

# **TOWN OF COTTESLOE**



## **ORDINARY COUNCIL MEETING**

# **AGENDA**

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

# Town of Cottesloe

## ORDINARY COUNCIL MEETING

Notice is hereby given that the next Ordinary Council Meeting will be held in the Council Chambers, Cottesloe Civic Centre 109 Broome Street, Cottesloe on **22 July 2025** commencing at **6:00 PM**.

The business to be transacted is shown on the Agenda hereunder.

Yours faithfully,



Mark Newman  
**Chief Executive Officer**

18 July 2025

## **DISCLAIMER**

**No responsibility whatsoever is implied or accepted by the Town for any act, omission, statement or intimation occurring during council meetings.**

**The Town of Cottesloe disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission, statement or intimation occurring during council meetings.**

**Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a council meeting does so at that person's or legal entity's own risk.**

**In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by any member or officer of the Town of Cottesloe during the course of any meeting is not intended to be and is not taken as notice of approval from the Town.**

**The Town of Cottesloe wishes to advise that any plans or documents contained within the agenda or minutes may be subject to copyright law provisions (*Copyright Act 1968*, as amended) and that the express permission of the copyright owner(s) should be sought prior to their reproduction.**

**Members of the public should note that no action should be taken on any application or item discussed at a council meeting prior to written advice on the resolution of Council being received.**

**All formal Council Meetings will be audio visual recorded and livestreamed and will be publicly available via the Town of Cottesloe's website or social media platform.**

**Agenda and minutes are available on the Town's website [www.cottesloe.wa.gov.au](http://www.cottesloe.wa.gov.au)**



Town of Cottesloe

## ***DISCLOSURE OF INTERESTS***

Agenda Forum ☐

Ordinary Council Meeting ☐

Special Council Meeting ☐

*Name of Person Declaring an interest*

*Position*

*Date of Meeting*

This form is provided to enable members and officers to disclose an Interest in the matter in accordance with the regulations of Section 5.65, 5.70 and 5.71 of the Local Government Act 1995 and Local Government (Administration) Regulations 1996 34C.

### **INTEREST DISCLOSED**

*Item No*

*Item Title*

*Nature of Interest*

*Type of Interest*

*Financial* ☐

*Proximity* ☐

*Impartiality* ☐

### **INTEREST DISCLOSED**

*Item No*

*Item Title*

*Nature of Interest*

*Type of Interest*

*Financial* ☐

*Proximity* ☐

*Impartiality* ☐

### **INTEREST DISCLOSED**

*Item No*

*Item Title*

*Nature of Interest*

*Type of Interest*

*Financial* ☐

*Proximity* ☐

*Impartiality* ☐

### **DECLARATION**

*I understand that the above information will be recorded in the Minutes of the meeting and recorded by the Chief Executive Officer in an appropriate Register.*

# DISCLOSURE OF INTERESTS

## Notes for Your Guidance

### IMPACT OF A FINANCIAL INTEREST (s. 5.65. & s. 67. Local Government Act 1995)

A member who has a **Financial Interest** in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest:

- a. In a written notice given to the Chief Executive Officer before the Meeting or;
- b. At the Meeting immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- a. Preside at the part of the Meeting relating to the matter or;
- b. Participate in, or be present during, any discussion or decision making procedure relative to the matter, unless and to the extent that, the disclosing member is allowed to do so under *Section 5.68* or *Section 5.69* of the *Local Government Act 1995*.

### INTERESTS AFFECTING FINANCIAL INTEREST

The following notes are a basic guide for Councillors when they are considering whether they have a **Financial Interest in a matter**.

1. A Financial Interest, pursuant to s. 5.60A or 5.61 of the *Local Government Act 1995*, requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measured in money terms. There are expectations in the *Local Government Act 1995* but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e sporting, social, religious etc, and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e, if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors and ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. If in doubt declare.
5. As stated if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **must** be given when the matter arises in the Agenda, and immediately before the matter is discussed. Under s. 5.65 of the *Local Government Act 1995* failure to notify carries a penalty of \$10 000 or imprisonment for 2 years.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The **only** exceptions are:
  - 6.1 Where the Councillor discloses the **extent** of the interest, and Council carries a motion under s.5.68(1)(b)(ii) of the *Local Government Act 1995*; or
  - 6.2 Where the Minister allows the Councillor to participate under s.5.69(3) of the *Local Government Act 1995*, with or without conditions.

### **INTERESTS AFFECTING PROXIMITY (s. 5.60b Local Government Act 1995)**

1. For the purposes of this subdivision, a person has a proximity interest, pursuant to s.5.60B of the Local Government Act 1995, in a matter if the matter concerns;
  - a. a proposed change to a planning scheme affecting land that adjoins the person's land; or
  - b. a proposed change to the zoning or use of land that adjoins the person's land; or
  - c. a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land.
2. In this section, land (the proposal land) adjoins a person's land if;
  - a. The proposal land, not being a thoroughfare, has a common boundary with the person's land; or
  - b. The proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or
  - c. The proposal land is that part of a thoroughfare that has a common boundary with the person's land.
3. In this section a reference to a person's land is a reference to any land owned by the person or in which the person has any estate or interest.

### **INTERESTS AFFECTING IMPARTIALITY**

Definition: An interest, pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected, but does not include an interest as referred to in Section 5.60 of the 'Act'.

A member who has an **Interest Affecting Impartiality** in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest;

- a. In a written notice given to the Chief Executive Officers before the Meeting or;
- b. At the Meeting, immediately before the matter is discussed.

### **IMPACT OF AN IMPARTIALITY DISCLOSURE**

There are very different outcomes resulting from disclosing an interest affecting impartiality compared to that of a financial interest. With the declaration of a financial interest, an elected member leaves the room and does not vote.

With the declaration of this type of interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the Meeting continues as if no interest exist.

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**1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS**

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 directed the public's attention to the Disclaimer and the paragraph that advises that formal meetings of Council will be audio/visually recorded.

**3 ATTENDANCE****Elected Members**

Mayor Lorraine Young  
Cr Helen Sadler  
Cr Melissa Harkins  
Cr Chilla Bulbeck  
Cr Brad Wylynko  
Cr Michael Thomas  
Cr Katy Mason  
Cr Jeffrey Irvine  
Cr Sonja Heath

Declaration of any Elected Members attending the meeting by electronic means

**Officers**

Mr Mark Newman	Chief Executive Officer
Mr Shaun Kan	Director Engineering Services
Mr Steve Cleaver	Director Development and Regulatory Services
Mrs Vicki Cobby	Director Corporate and Community Services
Ms Jacquelyne Pilkington	Governance & Executive Office Coordinator
Ms Magdalena Domanska	Executive Services Officer

**3.1 APOLOGIES****3.2 APPROVED LEAVE OF ABSENCE****3.3 APPLICATIONS FOR LEAVE OF ABSENCE****4 DECLARATION OF INTERESTS****5 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.

**6 PUBLIC QUESTION TIME****6.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE****Mr Peter Rattigan – 9 Grant Street, Cottesloe***Cottesloe Tree Canopy Advocates*

Q1: Since February 2024 has there been a change in the overall tree canopy in Cottesloe a), on private land; b), on public land and if so what is the change.

R1: There is no current data to determine this. An aerial flyover is planned for 2026 to determine the changes in canopy. The Council measures tree canopy once every two years.

Q2: How is the overall tree canopy in Cottesloe; a,) on private land and b) on public land measured and how often is it measured.

R2: The measurement done in 2023 shows that 12% of Cottesloe's private land area is covered by canopy and this is 14% over public land. The measurement is done bi-annually in line with the statutory review of Council's strategic documents.

