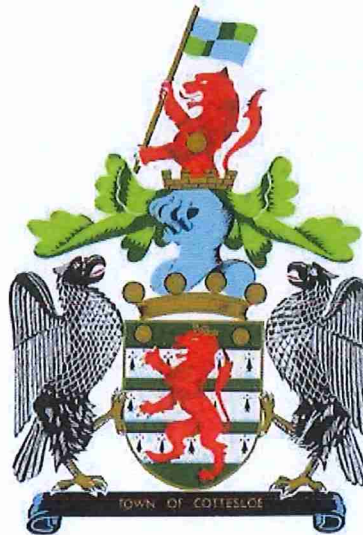


TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

ORDINARY COUNCIL MEETING
HELD IN THE
Council Chambers, Cottesloe Civic Centre
109 Broome Street, Cottesloe
6:00 PM Tuesday, 23 June 2026

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

MARK NEWMAN
Chief Executive Officer

6 July 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

TABLE OF CONTENTS

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

ITEMS CARRIED EN BLOC

	CORPORATE AND COMMUNITY SERVICES	6
10.1.1	LIST OF PAYMENTS 1 TO 30 MAY 2026	6
10.1.2	MONTHLY FINANCIAL STATEMENTS FOR THE PERIOD ENDING 30 APRIL 2026.....	10

ITEMS DEBATED

	CORPORATE AND COMMUNITY SERVICES	13
10.1.3	REQUEST TO ADOPT EVENTS POLICY	13

10.1.4 COTTESLOE TENNIS CLUB LEASE RENEWAL 21

EXECUTIVE SERVICES 26

10.1.5 COUNCIL PLAN 2023-2033 MINOR REVIEW..... 26

10.1.6 PRIVACY AND RESPONSIBLE INFORMATION IMANAGEMENT GOVERNANCE..... 32

10.1.7 REQUEST TO APPROVE AUDIT, RISK AND IMPROVEMENT COMMITTEE (ARIC) CHARTER AND APPOINT ARIC PRESIDING MEMBER AND DEPUTY TO THE PRESIDING MEMBER 42

10.1.8 ANNUAL REVIEW OF COUNCIL DELEGATIONS TO CHIEF EXECUTIVE OFFICER 51

10.2 RECEIPT OF MINUTES AND RECOMMENDATIONS FROM COMMITTEES 55

11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN 55

12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING BY:..... 55

12.1 ELECTED MEMBERS 55

12.2 OFFICERS..... 55

13 MEETING CLOSED TO PUBLIC..... 55

13.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED..... 55

13.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC 55

14 MEETING CLOSURE 55

1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member announced the meeting opened at 6 pm.

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

2 DISCLAIMER

The Presiding Member 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 Melissa Harkins
Deputy Mayor Sonja Heath
Cr Lorraine Young
Cr Helen Sadler
Cr Brad Wylenko
Cr Jeffrey Irvine (via electronic means)
Cr Michael Thomas
Cr Kirsty Barrett

The Presiding Member advised that Cr Irvine had declared that Cr Irvine's method of remote attendance would allow him to maintain communication and enable him to fully participate in the meeting, and that he was able to maintain confidentiality for any part of the meeting that was closed.

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
Ms Jacquelyne Pilkington	Coordinator Governance and Executive Office
Ms Sally de Freitas	Manager Community and Customer Services
Ms Kate Jones	Coordinator Governance

3.1 APOLOGIES

Nil

Officers Apologies

Nil

3.2 APPROVED LEAVE OF ABSENCE

Cr Chilla Bulbeck

It was noted that Cr Lorraine Young had a previously approved leave of absence for this meeting and had opted to attend it.

3.3 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

4 DECLARATION OF INTERESTS

Cr Heath declared an IMPARTIALITY INTEREST in item 10.1.4 by virtue "as my family are members of the Tennis Club and I will make a decision on its merits and vote accordingly"

Cr Barrett declared an IMPARTIALITY INTEREST in item 10.1.4 by virtue "as I am a member of the Tennis Club and I will make a decision on its merits and vote accordingly"

Cr Sadler declared an IMPARTIALITY INTEREST in Item 10.1.7 by virtue "as one of the nominees is known to me and I will make a decision on its merits and vote accordingly"

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**

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

Nil

7 PUBLIC STATEMENT TIME

Nil

8 CONFIRMATION OF MINUTES

OCM075/2026

Moved Cr Sadler

Seconded Cr Thomas

That the Minutes of the Ordinary Meeting of Council held on Tuesday 26 May 2026 be confirmed as a true and accurate record.

