacing with the following:

- i. The matter shall be referred to Council for a decision should the CEO be in the view that this approval needs to be withdrawn on reasonable grounds.

Carried 8/0

For: Mayor Young, Crs Sadler, Harkins, Wylynko, Thomas, Mason, Irvine and Heath

Against: Nil

OCM062/2025

SUBSTANTIVE MOTION

Moved Cr Harkins

Seconded Cr Mason

THAT Council

1. APPROVES the permanent installation of the potted plants subject to the following conditions:
 - a. Maintenance is the responsibility of ProCott;
 - b. The pots will be removed at the cost of ProCott should the plants and the pots remain in an unmaintained condition or not being maintained to the satisfaction of the Town;
 - c. Placed a minimum 300 millimetres away from the road;
 - d. Does not obstruct the footpaths and maintains a minimum of 1800 millimetres footpath width;
 - e. Does not obstruct or affect any parking bays;
 - f. Does not obstruct any crossovers, accesses and line of sight;
 - g. Height of the plants measured from the ground shall not exceed 750 millimetres;
 - h. Positioned on porous paving areas;
 - i. The matter shall be referred to Council for a decision should the CEO be in the view that this approval needs to be withdrawn on reasonable grounds; and
2. INSTRUCTS the Chief Executive Officer to incorporate the conditions mentioned in Point One into a Regulation 17 Agreement.

Carried 8/0

For: Mayor Young, Crs Sadler, Harkins, Wylynko, Thomas, Mason, Irvine and Heath

Against: Nil

Rationale

Council wanted to ensure that pots would not be removed without a report first going to Council

10.1.8 MARINE PARADE SHARED PATH - PUBLIC CONSULTATION

Directorate: Engineering Services
Author(s): Renuka Ismalage, Manager Projects and Assets
Tin Oo May, Project Engineer
Authoriser(s): Shaun Kan, Director Engineering Services
File Reference: D25/16418
Applicant(s): Internal
Author Disclosure of Interest: Nil

SUMMARY

For Council to consider noting the attached Marine Parade Shared Path Concept Plan (Concept) for public consultation

OFFICER RECOMMENDATION IN BRIEF

For Council to ENDORSE the Concept Plan for public consultation

BACKGROUND

In August 2019, a draft Long Term Cycle Network (LTCN) was developed based on the results from a community consultation survey where Marine Parade was identified as a primary route.

In April 2020, Council adopted the State Government endorsed LTCN plan and made Marine Parade the highest priority route followed by Eric Street (secondary route). Eric Street has since been completed.

In January 2025, the Administration was successful in receiving funding through the Federal Government's Active Transport Fund to progress the Concept into detailed design and construction.

OFFICER COMMENT**Design Principles**

The Marine Parade Shared Path has been broken down into 3 construction delivery stages:

- Stage 1 - South of Forrest Street (Curtin Avenue to Forrest Street);
- Stage 2 - North of Napier Street (Napier Street to North Street); and
- Stage 3 – Foreshore Precinct (Forrest Street to Napier Street).

Stage 1 and 2 - Fundamentally the path in stages 1 and 2 will continue to follow its existing alignment to minimize asset management implications (avoid creating new assets).

Stage 3 - 3 options shown in Attachment A have been developed for Stage 3 which considers the integration with the approved Foreshore Masterplan and pending Indiana Teahouse Redevelopment:

- Option 1 – Build the Marine Parade Foreshore Masterplan scope (road alignment) between Forrest Street and Napier Street (Note: This section will be converted to a shared zone.); or
- Option 2 – A temporary path is built over the most eastern bays of Carpark 1 such that these lots are removed indefinitely; or
- Option 3 – The stage 1 and 2 completed paths connect to the existing footpath located on the western side of Carpark 1.