Q3: If Council had enacted a planning policy similar to that proposed by Cr Mason in February 2024, which aimed to limit the removal of significant trees on private property and which identified that the removal of a significant tree constituted "works" under the Planning and Development Act 2005 and therefore required development approval, would the state planning panel which recently approved the proposed 17 storey building in Station St Cottesloe have had to take that policy into consideration when making its decision?

R3: The development at 7-11 Station Street was considered by the Western Australian Planning Commission's State Development Assessment Unit utilising Part 17 of the Planning and Development Act 2005 which gives certain powers to determine significant development applications to the state government.

Section 275 of the Act states that when the Commission considers and determines a development application it is not bound nor restricted by any legal instrument (ie a local planning policy adopted under a local planning scheme and even the planning scheme itself).

Rather, the Commission must have due regard to the purpose and intent of any planning scheme that has effect in the locality to which the development application relates and the need to ensure the orderly and proper planning, and the preservation of amenity of that locality.

In other words, the Commission would have to have taken a Significant Tree policy into consideration when making its decision but would not have been bound by it.

The Commission, when assessing the application at 7-11 Station Street, did consider the significant trees on the site but noted that their retention was not possible without significantly compromising the design of the development and considered that the proposed landscaping complied with the R Codes and removal of the two mature trees was offset by the proposed additional tree canopy. Conditions of approval included the requirement for an updated landscaping plan to provide for additional deep soil area.

(It should be noted that the Part 17 pathway has been replaced with the Part 11B pathway which became operational on 1 March 2024 (after this application had been received). Part 11B is a refined and amended version for a post-COVID environment but gives the WAPC a similar range of powers to the Part 17 pathway).

## **6.2 PUBLIC QUESTIONS**

### **7 PUBLIC STATEMENT TIME**

### **8 CONFIRMATION OF MINUTES**

That the Minutes of the Ordinary Meeting of Council held on Tuesday 24 June 2025 be confirmed as a true and accurate record.

**9 PRESENTATIONS****9.1 PETITIONS*****Procedure of Petitions – Local Government (Meetings Procedure) Local Law 2021, Clause 6.11***

- (3) *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;*
  - b) that the petition shall not be accepted;*
  - c) that the petition be accepted and referred to the CEO for consideration and report; or*
  - d) that the petition be accepted and dealt with by the full council.*

**9.2 PRESENTATIONS****9.3 DEPUTATIONS**

**10      REPORTS**

**10.1    REPORTS OF OFFICERS**

**COUNCIL RESOLUTION**

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

\_\_\_\_, \_\_\_\_, \_\_\_\_, \_\_\_\_, \_\_\_\_, \_\_\_\_, \_\_\_\_

**CORPORATE AND COMMUNITY SERVICES****10.1.1 ADOPTION OF THE 2025/2026 ANNUAL BUDGET**

**Directorate:** Corporate and Community Services  
**Author(s):** Vicki Cobby, Director Corporate and Community Services  
**Authoriser(s):** Mark Newman, Chief Executive Officer  
**File Reference:** D25/26430  
**Applicant(s):**  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

The draft 2025/2026 Annual Budget is attached for Council consideration and adoption.

**OFFICER RECOMMENDATION IN BRIEF**

For Council to adopt, by Absolute Majority, the 2025/2026 Annual Budget along with the supporting schedules.

**BACKGROUND**

Under the *Local Government Act 1995*, Council is required to adopt an Annual Budget between 1 June and 31 August each financial year.

Three budget workshops were conducted between April and June 2025 to set the budgetary direction and inform the development of the 2025/26 Annual Budget. These workshops included detailed presentations and documentation, which provided Elected Members with opportunities to ask questions and offer direction to the administration in developing the draft budget and its various components.

**OFFICER COMMENT**

The budget has been prepared in accordance with the requirements of the *Local Government Act 1995*, the *Local Government (Financial Management) Regulations 1996*, and *Australian Accounting Standards*. It reflects the principles and feedback discussed with Elected Members during the budget workshops, with a focus on long term sustainability including a gradual increase to our Reserve Fund balances, service levels and delivering on the Council Plan. The Draft Statutory Budget document can be viewed as **Attachment (a)**.

The Town proposes a balanced budget for 2025/26, with neither a surplus nor a deficit. The estimated opening cash surplus for 2025/26 is \$1,276,963, representing the carried forward projects from 2024/25. This surplus will be utilised to complete these projects in 2025/26. The final figure for the 2024/25 cash surplus will be determined through end-of-year processing and audit.

The proposed General Rates are determined after considering all other sources of revenue, available reserve funding, expenditure requirements, efficiency and savings measures, and associated cost increases.

Below are the key inclusions in the proposed 2025/26 Annual Budget:

## 1. Operating Budget

The draft operating budget provides for the Town's day-to-day operations. The net operating budget position has improved by \$229K from last year's budget. Significant movements in revenue and expenditure include:

- A 3.9% increase in the rate in the dollar over all general rates, resulting in an additional \$506K, with an increase to the Residential Improved category minimum to \$900, increasing the number of properties in this category from 78 to 100 and revenue by \$28K. All other minimums increased by 3.9% and have resulting in an increase to revenue of \$5,464. In addition the budget includes an increase to interim rating of \$25K. An overall rate revenue increase of \$565K has been budgeted.
- Increased employment costs are due to a 3% pay increase as per the Town of Cottesloe Industrial Agreement, a correction to Ranger salaries and entitlements, an increase to the superannuation guarantee, a \$51K increase in workers compensation premium and the inclusion of three new positions – Governance Officer, Community Engagement Officer (part-time) and a Environmental/Sustainability Officer.
- Increased Materials and Contract costs based on the Local Government Cost Index of 2.4% and contracted increases under service delivery agreements. An increase to service levels has been budgeted for where required, for example rubbish collections in the Town Centre.
- Key strategic projects and initiatives including:
  - Carpark 2 Redevelopment: \$70K
  - Feasibility Study Curtin Avenue Crossing at Napier Street: \$20K
  - Land, Building & Infrastructure Revaluation: \$50K
  - Completion of the following carried forward projects - Local Planning Strategy, Cottesloe Village Centre Precinct Plan and Town Planning Scheme 4.

## 2. Capital Budget

A capital works program totalling \$3.88M entailing investment in infrastructure, land and buildings, plant and equipment and furniture and equipment is proposed. For the full list of Capital Works please see **Attachment (c)**.

Key Capital Projects in 2025/26 are listed below;

MRRG (Road rehabilitation) Marine Parade, Warton St to Pearce St	722,200
Healthy Streets Project Stage 1 – Broome Street	550,000
Marine Parade Shared Path North St to Curtin Ave – Detailed design	400,000
Plant, machinery and equipment replacement	357,000
South Cottesloe toilets	300,000
Harvey Field (Broome Street) Playground Upgrade	282,871
Civic Centre Playground renewals	200,000
Right of Ways - ROW 6, 67 & 68	140,000
Groyne Access Ramp Works	121,337
Civic Centre office refurbishment	101,587

### 3. Surplus at the start of the financial year

The opening balance, referred to in the Statement of Financial Activity as the “Surplus at the start of the financial year” is \$1,273,963. This also represents the anticipated surplus for the 2024/2025 financial year after the end of financial year transactions have been processed and audited. This surplus will be used to fund our carried forward projects as shown in the table below.

Carried Forward Projects funded by 2024/2025 closing surplus	Amount (\$)
Parking - In Ground Sensors	35,000
Civic Centre Office Refurbishment	101,587
John Black Dune Drink Fountain	65,000
Cottesloe Carpark No.2 Strategy	23,971
Groyne Access Ramp Works	121,337
Harvey Field (Broome Street) Playground Upgrade	282,871
Civic Centre Playground Upgrade Project (detailed design)	35,000
Healthy Streets Project	66,000
Brixton Street Resurfacing	27,000
Civic Centre Conservation Renewal	32,197
Anderson Pavilion Development	34,000
South Cottesloe toilets	300,000
Town Planning Scheme	125,000
Cottesloe Village Centre Precinct Plan	25,000
	<b>1,273,963</b>

### 4. Reserves

The Town forecasts a closing balance of \$8.69M in reserves for 2025/26, an overall increase to Reserves of almost \$200K. Please see Note 9 of **Attachment (a)** for more detail.