Carried 8/0

For: Mayor Harkins, Deputy Mayor Heath, Cr Young, Cr Sadler, Cr Wylynko, Cr Irvine, Cr Thomas and Cr Barrett

Against: Nil

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

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

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

Nil

9.2 PRESENTATIONS

Nil

9.3 DEPUTATIONS

Nil

10 REPORTS

10.1 REPORTS OF OFFICERS

OCM076/2026

Moved Cr Young

Seconded Cr Thomas

COUNCIL RESOLUTION

That Council adopts en-bloc the following Officer Recommendations contained in the Agenda for the Ordinary Council Meeting 23 June 2026:

Item # Report Title

10.1.1 List of Payments 1 to 30 May 2026

10.1.2 Monthly Financial Statements for the Period Ending 30 April 2026

Carried 8/0

For: Mayor Harkins, Deputy Mayor Heath, Cr Young, Cr Sadler, Cr Wylynko, Cr Irvine, Cr Thomas and Cr Barrett

Against: Nil

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

OCM077/2026

Moved Cr Young

Seconded Cr Thomas

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

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

Carried by En Bloc Resolution (OCM076/2026) 8/0

Q: Please provide more explanation on Australia Post expenses paid in May 2026?

A: The payment made on 8 May 2026 was for 4 invoices, spanning four months (January – April 2026).

Q: Are the payments made to Managed IT, Briteshine Cleaning & Maintenance Services, DFS Industrial & Environmental Services and Electricity Generation and Retail Corporation for monthly charges?

A: Managed IT invoice us monthly for the services they provide to the Town. In the payment of \$38,180.81, there were 10 invoices for May services and 3 invoices that were for March services (\$7,841.31).

Briteshine Cleaning & Maintenance Services invoice us monthly for the services they provide to the Town. In the payment of \$45,919.15, there were invoices for 2 months.

DFS Industrial & Environmental Services invoice us per job, in the payment of \$33,871.75 there was 11 invoices, with jobs dating between 6 February and 14 May 2026. Electricity Generation and Retail Corporation (Synergy) invoice us monthly in multiple invoices covering many venues. The payment of \$38,797.76 including invoices from April and May 2026.

10.1.2 MONTHLY FINANCIAL STATEMENTS FOR THE PERIOD ENDING 30 APRIL 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: D26/76084
Applicant(s): N/A
Author Disclosure of Interest: Nil

SUMMARY

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

OFFICER RECOMMENDATION IN BRIEF

That Council RECEIVES the Monthly Financial Statements for the period 1 July 2025 to 30 April 2026.

OFFICER COMMENT

The monthly financial report presented to Council typically includes a wide range of information to support Council's understanding of the Town's financial position. However, due to the implementation of DataScope, the Town's new Enterprise Resource Planning (ERP) system, and the additional resources required for this transition, the current report has been streamlined to ensure timely completion.

In accordance with the Local Government (Financial Management) Regulations, the report includes the required Statement of Financial Position and Statement of Financial Activity. Supplementary information that is not prescribed by legislation has been temporarily excluded. The following notes have now been included; Capital Acquisitions, Borrowings, Lease Liabilities and Budget Amendments. The Town will continue to add notes to this report to provide useful information to Council.

The following comments and/or statements provide a summary of major financial/budget indicators and are included to assist in the interpretation and understanding of the attached financial statements. The requirement to address material variances as per (1)(d) of Regulation 34 is also addressed below.

- The net current funding position as at 30 April 2026 was \$3,478,184.
- Operating revenue is lower than the year-to-date budget by \$282,819, while operating expenditure is under budget by \$2,835,185. It is important to note that this variance includes unposted depreciation of \$2,767,489; excluding this timing difference, the net variance would be \$67,696 under budget.
- Rates income is under budget by \$39,845. This is a timing variance only as intermin rating has not been completed.

- Grants, subsidies, and contributions are under budget by \$139,760. This is a timing variance only as acquittals occur later in the year.
- Profit on asset disposals are over budget by \$60,014 due to assets not being disposed in the asset system, this is a timing variance.
- Depreciation is under budget by \$2,767,489 as no depreciation transactions have been processed. These will occur in June and is a timing variance only.
- Other expenditure is over budget by \$256,491, this includes \$213,000 of expenses that should have been classified as materials and contracts, this reduces the variance to \$43,491.
- The balance of cash-backed reserves was \$8,341,979 as at 30 April 2026, as no reserve transfers have been processed yet.

