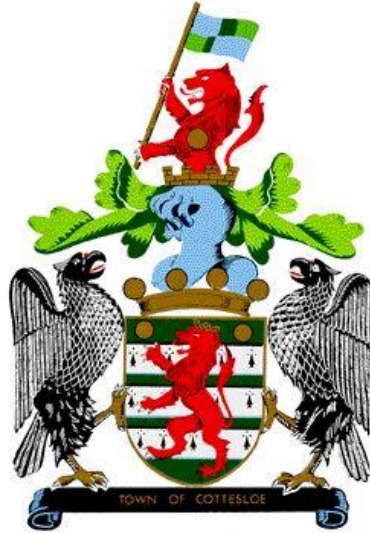


TOWN OF COTTESLOE



AGENDA FORUM

AGENDA

**AGENDA FORUM
TO BE HELD IN THE
Council Chambers, Cottesloe Civic Centre
109 Broome Street, Cottesloe
6:00 PM Tuesday, 16 June 2026**

Town of Cottesloe

AGENDA FORUM

Notice is hereby given that the next Agenda Forum will be held in the Council Chambers, Cottesloe Civic Centre 109 Broome Street, Cottesloe on **16 June 2026** commencing at **6:00 PM**.

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

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Mark Newman', is written over a faint, light blue circular watermark.

Mark Newman
Chief Executive Officer

12 June 2026

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



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.

Agenda Forum Principles:

The following rules and principles apply to the Town of Cottesloe Agenda Forums:

1. Unless otherwise determined by Council, Agenda Forums will be held in the Council Chambers on the Tuesday of the week prior to the Ordinary Council Meeting, to provide the opportunity for Elected Members and members of the public to ask questions and clarify issues relevant to the specific agenda items due to be presented to Council in the following week.
2. The Agenda Forum is not a decision-making forum and the Council has no power to make decisions at the Agenda Forum.
3. In order to ensure full transparency, Agenda Forums will be open to the public to observe the process and to ask Public Questions, similar to the Council Meeting process.
4. Where matters are of a confidential nature, they will be deferred to the conclusion of the Agenda Forum and at that point, the Agenda Forum will be closed to the public.
5. The reports provided to Agenda Forum are the reports that the Administration intends to submit to Council formally in the subsequent week. While it is acknowledged that Elected Members may raise issues that have not been considered in the formulation of the report or its recommendation, and these may be addressed in the subsequent report to Council, Agenda Forum cannot be used as a forum for Elected Members to direct Officers to alter their opinions or recommendations. However, having regard to any questions or clarification sought by Elected Members, the Chief Executive Officer and Officers may choose to amend reports, or withdraw and not present certain items listed on the Agenda Forum Agenda to the subsequent Council Meeting in the following week.
6. Agenda Forum will commence at 6.00pm and will be chaired by the Mayor or in his/her absence the Deputy Mayor. In the absence of both, Councillors will elect a chairperson from amongst those present. In general, Standing Orders (Local Government (Meeting Procedures) Local Law 2021) will apply, except that Members may speak more than once on any item. There is no moving or seconding items.
7. Members of the public present at Agenda Forum may observe the process and will have an opportunity to ask Public Questions relating only to the business on the agenda.
8. Where an interest is declared in relation to an item on the Agenda Forum Agenda, the same procedure which applies to Ordinary Council meetings will apply. All interests must be declared in accordance with the Town's Code of Conduct. The Agenda Forum will consider items on the agenda only and will proceed to deal with each item as it appears in the Agenda. The process will be for the Presiding Member to call each item number in sequence and invite questions or requests for clarification from Elected Members. Where there are no questions regarding the item, the Agenda Forum will proceed to the next item.
9. Notwithstanding 8. above, the Agenda Forum process does not and is not intended to prevent an Elected Member from raising further questions or seeking further clarification after the Agenda Forum and before or at the Council Meeting in the subsequent week.
10. While every endeavour is made to ensure that all items to be presented to Council at the Ordinary Council Meeting are included in the Agenda Forum papers, there may be occasions when, due to necessity, items will not be ready in time for the Agenda Forum and will instead be included on the Council Meeting Agenda to be presented directly to Council for determination.
11. There may also be occasions when items are tabled at the Agenda Forum rather than the full report being provided in advance. In these instances, Administration will endeavour to include the item on the Agenda Forum agenda as a late item, noting that a report will be tabled at the meeting.
12. Any person or group wishing to be received as a deputation by Council is to either a) apply, before the meeting, to the CEO for approval or b) with the approval of the Presiding Member at the meeting, consistent with the Town's Local Government (Meeting Procedures) Local Law 2021.
13. The record of the Agenda Forum will be limited to notes regarding any agreed action to be taken by Administration or Elected Members. The Agenda Forum is not a decision-making forum and does not provide recommendations to Council as a Committee might and, as such, the action notes from Agenda Forum will be retained for administrative purposes only.

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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 AND AGENDA FORUM PRINCIPLES**3 ATTENDANCE****Elected Members**

Mayor Melissa Harkins
Cr Sonja Heath
Cr Helen Sadler
Cr Kirsty Barrett
Cr Brad Wylynko
Cr Michael Thomas
Cr Jeffrey Irvine

Officers

| | |
|--------------------------|--|
| Mr Mark Newman | Chief Executive Officer |
| Mrs Vicki Cobby | Director Corporate and Community Services |
| Mr Shaun Kan | Director Engineering Services |
| Mr Paul Neilson | A/Director Development and Regulatory Services |
| Mrs Sally De Freitas | Manager Community and Customer Service |
| Ms Kate Jones | Governance Coordinator |
| Ms Jacquelyne Pilkington | Governance and Executive Office Coordinator |

3.1 APOLOGIES**3.2 APPROVED LEAVE OF ABSENCE**

Cr Lorraine Young
Cr Chilla Bulbeck

4 DECLARATION OF INTERESTS**5 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION****6 PUBLIC QUESTION TIME****6.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Peter Rattigan – 9 Grant Street, Cottesloe

Q1. Are the planning staff of Cottesloe Council aware that a Development Approval is required before a landholder can remove or destroy a significant tree on private property?

R1. The Town is aware that, in some circumstances, the removal of a tree on private property can amount to works that require development approval. There is currently nothing in the planning framework which applies in the Town of Cottesloe which determines when approval is required for the removal of a tree on private property.

Q2. Has Council taken any steps to inform landholders of private property in Cottesloe that, before removing or destroying a significant tree on private property, they are required to obtain a Development Approval from the town, and if so, what steps?