It is proposed that three reserves be amalgamated into similar reserves. The Civic Centre Reserve to be combined with the Property Reserve, the Recreation Precinct Reserve with the Public Open Space Reserve and the Active Transport Reserve with the Infrastructure Reserve. The balance of the Active Transport Reserve funds as of 30 June 2025, will be quarantined within the Infrastructure Reserve for Active Transport projects only.

Major proposed movements include:

- An estimated \$389K interest earned on reserve funds, based on the reserves' opening balance and an interest rate of 4.00%.
- Transfer from the Information Technology Reserve for the introduction of a HR Module: \$50k
- Transfer from the Right of Way Reserve for the ROW 6, ROW 67 and ROW 68 upgrades of \$140,000.
- Transfers to Reserves of \$50,000 to provide for the future, shared between Information Technology, Leave, Legal, Library and Property Reserves.



## 5. Fees and Charges

As a general rule, a 2.4% increase has been applied to the 2025/26 Fees and Charges in response to inflationary pressures and in alignment with the Local Government Cost Index, and rounded to the nearest dollar. Notable changes include:

- Sundry debtors charges interest rate, overdue charges on invoices decreased to nil from the previous 7%.
- Removal of replacement of lost, stolen or damaged bins for domestic and commercial, as there will no longer be a charge for this service.
- Waste charges have been reviewed based on the current usage and actual expenditure. With an overall increase of 3.9% across various waste charges. Combined and standard 3-bin service annual fee has increased by 3.9% upon review of the annual fee and usage.
- Removal of work zone permits and infrastructure bonds as these fees will no longer be required.
- Public hire fee, including commercial (minimum 3 hours), private function (including weddings at minimum 3 hours) and wet weather back-up have been increased by 10%-20%, dependent on location to match with the demand of hire, increase in service level and the increase of administration costs to provide this service.

The draft 2025/2026 Fees and Charges schedule can be viewed as **Attachment (b)**.

## 6. Elected Member Remuneration

Elected Member remuneration has increased by 3.5% in line with the increases in the Local Government Chief Executive Officers and Elected Council Members Determination No 1 of 2025 provided by the Salaries and Allowances Tribunal. The Salaries and Allowances Tribunal is established pursuant to section 5 of the *Salaries and Allowances Act 1975*.

Please note that the Tribunal Determination provides a range for these allowances and the following table shows the proposed budget amount compared to the maximum allowed.

	Maximum allowed	Proposed budget	% of maximum
Telecommunications Allowance	3,500	1,656	47%
Meeting Attendance Fee	18,335	16,301	89%
Mayor's Meeting Attendance Fee	28,385	25,254	89%
Mayor's Allowance	41,388	28,980	70%
Deputy Mayor Allowance	10,347	7,245	70%

An itemised list per Elected Member can be viewed at Note 11 of **Attachment (a)**.

## 7. Community Donations

The budget includes \$18,143 for Community Donations. A list of community group and organisation's grant requests and recommendations, including the rationale behind them, was presented to Elected Members at Budget Workshop 2 held on 13 May 2025. A total of 9 applications were received for the 2025/26 financial year, with 8 applications being recommended for support or partial support. A list of these can be found in **Attachment (d)**.

**8. Loans**

No new loans are proposed in the 2025/26 draft Budget.

Repayment of the Grove Library loan will continue, with the outstanding balance reduced to \$1,398,901 as of 30 June 2026. This loan will be fully repaid in September 2029.

**ATTACHMENTS**

- 10.1.1(a) Draft Town of Cottesloe 2025/2026 Annual Budget [under separate cover]**
- 10.1.1(b) Draft 2025/2026 Fees and Charges Schedule [under separate cover]**
- 10.1.1(c) Draft 2025/2026 Capital Works [under separate cover]**
- 10.1.1(d) Draft 2025/2026 Community Donations [under separate cover]**

**CONSULTATION**

At the Special Council Meeting held 17 June 2025, Council resolved of its intention to raise the following differential general rates and minimum rates for the 2025/2026 financial year:

<b><i>Differential Rate Category</i></b>	<b><i>Rate in the \$</i></b>	<b><i>Min Rate</i></b>
<i>GRV – Residential Improved (RI)</i>	<i>0.05812</i>	<i>\$ 900</i>
<i>GRV – Residential Vacant (RV)</i>	<i>0.06937</i>	<i>\$1,438</i>
<i>GRV – Commercial Improved (CI)</i>	<i>0.06937</i>	<i>\$1,438</i>
<i>GRV – Commercial Vacant (CV)</i>	<i>0.06937</i>	<i>\$1,144</i>
<i>GRV – Commercial Town (CT)</i>	<i>0.08300</i>	<i>\$1,456</i>
<i>GRV – Industrial</i>	<i>0.06937</i>	<i>\$1,438</i>

Local public notice was provided in accordance with Section 6.36 of the *Local Government Act 1995*, with a close date of Wednesday 9 July 2025. No submissions were received.

**STATUTORY IMPLICATIONS**

*Local Government Act 1995*

s6.2 Local Government to prepare annual budget

*Local Government (Financial Management) Regulations 1996*

Regulations 22 to 33 of the *Local Government (Financial Management) Regulations 1996* contain the requirements for the form of the budget document and the information to be contained within it.

**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 have been incorporated into the budget presented for adoption.

### **ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

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

### **RISK MANAGEMENT IMPLICATIONS**

Failure to adopt the annual budget in accordance with the *Local Government Act 1995* constitutes noncompliance with legislative requirements. Specifically, section 6.2(1) requires a local government to prepare and adopt a budget each financial year, and section 6.2(4) requires this to occur by 31 August. Delays in adopting the budget may prevent the timely commencement of capital and operational projects, increasing the risk of project delays or non-completion within the financial year. Additionally, a delay in budget adoption postpones the issuing of rates notices, which may impact the timing of revenue collection and lead to short-term cash flow constraints.

### **VOTING REQUIREMENT**

Absolute Majority

### **OFFICER RECOMMENDATION**

**THAT Council by ABSOLUTE MAJORITY**

- 1. ADOPTS the Budget for the year ended 30 June 2026, as attached, including:**
  - a. Statement of Comprehensive Income;**
  - b. Statement of Cash flows;**
  - c. Statement of Financial Activity; and**
  - d. Notes to and forming part of the Budget, including the 2025/2026 Schedule of Fees and Charges.**
- 2. IMPOSES the following differential general rates and minimum payments on the Gross Rental Valuations;**

<i>Differential Rate Category</i>	<i>Rate in the \$</i>	<i>Minimum Payment</i>
<b>GRV – Residential Improved (RI)</b>	<b>0.05812</b>	<b>\$ 900</b>

<b>GRV – Residential Vacant (RV)</b>	<b>0.06937</b>	<b>\$1,438</b>
<b>GRV – Commercial Improved (CI)</b>	<b>0.06937</b>	<b>\$1,438</b>
<b>GRV – Commercial Vacant (CV)</b>	<b>0.06937</b>	<b>\$1,144</b>
<b>GRV – Commercial Town (CT)</b>	<b>0.08300</b>	<b>\$1,456</b>
<b>GRV – Industrial</b>	<b>0.06937</b>	<b>\$1,438</b>

**3. SETS the following dates for payment of rates:**

- a. Option 1 – One payment. Payment in full by 23 September 2025.**
- b. Option 2 – Four instalments. This option incurs an administrative fee of \$27.60 and interest charges at 5.5%.**