Elected Members and the Active Transport Working Group have been consulted on the principles of all 3 stages. Their feedback is as follows:

Feedback from Elected Members

- Minimize sacrificial works;
- Consistency with the Foreshore Masterplan (2019);
- Consult with Sculptures by the Sea particularly around the Indiana Teahouse site to avoid impacting the exhibition;
- Follow the current alignment as much as possible to avoid green space reduction;
- Consider the section going around the Cottesloe Surf Lifesaving Club as there could be sight distance safety issues at this location; and
- Consult with the Active Transport Working Group.

Feedback from Active Transport Working Group (Attachment B – Meeting Notes)

- If possible separate the cycle path from the footpath around heavily pedestrian areas;
- Consider landscaping;
- Connectivity to the Eric Street Shared Path near Magic Apple;
- Concerns with the shared path going through the back of the North Cottesloe Surf Lifesaving Club due to safety reasons;
- Slow down points around nodes to beach access paths using surface texture; and
- Have mixed views providing a detailed concept and have asked for alternative approaches to be considered:
 - (a) Alternative A - A higher level visual summary; and
 - (b) Alternative B – An aspirational surveys without any diagrams.

Preferred Concept and Proposed Approach for Public Consultation

Rationalizing the feedback from Elected Members and the Active Transport Working Group, it is the officer's view that:

- The Concept reflecting the following project scope is the preferred option and plan for public consultation. Should Council adopt the officer's recommendation, a single plan combining points (a) and (b) below will be prepared for the public consultation.
 - (a) Stage 1 and 2 follows the current path align (shown in Attachment C); and

(b) Stage 3 is built to the Marine Parade Foreshore Masterplan scope (road alignment) between Forrest Street and Napier Street (Option 1 shown in Attachment A).

Other than minimizing sacrificial works, this solution also provides a diversion route when Carpark 1 is converted to terraces and event spaces.

- Positive feedback has been received through social media following the announcement of the grant indicating that the community is supportive of this project;
- Change is minimized by following the current path alignment to the north and south of the Foreshore Precinct;
- Completing the section between Forrest Street to Napier Street to the Foreshore Masterplan is likely to be supported by the community given previous consultation results during the Foreshore Masterplan development indicating such an endorsement;
- Regardless, the officer will rationalize any feedback received and adjust the Concept for Council to adopt a plan for the detail design;
- Feedback received from the public consultation process will also be used to inform the detail design;
- The path following the current alignment behind the North Cottesloe Surf Lifesaving Club is to allow continuity of the shared path past this section of the Foreshore as the Masterplan does not go beyond this point. This path will be constructed in a different surface texture to denote the shared zone so as to provide a slow and safe environment for pedestrians and cyclist (see diagram). The same approach will be adopted for other critical locations (Dutch Inn Playground and The Cove); and
- The diagram also shows the crossing points in the future Foreshore Masterplan to connect the Marine Parade Shared Path to the one on Eric Street.



Council is asked to note that a Community Engagement Plan will be circulated among Council (out of session) before commencing the public consultation process. It is expected

that an item will return to Council no later than June 2025 to adopt a preferred concept to progress onto detail design.

Strategic Delivery Program

- Stage 0 – Community Consultation and Detail Design (2024/2025 to 2025/2026)
 - (a) Public Consultation May 2025
 - (b) Concept Adoption June 2025
 - (c) Design Phase June 2025 to February 2026
- Stage 1 – Curtin Avenue to Forrest Street (2025/2026 to 2026/2027)
- Stage 2 – Napier Street to North Street (2026/2027 to 2027/2028)
- Stage 3 – Forrest Street to Napier Street (2027/2028 to 2028/2029)

Building the path through the Foreshore Precinct section as the final stage allows Council time to seek funding for the entire Foreshore Masterplan to achieve the ideal situation of both projects being done as one.

ATTACHMENTS

- 10.1.8(a) Attachment A - Stage 3 - Marine Parade Shared Path Options (Forrest to Napier Street) [under separate cover]
- 10.1.8(b) Attachment B - Signed NOTES - Active Transport Working Group - 14 April 2025 [under separate cover]
- 10.1.8(c) Attachment C - Marine Parade Shared Path Upgrade Proposed draft Concept (Curtin to North Streets) [under separate cover]

CONSULTATION

Active Transport Working Group

Department of Transport

Elected Members

Council is asked to endorse the principles of the Marine Parade Shared Path that is mentioned in the officer's comment section of the report for a final concept to be prepared for community consultation.