R2. No.

Q3. What processes does the town have in place to assess whether a significant tree or trees are proposed to be removed or destroyed when the town is assessing development applications?

R3. The Town does not have a local planning policy for tree retention on private property which identifies what may be determined as a significant tree, or, which sets out any formal policy process to be undertaken to consider tree retention as part of the development approval process.

The Town is however reviewing its local planning framework to consider the introduction of such a policy and is active in this regard. It is currently progressing its Green Infrastructure Strategy comprising of 3-yearly flyovers to measure canopy growth and identify significant trees on public land. In the second half of 2026, Town staff are reviewing adopted local planning policies for tree retention on private land at several other similar local governments to determine how such policies might apply to the Town. Its then intended that Council could consider the merits of introducing a local planning policy for tree retention on private property in the first half of 2027.

Q4. Does the town have any procedures in place to protect existing significant trees on private property, and if so, what are they?

R4. Refer to R 3.

6.2 PUBLIC QUESTIONS**7 PUBLIC STATEMENT TIME****8 CONFIRMATION OF MINUTES – TO BE CARRIED OUT AT COUNCIL MEETING ONLY****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****CORPORATE AND COMMUNITY SERVICES****10.1.1 LIST OF PAYMENTS 1 TO 30 MAY 2026**

Directorate: Corporate and Community Services
Author(s): Gabriel Wani, Coordinator Finance
Authoriser(s): Vicki Cobby, Director Corporate and Community Services
Mark Newman, Chief Executive Officer
File Reference: D26/76083
Applicant(s): Internal
Author Disclosure of Interest: Nil

SUMMARY

It is a requirement of the *Local Government (Financial Management) Regulations 1996*, Regulation 13 that if a Local Government has delegated to the CEO the exercise of its power to make payments from the municipal or trust funds, a list of payments must be prepared each month and are presented to Council.

OFFICER RECOMMENDATION IN BRIEF

That Council RECEIVES the List of Payments 1 to 31 May 2026.

BACKGROUND

Section 6.10 of the *Local Government Act 1995* requires the keeping of financial records and general management of payments, which is further specified in Regulation 13 of the *Local Government (Financial Management) Regulations 1996*. A list of payments is to be prepared each month and presented to Council at the next ordinary meeting of council after this list is prepared. This report is to show the payee's name, the amount of payment, the date of the payment and sufficient information to identify the transaction.

OFFICER COMMENT

The list of payments made during May 2026 is included in the attachment and totals \$1,731,963.27. This includes purchases made via electronic fund transfers and cheque payments, credit card payments, and direct debits.

The following material payments are brought to the Council's attention (excludes internal investment transfers):

- \$272,893.70 and \$245,161.39 to the Town of Cottesloe staff for fortnightly payroll (includes ATO payments),
- \$173,059.70 to the Shire of Peppermint Grove for contributions to the Grove Library,

- \$126,153.65 to The Trustee for Rico Family Trust for waste collection services,
- \$113,299.75 to The Trustee for Major Motors Unit Trust for the purchase of an Isuzu truck,
- \$109,265.45 to Western Metropolitan Regional Council for waste disposal charges,
- \$49,728.61 and \$46,971.76 to SuperChoice Services Pty Ltd for Superannuation Payments,
- \$47,646.50 to The Niche Planning Studio Unit Trust for planning consultancy services,
- \$45,919.15 to Briteshine Cleaning & Maintenance Services for cleaning services and supply consumables,
- \$38,982.92 to Surf Life Saving WA for Lifeguard services,
- \$38,797.76 to Electricity Generation and Retail Corporation for electricity costs,
- \$38,180.81 to Managed IT for IT services and licenses,
- \$33,871.75 to DFS Industrial & Environmental Services P/L for street sweeping and drain cleaning services.

ATTACHMENTS

10.1.1(a) Monthly Payment Listing - May 2026 [under separate cover]

CONSULTATION

Internal

STATUTORY IMPLICATIONS

Local Government Act 1995

Section 6.10

Local Government (Financial Management) Regulations 1996

Regulation 13

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 13 of the *Local Government (Financial Management) Regulations 1996* requires that a list of payments be presented at the next Ordinary Council Meeting after the list is prepared. Failure to accept this report may result in the Town not meeting its legislative obligations.

Presenting the list of payments in a public meeting carries an inherent risk that the information could be misused to facilitate fraudulent activity, including attempts to impersonate payees or solicit additional information. To mitigate this, payment descriptions are intentionally kept at a high level to ensure transparency while limiting detail available to potential bad actors. In addition, the Town employs rigorous internal processes to verify the legitimacy of any requests to update personal or financial information, particularly where the source is unconfirmed, further reducing the risk of fraudulent manipulation.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

THAT Council RECEIVES the List of Payments 1 to 31 May 2026, as detailed in Attachment (a).

10.1.2 REQUEST TO ADOPT EVENTS POLICY

Directorate: Corporate and Community Services
Author(s): Sally DeFreitas, Manager Community and Customer Services
Authoriser(s): Vicki Cobby, Director Corporate and Community Services
Mark Newman, Chief Executive Officer
File Reference: D26/76948
Applicant(s):
Author Disclosure of Interest: Nil

SUMMARY

Following Council's resolution in March 2026, the Draft Events Policy was released for a 28-day community consultation period. Feedback has been reviewed and incorporated where appropriate, resulting in a refined policy that supports a clear, principles-based approach to event management. The Draft Events Policy is now presented to Council for endorsement.

OFFICER RECOMMENDATION IN BRIEF

That Council adopt the final version of the Events Policy following consideration of community feedback.

BACKGROUND

At its meeting on 24 March 2026, Council considered the draft Events Policy (**Attachment (e)**) and resolved (OCM041/2026) to release the policy for a 28-day community consultation period, extending the standard timeframe to ensure adequate opportunity for feedback over the Easter period and school holidays.

As part of this resolution, Council also requested that the CEO report back to Council on the outcomes of the community engagement process.

This report responds to that request, presenting the outcomes of consultation (**Attachment (d)**) and the Draft Events Policy for Council's consideration and endorsement.

ATTACHMENTS

- 10.1.2(a) Event-Conditions-Policy [under separate cover]**
- 10.1.2(b) Event-Classification-Policy [under separate cover]**
- 10.1.2(c) Facility-Hire-Policy [under separate cover]**
- 10.1.2(d) Events Policy Engagement Report [under separate cover]**
- 10.1.2(e) DRAFT - 2026 Events Policy [under separate cover]**

CONSULTATION

Community Survey

The Draft Events Policy was advertised on the Town’s engagement platform and remained open for a 28-day consultation period from 13 April to 10 May, 2026

A total of 19 survey responses were received, with respondents predominantly local residents, along with representatives from local sporting clubs and community groups.