ATTACHMENTS

10.1.2(a) Monthly Financial Report for the Period Ending 30 April 2026 [under separate cover]

CONSULTATION

Internal

STATUTORY IMPLICATIONS

Local Government Act 1995

Section 6.4

Local Government (Financial Management) Regulations 1996

Regulation 34

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

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

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

RESOURCE IMPLICATIONS

The financial results for the month show operating revenue tracking below budget by approximately 2 per cent, while operating expenditure is under budget by approximately 16 per cent. This outcome continues to reflect a mix of over- and under-performance across individual revenue and expenditure categories. When depreciation is excluded, the

combined impact of these movements results in an overall operating surplus position of 9.8 per cent as at 30 April 2026.

Cash flow remains stable, and based on current trends, no adverse impacts are expected for the remainder of the financial year. Existing funding and operational capacity are sufficient to meet ongoing service delivery and financial commitments. 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

Compliance Risk - Regulation 34 of the *Local Government (Financial Management) Regulations 1996* requires that monthly financial reports be presented at an ordinary council meeting within two months of the end of the relevant month. Failure to accept this report may result in the Town not meeting its legislative obligations.

VOTING REQUIREMENT

Simple Majority

OCM078/2026

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Young

Seconded Cr Thomas

THAT Council RECEIVES the Monthly Financial Statements for the period 1 July 2025 to 30 April 2026

Carried by En Bloc Resolution (OCM076/2026) 8/0

CORPORATE AND COMMUNITY SERVICES**10.1.3 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 (f)**) 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

- 10.1.3(a) Event-Conditions-Policy [under separate cover]**
- 10.1.3(b) Event-Classification-Policy [under separate cover]**
- 10.1.3(c) Facility-Hire-Policy [under separate cover]**
- 10.1.3(d) Events Policy Engagement Report [under separate cover]**
- 10.1.3(e) Draft Event Impact Classification Matrix [under separate cover]**
- 10.1.3(f) 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).

Note: Officer's Recommendations 1, 2, 3, 4 and 5 were moved together, noting that recommendations 1, 2 and 3 to revoke previous Council decisions require 3 elected members to support the motion to comply with s5.25(1)(e) of the *Local Government Act 1995* and r.10(1)(b) of the Local Government (Administration) Regulations 1996; and that recommendations 4 and 5 require only a mover and seconder.

OCM079/2026

COUNCIL RESOLUTION

Moved Cr Young

Seconded Cr Sadler Cr Wylynko

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)

Carried by Absolute Majority 7/1

For: Mayor Harkins, Deputy Mayor Heath, Cr Young, Cr Sadler, Cr Wylynko, Cr Irvine and Cr Thomas

Against: Cr Barrett

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).

COUNCILLOR AMENDMENT**Moved Cr Irvine****Seconded Mayor Harkins**

In the draft Events Policy, at page 58 of the Attachments, add a sentence at the end of “Financial Protections” (bullet point 5) under section “(4) Mandatory Risk Controls (Minimum Requirements)” as follows:

“The “locals first” principle is to be applied to waive or grant concessions for events involving community groups, sporting clubs, registered charities, local education institutions and those that promote tourism in Cottesloe.”

Rationale:

Inclusion of this principle ensures the Events Policy prioritises local community benefit by supporting local organisations and initiatives, while also encouraging activities that enhance tourism and community wellbeing. It provides a clear, consistent basis for offering fee relief or concessions aligned with the Town’s strategic objectives.

Mayor Harkins proposed a further amendment Cr Irvine has agreed to include with his:

“Application of the “locals first” principle will be supported through the Schedule of Fees and Charges with Administration authority to assess and determine eligibility for concessions as part of the event approval process. This will include consideration of local connection, not for profit status, community benefit, contribution to tourism and alignment with Council Plan objectives. No fixed list of eligible organisations will be prescribed allowing flexibility to support existing and emerging community groups.”

Rationale:

The addition clarifies it would be the Administration who would be applying the “locals first” principle for each event.

6.28pm

OCM080/2026**COUNCIL RESOLUTION****Moved Mayor Harkins****Seconded Cr Young**

The Council meeting be adjourned for five minutes to enable the Administration to finesse wording of an amendment.

For: Mayor Harkins, Deputy Mayor Heath, Cr Young, Cr Sadler, Cr Wylynko, Cr Irvine and Cr Thomas, Cr Barrett

6.33pm – Mayor Harkins announced the meeting was resumed.