It is also intended that a Community Engagement Consultant is appointed to assist the Town with the consultation and for a Community Engagement Plan to be circulated amongst Elected Members before the consultation commences.

STATUTORY IMPLICATIONS

Local Government Act 1995

Section 2.7 – Role of Council

POLICY IMPLICATIONS

There are no perceived policy implications arising from the officer's recommendation.

STRATEGIC IMPLICATIONS

This report is consistent with the Town's *Council Plan 2023-2033*.

Priority Area 1: Our Community - Connected, engaged and accessible.

Major Strategy 1.2: Providing accessible and inclusive community spaces and facilities.

RESOURCE IMPLICATIONS

Resource requirements are in accordance with the existing budgetary allocation.

\$400,000 in Grant Funding has been allocated to commence the detailed design works in 2024/2025.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

There are no perceived sustainability implications arising from the officer's recommendation.

The proposed landscaping will add value to canopy growth.

RISK MANAGEMENT IMPLICATIONS

Delaying or not undertaking community consultation will create the risk of not addressing unknown public concerns and not complying with the Active Transport Fund requirement of completing detail design by February 2026.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

THAT Council

1. ENDORSES the principles of the Marine Parade Shared Path mentioned in the officer's comment section of the report for a final concept to be prepared for Community Consultation;
2. NOTES that a Community Engagement Plan will be circulated amongst Elected Members prior to the commencement of public consultation; and
3. REQUESTS the Chief Executive Officer to appoint a Community Engagement Consultant to assist the Town with the public consultation.

OCM063/2025

COUNCILLOR MOTION

Moved Cr Sadler

Seconded Cr Thomas

THAT Council

1. **ENDORSES** the preparation of a Concept Plan and Principles for public consultation reflecting the following project scope for each of the project stages:
 - a. **Delivery Stages** to be in the following order
 - i. **Stage 1** South of Forrest St (Curtin Avenue to Forrest Street)
 - ii. **Stage 2** North of Napier (Napier to North Streets)
 - iii. **Stage 3** Foreshore Precinct (Forrest to Napier Streets)
 - b. **Stages 1 and 2** aim to minimise the creation of new assets by following the existing alignment where safe and feasible
 - c. **Stage 3** is built to the Marine Parade Foreshore Masterplan scope (road alignment) to minimise sacrificial works
 - d. **The Foreshore Masterplan element of the Shared Path** is to be connected via crossing points to the Eric Street Shared Path at the Eric Street/Marine Parade intersection, including a pedestrian crossing that connects directly from the Eric St Shared Path to the Marine Parade Shared Path, subject to Main Roads consideration and approval
 - e. **Both Shared Path and On-Road environments** require consideration as part of the consultation to inform future planning
 - f. **Engagement** is to include both a very high level visual summary and a survey that assists the community and the Town to achieve a design that balances site constraints, enhances safety and public amenity for foreshore and path users of all ages and abilities and integrates with the Foreshore Masterplan
2. **NOTES** that the Community Engagement Plan will be circulated amongst Elected Members prior to the commencement of public consultation; and
3. **REQUESTS** the Chief Executive Officer to appoint a Community Engagement Consultant with expertise in Active Transport design and communication to assist the Town with the public consultation.
4. **REQUESTS** that the Community Engagement Plan, include consideration and discussion of the following matters, should the proposed share path not align with current path alignment.
 - a. **Financial implications** (future capital renewal and maintenance costs);

- b. Potential gain or loss of existing green infrastructure;
- c. Potential gain or loss of existing car parking.