**First instalment                      23 September 2025**

**Second Instalment                  24 November 2025**

**Third Instalment                    27 January 2026**

**Fourth Instalment                  30 March 2026**

**4. IMPOSES late payment interest of 8%, calculated on a daily basis in accordance with section 6.51 (1) of the *Local Government Act 1995*, to be charged on rates payments which are outstanding from the due date. Late payment interest will not apply to entitled pensioners or eligible seniors.**

**5. IMPOSES a combined 3 bin service annual fee of \$608.00 for residential properties:**

- a. a once per week service of 240L green bin for FOGO;**
- b. a once per fortnight service of a 240L yellow bin for recyclable household rubbish; and**
- c. a once per fortnight service of a 120L red bin for general household rubbish.**

**6. SETS the following charges to residential properties for additional waste services (per annum GST inclusive):**

- a. General Waste – each service per fortnight (120L bin) - \$316.00;**
- b. General Waste – each service per week (660L bin) - \$2,168.00;**
- c. Recycling – each service per fortnight (240L bin) - \$86.00; and**
- d. FOGO Waste – each service per week (240L bin) - \$191.00.**

**7. SETS the following charges to commercial properties (per annum GST inclusive):**

- a. General Waste – each service per week (240L bin) - \$600.00;**
- b. General Waste – each service per week (660L bin) - \$2,250.00;**
- c. Recycling – one service per fortnight (240L bin) - \$144.50;**
- d. Recycling – one service per week (240L bin) - \$276.00; and**

- e. Green Waste – one service per fortnight (240L bin) - \$173.00
- 8. **ADOPTS** a Telecommunications Allowance of \$1,656 for Elected Members as per section 5.99A of the *Local Government Act 1995*.
- 9. **ADOPTS** Members Attendance Fees – set an annual meeting attendance fee of \$16,301 for Council members and \$25,254 for the Mayor as per section 5.99 of the *Local Government Act 1995*.
- 10. **ADOPTS** the Mayor's Allowance of \$28,980 and the Deputy Mayor's Allowance of \$7,245 as per sections 5.98 and 5.98A of the *Local Government Act 1995*.
- 11. **MAINTAINS** the materiality levels of 15% and \$25,000 for the monthly reporting of significant variances of income and expenditure in the Statement of Financial Activity.

**10.1.2 POLICY REVIEW - POLICIES RECOMMENDED FOR REVOCATION**

**Directorate:** Corporate and Community Services  
**Author(s):** Vicki Cobby, Director Corporate and Community Services  
**Authoriser(s):** Mark Newman, Chief Executive Officer  
**File Reference:** D25/27181  
**Applicant(s):**  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

Policies are reviewed regularly to ensure they remain current and relevant. The ongoing policy review has identified policies that are operational in nature or duplicating existing processes/legislation and subsequently are recommended for revocation.

**OFFICER RECOMMENDATION IN BRIEF**

That Council APPROVES the revocation of the following policies as presented in the attachments:

1. Fringe Benefit Tax Policy; and
2. Differential Rating Policy; and
3. Acceptance of Grant Funding Policy; and
4. Rates Recovery Policy.

**OFFICER COMMENT****Fringe Benefit Tax Policy**

The current policy was adopted by Council in February 2012.

It is an operational document and does not contain any strategic direction from Council. It is therefore recommended that the policy be revoked.

The policy, if revoked will become a Guiding Statement for use by the administration, as per the tracked changes in **Attachment (a)**. The final document is shown in **Attachment (b)**.

**Differential Rating Policy**

The current policy was adopted by Council in August 1994 and was last reviewed in November 2010.

This is a document that contains strategic direction from Council but it is not required in a policy because the Town is guided by the *Local Government Act 1995*, s.6.33 Differential General Rates and the *Local Government (Financial Management) Regulations 1996*, Part 5 – Rates and Service Charges. Approval must be sought from the Minister for Local Government if any of the parameters set by the regulations are exceeded.

In addition, the Local Government must seek Council's approval of the 'Notice of Intention to Levy Differential Rates' before advertising the 'Objects and Reasons'. The 'Objects and Reasons' articulate the aims and issues that the current policy seeks to address.

The current policy is shown in **Attachment (c)**.

**Acceptance of Grant Funding Policy**

The current policy was adopted by Council in May 2020 and has not been reviewed.

This policy limits the CEO's ability to accept grant funding above \$10,000 when the revenue or corresponding expense has not been budgeted.

The Town of Cottesloe purchasing policy also provides specific instruction that purchase orders are not to be raised when the expenditure is unbudgeted.

To accept unbudgeted grant funding the administration needs to seek approval for a budget amendment from Council, which must be approved by Absolute Majority. If Council does not approve of the grant funding, they can choose to amend or not approve the budget amendment. The policy is not required to bring this decision to Council.

The current policy is shown in **Attachment (d)**.

**Rates Recovery Policy**

The current policy was adopted by Council in December 1994, and was last reviewed in July 2009.

This policy provides operational guidance regarding the appropriate timing and authorised officers for initiating debt recovery action. The *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996* establish clear statutory requirements for due dates, penalty interest, and the authority to recover unpaid rates through legal processes. As the recovery of outstanding rates is an administrative function governed by legislation and internal processes, a separate Council policy is not considered essential.

The administration will be reviewing the Hardship Policy in the coming months, specific direction regarding unpaid rates by ratepayers experiencing hardship will continue to be addressed in that policy.

The current policy is shown in **Attachment (e)**.

**ATTACHMENTS**

- 10.1.2(a) Fringe Benefits Tax Policy - Tracked Changes to Guiding Statement - Fringe Benefits Tax [under separate cover]**
- 10.1.2(b) Guiding Statement - Fringe Benefits Tax [under separate cover]**
- 10.1.2(c) Differential Rating Policy [under separate cover]**
- 10.1.2(d) Acceptance of Grant Funding Policy [under separate cover]**
- 10.1.2(e) Rates Recovery Policy [under separate cover]**

**CONSULTATION**

Executive Team

**STATUTORY IMPLICATIONS**

*Local Government Act 1995*

Section 6.33 Differential General Rates

Section 6.50 Rates or service charges due and payable

Subdivision 5 — Recovery of unpaid rates and service charges

Subdivision 6 — Actions against land where rates or service charges unpaid

*Local Government (Financial Management) Regulations 1996*

Part 5 – Rates and Service Charges

### **POLICY IMPLICATIONS**

Revoking these policies means they will no longer be used to guide administrative decision-making. However, this action does not alter the intent or desired outcomes previously supported by Council. The relevant functions and responsibilities will continue to be managed in accordance with legislation, established operational procedures, and best practice. Removing the policies simply reduces duplication and clarifies that these matters are appropriately addressed through existing statutory frameworks and internal processes.

### **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**

There are no resource implications with revoking these Council policies.

### **ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

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

### **RISK MANAGEMENT IMPLICATIONS**

There is very little risk in revoking these policies as there is no anticipated change to business processes.

### **VOTING REQUIREMENT**

Simple Majority

### **OFFICER RECOMMENDATION**

**THAT Council REVOKES:**

- 1. The Fringe Benefit Tax Policy as outlined in Attachment (a);**



2. The Differential Rating Policy as outlined in Attachment (c);
3. The Acceptance of Grant Funding Policy as outlined in Attachment (d); and
4. The Rates Recovery Policy as outlined in Attachment (e).

**DEVELOPMENT AND REGULATORY SERVICES****10.1.3 STORAGE OF ITEMS, MATERIALS AND GOODS ON LOCAL GOVERNMENT PROPERTY POLICY**

**Directorate:** Development and Regulatory Services  
**Author(s):** Steve Cleaver, Director Development and Regulatory Services  
**Authoriser(s):** Mark Newman, Chief Executive Officer  
**File Reference:** D25/22409  
**Applicant(s):** Nil  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

For Council to consider a new policy on the storage of Items, Materials and Goods on Local Government Property.