Feedback indicated a mixed level of understanding of the proposed Events Policy, with responses ranging from very clear to not clear; however, there was general support for the intent to streamline and clarify event management processes, the ‘local’s first’ approach to fees and charges.

Importantly, there was overwhelming consensus that the management of event impacts—including noise, traffic, parking and amenity—is very important. No significant issues were identified with the policy’s adoption, with feedback broadly supporting the need for a more consistent and transparent approach.

Information Session

An information session was held on 29 April 2026 at the War Memorial Hall, Civic Centre, attended by five local residents.

Attendees were generally interested in the proposed policy and engaged positively, with discussion primarily focused on the management of event impacts, particularly noise. It was reinforced that the policy would operate in line with relevant legislation and local laws, supporting improved and consistent oversight of events.

Participants were reassured that the policy would not impact regular community activities such as Nippers or Surf Life Saving programs, and that community use of beaches would continue without charges.

After the date for feedback closed, responses were collated in the Events Policy Engagement Report at **Attachment (d)**.

STATUTORY IMPLICATIONS

Local Government Act 1995

Section 6.16 – Imposition of fees and charges

Local Government Act 1995 (Administration) Regulations 1996

Regulation 10 – Revoking or changing decisions

POLICY IMPLICATIONS

Adoption of the Draft Events Policy will facilitate the replacement of the current Event Conditions Policy (2023) (**Attachment (a)**), Event Classification Policy (2020) (**Attachment (b)**), and Facility Hire Policy (2024) (**Attachment (c)**), replacing them with a single, contemporary policy to be supported by administrative procedures to guide implementation operationally.

Have one Council policy to guide management of the Town's events removes duplication, outdated conditions, and fragmented guidance.

STRATEGIC IMPLICATIONS

The proposal supports the Council Plan 2023–2033 by strengthening leadership and governance, improving transparency, and ensuring a consistent, risk-based approach to the use of Town facilities and public spaces.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

The effect of a new Events Policy will be to enhance environmental outcomes by applying consistent requirements for waste, noise, amenity protection, and site reinstatement, supporting more sustainable use of high-demand public spaces.

RISK MANAGEMENT IMPLICATIONS

Failure to adopt the Events Policy will leave the Town operating under outdated, inconsistent and fragmented policies, increasing governance, compliance and equity risks. The new policy reduces these risks by establishing a single, principled and enforceable framework with mandatory risk-based controls.

Community consultation has now been completed, and feedback has informed the finalisation of the policy, reducing the risk of reputational impact associated with introducing a revised fee structure and event management approach.

VOTING REQUIREMENT

Absolute Majority – Recommendations 1, 2 and 3 - Three councillors (1/3) are required to sign to agree to the revocation motion before the recommendation is voted on.

Simple Majority – Recommendations 4 and 5

OFFICER RECOMMENDATION

THAT Council by absolute majority

- 1. Pursuant to Regulation 10 of the Local Government (Administration) Regulations 1996, REVOKE the Event Conditions Policy adopted by Council in 2020 and amended in 2023 at Attachment (a)**
- 2. Pursuant to Regulation 10 of the Local Government (Administration) Regulations 1996, REVOKE the Event Classification Policy adopted by Council in 2020 at Attachment (b)**
- 3. Pursuant to Regulation 10 of the Local Government (Administration) Regulations 1996, REVOKE the Facility Hire Policy adopted by Council in 2020 and amended in 2024 at Attachment (c)**

That COUNCIL by simple majority

4. NOTE the community feedback provided at Attachment (d) on the Draft Events Policy.
5. Pursuant to s.2.7(2)(b) of the *Local Government Act 1995*, ADOPT the Draft Events Policy at Attachment (e).

EXECUTIVE SERVICES**10.1.3 COUNCIL PLAN 2023-2033 MINOR REVIEW**

| | |
|---------------------------------------|--|
| Directorate: | Executive Services |
| Author(s): | Sally DeFreitas, Manager Community and Customer Services |
| Authoriser(s): | Vicki Cobby, Director Corporate and Community Services Mark Newman, Chief Executive Officer |
| File Reference: | D26/73363 |
| Applicant(s): | |
| Author Disclosure of Interest: | Nil |

SUMMARY

This report presents a minor review of the Council Plan 2023–2033 and introduces a revised reporting framework to improve transparency, performance measurement and alignment between strategy and delivery.

OFFICER RECOMMENDATION IN BRIEF

That Council endorses the minor review of the Council Plan 2023–2033 and adopts the updated reporting framework to support improved monitoring and reporting of progress.

BACKGROUND

There is currently no legislative requirement in WA for local governments to prepare a Council Plan, with the existing obligation remaining the preparation of a Strategic Community Plan (SCP) and Corporate Business Plan (CBP) under the Integrated Planning and Reporting framework (IPFR). Proposed reforms to introduce a Council Plan are still under development, with commencement timing yet to be confirmed pending finalisation of regulations.

Notwithstanding that, compliance risk sits in the content, not the title. If the Town’s plan covers the required long-term vision, has appropriate timeframes and review cycles and is supported by resourcing plans, it satisfies the legislative requirement for the Town to have a plan for the future of the Cottesloe district.

Moore Australia (WA) was engaged by the Town of Cottesloe in March 2023 to develop the Council Plan 2023–2033 as its plan for the future. This work combined the requirements of the SCP and CBP into the Council Plan, in alignment with the State’s reform agenda.

The scope of the engagement included:

1. Consultation with the Executive Team to develop a long-term Council Plan
2. Community engagement activities, including:
 - A community perception survey to assess satisfaction and importance of services

- Community drop-in sessions and workshops
- 3. Strategic planning workshops with Council and the Executive Team to:
 - Review engagement outcomes
 - Identify priorities
 - Develop strategic objectives and outcomes
- 4. Facilitating community engagement
- 5. Undertaking strategic planning workshops with Council and the Executive Team
- 6. Developing the Council Plan 2023–2033

The current Council Plan was adopted by Council in December 2023.

OFFICER COMMENT

Council Plan Progress and Reporting Framework

The document at Attachment (b) provides a comprehensive update on the delivery of the Council Plan 2023–2033 strategic outcomes as of June 2026. Importantly, the Council Plan itself remains unchanged, with this minor review focused on improving how progress is reported rather than altering the adopted strategic direction.