Carried 6/2

For: Mayor Young, Crs Sadler, Harkins, Thomas, Mason and Heath

Against: Crs Wyllynko and Irvine

Rationale

- The Marine Parade Shared Path has been identified as the top priority riding/walking route by residents. This priority has now been reflected at a Federal level by the Town receiving 95% external funding for detailed design and construction
- Breaking the project down into the three stages as above with the Foreshore Masterplan element being done last ensures that sacrificial works will be minimised/eliminated and provides time for funding for the Masterplan to be secured. Including this in the officer's recommendation, will assist the community in understanding the Town's direction
- The stages (as above) have been slightly altered with the boundary between Stages 2 and 3 to be at Eric Street, rather than Napier to fully align with the Foreshore Masterplan detailed design and avoid conflicts in the delivery of the fully Foreshore Masterplan funding/rollout
- Inclusion of some high level principles regarding the engagement will assist the administration and the engagement consultant in guiding the project. This reduces the risk that the project may stall due to the community not being heard
- It is essential that the community is brought along on the journey with major projects such as this, so that their wishes along with site constraints are considered.
- Consideration of what residents would like regarding the on-road environment is important to obtain as part of the engagement as this also forms part of the riding network (albeit for different users). This may guide future road upgrades

The Presiding Member adjourned for 5 minutes

10.1.9 BUDGET AMENDMENT - FORESHORE HANDRAILS

Directorate: Engineering Services
Author(s): Shaun Kan, Director Engineering Services
Authoriser(s): William Matthew Scott, Chief Executive Officer
File Reference: D25/16780
Applicant(s): Internal
Author Disclosure of Interest: Nil

SUMMARY

For Council to consider a \$12,000 budget amendment for the replacement of several handrail sections along the western side of Carpark 1 that are corroding.

OFFICER RECOMMENDATION IN BRIEF

That Council APPROVES the budget amendment.

BACKGROUND

Since the mid-year budget review and following the recent repairs to the Foreshore retaining wall, it has been noticed that several section of handrail along the western side of Carpark 1 have corroded and need to be replaced to allow Council to continue meeting its public safety obligations.

OFFICER COMMENT

The replacement will cost \$12,000 and there is no budget within the 2024/2025 financial year to carry out these works. Given that these involve renewing assets and exceed \$5000, the works are considered capital and cannot be done using our maintenance allocations.

Below are photographs showing the extent of the corrosion:







Alternatively, whilst not ideal, it is open for Council to amend the officer's recommendation and ask for temporary fencing panel to be installed so that the Town can continue to seek funding for the Foreshore Redevelopment.

Should Council wish to proceed with a budget amendment, it is proposed that this is done through a transfer of funds from the Anderson Pavilion Solar Panel Project as these funds (\$20,000) are no longer required for the following reasons:

- The electricity consumption at this stage is not at a level that warrants this installation and more time is needed to determine the pattern of future hire and power usage to see whether there is value installing solar panels; and
- Should this be justified, there are grant opportunities that can be pursued to fund this project.

The remaining \$8000 can be re-assigned to the Property Reserve.

The resource implication section of the report further details this.

ATTACHMENTS

Nil

CONSULTATION

No consultation is required.

STATUTORY IMPLICATIONS

Local Government Act 1995

Section 2.7 – Role of Council and section 6.8 - Expenditure from municipal fund not included in annual budget

Local Government (Financial Management) Regulations 1996

Section 6.2 – Annual Budgets

POLICY IMPLICATIONS

There are no perceived policy implications arising from the officer's recommendation.

STRATEGIC IMPLICATIONS

This report is consistent with the Town's *Council Plan 2023-2033*.

Priority Area 2: Our Town - Healthy natural environs and infrastructure meeting the needs of our community.

Major Strategy 2.1: Town infrastructure is well planned, effectively managed and supports our community, whilst protecting and promoting our unique heritage and character

RESOURCE IMPLICATIONS

PROJECT	ORIGINAL ALLOCATION	PROPOSED AMENDMENT
34.4010.2 - Anderson Pavilion Project Solar Panels	\$20,000	\$0
New Project - Foreshore Carpark 1 Handrail Replacement	\$0	\$12,000
Property Reserve Transfer	\$0	\$8,000
Total	\$20,000	\$20,000

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

There are no known environmental implications.