**OFFICER RECOMMENDATION IN BRIEF**

THAT Council adopts the policy, Storage of Items, Materials and Goods on Local Government Property Policy

**BACKGROUND**

Currently the Town has a fee and charge for residents/builders who utilise the Towns property for the storage of items, this mainly relates to the verge area adjoining their boundaries. There are various requests for material on verge permits or workzone permits and they either relate to

1. Building Sites
2. Residential requests

Building Site materials on verge approvals generally may take up to two years, where as requests from a resident are generally for skip bins which last for much shorter periods of time.

All approvals are generally subject to conditions such as being time limited and the instalment of a tree protection zone (tpz). Fees are charged as per the Towns fees and charges adopted with the budget.

It is proposed by way of policy that the administration focuses primarily on verge use adjacent to building sites and provides reasonable exemptions for residential properties. ie hiring a skip bin to undertake a yard clean-up or the like.

**OFFICER COMMENT**

The Town has received comments on the lack of exemptions for verge usage that exists in other Local Governments particularly in relation to skip bins. The Policy will guide the administration on the requirements for applications for materials on verge applications. The

policy mirrors policies that exist in neighbouring Local Governments and determines what can be approved and what is prohibited. The policy also allows for skip bins to be placed on local Government property for two weeks without the need for a permit. The siting of site toilets and sheds should also be restricted to being located on private property in order to maintain the amenity of the Town.

Due to the nature of this style of application each service request does take administration time to record the application, take fees and process and issue the permits. For low level short duration applications such as short duration skip bins the costs of processing the application would likely outweigh the fees received and it is proposed that these be exempted.

### **ATTACHMENTS**

**10.1.3(a) Storage of Items, Material and Goods on Local Government Property Policy  
[under separate cover]**

### **CONSULTATION**

Nil

### **STATUTORY IMPLICATIONS**

*Local Government Act 1995 s*

Local Government (Uniform Local Provisions) Regulations 1996

Town of Cottesloe Local Government Property Local Law 2001

### **POLICY IMPLICATIONS**

This matter will set Councils policy relating to Storage of Items, Materials and Goods on Local Government Property 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 4.2: Work innovatively and collaboratively with government, industry, business and community to deliver positive outcomes.

### **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**

There are no perceived risks associated with this item.

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION**

**THAT Council adopts the policy Storage of Items, Materials and Goods on Local Government Property Policy (Attachment A)**

**ENGINEERING SERVICES****10.1.4 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:** D25/25546  
**Applicant(s):** Internal  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

For Council to consider the public consultation results and endorse a concept that will be used to develop a set of construction drawings during the detailed design phase of the project.

**OFFICER RECOMMENDATION IN BRIEF**

That Council ENDORSES the attached Concept Plan, subject to further investigations by the successful design consultant when preparing the construction drawings.

**BACKGROUND**

In August 2019, the Town undertook public consultation and considered feedback received to develop a Long Term Cycle Network (LTCN). In April 2020, Council endorsed this LTCN plan and made the Marine Parade and Eric Street its two highest priority routes.

In March 2023, Eric Street was completed using a Department of Transport contribution.

In January 2025, the Town was awarded a grant for just over \$4 million through the Federal Government's Active Transport Fund for the Marine Parade shared path. Council is required to contribute \$200,000 to this project.

At the April 2025 Ordinary Council Meeting, Council endorsed a set of design principles for a concept to be prepared for the purpose of public consultation. Further details can be found under item 10.1.8 (Marine Parade Shared Path Public Consultation) within the following link - <https://www.cottesloe.wa.gov.au/council-meetings/ordinary-council-meeting/22-april-2025-ordinary-council-meeting/358/documents/unconfirmed-minutes-ordinary-council-meeting-22-april-2025.pdf>

The public consultation has since occurred and Council is asked to consider the feedback received (summarised within the officer's comment section) and endorse the attached concept (Attachment A) for this to be applied in developing a set of construction drawings.

Council should also note that this report is linked to a separate recommendation in another item for the acceptance of a tender to appoint a design consultant for the detailed design phase of this project.

**OFFICER COMMENT**

Enclosed is the survey questionnaire (Attachment B) that was completed by the 219 respondents. The public consultation report prepared by Element (Attachment C) provides a more detailed analysis of the results.

**Public Consultation Terms of Reference**

Fundamentally, the consultation survey was targeted at collating feedback on the following matters:

- The preferred design solution for three conflict points, namely:
  - (a) Conflict Location 1 – Beach Access Path Entry Points;
  - (b) Conflict Location 2 – Dutch Inn Playground Frontage;
  - (c) Conflict Location 3 – North Cottesloe Area;
- The creation of offset parking bays in South Cottesloe and the impact on green space;
- Support for the shared path alignment outside of conflict locations 1, 2 and 3; and
- Marine Parade on road cyclist safety improvements.

**Summary and Analysis of Public Consultation Results**

The key outcomes and concerns identified from the consultation report were;

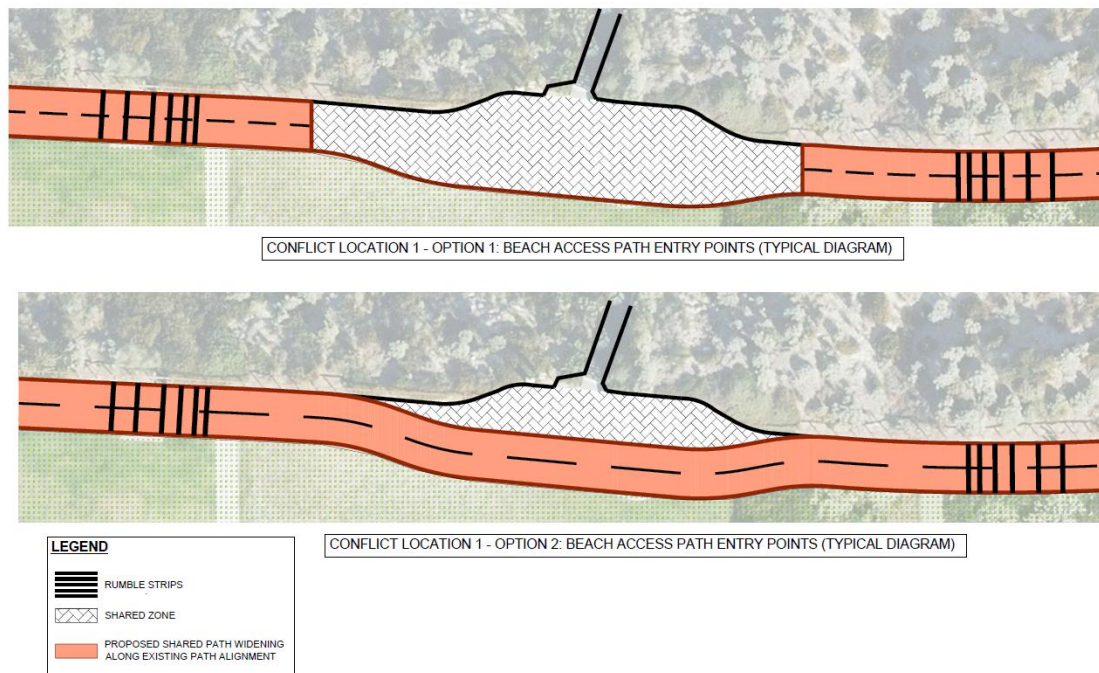
- Broad community support with conditions for clear separation of users, protection of green space, and improved design communication
- Reduce areas of user conflicts by physically separating the path and measures to slow cyclist speed in shared zones.
- Improve the safety of on-road cycling by lowering speed limits, protected bike lanes, and reducing conflicts with parked cars.
- Further design details and improved communication

Concerns raised in the survey feedback will be addressed and further investigated by the successful design consultant during detailed design development stage. Particular focus will be given on improving path user safety in conflict areas and retaining or reconfiguring parking where possible, with the aim to minimise green space loss without compromising safety. Should the Council wish for a follow-up public consultation to update the community, it can be undertaken after the 50% detailed design is completed.