To enhance clarity and usability, actions are now presented through a simplified lifecycle categorisation, including:

- Completed
- In Progress
- Ongoing
- Planned

This updated reporting view operates alongside the existing framework, which includes short, medium and long-term timeframes, defined delivery roles (partner, deliver or advocate), and responsible directorates. These elements have been retained to ensure full consistency with the adopted Council Plan and its original intent.

The revised reporting structure has been introduced to support the requirements of the Integrated Planning and Reporting Framework (IPRF) minor review and to provide a clearer, more accessible way to track and communicate progress over time.

It is recognised that the original structure can be challenging to present in high-level formats, with a significant number of items sitting within short-term or ongoing categories. This can limit visibility of progress and does not always reflect the organisation’s dynamic and evolving approach to delivery.

The enhanced framework addresses this by introducing a clearer lifecycle perspective, enabling Council to better understand what has been achieved, what is underway, what is

embedded as business-as-usual, and what is planned—without changing the underlying strategy.

This approach establishes a more cohesive and user-friendly “living” document, supporting improved governance and decision-making for Council and Administration, while also providing clearer and more meaningful insight to the community.

Strategic Gaps in Reporting and Performance Framework

Building on the revised approach outlined above, it is acknowledged that while this review represents a significant step forward in improving clarity of reporting, the underlying structure of the Council Plan—including delivery timeframes, roles and directorate responsibilities—has been retained to ensure consistency with the adopted framework.

While the Council Plan continues to provide clear strategic direction, the existing reporting approach has historically lacked a consistent and structured mechanism to effectively monitor performance. Reporting has evolved organically across the organisation, resulting in inconsistencies between directorates and limiting the ability to present a consolidated and organisation-wide view of performance.

A key limitation has been the reliance on predominantly qualitative reporting, with limited use of measurable data and defined performance indicators. While this provides useful narrative, it restricts the Town’s ability to clearly demonstrate progress, evaluate outcomes and provide robust, evidence-based insights to inform Council decision-making.

There is also limited alignment between strategy and delivery, with insufficient linkage between strategic objectives, operational activities and reported outcomes. While the introduction of lifecycle categorisation improves visibility, further work is required to strengthen integration across planning, delivery and reporting functions.

Importantly, while the existing classifications of short, medium and long-term timeframes, along with defined roles (partner, deliver or advocate) and responsible directorates, have been maintained, some of these elements present practical challenges when applied to reporting. In particular, a significant number of outcomes originally classified as short-term are more reflective of ongoing or business-as-usual activities. Retaining these classifications ensures alignment with the adopted Plan, however it reinforces the need for a more mature and refined reporting framework over time.

In addition, minor inconsistencies were identified through the review, including incorrect categorisation of outcomes and administrative errors in role designation. These issues highlight the need for a more robust, standardised and controlled approach to classification and performance tracking.

Overall, while the structure of the Council Plan remains unchanged, this review highlights the opportunity—and need—to further evolve the Town’s reporting framework to better

reflect delivery in practice and support a more accurate, transparent and meaningful representation of organisational performance moving forward.

Revised Approach and Next Steps

The revised reporting framework represents an important foundation for improvement, introducing a more consistent, structured and lifecycle-based approach to reporting. It enhances clarity around delivery timeframes, improves alignment between strategic objectives and operational activities, and begins to incorporate a more data-informed approach to performance monitoring.

This approach strengthens governance and oversight, supports improved risk management through greater visibility of delivery, and enhances alignment with key informing strategies, including asset management and long-term financial planning. It also introduces a more structured quarterly reporting cycle to support Corporate Business Plan requirements and broader organisational reporting.

Importantly, this work should be viewed as the first phase in a broader program of improvement. Further development is required to embed measurable performance indicators, strengthen data capability, and refine reporting processes to ensure consistency, accuracy and usability across the organisation.

This report satisfies the requirements to undertake the desktop review of the Council Plan. The next step for Administration will be to further develop and implement a formalised and mature reporting framework to support the ongoing delivery, monitoring and continuous improvement of the remaining outcomes.

ATTACHMENTS

10.1.3(a) Council Plan-2023-2033 - Original [under separate cover]

10.1.3(b) Summary Council Plan - Presentation File [under separate cover]

CONSULTATION

Nil

STATUTORY IMPLICATIONS

Local Government Act 1995

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

Failure to adopt the officer's recommendation may result in:

- Reduced transparency and limited ability for Council and the community to clearly understand progress against the Council Plan
- Ongoing inconsistencies in reporting across directorates, limiting oversight, accountability and informed decision-making
- Increased risk of non-compliance with the Local Government Act 1995 and Integrated Planning and Reporting Framework, which require local governments to regularly review and maintain their strategic planning documents
- Missed opportunity to strengthen performance monitoring, increasing the risk of ineffective delivery and misalignment between strategic objectives and operational outcomes

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

THAT Council

- 1. ENDORSES the Minor review of the Council Plan 2023–2033**
- 2. ADOPTS the updated reporting framework to support improved monitoring, transparency and reporting of progress.**

10.1.4 PRIVACY AND RESPONSIBLE INFORMATION MANAGEMENT GOVERNANCE

Directorate: Executive Services
Author(s): Kate Jones, Governance Coordinator
Authoriser(s): Mark Newman, Chief Executive Officer
File Reference: D26/69621
Applicant(s):
Author Disclosure of Interest: Nil

SUMMARY

The *Privacy and Responsible Information Sharing Act 2024 (PRIS Act)*, commencing 1 July 2026, introduces a comprehensive statutory framework governing how the Town collects, uses, stores, manages and shares personal information.

The legislation is underpinned by eleven Information Privacy Principles (**IPPs**) and six Responsible Information Sharing Principles (**RSPs**), which establish mandatory standards across the full lifecycle of personal information. These principles require the Town to demonstrate compliance through aligned policies, procedures, systems and operational practices.

Council's current Privacy Policy has been revised to establish the Town's overarching position on the collection, use, disclosure and protection of personal information and forms. This is the foundation of the Town's compliance framework. The proposed Information Breach Policy complements this by establishing the Town's governance approach to managing data breaches.

The Town is working toward minimum compliance by 1 July 2026 within a constrained timeframe and alongside competing priorities. Council's strategic support is critical to enabling the Chief Executive Officer, as Privacy Officer, to meet these obligations.

OFFICER RECOMMENDATION IN BRIEF

That Council endorses the revised Privacy Policy and Information Breach Policy and supports the Chief Executive Officer in prioritising and resourcing the work required to achieve compliance with the PRIS Act by 1 July 2026.

