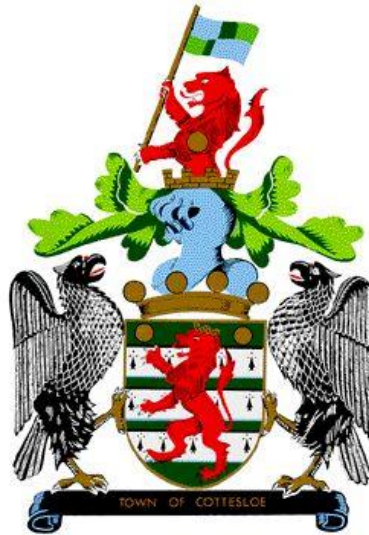


TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

ORDINARY COUNCIL MEETING
HELD IN THE
Council Chambers, Cottesloe Civic Centre
109 Broome Street, Cottesloe
6:00 PM Tuesday, 24 June 2025

MARK NEWMAN
Chief Executive Officer

4 July 2025

DISCLAIMER

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

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

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

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

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

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

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

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

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.....	1
3.3	APPLICATION FOR LEAVE OF ABSENCE.....	2
4	DECLARATION OF INTERESTS.....	2
5	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION	2
6	PUBLIC QUESTION TIME	3
6.1	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	3
6.2	PUBLIC QUESTIONS	6
7	PUBLIC STATEMENT TIME.....	10
8	CONFIRMATION OF MINUTES.....	11
9	PRESENTATIONS	11
9.1	PETITIONS	11
9.2	PRESENTATIONS.....	12
9.3	DEPUTATIONS	12
10	REPORTS.....	13
10.1	REPORTS OF OFFICERS.....	13

ITEMS CARRIED EN BLOC

CORPORATE AND COMMUNITY SERVICES	14
10.1.1 MONTHLY FINANCIAL STATEMENTS FOR THE PERIOD ENDING 31 MAY 2025	14
10.1.2 LIST OF PAYMENTS 1 TO 31 MAY 2025	17
10.1.4 POLICY REVIEW - APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER POLICY AND CREDIT CARD POLICY.....	20
10.1.5 AUSTRALIA DAY EVENTS FROM 2026.....	24
ENGINEERING SERVICES	28

10.1.6	PROPOSED STREETScape IMPROVEMENT FOR MIXED USE DEVELOPMENT ON LOT 6 (110-112) MARINE PARADE, COTTESLOE.....	28
10.1.7	SEA VIEW GOLF CLUB (SVGC) CLUBHOUSE REDEVELOPMENT CONCEPTS	34

ITEMS DEBATED

	CORPORATE AND COMMUNITY SERVICES	37
	10.1.3 DELEGATION REGISTER UPDATE	37
	EXECUTIVE SERVICES	41
	10.1.8 APPOINTMENT OF PRESIDING MEMBERS TO COUNCIL COMMITTEES.....	41
	10.2 RECEIPT OF MINUTES AND RECOMMENDATIONS FROM COMMITTEES	45
11	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	46
	11.1 COUNCILLOR MOTION - CAT WELFARE AND CONTAINMENT LOCAL LAW	46
12	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING BY:.....	48
	12.1 ELECTED MEMBERS	48
	12.2 OFFICERS.....	48
13	MEETING CLOSED TO PUBLIC.....	48
	13.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED.....	48
	13.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC	48
14	MEETING CLOSURE	48

1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member announced the meeting opened at 6:02 pm.

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

2 DISCLAIMER

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

3 ATTENDANCE**Elected Members**

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

Officers

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

3.1 APOLOGIES

Nil

Officers Apologies

Mr Steve Cleaver	Director Development and Regulatory Services
------------------	--

3.2 APPROVED LEAVE OF ABSENCE

Cr Melissa Harkins

3.3 APPLICATION FOR LEAVE OF ABSENCE**OCM082/2025****Moved Cr Sadler****Seconded Cr Heath****That Cr Thomas be granted a leave of absence from 1 November to 31 December 2025.****Carried 8/0****4 DECLARATION OF INTERESTS**

Cr Sadler declared an IMPARTIALITY INTEREST in item 10.1.5 by virtue “as I am a board member of Reconciliation WA” and I will make a decision on it’s merits and vote accordingly.

Cr Bulbeck declared an IMPARTIALITY INTEREST in item 9.1 by virtue “as I brought the petition to Council” and I will consider this matter on its merits and vote accordingly.

Cr Bulbeck declared an IMPARTIALITY INTEREST in item 11.1 by virtue “as I have brought a motion in relation to cat containment. It’s clear from my motion that I have an interest in cat containment”, but I believe I can make a decision on its merits and vote according.