In addition to the feedback received for the shared path upgrade, comments received on safety improvements for Marine Parade Cycling Environment will be considered for future road upgrades.

This section summarises the consultation results. The officer has provided their view on how the concerns raised can be addressed. The survey questionnaire attached (Attachment B) provides the diagrams for the possible design solutions to the different conflict points.

- Conflict Location 1: Beach Access Path Entry Points
  - (a) 84% of respondents supported either of the two proposed design options (shared zone vs the path bypassing the entry point on a different alignment);



*Figure 1: Beach Access Path Entry Points Design Options*

- (b) The majority of respondents favoured the bypass solution because this provides a clear separation between cyclists and pedestrians;
- (c) Other comments received mostly related to cyclist speed on the path and potential loss of green infrastructure.

The officers are of the view that the:

- The preferred solution (path bypassing the entry point on different alignment) will be implemented at beach access path entry points where there are no space constraints;
  - loss in green space is required to meet standards for pedestrians and cyclists to safely share the path;
  - Speed-reducing measures such as rumble strips and different surface treatments will be considered at the detailed design stage. This will include soft landscaping to compensate for the green space loss.
- Conflict Location 2: Dutch Inn Playground Frontage (Beach Side)
    - (a) 52% of respondents indicated that further consideration was required.



(b) Key improvement suggestions include:

- (i) Separating the cycle path through this section, such as
  - 1. on-road facilities; or
  - 2. diverting away to the eastern side of the playground and then re-joining the ocean front alignment once past the play space;
- (ii) Widening of the existing shared path;
- (iii) Installation of physical barriers between the path and the playground;
- (iv) Pavement markings, signage and speed-reducing features along the playground frontage to encourage cyclists to slow down

The officers are of the view that:

- All other key improvement suggestions for conflict location 2, with the exception of (i) separating the cycle path and (ii) a wider path can be further investigated as part of the detailed design;
- The change in path alignment away from the existing one will result in the loss of parking bays, green space and create unnecessary recreational cycling safety risk if they were to be placed onto the road;
- The widening of the path will result in the removal of dune vegetation because it is only possible for the extension to be done on the western side of the existing path.

- Conflict Location 3: North Cottesloe Area

- (a) 67% of the respondents supported either of the proposed design options;
- (b) When further broken down:
  - (i) 30% supported Option 1 – kerb side parking design resulting in the reduction of bays;



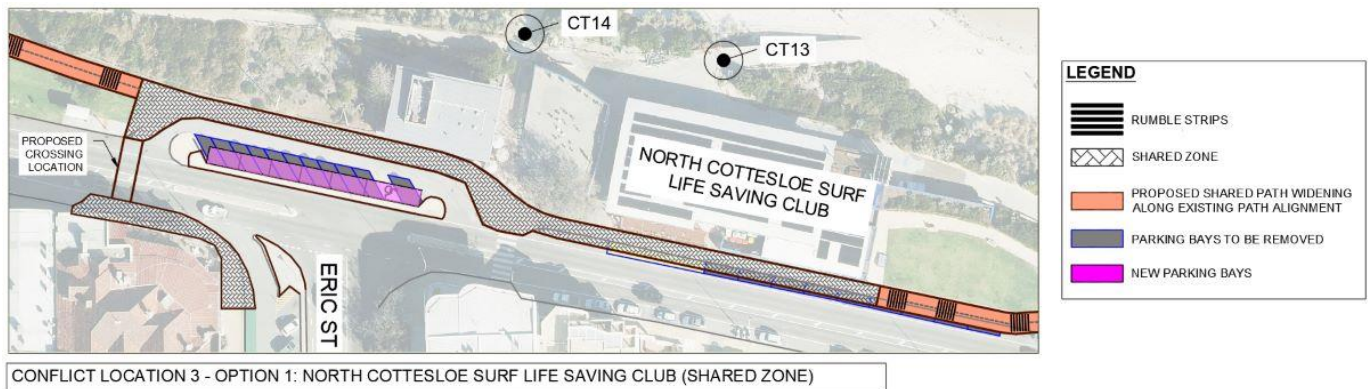


Figure 2: Conflict Location 3 – Option 1

- (ii) 37% for Option 2 – shared zone retention of parking bays respectively;

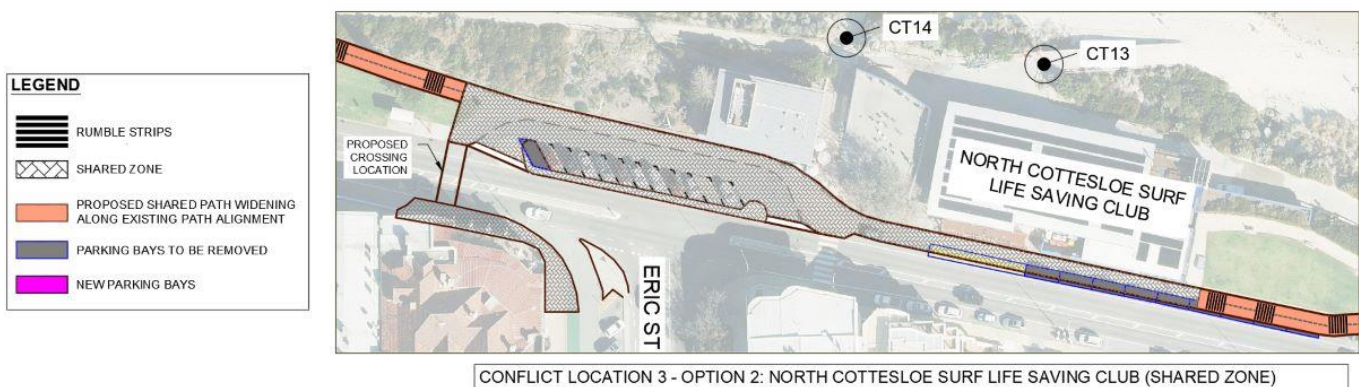


Figure 3: Conflict Location 3 – Option 2

- (c) The remaining 33% did not support either option;

- (d) Key comments included:

- (i) The reasons for favouring Option 1 is that the kerbside parking design provides a safer environment in high pedestrianised areas where walkers are separated from vehicles;
- (ii) The reasons for favouring Option 2 are because this preserves the existing parking areas and maximises the public space for better movement;
- (iii) Those that did not support either option opposed them for the following reasons:
  - 1. Safety concerns on the North Cottesloe Surf Life Saving Club (NCSLSC) Entry and proximity to the shared path;
  - 2. Loss of bays fronting the NCSLSC (ACROD, Loading Zone and Authorised Parking);
  - 3. Access for emergency vehicles;
  - 4. Proposed crossing location – potential safety concern due to its proximity to vehicles exiting from the Eric Street Car Park;
  - 5. Suggested separate on-road cycle lanes and lowering speed limit to 30km/h through the NCSLSC section.