Mayor Harkins clarified the combined Cr Irvine/Mayor Harkins amendment to point (5) of the Officer's Recommendation as:

"Pursuant to s.2.7(2)B of the Local Government Act 1995, ADOPT the draft Events Policy at attachment (f) amended by inserting:

At clause (3) Policy Statement - another bullet point as follows to define "locals first":

- *"locals first" – consideration of local connection, local not for profit status, community benefit contributions to tourism in Cottesloe and alignment with Council Plan objectives."*

and to add an additional bullet point at clause (4) *Mandatory Risk Controls (Minimum Requirements) as follows:*

- *"The "locals first" principle is to be applied to waive or grant concessions for events involving community groups, sporting clubs, registered charities, local education institutions and those that promote tourism in Cottesloe. Application of the "locals first" principle will be supported through the Schedule of Fees and Charges with Administration authorised to assess and determine eligibility for concessions as part of the event approval process. This will include consideration of local connection, not for profit status, community benefit, contribution to tourism and alignment with Council Plan objectives. No fixed list of eligible organisations will be prescribed allowing flexibility to support existing and emerging community groups."*

Lost 4/5

For: Mayor Harkins, Cr Irvine, Cr Thomas, Cr Barrett

Against: Deputy Mayor Heath, Cr Young, Cr Sadler, Cr Wylynko

Mayor Harkins exercised her casting vote to not support the amendment

FORESHADOWED MOTION

Cr Barrett

To reinstate the Town's current policies and defer this proposed policy bring it back to next month's Ordinary Council meeting.

OCM081/2026

COUNCILLOR AMENDMENT

Moved Deputy Mayor Heath Seconded Cr Young

To add a new point 6 in the Officers' Recommendation:

"The draft Event Impact Classification Matrix (Attachment (e)) will be further refined and considered for addition to the 2026 Events Policy and brought to a future elected members workshop at a later date."

Cr Thomas proposed a further amendment to which Deputy Mayor Heath agreed, to include the “locals first” principle to be discussed at the workshop also.

Deputy Mayor Heath’s amendment then read as follows and was put to the vote:

The Administration is requested to bring the draft Event Impact Classification Matrix (Attachment (e)) and consideration of the “locals first” principle to a future elected members workshop for possible addition to the 2026 Events Policy.

Carried 8/0

For: Mayor Harkins, Deputy Mayor Heath, Cr Young, Cr Sadler, Cr Wylynko, Cr Irvine, Cr Thomas and Cr Barrett

Against: Nil

Rationale

The Draft Event Impact Classification Matrix is on the whole a carefully considered, well-constructed, useful document. It contains many requirements and restrictions on events which are best placed in a policy, not an operational document which can be amended without recourse to Council. There are some items in the matrix that need further consideration before it is incorporated in the policy.

We want our residents and community groups to use our facilities with reasonable restrictions put in place. With the current matrix an event consisting of a meeting or an event for say, 51 people in say, the Anderson Pavilion, must have a finish time before 10pm and the hirer needs a \$20mil Public Liability insurance policy in place. This needs to be reconsidered and there may be additional items that the Administration feel need to be considered.

The Town of Cottesloe is blessed with beautifully located, well maintained events spaces, the use of which should be carefully considered and maximised for the enjoyment of many and to also provide an economic benefit to the Town.

OCM082/2026

SUBSTANTIVE MOTION

Moved Cr Young

Seconded Cr Sadler

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 (f).**
- 6. REQUESTS the Administration to bring the draft Event Impact Classification Matrix (Attachment (e)) and consideration of the “locals first” principle to a future elected members workshop for possible addition to the 2026 Events Policy.**

Carried 8/0

For: Mayor Harkins, Deputy Mayor Heath, Cr Young, Cr Sadler, Cr Wylynko, Cr Irvine, Cr Thomas and Cr Barrett
Against: Nil

CEO NOTE:

The proposed high-level Events Policy will be supported by a robust operational framework that ensures proportionate and consistent application based on the nature and scale of each event. Events will be systematically classified using the structured assessment matrix at **Attachment (e)**, which evaluates key impact factors including anticipated attendance, the presence of alcohol and food vendors, potential noise impacts, event duration, and other relevant considerations.

This classification process enables Council officers to determine the appropriate level of planning, approvals, risk management, and monitoring required, ensuring that resources are effectively allocated and regulatory obligations are met. By linking policy principles to clearly defined operational responses, Council can be confident that events of varying size and complexity are managed in a way that safeguards community amenity, public safety, and compliance, while still supporting a vibrant and diverse events program.

10.1.4 COTTESLOE TENNIS CLUB LEASE RENEWAL

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: D26/76956
Applicant(s):
Author Disclosure of Interest: Nil

SUMMARY

For Council to approve the granting of a new lease to the Cottesloe Tennis Club (CTC), following Council's prior in-principle support and satisfaction of all required conditions.