BACKGROUND

The PRIS Act establishes a modern, unified framework for privacy and information sharing across Western Australian public sector agencies, including local governments.

The legislation introduces eleven Information Privacy Principles (**IPPs**) governing all aspects of personal information handling, including collection, use, disclosure, storage, retention, destruction, transparency and individual rights. Six Responsible Information Sharing Principles (**RSPs**) provide how information is to be shared.

These principles take effect from 1 July 2026 and require local governments to demonstrate structured and consistent compliance.

The PRIS framework establishes clear standards for how agencies collect, use, store and share personal information, enables responsible information sharing under defined principles, and requires appropriate involvement of Aboriginal people where data sharing affects Aboriginal communities.

Oversight will be provided by independent statutory office holders, including the Information Commissioner and Chief Data Officer, who commenced on 1 July 2025 to support implementation and ensure accountability.

OFFICER COMMENT

1. Principles of PRIS Act

1.1 Information Privacy Principles

The Information Privacy Principles in the PRIS Act provide a clear and enforceable framework that will underpin all aspects of how government entities handle personal information.

The Privacy and Responsible Information Sharing Bill 2024 provides for a staged introduction of the IPPs. A summary of the 11 IPPs is at **Attachment (a)**.

1.2 Responsible Information Sharing Principles

The PRIS legislation also includes six Responsible Information Sharing Principles (RSPs).

These principles guide when and how government agencies can share information, ensuring it is lawful, safe, proportionate, transparent and in the public interest.

The Town's PRIS compliance framework is currently being developed underpinned by these principles in readiness for commencement of the PRIS Act on 1 July 2026.

2. Current state

2.1 PRIS Readiness

The Town is currently working toward minimum compliance within a compressed timeframe and is at an early stage of readiness relative to the requirements of the PRIS Act. While existing governance and records management practices provide a base, they require significant uplift to align with PRIS compliance.

To support this, the Town has commenced a structured PRIS Core Compliance Program. This program will be anchored by a Privacy Policy and Information Breach Policy. These will support the development of frameworks, procedures and controls to operationalise information management.

An Information Asset Register will be developed to record all sources of personal information at the Town, where it is stored, how it is used and who has access to it. The collection of this information requires detailed engagement across all areas of the organisation.

Given the scale of PRIS reform work and the compressed timeframe, the Town is considering engaging external support to assist with delivery of key policies, procedures and plans. This will have financial implications but may be necessary to mitigate risk and achieve sufficient operational readiness by 1 July 2026.

Artificial intelligence tools are being used in a controlled manner to analyse legislative requirements, assist with risk assessments and to generate tailored draft documents for further consideration. Use of this technology has assisted to identify gaps, standardise approaches, and accelerate readiness ahead of the 1 July 2026 deadline.

2.2 Record Keeping system upgrade

Preparation for PRIS compliance is being undertaken concurrently with migration of the Town's records management system to a more modern platform. The transition requires staff training and may involve technical challenges during implementation, potentially contributing to further organisational resource pressures.

When upgrading the current system, PRIS compliance considerations must include ensuring that personal information remains secure, is migrated accurately, and continues to be managed in line with legislative requirements for access, use, disclosure, and retention. It is also important to verify that the upgraded system maintains appropriate privacy controls, audit capabilities, and supports ongoing compliance obligations such as data minimisation and accountability.

3. PRIS policy development

3.1 Privacy Policy

A review of Council's current Privacy Policy at **Attachment (b)** has been undertaken to include policy statements that align with PRIS reforms.

The revised draft Privacy Policy at **Attachment (c)** now clearly articulates how personal information is collected, used, disclosed and protected and reflects Council's commitment to lawful, transparent and accountable information management.

As an externally facing document, the Privacy Policy also plays a critical role in informing the community about how their personal information is handled and in meeting transparency obligations under the legislation.

Council approved the current Privacy Policy in 2020 with amendments made in 2022. Key provisions of the new draft policy are compared with those of the current policy in the table below.

| Area | Current Policy (2020/2022) (Attachment (b)) | Draft Policy (2026) Attachment (c) | Key Difference |
|----------------------------------|--|--|--|
| Legislative basis | Based on <i>Privacy Act 1988 (Cth)</i> and Australian Privacy Principles | Based on <i>PRIS Act 2024 (WA)</i> and IPPs | Moves from federal to WA-specific privacy regime |
| Overall tone | Procedural and operational | Strategic and governance-focused | More modern, principle-based approach |
| Purpose | Describes what info is collected, used, disclosed | Explains responsible handling, transparency, governance | Broader, clearer objective |
| Scope | Internal focus (staff, EMT, contractors) | Broader – includes community interactions and services | Expands public-facing coverage |
| Policy statement | Not clearly defined | Clear overarching policy statement with principles | Stronger governance framing |
| Privacy principles | Not explicitly structured around principles | Explicit principles (transparency, minimal collection, security, access, accountability) | Aligns with IPPs framework |
| Collection | Basic description (correspondence, property data) | More comprehensive + fairness, necessity, sensitive info controls | More detailed and compliant with IPPs |
| Use of information | Service delivery and admin | Adds planning, research, de-identification | Broader and more nuanced use |
| Disclosure | Limited disclosure + legal exceptions | Explicit reference to PRIS Act and controlled information sharing | More structured and compliant |
| Information sharing | Minimal detail | Clear framework for sharing with agencies + safeguards | Major uplift (PRIS alignment) |
| Data breach | Basic notification statement (Privacy Act) | More developed response approach (containment, investigation, notification) | Stronger and more aligned to WA scheme |
| Automated decision-making | Not mentioned | Implicitly covered via transparency principles | Reflects modern privacy risks |
| Anonymity | Mentioned briefly | More clearly supported (right not to identify) | More explicit right |
| Security | General safeguards listed | Similar but framed as risk-based controls | Slight refinement |
| Access & correction | Included (FOI reference) | Same but clearer and more user-focused | Improved clarity |
| Website/cookies | Detailed technical explanation | Simplified, user-friendly explanation | More readable |
| Governance roles | Limited role clarity | Clear roles (Council, CEO, Directors, staff) | Strong governance improvement |

| | | | |
|--------------------------|------------------------------|---|-----------------------------------|
| Complaints | Limited process | Assurance complaints will be dealt with in a timely way | Slight refinement |
| Definitions | Based on Privacy Act wording | Simplified and PRIS-aligned definitions | Updated terminology |
| Related documents | Basic list | Expanded (data breach plan, info sharing policy, etc.) | Better integration with framework |
| Review cycle | Not clearly defined | Explicit 2-year review cycle | Stronger governance control |

The draft Privacy Policy is the foundation of Council’s response to the way the Town deals with reforms to information management. It establishes the principles of transparency, data minimisation, lawful use and accountable information sharing, and provides a clear public statement of the Town’s obligations and practices.