The officers are of the view that:

- Option 2 (shared zone with the loss of one parking bay) is the preferred design for this section because it aligns with the Foreshore Redevelopment drawings in this area. It also allows the retention of parking to accommodate the hospitality-type businesses (Magic Apple and Long View) until the Foreshore Redevelopment is built (this parking area will be removed then);
- The detail design should consider a three metre path, which is measured from the face of the new kerb when the parking in front of the NCSLSC is relocated. This width reduction is allowable under standards because of the separate pedestrian path along the beach front (between the NCSLSC building and the beach) and will provide an increased offset at the entrance to the NCSLSC building;
- The ACROD and authorised bays would be relocated further 50m (approx.) to the north for the path to be constructed. This is reasonable and is still within the limits of relevant standards (AS2890.6);
- Emergency vehicles are allowed to park on the path in front of the building and there is also a driveway that takes responders down to the beach front if needed. Cyclists can utilise the pedestrian path to the west of the NCSLSC to bypass the parked emergency service vehicles;
- The detailed design can ensure sufficient sight distance for vehicles exiting the Eric Street carpark to reduce the conflict risk at the crossing point. There is also the option of installing traffic calming;
- The speed reduction to 30km/h is outside the control of the Town, and irrespective of this posted speed change, it is a risk for recreational cyclists to travel on the road, especially when there are no traffic calming measures to create that safe lower speed environment;
- The Town needs to continue collaborating with the NCSLSC through the detailed design towards an amicable solution to ensure the design alternatives stated above accommodates the needs of the club.

- Minimising Green Space and loss of Car Parking Bays (between Sydney and MacArthur Streets)

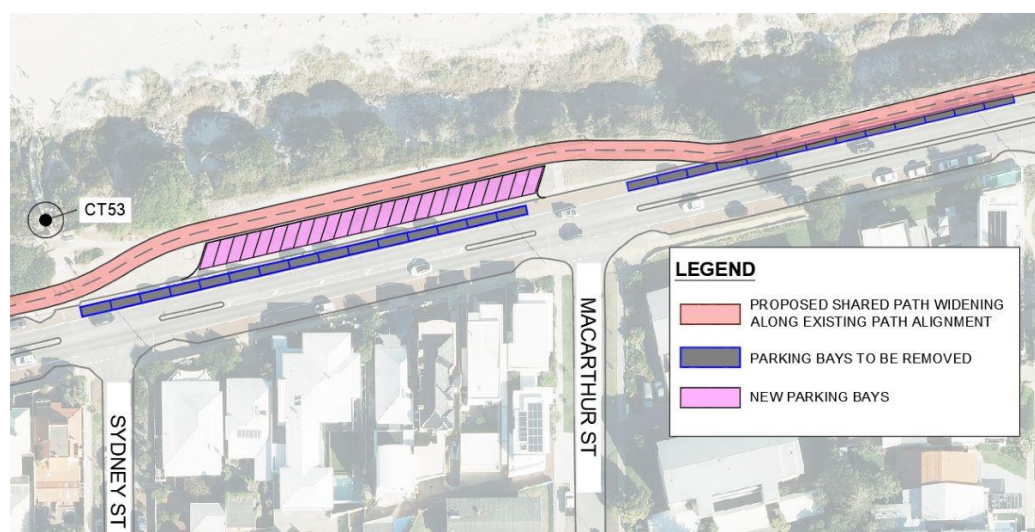


Figure 4: Proposed Parking Offset Bays

- (a) A majority of the respondents supported the offset bays proposal, with 40% preferring a reduction in car bays over the loss of green space;
- (b) Those who supported this option liked the design because the 90 degree offset parking bays reduced 'dooring' risk caused by parallel parking;
- (c) Those who opposed reiterated their preference for retaining green space over offset parking and also raised safety concerns over vehicles reversing onto the road.

The officers are of the view that the offset bays should be provided because this is supported by survey participants to do so and is in line with the principles of retaining current levels of service.

- Path Alignment outside the conflict points

- (a) A majority of respondents support the path alignment outside the three conflict points;
- (b) Comments received relate to clearer separation of cyclists and pedestrians, raised concerns on dune erosion, cyclist speed and loss of parking bays.

The officers are of the view that environmental management and safety concerns can be further investigated at the detail design to address these issues.

- Marine Parade Cycling Environment

- (a) 68% (199 responses) indicated that Marine Parade is not a safe environment for on-road cycling, due to the road narrowness, busyness, speeding vehicles and the potential for 'dooring' risks;
- (b) On-road cyclists are primarily for recreational purposes rather than commuting purposes;
- (c) Comments also indicated that the existing shared path is not conducive to cycling;
- (d) The majority of respondents suggested improvement by:
  - (i) creating a shared environment, such as on-road cycle lanes;
  - (ii) followed by addressing conflict between parked vehicles and cyclists, such as but not limited to offset between parking bays and traffic lanes.

The information obtained will be used for long-term planning for Marine Parade.

The following responses to questions raised at the Agenda Forum:

- Footpath adjacent to Parallel Bays – Whilst the replacement of these concrete paths with turf is possible, the approach can result in a number of implications comprising of:
  - uneven surfaces (assisting those with walking difficulties);
  - additional cost associated with reticulation changes and maintenance;
  - damage to vehicles when mowing;
  - Enclosed is an email from the Town's Parks and Services Team that further elaborates (Attachment D);

The removal of duplicated paths such as ones that run adjacent to the new shared facility will be considered as part of the detail design process and reflected in the 50 percent design.

- Asphalt Colour – An email from the Department of Transport (Attachment E) suggests that there may be some flexibility in the colour of the finished surface between shared zones. Given this,

Council can amend the officer's recommendation and ask the Chief Executive Officer to work with the Department to explore a final surface treatment that is befitting to an iconic coastal environment and for them to endorse this as part of the 50 percent design before the drawings are presented to Council.

Below the is link to the Department of Transport's Planning and Design Guidelines for bicycle infrastructure.

[Shared and Separated Path guidelines](#)

- Beach Access Path Design Layout Matrix (Option 1 and 2) – More time is needed for the analysis to be carried out. This information will be provided to Council before the meeting.

### **ATTACHMENTS**

- 10.1.4(a) Attachment A - Marine Parade Shared Path Concept Plan [under separate cover]
- 10.1.4(b) Attachment B - Marine Parade Shared Path Upgrade Project - Survey Questions - June 2025 [under separate cover]
- 10.1.4(c) Attachment C - Marine Parade Shared Path Public Consultation - Outcomes Report from Element [under separate cover]
- 10.1.4(d) Attachment D - Email from Manager Parks and Operations [under separate cover]
- 10.1.4(e) Attachment E - Email - Department of Transport [under separate cover]

### **CONSULTATION**

The Concept Options within the April 2025 OCM Officer's Report and Community Engagement Plan were developed in consultation with the Active Transport Working Group, Element and Elected Members.

The design fundamentals used to develop the different concept options were discussed with the Department of Transport.

### **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 2025/2026.

#### **ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

The path construction will result in the loss of green space

The proposed landscaping will add value to canopy growth.

#### **RISK MANAGEMENT IMPLICATIONS**

- **Project delays** - Not adopting a concept will delay the design process and could affect the timelines associated with the grant and complying with the Active Transport Fund requirement of completing detail design by March 2026. This will have flow on effects to the agreement expiry date of April 2029;
- **Budget** - Constructing the path outside the concepts mentioned within the April 2025 OCM officer's report may result in additional cost incurred during the detail design and building stage of the project which may then affect the overall budget of the project; and
- **Reputational** – Deciding to not proceed with the project and then returning the grant will affect the Council's future ability to apply for similar grants for other projects.