OFFICER RECOMMENDATION IN BRIEF

That Council approves the granting of a new lease to the Cottesloe Tennis Club commencing 1 July 2026 for a term of ten (10) years with a five (5) year option to renew, subject to Ministerial approval and execution of the formal lease agreement.

BACKGROUND

At its Ordinary Council Meeting of 26 August 2025, Council resolved to support, in principle, a new lease for the Cottesloe Tennis Club subject to a number of conditions.

Since that time, the Cottesloe Tennis Club has worked collaboratively with the Town to address all requirements outlined in Council's resolution, including:

- Agreement to a ten (10) year lease with a five (5) year option;
- Acceptance of increased public liability insurance to \$20 million;
- Commitment to the preparation of a 5 year strategic plan and review of the plan every 5 years;
- Progress of strategic plan objectives to be reported as part of the Club's annual reporting to the Town;
- Payment of costs associated with lease preparation to be reimbursed by the Club.

The Club has also confirmed its ongoing intention to maintain the facility to a high standard and continue delivering strong community outcomes through its programs and activities.

OFFICER COMMENT

The Cottesloe Tennis Club continues to demonstrate strong governance, financial sustainability, and community value. The Club remains one of Western Australia's premier tennis facilities, with high participation rates and a strong membership base.

All conditions of Council's previous resolution have now been satisfied. In addition:

- The property condition report at Annexure 2 of the lease found:
 - The facility is generally in good, serviceable condition overall, with most internal areas, newer structures and key amenities well-maintained.
 - The main clubhouse and courts are largely in good condition, with only minor defects.
 - There are localized maintenance issues across the site, including minor deterioration and maintenance issues across façades, structures, and site (incl. moisture, cracking, and isolated damage).
 - Older structures (e.g. original curator's shed) are in fair condition and show more deterioration and ad hoc additions compared to newer elements.
 - Overall, the site is functional with no major structural failures identified, but requires ongoing maintenance and targeted repairs to ageing elements and minor defects;
- A site survey have been undertaken (refer Annexure 1);
- No issues have been identified that would prevent progression of the lease;
- The Club has demonstrated its capacity to meet its obligations under the proposed lease.

The proposed lease structure remains consistent with Council's approach to community sporting groups, balancing tenure security with accountability through:

- A defined term with renewal option;
- Strategic planning requirements;
- Annual reporting obligations.

The site remains reserved for Parks and Recreation, and any future development (including introduction of padel courts) will remain subject to planning and statutory approvals.

As the land is Crown Reserve, the lease remains subject to the approval of the Minister for Lands under Section 18 of the *Land Administration Act 1997*.

Administration is satisfied that the new lease represents a fair and appropriate outcome and supports the continued operation and development of the Club. It is recommended Council

approve granting a new lease to the Club, terms and conditions set out in the draft lease at Attachment (a).

ATTACHMENTS

10.1.4(a) Draft Lease Agreement - Cottesloe Tennis Club June 2026 [under separate cover]

CONSULTATION

Cottesloe Tennis Club

STATUTORY IMPLICATIONS

Local Government Act 1995

Local Government (Functions and General) Regulations 1996 – Regulation 30

Land Administration Act 1997 – Section 18

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.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

There are governance and operational risks associated with Council not adopting the Officer Recommendation.

Failure to proceed in accordance with the endorsed conditions and agreed lease framework may result in:

- Reputational risk to the Town, particularly given the established and positive relationship with the Cottesloe Tennis Club and Council's prior support in-principle for the lease to be renewed;
- Reduced certainty for the Club, potentially impacting its ability to plan, invest in infrastructure, and maintain current service levels to the community;
- Increased administrative and legal costs if lease negotiations are delayed or required to recommence;
- Potential deterioration of the Town's ability to ensure appropriate controls are in place regarding asset management, reporting, and strategic oversight if alternative lease provisions are pursued.

Overall, not proceeding with the Officer Recommendation may undermine the agreed governance framework and delay the delivery of ongoing community and recreational benefits associated with the Club's operations.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

Moved Cr Young

Seconded Cr Sadler

THAT Council

1. APPROVES the granting of a new lease to the Cottesloe Tennis Club, with terms and conditions as set out in the draft lease at Attachment (a), commencing 1 July 2026 for a period of ten (10) years with a five (5) year option to renew, in accordance with the previous conditions endorsed by Council in August 2025:
 - a. Public liability insurance of no less than \$20 million;
 - b. Preparation of a five (5) year Strategic Plan to Council's satisfaction and review every five (5) years during the new lease term;
 - c. Provision of an Annual Report to the Town, including progress against the Strategic Plan for each year during the term of the new lease;
 - d. Reimbursement to the Town of all lease preparation and drafting costs;
2. NOTES that:
 - a. A survey of the leased premises and a property inspection report have been undertaken prior to the preparation of a new lease;
 - b. Any future development of change-of-use remains subject to all relevant statutory approvals;
 - c. The lease is subject to prior written approval of the Minister for Lands in accordance with Section 18 of the *Land Administration Act 1997*;