5 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The Presiding Member announced disappointment in the West Australian Planning Commission’s (WAPC) decision to approve the 17-storey development at 7-11 Station Street. It’s a process that Council does not approve. It is not approved or supported generally by local governments, and it does sidestep community input. It was particularly concerning, in this case, because the applicant mischaracterized the Cottesloe Village Precinct Structure Plan, which they relied on as supporting their development of a 17 storey development on their site on the basis that it contemplate a 16 storey building on the site across the highway. The mischaracterisation is that the Precinct Structure for the Village was highly site specific. The Steering Group for that Structure Plan looked at every single site in the Village and made a recommendation, which has found its way into the Structure Plan, of the best outcome for every single site based on what is the best outcome for that Precinct as a thriving central Precinct, with Napoleon Street as its heart. It was very disappointing. The Structure Plan does contemplate a 16 storey development across the highway, and it was very disappointing that the Proponent was able to mischaracterise the Structure Plan and claim that because it contemplates that height at that site, that it was perfectly acceptable to put a 17 storey development on their site, overshadowing Napoleon Street.

The Officer’s report that the WAPC relied on, had lukewarm support for the development, which gave us a glimmer of hope that WAPC might reject the

development. It was rejected by the State's own Design Review Panel and rejected roundly by 80-90% of the community. Notwithstanding that, it was approved by the WAPC. It would seem that nearly every single application that goes to the WAPC through the SDAU process is approved, which is regrettable.

6 PUBLIC QUESTION TIME

6.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Mr Stephen Mellor – 8 Graham Court, Cottesloe

South Cottesloe Toilet Facility - Community Consultation.

Q1 When will the promised whole of Town toilet facilities Strategy, Analysis, and Plan be presented to the Council and Community?

R1: Under the Council Plan and the deliverables timeframe for actions in the Plan, the Town will be developing a Foreshore and Beach Strategy in 2025/2026. This is likely to include public toilet requirements for the area covered by the Strategy.

The Town is also currently going through an Asset Management process, as approved at the April 2024 Council meeting. The process will include the development of a Community Infrastructure strategy. Public toilets are specifically mentioned as an item to be addressed in the development of the Community Infrastructure Strategy. The Asset Management Plan will be brought to Council for consideration in the next few months.

Q2: Can we have an Interim Report on the use of the Anderson Pavilion toilet facilities and has this had any operational issues or 'success'?

R2: Council's resolution in April 2024 was for a two-year trial of the extended public toilet access at Anderson Pavilion. A report will be brought to Council at the end of the trial period.

Q3a: What is the status of and schedule of the urgent refurbishment of the *Indiana* public toilets and changing rooms?

R3a: The anticipated redevelopment of the Indiana building is expected to include upgraded public toilets and change rooms. The cost of the redevelopment will be borne by the lessee. The Town expects to have some clarity around the lessee's revised redevelopment proposal imminently. Expenditure on upgrades beyond essential maintenance will likely be wasted when the anticipated redevelopment proceeds. Work on these facilities is therefore being limited to essential maintenance works. As part of the current budgeting process Council may make increased provision for reserve funds to enable this upgrade which is dependent on the final redevelopment proposal and its likely timing.

Q3b: Are these the same facilities that will be used for the patrons of the proposed *Indiana* sauna units?

R3b: Public toilets at Cottesloe beach are available for use by everyone.

Q3c: Has the Town received a revised proposal from Fiveight regarding the *Indiana* reinvigoration?

R3c: The Town continues to engage with Fiveight on its redevelopment proposal following Council's resolution in June 2024, that did not support the hotel redevelopment for the Indiana site. When a revised proposal conforming with the parameters endorsed by Council in June 2024 is put forward by Fiveight the matter will be brought to Council for further consideration.

Q3d: If not, have there been meetings, discussions or negotiations in this matter since the setting of parameters?

R3d: Refer to R3c.

Q3e: When can the community expect to see an update?

R3e: Refer to R3c

In October 2024 I asked about the status of the sculpture previously at Cr Eric Street and Curtin Avenue – "Golden Section" by Ivan Black?

Q4a: What is the repair cost estimate?

R4a: Approximately \$1000

Q4a: When will it be reinstalled?

R4b: The repairs are expected to be completed before the end of July 2025.

I note in 10.1.3 INSTALLATION LOCALITY OF PUBLIC ART DONATION - the Sandbar sculpture Officer's Report that the John Black Skate Park has been recognised as having 'high vandalism risk'.

Q5: Has Council plans to install CCTV (inc Infra red technology) at the John Black Dune Skate Park?