#### **VOTING REQUIREMENT**

Simple Majority

#### **OFFICER RECOMMENDATION**

THAT Council

1. **THANKS** the community for taking the time to respond to the survey;
2. **ENDORSES** the attached concept design **SUBJECT** to the following:
  - a. **ADOPTS** option 2 for Conflict Location 1 (Beach Access Path Entry Points);
  - b. **INSTRUCTS** the Chief Executive Officer to carry out further investigation below for Conflict Location 2 (Dutch Inn Playground) to improve the safety through this section:
    - i. A physical barrier to separate the playground from the path; or
    - ii. Calming measures along the path fronting the playground; or
    - iii. Both b(i) and b(ii); or
    - iv. Other solutions that improve safety;
  - c. **For Conflict Location 3 (North Cottesloe):**
    - i. **ADOPTS** option 2 (carpark shared zone resulting in the loss of 1 bay);
    - ii. **INSTRUCTS** the Chief Executive Officer to consider the feedback provided by the North Cottesloe Surf Lifesaving Club when developing the detailed design and to continue engaging with the Surf Club to ensure the construction drawings accommodate their requirements through alternative solutions;

- d. APPROVES the alignment for the remaining sections of the path outside the three conflict locations;**
- e. INSTRUCTS the Chief Executive Officer to ensure that the feedback received through the consultation process is used and influences the detailed design development process;**
- f. REQUESTS the Chief Executive Officer to consider the feedback provided to improve the safety for on-road cyclist as part of any future planning or relevant projects along Marine Parade (Curtin Avenue to North Street).**

**EXECUTIVE SERVICES****10.1.5 CEO QUARTERLY INFORMATION BULLETIN**

**Directorate:** Executive Services  
**Author(s):** Jacquelyne Pilkington, Governance & Executive Office Coordinator  
**Authoriser(s):** Mark Newman, Chief Executive Officer  
**File Reference:** D25/27833  
**Applicant(s):** Nil  
**Author Disclosure of Interest:** Nil

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**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**

**10.1.5(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.

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**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

**OFFICER RECOMMENDATION**

**THAT Council notes the information provided in the Quarterly Information Bulletin.**



**10.2 RECEIPT OF MINUTES AND RECOMMENDATIONS FROM COMMITTEES**

Nil

**11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN****11.1 COUNCILLOR MOTION - PROHIBITION ON ADVERTISING ADDICTIVE UNHEALTHY SUBSTANCES AND ACTIVITIES IN THE TOWN OF COTTESLOE**

The following motion has been proposed by Cr Bulbeck.

**COUNCILLOR MOTION**

**THAT Council;**

- 1. Requests the Administration to prepare for council's consideration at the August OCM a policy for the prohibition of advertising addictive or unhealthy substances and activities in the Town of Cottesloe;**
- 2. Resolves that, until a policy for the prohibition of advertising addictive or unhealthy substances and activities in the Town of Cottesloe is approved or otherwise by Council, any new advertising contracts entered into explicitly prohibit the advertising of addictive or unhealthy substances and activities;**
- 3. Resolves that, until a policy for the prohibition of advertising addictive or unhealthy substances and activities in the Town of Cottesloe is approved or otherwise by Council, no new advertising will be displayed in the Town which promotes addictive or unhealthy substances and activities.**

**For the purposes of this motion, the advertising of 'unhealthy and addictive' substances include those outlined in the COAG Interim Guidelines to reduce children's exposure to unhealthy food and drink promotion (for example alcohol, fast food, soft drinks, confectionery: COAG Health Council, 2018), gambling and fossil fuels.**

**COUNCILLOR RATIONALE**

The Cancer Council has discovered precedents in other local governments' advertising policies for all of the addictive or unhealthy products or practices identified in this motion.

In July 2024, The Town of Mosman Park passed a motion to amend Local Planning Policy 26 (Signs & Advertising) to include a clause that signs shall 'not display messages, products, or branding relating to fast food that is not sold on the premises, any form of gambling, or the sale and consumption of alcohol'. This policy affects third party signage on private property and is discretionary. Other councils with similar policies include Kwinana, Mandurah, Subiaco and Melville.

Around the world more than 40 local governments, state governments or nations have acted or are acting on the prohibition of fossil fuel advertising. In Australia, the Cities of Sydney, Fremantle, Maribyrnong and Yarra have acted at the local level.

In March 2025, Fremantle Council adopted the Fossil Fuel Advertising and Sponsorships Policy. This policy states that 'the City of Fremantle does not support advertising of companies involved in the production or supply of fossil fuels on Council owned or managed

land and will not accept sponsorships from companies involved in production or supply of fossil fuels.’

The impacts on our health from fossil fuels are beginning to outweigh the dangers of addictive substances.

A recent Doctors for the Environment Report (‘Fossil Fuels are a Health Hazard’) identified multiple ways in which fossil fuels are killing people and damaging human health. These include from:

- increased incidence and severity of heat and heatwaves, droughts, bushfires and bushfire smoke, storms, and other extreme weather events. Extreme heat kills more Australians than any other climate disaster, exacerbates mental illness, including increased suicidality, and leads to increased domestic and community violence.
- increased exposure to infectious diseases.
- added mental health burdens, particularly of young people and disaster survivors.
- more zoonotic diseases due to biodiversity loss.
- threats to food and water security.
- Plastics causing environmental pollution which impacts endocrine function, male infertility, premature births, cardiovascular disease and various cancers.

Air pollution from fossil fuels kills more people globally (5.13 to 10.2 million) than smoking (150,000 estimated). An estimated 12% of childhood asthma is attributable to the use of gas cooking stoves. An estimated 11,105 premature deaths, 19,000 hospitalisations and 66,000 asthma cases annually in Australia are due to transport-related air pollution.

In summary, advertising is a health issue because it influences behaviour.

There is overwhelming evidence that the substances and practices identified in this motion have negative health consequences.

The Cancer Council’s engagement in the advertising space reveals high demand for bus shelter advertising. The Town can thus maintain its revenue stream and demonstrate commitment to developing the local public health plan required of us by June next year.

### **OFFICER COMMENT**

#### **Statutory Implications**

*Local Government Act 1995*

#### **Policy Implications**

The proposed motion would result in a new policy that would likely influence any renewal of future leases, licences or hire agreements, which would impact future legal agreements.

#### **Resource Implications**

The request for a draft policy to be brought to Council in August would be difficult to achieve. Such a request would require significant research to appropriately report to Council.

In reality there is only two weeks available from the date of consideration of the motion until the date the report would need to be finalised.

Potentially Officers would need to seek legal advice on the process. Council may wish to consult on the issue.

A similar motion was brought before the City of Fremantle in October 2022 and took until June 2024 for Council to consider a draft policy.

### **Other**

Officers are aware that other Councils have taken a similar approach, particularly in relation to unhealthy foods, gambling, tobacco products and alcohol. Officers believe that an extension of this approach should go through a process which would include seeking community feedback on any draft policy.

In the 2025/26 budget Council has budgeted \$25 000 to engage a consultant to undertake a Public Health Plan under the Public Health Act. Through this process the Town will be required to undertake community consultation and this may include review or new policies that may achieve improved health outcomes for the residents of the Town of Cottesloe. At present the Town is going through a request for quote (RFQ) process which work expected to commence in late 2025 as the public health plan is statutorily required under the Public Health Act 2016 to be completed by 30 June 2026. It is recommended that the motion be amended to “that the Administration include Unhealthy and addictive substances advertising be considered in the upcoming 2025 Public Health Plan”.

**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****MOTION FOR BEHIND CLOSED DOORS**

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

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

**13.1.1 CEO PROPOSED KEY PERFORMANCE CRITERIA 2025/26**

This item is considered confidential in accordance with the *Local Government Act 1995* section 5.23(2) (a) as it contains information relating to a matter affecting an employee or employees.

**13.1.2 T03/2025 MARINE PARADE SHARED PATH DETAILED DESIGN CONSULTANCY TENDER**

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.

**MOTION FOR RETURN FROM BEHIND CLOSED DOORS**

**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.**

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

**13.2 RESOLUTIONS PASSED IN MEETINGS CLOSED TO THE PUBLIC TO BE READ ALOUD FOR THE BENEFIT OF MEMBERS OF THE PUBLIC IN ATTENDANCE AND VIEWERS WATCHING THE LIVESTREAMING OF THE MEETING.**

**14 MEETING CLOSURE**