RISK MANAGEMENT IMPLICATIONS

Not undertaking the replacement or providing some form of protection will result in the existence of an ongoing public safety issue.

VOTING REQUIREMENT

Absolute Majority

OCM064/2025

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Wylynko

Seconded Cr Irvine

THAT Council by absolute majority APPROVES the following budget amendment:

- 1. Reduction of 34.4010.2 - Anderson Pavilion Solar Panel Project from \$20,000 to \$0;**
- 2. New Project – Foreshore Carpark 1 Handrail Replacement Project for \$12,000; and**
- 3. Transfer to the Property Reserves the remaining \$8,000.**

Carried by Absolute Majority 7/1

For: Mayor Young, Crs Harkins, Wylynko, Thomas, Mason, Irvine and Heath

Against: Crs Sadler

EXECUTIVE SERVICES**10.1.11 2025 LOCAL GOVERNMENT ELECTIONS**

Directorate: Executive Services
Author(s): William Matthew Scott, Chief Executive Officer
Authoriser(s): William Matthew Scott, Chief Executive Officer
File Reference: D25/14940
Applicant(s): Town of Cottesloe
Author Disclosure of Interest: Nil

SUMMARY

For Council to determine who is to conduct the 2025 Ordinary Council and Mayoral Election and the method of election.

OFFICER RECOMMENDATION IN BRIEF

That Council appoint the Western Australian Electoral Commissioner to be responsible for the conduct of the 2025 Town of Cottesloe Ordinary and Mayoral Election and that the voting method of conducting the election be a postal election.

BACKGROUND

To assist with budget preparations, the Western Australian Electoral Commission (WAEC) has provided the Council with a cost estimate for conducting the next scheduled Ordinary and Mayoral Election on 18 October 2025.

Under the Local Government Act 1995 (the Act), the Council is responsible for determining the method by which the election will be conducted. The Act provides for two options:

1. Postal Election – an election in which votes are cast by posting or delivering them to an electoral officer on or before election day.
2. Voting In-Person Election – an election in which the primary method of voting is in person on election day, but where votes may also be cast in person before election day, or submitted by post or delivery, in accordance with regulations.

In addition to determining the election method, the Council must appoint a returning officer to oversee the election process. Section 4.20 of the Act stipulates that if a postal election is chosen, the Council must appoint the WAEC to conduct the election. Alternatively, if an in-person election is selected, the election may be managed by the Electoral Commissioner, the Chief Executive Officer, or another approved individual.

An absolute majority decision of the Council is required to appoint the WAEC to conduct the election via postal voting.

OFFICER COMMENT

The Town's local government elections have traditionally been conducted as postal elections by the Western Australian Electoral Commission (WAEC), ensuring impartiality and strict adherence to the legislative requirements of the electoral process.

Alternatively, Council may resolve for the Town to administer the election internally. This approach would necessitate the appointment of a Returning Officer—either the Chief Executive Officer or another designated person—and the election would be conducted exclusively via in-person voting.

For the 2025 ordinary local government election, there are four Councillor vacancies to be filled:

- Councillor Bulbeck
- Councillor Harkins
- Councillor Sadler
- Councillor Wylynko

Additionally, a Mayoral election will be required, as the term of Mayor Young will expire.

While the financial cost associated with appointing the WAEC may appear considerable, the recommendation of the Administration reflects past Council decisions favouring postal voting. There are several notable advantages to appointing the WAEC to manage the election:

- An independent Returning Officer is appointed by the Electoral Commissioner, ensuring neutrality. Town staff may assist electors requiring replacement ballot papers, under guidance and training provided by the Returning Officer.
- The method removes any perception of bias that could arise were the election managed by the CEO or a Returning Officer appointed by the Council.
- Ensures all electors receive comprehensive voting packages, including clear instructions and candidate profiles.
- Minimises inconvenience for electors who may be unable to attend a polling place on election day due to unforeseen circumstances.
- Enables participation by absentee property owners registered on the Town's electoral roll.
- Provides electors with the flexibility to return ballot papers by post or deliver them in person to the Town's Administration Centre.
- Guarantees uniform distribution of candidate profiles to all enrolled electors.