R5: The possible vandalism risk was mentioned in the Officer's report as one of several reasons for rejecting that location. This was raised by the working group comprising the then CEO, the artist and representatives from Sculpture by the Sea. It is noted there is no evidence of significant vandalism at the skatepark to date, and increased surveillance would not appear to be warranted at this stage.

Marine Parade Shared Cycle Path

Q6a: Has the currently engaged path re-design consultant been asked to include the shared path requirement between Forrest Street and Eric Street in their concept considerations and is aware of the interconnect to and from the Foreshore Masterplan area?

R6a: Yes, as reflected in Council's resolution.

Q6b. Can the Council assure the community that a priority designated cycle path is separate from the existing pedestrian leisurely coastal path within the Foreshore Masterplan area if not in the whole Marine Parade length?

R6b: The Town will be consulting the community to get input from all users of the path and the foreshore area to ensure the final design delivers an active transport infrastructure that is safe and enjoyable for all.

Q6c: How will the priority cycle path pass the Indiana Tea Rooms?

R6c: See the above response.

Q7a: As the redevelopment of the OBH development seems to have stalled will Council reconsider and take the opportunity now to value the heritage value of the remaining 'hidden old hotel' parts of the existing building and register on the Cottesloe local heritage list?

R7a: The OBH redevelopment was approved under the state government's SDAU/WAPC process in mid 2023, with 3 years allowed for commencement. The Town is not privy to information regarding the likelihood of the development proceeding, or the timing. The heritage issue was considered by the WAPC in arriving at the decision to approve the application. Including the building on the Town's heritage list would have no bearing on the current approval and is unlikely to have any bearing on subsequent development applications for the site, in the event that the current development approval lapses.

Q7b. Will Council consider listing the whole of Napoleon Street as a local heritage area and to include the Albion Hotel?

R7b: The Albion Hotel is already included on the Town's Heritage list. While it is not intended to include the whole of Napoleon Street as a local heritage area on the list, the street is located within the area covered by the draft Cottesloe Village Precinct Structure Plan (CVPSP). This Plan is currently awaiting approval to advertise from the WAPC and, if approved, will include objectives and specific provisions relating to preserving the heritage character of Napoleon Street. The Town welcomes comments on the draft CVPSP when it is advertised.

Peter Rattigan 9 Grant Street, Cottesloe

Cottesloe Tree Canopy Advocates

Q1: What action has been taken since the adoption of the Green Infrastructure Strategy to achieve the success indicators stated in the Strategy in relation to public land to achieve a 30% tree canopy cover on public land by 2040 with a net increase of canopy of 1% per annum?

R1: The street tree masterplan species have been identified and public consultation is in the process of being organised to obtain community feedback to finalise this strategic document.

The Town has also commenced the development of the operating plans needed to maintain the growth of the Town's canopy.

Q2: What action has been taken to implement the stated action plan in the Green Infrastructure Strategy?

R2: In addition to the information within response 1, the Town continues to carry out infill planting and the restoration of the dunes in line with the program within the Natural Areas Management Plan.

Q3: What action has been taken since the adoption of the Green Infrastructure Strategy to achieve the success indicator in the Strategy in relation to private land?

R3: This is a complex matter that requires further consideration by Council.

6.2 PUBLIC QUESTIONS

Mrs Yvonne Hart – Mann Street Cottesloe

Item 10.1.1 Monthly Financial Statements for Period Ending 31 May 2025

Page 24 Investment in Associates

Q1a: What does that mean?

R1a: That the Town has a vested interest in another organisation. This organisation is funded by contributions from the constituent councils.

Q1b: Which associates?

R1b: The Western Metropolitan Regional Council (WMRC).

Q1c: Who is/are the 'investee'?

R1c: The following Local Governments; Town of Cottesloe, Town of Claremont, Town of Mosman Park, City of Subiaco and Shire of Peppermint Grove.

Q1d: What is the Town's share of net assets?

R1d: 17.94% - Page 57 of the Town's 2023/2024 Annual report can be referred to as it answers a lot of these questions.

*Page 27 BUDGET AMENDMENTS - Increase Carpark No 2 Strategy
25/3/2025 (-30,000) \$630,895*

Q2: What is the \$630,895 intended to cover?

R2: The \$630,895 is a running balance of the amended budget (also known as budget surplus/deficit). Looking at the whole of page 27 – you can see the column headings and how the amended budget surplus is moving with each budget amendment.

Page 38 Fuel Cards payment - In Feb 27 fuel cards were listed in the monthly financial statement. It is pleasing to see 24 fuel cards listed for May.

Q3a: Is there a strategy to further rationalise the number of vehicles used by ToC?

R3a: There is not a strategy at this point in time regarding the number of vehicles used by TOC.