3. AUTHORISES the common seal to be applied to the lease in the presence of the Chief Executive Officer and Mayor

OCM083/2026

COUNCILLOR MOTION

Moved Cr Young

Seconded Cr Wylynko

That Council:

- 1. DEFERS consideration of this item so that the Administration can ensure that the proposed new lease fully reflects the conditions for the exercise of the lease option as stipulated in Council's resolution of August 2025.**
- 2. AUTHORISES the CEO to extend the current lease on the same terms and conditions (as appropriate) for a period of 2 months so that the revised draft lease can be considered by Council.**

Carried 8/0

For: Mayor Harkins, Deputy Mayor Heath, Cr Young, Cr Sadler, Cr Wylynko, Cr Irvine, Cr Thomas and Cr Barrett
Against: Nil

Rationale:

1. Council's August 2025 resolution required the inclusion of conditions in a renewed lease, requiring the Club to prepare a Strategic Plan to the Town's satisfaction, and stipulating that exercise of the lease option was conditional on (amongst other things) the Town being satisfied that progress on capital works set out in the Strategic Plan was sufficient to justify the extension.
2. The resolution was made in the context of the Club raising its intention to undertake capital works as part of its anticipated Strategic Plan, and progress on those capital works to the Town's satisfaction was to be a prerequisite (in the lease) to the exercise of the lease option.
3. The draft lease requires, as a condition to the exercise of the lease option, only that the Club prepares a Strategic Plan (without mention of it being to the Town's satisfaction) and reports on achievements under the Strategic Plan, in the timeframes set out in the Schedule. It does not require the capital works in the Strategic Plan to be agreed by the Town and it does not require that actual progress on achieving the capital works is sufficient (to the Town's satisfaction) to justify the exercise of the lease option.
4. As drafted, the right to exercise the lease option could not be challenged even if the works proposed in the Strategic Plan are minimal, provided that the Club meets the reporting requirements set out in para 10(4) of the Schedule.
5. The current lease expires at the end of this month and the roll-over stipulated in para 2 of the motion allows the Administration to ensure clarity around lease provisions pending resolution of this issue within the draft lease.

EXECUTIVE SERVICES**10.1.5 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

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

10.1.5(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 AND COUNCIL RESOLUTION

Moved Cr Young

Seconded Cr Sadler

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

OCM084/2026

COUNCILLOR AMENDMENT

Moved Cr Barrett

Seconded Cr Young

To include a point 3 to the Officer's Recommendation:

3. **NOTES this reporting framework is a work in progress and future iterations will provide specific and transparent detail on action items implemented and clear**

timeframes and expected outcomes for those actions outstanding.

Carried 8/0

For: Mayor Harkins, Deputy Mayor Heath, Cr Young, Cr Sadler, Cr Wylynko, Cr Irvine, Cr Thomas and Cr Barrett

Against: Nil

Rationale

- The Administration is to be commended on efforts to improve reporting within our integrated planning framework, in the interests of transparency and accountability. Some further work is needed in future iterations of the Council Plan and reporting framework to further improve this.
- For example, this review of performance under our Council Plan currently indicates that some plans and strategies included in our Council Plan have been completed, but implementation of action items within those plans (also included in the Council Plan) are incomplete. Future iterations can be expected to provide more specific details on progress, so that there is full accountability across the Council Plan.
- Comments within the report do not stipulate specific outcomes, making it difficult to determine if they have been fully achieved or remain fully or partly outstanding. Again, future iterations of the Council Plan can be expected to address this.
- Items indicated as 'planned' or 'in progress' are not given clear timeframes for completion. Future iterations should also deal with this.

OCM085/2026

SUBSTANTIVE MOTION

Moved Cr Young

Seconded Cr Sadler

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
3. **NOTES** this reporting framework is a work in progress and future iterations will provide specific and transparent detail on action items implemented and clear timeframes and expected outcomes for those actions outstanding.