The administration acknowledges recent public criticism directed at the WAEC, particularly concerning the conduct of the State Election. It is important to note that State Elections are primarily in-person, with postal voting requiring individual applications, and occurs at a far larger scale than a Town of Cottesloe election.

Furthermore, the only recent instance of a local government election being declared invalid by the Court of Disputed Returns involved the 2021 North Ward election in the Shire of Serpentine Jarrahdale. While this election was conducted by the WAEC via postal vote, the invalidation arose from criminal interference involving the theft of 46 election packages, rather than any failing on the part of the WAEC.

Notwithstanding the above, postal voting remains the preferred method for the majority of Western Australian local governments, due to the numerous benefits outlined.

Attached to this report is the estimate provided by WAEC, and subsequently the recently written agreement outlining the necessary motions for Council to resolve. As stated in the written agreement letter, both of these documents need to be presented to Council in consideration to undertake a postal election.

ATTACHMENTS

- 10.1.11(a) Local Government Election 2025 Cost Estimate Cottesloe [under separate cover]**
- 10.1.11(b) Written Agreement Local Government Election 2025 Updated Cottesloe [under separate cover]**

CONSULTATION

Nil

STATUTORY IMPLICATIONS

Local Government Act 1995

- 4.20. CEO to be returning officer unless other arrangements made
- 4.61. Choice of methods of conducting election

POLICY IMPLICATIONS

There are no perceived policy implications arising from the officer's recommendation.

STRATEGIC IMPLICATIONS

This report is consistent with the Town's *Council Plan 2023-2033*.

Priority Area 4: Our Leadership and Governance - Strategic leadership providing open and accountable governance.

Major Strategy 4.3: Deliver open, accountable and transparent governance.

RESOURCE IMPLICATIONS

The estimated cost for the WAEC to conduct the 2023 election is \$48,081 ex GST (2023 was \$40,000) which is based on the following assumptions:

- 6,400 electors
- Response rate of approximately 45%
- 4 Councillor(s) and 1 Mayor vacancies
- Count to be conducted at the premises of the Town of Cottesloe using CountWA
- Appointment of a local Returning Officer
- Regular Australia Post delivery service to apply

Costs not incorporated in the estimate include, but not limited to:

- Non-statutory advertising (for example, additional advertisements in community newspapers and promotional advertising)
- Any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission in a Court of Disputed Returns
- Local government staff members to work in the polling place on election day
- Any additional postage rate increase by Australia Post

Should Council accept the Officer's recommendation the estimate from the WAEC will need to be included in the 2024/25 Annual Budget.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

There are no perceived sustainability implications arising from the officer's recommendation.

RISK MANAGEMENT IMPLICATIONS

Council has two options for conducting the election: an in-person election or a postal election. If Council does not resolve to proceed with a postal election, it must determine who will conduct the in-person election (by default, this responsibility falls to the Chief Executive Officer). The Town will be responsible for ensuring full compliance with all electoral regulations, a risk that is mitigated if the Western Australian Electoral Commission (WAEC) conducts a postal election. An in-person election limits the flexibility available to electors in casting their votes, which may result in a lower voter turnout.

VOTING REQUIREMENT

Absolute Majority

OCM065/2025

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Sadler

Seconded Cr Harkins

THAT Council by absolute majority

1. **DECLARES in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the 2025 Town of Cottesloe ordinary election together with any other elections or polls which may also be required; and**
2. **DECIDE, in accordance with Section 4.61(2) of the Local Government Act 1995 that the method of conducting the election be as a postal election**

Carried by Absolute Majority 8/0

For: Mayor Young, Crs Sadler, Harkins, Wylynko, Thomas, Mason, Irvine and Heath

Against: Nil

11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING BY:**12.1 ELECTED MEMBERS****12.2 OFFICERS****13 MEETING CLOSED TO PUBLIC****13.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

OCM066/2025

MOTION FOR BEHIND CLOSED DOORS

Moved Cr Mason

Seconded Cr Irvine

That, in accordance with Section 5.23(2) (c), Council discuss the confidential reports behind closed doors.