Importantly, the Privacy Policy is not a standalone document. It must be supported by operational procedures, governance frameworks and systems that give effect to the principles it sets out.

The implications of operationalising the Privacy Policy are significant. For example, the policy establishes the requirement for transparency in how personal information is collected and used. This is to be implemented through collection notices such as the following across the organisation:

“The Town of Cottesloe collects personal information to assist with delivering and administering services, managing correspondence, and performing its functions. All information is handled in accordance with our Privacy Policy, available at www.cottesloe.wa.gov.au and applicable legislation.”

These notices will need to be embedded in email communications, customer services interactions, forms, consultations and events to ensure individuals are informed of how their information is collected. Additional applications include surveillance and recording activities, where the Privacy Policy principles require clear public notification regarding CCTV, mobile surveillance and recorded meetings.

3.2 Information Breach Policy

In addition to these preventative controls, Council must also establish a formal response framework for data breaches. The Information Breach Policy at **Attachment (d)** is a new policy that has been drafted to complement the revised Privacy Policy. It sets out the Town’s governance approach to identifying, managing and responding to breaches involving personal information. A supporting Privacy Breach Response Plan will be developed to provide detailed operational procedures.

Together, the draft Privacy Policy and Information Breach Policy ensure that Council's strategic position is clear for both the proactive and reactive requirements of the PRIS framework.

4. Staff training

PRIS training for management and staff has been scheduled for late June and early July 2026 and will focus on practical application of the Information Privacy and Responsible Sharing Principles, implementing PRIS within the organisation, data breach planning and associated decision-making requirements.

5. Conclusion

The PRIS Act represents a significant governance reform that elevates privacy and information management to a core organisational responsibility.

Upon approval, the strategic policy framework discussed in this report, will articulate to the community and others, Council's position in respect of privacy and information breaches.

The PRIS Act designates the CEO (or designee) as the Town's Privacy Officer and is responsible for ensuring the organisation complies with PRIS requirements. Council's strategic policy framework will guide the development of operational procedures, plans and systems for collection, use, disclosure, and protection of personal information.

While the Town is taking a structured approach, there is still significant work to do. Achieving compliance remains challenging due to the scale of change, competing priorities and limited timeframe. Council's support in prioritising this work and enabling appropriate resourcing is essential.

ATTACHMENTS

- 10.1.4(a) Information Privacy Principles Summary [under separate cover]**
- 10.1.4(b) Privacy Policy - current [under separate cover]**
- 10.1.4(c) Privacy Policy - 2026 [under separate cover]**
- 10.1.4(d) Information Breach Policy - 2026 [under separate cover]**

CONSULTATION

No consultation has taken place in respect of this report.

STATUTORY IMPLICATIONS

From 1 July 2026, the Town will be required to comply with the PRIS Act, guided by eleven Information Privacy Principles governing all aspects of personal information management, and six Responsible Information Sharing Principles applying to information breach management.

The revised Privacy Policy and Information Breach Policy form key components of the Town's compliance framework and support alignment with these obligations, alongside existing legislation including the *Freedom of Information Act 1992*, *Local Government Act 1995* and *State Records Act 2000*.

The PRIS Act will operate in conjunction with these frameworks and will require the Town to ensure a consistent and coordinated approach to how personal information is accessed, disclosed, stored and retained. In particular, alignment will be required between privacy obligations, access to information rights and statutory recordkeeping requirements, ensuring that transparency, privacy protection and records integrity are managed in an integrated manner.

Regulation 10 of the Local Government (Administration) Regulations 1996, requires 1/3 of Councillors to support a revocation motion. This applies in the case of revoking the current Privacy Policy.

POLICY IMPLICATIONS

The revised Privacy Policy and proposed Information Breach Policy form key components of the Town's emerging privacy and information governance framework.

The Privacy Policy establishes the Town's overarching approach to the collection, use, disclosure and protection of personal information and provides the foundation for compliance with the Information Privacy Principles. It replaces and modernises previous privacy statements and introduces clearer expectations regarding transparency and accountability.

The Information Breach Policy complements this framework by establishing the Town's governance approach to managing data breaches and supporting compliance with legislative requirements for formal breach management arrangements.

Implementation of these policies will require review and alignment of related internal policies, procedures and practices, including those relating to records management, information security, information sharing and complaint handling. Together, these policies represent the initial stage of a broader policy uplift required to achieve full alignment with the PRIS framework.

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

Achieving compliance will require allocation of internal resources and may necessitate the engagement of external consultancy support.

Costs will arise from training, policy and procedure development, system enhancements and implementation of governance frameworks. While still being assessed, these costs are necessary to assist progress towards meeting statutory obligations within the required timeframe.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

There is a risk that the Town may not achieve minimum compliance by 1 July 2026 due to the scale of organisational change required, competing priorities and limited timeframe.

This risk is being actively managed through the PRIS Core Compliance Program but remains dependent on appropriate resourcing and prioritisation.

Failure to comply may result in regulatory, operational and reputational impacts.

VOTING REQUIREMENT

Absolute Majority – Recommendation 1 - Three councillors (1/3) are required to sign to agree to the revocation motion before the recommendation is voted on.

Simple Majority – Recommendations 2, 3, 4, 5 and 6.

OFFICER RECOMMENDATION

That COUNCIL by absolute majority:

1. Pursuant to Regulation 10 of the Local Government (Administration) Regulations 1996, REVOKES the Privacy Policy adopted by Council in 2019 and amended in 2025 at Attachment (b).

That COUNCIL by simple majority:

2. Pursuant to s.2.7(2)(b) of the *Local Government Act 1995*, ADOPTS the draft Privacy Policy at Attachment (c).
3. Pursuant to s.2.7(2)(b) of the *Local Government Act 1995*, ADOPTS the Information Breach Policy at Attachment (d).

4. **SUPPORTS** the Chief Executive Officer in prioritising and delivering the PRIS Core Compliance Program.
5. **NOTES** that external consultancy support is under consideration and will have financial implications.
6. **REQUESTS** further updates on implementation progress, risks and resourcing requirements.