Carried 8/0

For: Mayor Harkins, Deputy Mayor Heath, Cr Young, Cr Sadler, Cr Wylynko, Cr Irvine, Cr Thomas and Cr Barrett

Against: Nil

10.1.6 PRIVACY AND RESPONSIBLE INFORMATION IMANAGEMENT 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 five 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. Five 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 five 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

- 10.1.6(a) Information Privacy Principles Summary [under separate cover]**
- 10.1.6(b) Privacy Policy - current [under separate cover]**
- 10.1.6(c) Privacy Policy - Draft 2026 [under separate cover]**
- 10.1.6(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 five 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

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.

COUNCILLOR AMENDMENT

Moved Cr Irvine

To amend Officer's Recommendation (6) with the following:

6. *REQUESTS the Chief Executive Officer to provide an implementation assurance report to the Audit, Risk and Improvement Committee and to Council by 31 October 2026. The report is to address: minimum-compliance status; the Information Asset Register; records-system migration controls; data-breach response planning and testing; training completion; high-risk contracts and data sharing; privacy notices and complaints process; residual risks; and any unfunded resource requirement requiring Council decision.*

FORESHADOWED AMENDMENT

Cr Sadler

REQUESTS the Chief Executive Officer to provide an implementation assurance report to the Audit, Risk and Improvement Committee and to Council by 31 October 2026, with a plan for addressing risks raised by the report.

Mayor Harkins called for a seconder for Cr Irvine's amendment. As there was not one, the amendment lapsed.

OCM087/2026

COUNCILLOR AMENDMENT

Moved Cr Sadler

Seconded Cr Young

To amend Officer's Recommendation (6) with the following:

6. **REQUESTS the Chief Executive Officer to provide an implementation assurance report to the Audit, Risk and Improvement Committee and to Council by 31 October 2026, with a plan for addressing risks raised within the report.**

Lost 3/5

For: Mayor Harkins, Cr Young and Cr Sadler

Against: Deputy Mayor Heath, Cr Wylenko, Cr Irvine, Cr Thomas and Cr Barrett

OCM088/2026

SUBSTANTIVE MOTION

Moved Cr Sadler

Seconded Deputy Mayor Heath

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..

Carried 7/1

For: Mayor Harkins, Deputy Mayor Heath, Cr Sadler, Cr Wylynko, Cr Thomas and Cr Barrett

Against: Cr Irvine

10.1.7 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 reporting clarity	Aligns with accountability

Section	Existing Charter (2019)	Reviewed Charter (2026)	Key Differences	Alignment with LG Amendment Act 2024
	indirectly	outcomes to Council		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

- 10.1.7(a) ARIC Independent Presiding Member and Deputy of the Presiding Member Process **[CONFIDENTIAL] [UNDER SEPARATE COVER]**
- 10.1.7(b) Charter - Audit, Risk and Improvement Committee (current Oct 2025) [under separate cover]
- 10.1.7(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

OCM089/2026

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Young

Seconded Cr Barrett Deputy Mayor Heath

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 s7.1B(1) and 5.11A(2)(c) 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)**

Carried by Absolute Majority 8/0

For: Mayor Harkins, Deputy Mayor Heath, Cr Young, Cr Sadler, Cr Wylynko, Cr Irvine, Cr Thomas and Cr Barrett
Against: Nil

Q: What is the maximum number of independent members that can be appointed to an ARIC?

A: The *Local Government Act 1995* does not prescribe a maximum number of independent members that may be appointed to an ARIC. At least one independent presiding member and an independent Deputy of the Presiding Member must be appointed. (Source: *Implementation Guide: Audit, Risk and Improvement Committees – Department of Local Government Industry Regulation and Safety*)

The reviewed ARIC Charter at Attachment (c) has been amended to provide further clarity on ARIC membership.

10.1.8 ANNUAL REVIEW OF COUNCIL DELEGATIONS TO CHIEF EXECUTIVE OFFICER

Directorate: Executive Services
Author(s): Kate Jones, Governance Coordinator
Authoriser(s): Mark Newman, Chief Executive Officer
File Reference: D26/77973
Applicant(s):
Author Disclosure of Interest: Nil

SUMMARY

Council’s delegations of authority to the Chief Executive Officer (CEO) have been reviewed. Minor amendments have removed one delegation, with no new delegations proposed. The Delegations Register 2026-27 is presented to Council for consideration and recommended for approval.

OFFICER RECOMMENDATION IN BRIEF

That Council approves the delegations made to the Chief Executive Officer and notes the updated Delegations Register for 2026/2027.

BACKGROUND

Delegations allow the CEO, and through sub-delegation, other appropriate Town officers, to make decisions on behalf of Council in defined circumstances. This supports the efficient operation of the Town by enabling timely decision-making and reducing the need for routine matters to be referred to Council meetings.