Carried 8/0

For: Mayor Young, Crs Sadler, Harkins, Wylynko, Thomas, Mason, Irvine and Heath

Against: Nil

The public and members of the media were requested to leave the meeting at 7:56 pm

The Presiding Member requested the recording equipment to be deactivated when going behind closed doors

13.1.1 SEA VIEW GOLF CLUB (SVGC) CLUBHOUSE REDEVELOPMENT - DESIGN SOLUTIONS

This item is considered confidential in accordance with the *Local Government Act 1995* section 5.23(2) (c) as it contains information relating to a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

OCM067/2025

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Wylynko

Seconded Cr Sadler

THAT Council by ABSOLUTE MAJORITY APPROVES the Seaview Golf Club Redevelopment Advisory Committee's Recommendation:

1. APPROVES a budget amendment of \$33,945;
 - a. funded through the property reserve that has an outstanding balance of \$188,697;
 - b. Increase the approved budget within account 35.1171.2 Seaview Golf Club House Redevelopment Feasibility from \$75,000 to \$108,945; and
2. REQUESTS the Chief Executive Officer to include a request for suggestions for off course improvement and activities in the surrounding area of the clubhouse as part of the analysis for the remaining elements of Stage 2; and
3. ENDORSES the 3 Solutions attached for the purpose of economic analysis to develop benefit to cost ratios and market sounding for each design option.

Carried by Absolute Majority 8/0

For: Mayor Young, Crs Sadler, Harkins, Wylynko, Thomas, Mason, Irvine and Heath

Against: Nil

13.1.2 BUS SHELTER ADVERTISING EXPRESSION OF INTEREST (EOI)

This item is considered confidential in accordance with the *Local Government Act 1995* section 5.23(2) (c) as it contains information relating to a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

OCM068/2025

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Harkins

Seconded Cr Wylynko

THAT Council:

1. AUTHORISES the Chief Executive Officer to ACCEPT the Expression of Interest submissions mentioned under Option 1 within the Officer's Comment and INVITE only these selected suppliers to participate in the Invitation to Tender process;
2. REQUESTS the Chief Executive Officer to present an item no later than the July 2025 Elected Members Workshop detailing the design fundamentals and any other strategic matters required as part of the Invitation to Tender Documents; and
3. AUTHORISE the Mayor, Elected Members and the Town's Administration to disclose the identity of the successful proponents that will be invited to tender.

Carried 8/0

For: Mayor Young, Crs Sadler, Harkins, Wylynko, Thomas, Mason, Irvine and Heath

Against: Nil

OCM069/2025

MOTION FOR RETURN FROM BEHIND CLOSED DOORS

Moved Cr Mason

Seconded Cr Thomas

In accordance with Section 5.23 that the meeting be re-opened to members of the public and media, and motions passed behind closed doors be read out if there are any public present.

Carried 8/0

For: Mayor Young, Crs Sadler, Harkins, Wylynko, Thomas, Mason, Irvine and Heath

Against: Nil

The public and members of the media returned to the meeting at 8:14 pm.

The Presiding Member requested the recording equipment to be reactivated after coming out of closed doors.

13.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC**13.1.1 SEA VIEW GOLF CLUB (SVGC) CLUBHOUSE REDEVELOPMENT - DESIGN SOLUTIONS**

The resolution for item 13.1.1 was read aloud.

13.1.2 BUS SHELTER ADVERTISING EXPRESSION OF INTEREST (EOI)

The resolution for item 13.1.2 was read aloud identifying the following successful EOI;

EOI 1: Claude Outdoor;

EOI 2: oOhmedia

EOI 3: RMG and Winboard;

EOI 4: Ystop;

14 MEETING CLOSURE

The Presiding Member announced the closure of the meeting at 8:18 pm.