10.1.5 REQUEST TO APPROVE AUDIT, RISK AND IMPROVEMENT COMMITTEE (ARIC) CHARTER AND APPOINT ARIC PRESIDING MEMBER AND DEPUTY TO THE PRESIDING MEMBER

Directorate: Executive Services
Author(s): Kate Jones, Governance Coordinator
Authoriser(s): Mark Newman, Chief Executive Officer
File Reference: D26/75695
Applicant(s):
Author Disclosure of Interest: Nil

SUMMARY

Reforms brought in by the Local Government Amendment Act 2024, introduced governance requirements for all local governments to transition existing audit committees to Audit, Risk and Improvement Committees (ARIC) by 30 June 2026.

To ensure compliance obligations are met, this report seeks Council endorsement to:

- Appoint an independent presiding member and independent deputy of the presiding member.
- Approve the rate of remuneration for independent members in accordance with the current Salaries and Remuneration Tribunal remuneration scale.
- Revoke the current ARIC Charter and adopt a revised version that aligns with the amended regulatory framework.

OFFICER RECOMMENDATION IN BRIEF

That Council appoints Mr Andrew Dimsey as the independent Presiding Member and Mr Ian McKenzie as the independent Deputy to the Presiding Member of the ARIC, replacing current presiding member Deputy Mayor Sonja Heath (who will stay on as a committee member); and approves meeting fees of \$500 for both roles consistent with the current Salaries and Allowance Tribunal Determination; and adopts a revised ARIC Charter to ensure compliance with legislative requirements.

BACKGROUND

The Local Government Amendment Act 2024 (**Amendment Act**) and associated regulations introduced a strengthened governance framework for audit committees, requiring their transition to ARICs from 1 January 2026. A transition period applies, during which local governments must ensure compliance with the new requirements by 30 June 2026.

In October 2025, Council resolved to re-name its audit committee to Audit, Risk and Improvement Committee (OCM159/2025) – a decision to bring the name of the current Charter into alignment with reforms.

OFFICER COMMENT

Due to reforms introduced by the Amendment Act, ARIC functions have been broadened to include oversight of risk management and continuous improvement. The reforms also streamline internal review processes by incorporating the CEO's three-yearly review of financial management systems (previously under the Financial Management Regulations) into a broader systems review under regulation 17, which is reported to the ARIC.

Membership

The Town's current ARIC (as renamed) already meets the new membership composition requirements of the *Local Government Act 1995*, as amended by the Amendment Act. The committee is therefore deemed to become an ARIC, consistent with reform requirements; notwithstanding that several things remain outstanding to meet all compliance obligations:

1. Appointment of an independent presiding member and a deputy of the presiding member.
2. Agreement on remuneration rates for the presiding member and deputy of the presiding member.
3. Amendments to the current ARIC Charter.

Appointments

In October 2025, Council appointed the Deputy Mayor as presiding member of the ARIC. Under amended section 7.1A of the *Local Government Act 1995*, ARICs must now have an independent presiding member and independent deputy to the presiding member.

The two current members of the ARIC, Mr Andrew Dimsey and Mr Ian McKenzie, have nominated for appointments as presiding member and deputy of presiding member respectively.

The appointments of an independent presiding member and deputy of the presiding member should follow a transparent, merit-based process, rather than relying solely on self-nomination. While the legislation and regulations require an ARIC to include independent members and a presiding member and deputy of the presiding member to be appointed by Council, they do not prescribe a highly detailed nomination procedure.

Appointment Process

The process the CEO has implemented to arrive at recommendations to Council for the presiding member and deputy of the presiding member are outlined below:

1. **Skills:** The CEO determined that appropriate skills for appointments of the independent presiding member and deputy to the presiding member are based on experience with governance, audit, risk and chairing committees.
2. **Expressions of interest:** The CEO called for expressions of interest from both current independent ARIC members. Both indicated their willingness in writing to nominate for the roles.
3. **Assessment:** The CEO evaluated the skills of each nominee based on:
 - a. chairing experience;
 - b. understanding of local government governance;
 - c. previous experience; and
 - d. independence and objectivity.
4. **Recommendation:** After assessment of nominations, the CEO's recommendation to Council is that Mr Andrew Dimsey be appointed as the ARIC Presiding Member and Mr Ian McKenzie as Deputy of the Presiding Member. Both Mr Dimsey and Mr McKenzie have confirmed their willingness to be appointed to the roles the CEO has recommended.

Confidential attachment (a) provides information about the process that led to the CEO's recommendations to Council.

Training for the independent ARIC members on meeting procedures is proposed.

Remuneration

In accordance with s.5.100(4), (5) and (6) of the *Local Government Act 1995*, independent ARIC members can be reimbursed for meeting attendances. They are also entitled to be reimbursed for expenses incurred in attending ARIC meetings.

Meeting attendance fees for independent ARIC members are set in accordance with the current Salaries and Allowances Tribunal (SAT) Determination issued under the *Salaries and Allowances Act 1975*.

The current SAT Determination, No 1 of 2026 with effect from 1 July 2026, provides:

- In respect of ARICs, the meeting fee for independent ARIC members (regardless of whether presiding member or deputy of the presiding member) for Bands 1-4 local governments must be set within the range of **\$110 (minimum)** and **\$1,215 (maximum)**.

Interestingly, all metropolitan local governments, regardless of size, come within Bands 1-4. In practical terms, this means large local governments such as Stirling, Joondalup or Wanneroo remunerate their ARIC independent members from within the same range as a

very small local government, such as Peppermint Grove. The Town of Cottesloe is larger than Peppermint Grove and smaller than medium sized local governments such as Victoria Park.

This is one of the factors to take into account when setting a reasonable remuneration rate for the Town's ARIC independent members. It is proposed that a rate of \$500 strikes a fair balance and is recommended for adoption.

Review of the Charter

The current ARIC Charter at **Attachment (b)** was approved by Council on 29 October 2019 and amended on 28 October 2025, to rename the committee the Audit, Risk and Improvement Committee. The Charter meets the structural requirements for a reformed ARIC, particularly its establishment under section 7.1A and its advisory and oversight functions.

Important amendments are required:

- The current Charter reflects legacy "audit committee" functions and references, under Regulation 16. It must be expanded to include risk and improvement functions.
- The existing membership provisions do not provide for an independent presiding member or deputy to the presiding member.
- There is currently no provision for remuneration of independent members.

The Charter has been reviewed to capture these amendments. It now reflects a substantial evolution from a compliance-focussed audit committee charter to a contemporary governance-focussed document aligned with the requirements of the *Local Government Act 1995*, as amended by the *Local Government Amendment Act 2024*.