The Delegations Register consolidates all delegations made by Council to the CEO, together with any sub-delegations made by the CEO to Town officers. The Register also identifies any conditions or limitations on those delegations, but does not dictate how decisions must be made.

The Register was last reviewed in 2025 and adopted by Council in June 2025 (OCM092/2025) to be in place for the 2025/2026 financial year.

OFFICER COMMENT

Section 5.42 of the Act provides that a local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties (other than those excluded by legislation). Section 5.44 further provides that the CEO may delegate those powers and duties to various roles across the organisation.

The purpose of these legislative provisions is to allow administrative and operational decisions to be made efficiently at the appropriate level within the organisation, thereby supporting effective service delivery and governance.

In accordance with section 5.46 of the *Local Government Act 1995 (Act)*, delegations in the Delegations Register have been reviewed to ensure they remain current, appropriate and compliant for the 2026/2027 financial year.

The reviewed Delegations Register is at **Attachment (a)** for Council's consideration. Amendments from the approved 2025/2026 Register have been tracked.

(a) Changes Identified in the 2026/2027 Register

The review of the Register has identified only minor amendments:

- No new delegations have been added to the Register.
- One delegation has been removed, being the **Freedom of Information (FOI)** delegation previously included.

The removal of the FOI delegation reflects correct administrative practice. Powers under the *Freedom of Information Act 1992* relating to access applications and internal reviews are exercised under the authority of the CEO, who directs appropriate officers to carry out those functions. These are administrative arrangements rather than formal delegations from Council and therefore do not require inclusion in the Delegations Register.

Aside from this removal, the existing delegations of powers and duties have been reviewed and remain appropriate.

(b) Delegations and Sub-delegations

Council's delegations to the CEO remain substantially unchanged from previous years. These delegations continue to enable the CEO to perform executive functions of the local government in an efficient and timely manner.

The CEO's sub-delegations to Directors, Managers and officers in other roles are administrative in nature and are made in accordance with section 5.44 of the Act. Powers and duties are sub-delegated across the organisation to enable officers to exercise statutory powers within their areas of responsibility.

While the Register records these sub-delegations for transparency, it is noted that the management of sub-delegations is at the discretion of the CEO and may be updated during the year to reflect operational requirements. Council's role is to determine the scope of delegation to the CEO rather than the specific allocation of authority to individual officers.

It is also noted that the use of delegated authority is discretionary. The CEO or an authorised officer may elect not to exercise a delegation where it is considered more appropriate for Council to determine the matter.

The Delegations Register continues to be a public document and is available via the Town's website.

ATTACHMENTS

10.1.8(a) Draft Delegated Authority Register 2026-2027 [under separate cover]

CONSULTATION

The delegations review process involved internal consultation with all Directors, Managers and officers currently with delegated authority. These officers were requested to review the sub-delegations made by the CEO to ensure they remain appropriate and aligned with current roles and responsibilities. This process confirmed that no significant amendments were required to the powers and duties delegated by Council to the CEO. Some minor amendments were identified in relation to the CEO's sub-delegations to officers. These changes fall within the operational remit of the CEO and have been considered on the basis of ensuring that the appropriate level of authority is assigned to each role, supporting efficient and effective organisational operations and the continued delivery of services to the community.

STATUTORY IMPLICATIONS

The review and adoption of the Delegations Register is undertaken in accordance with the *Local Government Act 1995*, including:

- Section 5.42 — Delegation of some powers and duties to CEO
- Section 5.43 — Limits on delegations to CEO
- Section 5.44 — CEO may delegate powers and duties to other employees
- Section 5.45 — Other matters relevant to delegations
- Section 5.46 — Register of, and records relevant to, delegations

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

There is a compliance risk associated with failing to undertake the annual review required under section 5.46 of the *Local Government Act 1995*. Regular review ensures delegations remain appropriate and aligned with legislative and operational requirements.

VOTING REQUIREMENT

Absolute Majority

OCM090/2026

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Sadler

Seconded Deputy Mayor Heath

THAT COUNCIL by absolute majority, pursuant to s.5.46 of the *Local Government Act 1995*, APPROVE the delegations of authority made by Council to the Chief Executive Officer for the 2026/2027 financial year as set out in the Delegations Register at Attachment (a).

Carried by Absolute Majority 8/0

For: Mayor Harkins, Deputy Mayor Heath, Cr Young, Cr Sadler, Cr Wylynko, Cr Irvine, Cr Thomas and Cr Barrett
Against: Nil

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

Nil

12.2 OFFICERS

Nil

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

The Presiding Member announced the closure of the meeting at 7:32 pm.