Key improvements of the *Reviewed Charter – Audit, Risk and Improvement Committee 2026* at **Attachment (c)** include:

- formal recognition of the ARIC's role;
- expansion of responsibilities to include risk management, governance and organisational improvement; and
- strengthened independence through external membership and chairing arrangements.

Overall, the reviewed Charter demonstrates strong alignment with legislative reforms and positions the committee to provide enhanced strategic oversight, accountability and continuous improvement within the organisation.

The table below compares the current Charter with the reviewed version.

| Section | Existing Charter (2019) | Reviewed Charter (2026) | Key Differences | Alignment with LG Amendment Act 2024 |
|---------------------------------|---|--|--|--|
| Purpose | Focus on financial management, audit, and CEO advisory role | Expanded to include governance, risk, compliance and continuous improvement oversight | Broader strategic governance focus | Aligns with ARIC expanded functions including risk and improvement |
| Principles | General legislative principles | Explicit principles incl. independence, objectivity, continuous improvement | Stronger governance emphasis | Supports reform focus on independence and better governance |
| Terms of Reference | Limited to statutory audit functions under Reg 16 | Expanded oversight incl. risk management, statutory reviews, implementation monitoring | Shift from compliance to oversight and assurance | Matches new ARIC functions including risk and system effectiveness |
| Membership | Majority councillors; limited external reps | Still includes 3 councillors but formalises independent member process | Improved transparency in appointments | Partially aligned; reforms encourage strong independent representation |
| Chair / Presiding Member | Elected by committee (may be councillor) | Must be independent external presiding member and deputy elected by Council | Major governance shift | Direct compliance – Act requires independent chair and deputy |
| Meetings | At least every 2 months | Quarterly (flexible) with structured provisions | More streamlined meeting frequency | Administrative change – neutral alignment |
| Risk Management | Indirect via audit scope | Explicit oversight of risk management systems | Elevates strategic risk oversight | Direct alignment with ARIC risk management focus |
| Continuous Improvement | Not addressed | Explicit inclusion of continuous improvement | New function introduced | Direct alignment – required ARIC function |
| Reporting | Advises CEO and Council | Greater emphasis on reporting | Stronger | Aligns with accountability |

| Section | Existing Charter (2019) | Reviewed Charter (2026) | Key Differences | Alignment with LG Amendment Act 2024 |
|--------------------------|-------------------------------------|--|--------------------------------|---|
| | indirectly | outcomes to Council | reporting clarity | reforms |
| Internal Audit | General support for audits | Formal monitoring of audit recommendations | Stronger audit follow-up | Aligns with enhanced audit oversight expectations |
| Compliance | Compliance audit return review only | Broader compliance and legislative oversight | Expanded compliance scope | Aligns with broader governance reforms |
| Review of Charter | Not clearly defined | Mandatory review every 2 years | Improved governance discipline | Supports ongoing compliance with reforms |

ATTACHMENTS

- 10.1.5(a) ARIC Independent Presiding Member and Deputy of the Presiding Member Process **[CONFIDENTIAL] [UNDER SEPARATE COVER]**
- 10.1.5(b) Charter - Audit, Risk and Improvement Committee (current Oct 2025) [under separate cover]
- 10.1.5(c) Reviewed Charter - Audit, Risk and Improvement Committee 2026 [under separate cover]

CONSULTATION

No consultation has been necessary to prepare this report.

STATUTORY IMPLICATIONS

The proposed Audit, Risk and Improvement Committee (ARIC) Charter and associated appointments are made in accordance with the *Local Government Act 1995*, as amended by the *Local Government Amendment Act 2024*, and supported by the Local Government (Audit) Regulations 1996. Together, these provisions establish the requirement for local governments to maintain an independent audit committee with a defined charter, expanded oversight of risk and improvement functions, and strengthened governance arrangements, including the appointment of a presiding member (and deputy) who is not the mayor or president. Adoption of the updated Charter and the formal appointment of these roles ensures the local government’s continued compliance with the revised statutory framework and supports the enhanced accountability, independence and effectiveness intended by the 2024 reforms.

Regulation 10 of the Local Government (Administration) Regulations 1996, requires 1/3 of Councillors to support a revocation motion. This applies in the case of revoking the current Audit, Risk and Improvement Charter approved in 2019.

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

Funds will be budgeted in the 2026/27 budget to cover the costs of remunerating the independent ARIC members.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

Failure to appoint an independent presiding member and independent deputy to the presiding member risks:

- non-compliance with statutory obligations raising the potential for increased regulatory scrutiny and negative findings in compliance audits and reviews;
- recommendations from ARIC to Council may be challenged or given less weight by auditors or regulators; and
- true independence from Council/Administration being challenged.

Failure to update the ARIC Charter to align it with audit committee reforms creates:

- inconsistency with the *Local Government Act 1992* and relevant Regulations;
- confusion over roles and responsibilities; and
- membership structure.

VOTING REQUIREMENT

Absolute Majority – Recommendation 1 and 2

Absolute Majority - Recommendation 3 - Three councillors (1/3) are required to sign to agree to the revocation motion before the recommendation is voted on.

Simple Majority - Recommendations 4 and 5

OFFICER RECOMMENDATION

THAT Council by absolute majority

- 1. Pursuant to s5.12(1) of the *Local Government Act 1995*, APPOINT Mr Andrew Dimsey as the independent Presiding Member of the Audit, Risk and Improvement Committee to replace Deputy Mayor Sonja Heath appointed as presiding member in October 2025 (OCM159/2025), who remains a member of ARIC.**
- 2. Pursuant to s.5.12(2) of the *Local Government Act 1995*, APPOINT Mr Ian McKenzie as the independent Deputy of the Presiding Member of the Audit, Risk and Improvement Committee.**

That Council by absolute majority:

- 3. Pursuant to Regulation 10 of the Local Government (Administration) Regulations 1996, REVOKES the Audit, Risk and Improvement Charter at Attachment (b) adopted by Council on 29 October 2019.**

That Council by simple majority

- 4. APPROVE the payment of meeting fees of \$500 for 2026/27 for the independent Presiding Member and Deputy of the Presiding Member of the Audit, Risk and Improvement Committee in accordance with Salaries and Allowances Tribunal Determination scales.**
- 5. ADOPTS the reviewed Audit, Risk and Improvement Charter 2026 at Attachment (c).**

10.2 RECEIPT OF MINUTES AND RECOMMENDATIONS FROM COMMITTEES

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

13.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

14 MEETING CLOSURE