Q3b: Should these fuel cards be included in the revised Credit Card Policy?

R3b: The fuel cards already have a significant measure of restriction and oversight above and beyond that of the credit cards. The restrictions placed on the cards already limit purchases to fuel or oils only. There is already significant oversight and reconciliation in our processing of the fuel card monthly statement. The Town recognises the benefit of having formalised processes in place for fuel cards as we will have for corporate credit cards and will bring draft fuel card guidelines to the Audit Committee in the next meeting.

Consultancy Services – to what projects are these consultants attached.

Q4a: 29/5/25 page 31 - Christopher Kent Consulting - \$27,325.00

R4a: Parking Strategy.

Q4b: page 32 - Econisis Pty Ltd - \$2,695.00

R4b: Carpark 2 Redevelopment – financial and economic analysis

Q4c: page 35 - Stantec Aust - \$26,812,00

R4c: Healthy Streets detailed design

Q4d: page 35 - Stantec Aust - \$24,267.00

R4d: Coastal Monitoring Program

10.1.4 Recommendations - Page 23 - *The six entities, as relevant, but there is only five 'entities' are listed.*

Q5: What is the sixth missing 'Entity'?

R5: The mention of six entities is a quote from the OAG in its recommendations to the six councils that they audited on Management of Purchasing cards. The five points listed under the mention of six entities are not the "entities" but the recommendations that were given to the six entities. These entities are; City of Cockburn, City of Fremantle, City of Melville, City of Perth, City of Subiaco and Town of Victoria Park.

Mr Peter Rattigan – 9 Grant Street, Cottesloe

Tree Canopy

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

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

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

These questions were taken on notice.

Mr Kevin Morgan – 4/1 Pearse Street, Cottesloe

Various

Q1: How many square metres of ground not already concreted or bitumised will be asphalted in widening the foreshore path?

R1: We are currently consulting the community on this matter. The design is not yet finalised and won't be until the outcome of the consultation is considered. The information sought can not be known until then.

Q2: By resolution OCM 109 of 2021 the council requested the administration to develop a Public Toilet Strategy for Cottesloe, what

became of the strategy and is there a record of decision or any communication to elected members in that regard?

R2: A response has been provided to this question previously is recorded in the Agenda for this meeting, under Public question (Mr Mellor) Q1

Q3: In the absence of a Public Toilet Strategy, was any consideration given to adding a requirement that the ground floor of the Station Street development, as the largest retail and commercial site in the town, is to include such public toilet facilities?

R3: As the land is privately owned, the Town has no power to require the provision of public toilets in the development.

Q4: Last week's SDAU agenda on the Station Street development says that delay by Council in preparing the draft town centre precinct plan is what caused the WAPC to abandon an earlier 10 storey proposal in favour of 18 storeys, approved as 15 and 17 storeys. Why did the draft take more than 5 years when, after 2 years, you were warned of delay due to resource issues?

P72: following on from comments by the town after 2022 that the precinct plan still *"had not been advanced to a point where development outcomes for the site had been considered"* the Department requested further information from the applicant to support their request to increase the maximum permitted building height to 18 storeys.

R4: The reference to WAPC abandoning an earlier 10 storey proposal is presumed to be an error.

The Town started the process of developing a precinct structure plan in the period before COVID, and we prepared extensive reports as were then required to support a Precinct Plan. In December 2020, After we had spent time, effort, and money on these reports, the nature and extent of reports required to support a structure plan were changed – which meant that we had to start the entire process over again.

We planned a meaningful on-site face to face engagement with the community to get feedback on the precinct plan- that engagement is required in preparing a Precinct plan. That level of engagement was delayed during the COVID period, which restricted close engagement through to January 2022, when the mask mandate was lifted. WA remained in a state of emergency until September 2022, and community concern about close contact and engagement in public places persisted for some time well into 2022. Engagement was undertaken in early 2023, when the impact of COVID was behind us and we had reasonable confidence that engagement could proceed without the risk of sudden lockdowns. The final draft precinct plan was then prepared. It was adopted for advertising in December 2024. This was a collaboration with the Shire of Peppermint Grove and has

resulted in a very sound structure plan for the Cottesloe Village. Unfortunately, the Precinct plan had little bearing on the WAPC decision regarding the Station Street site.

Q5: Has Council received feedback from the statutory planning committee on its consideration last week of scheme amendment 14 and the draft precinct plan?

R5: No

Q6: Has concern been raised with the inequity arising from the big disparity in allowable building heights between neighbours in the precinct plan, in that the north side of Napoleon Street is to remain limited to 2 storeys, whilst 5 times higher is to be allowed on neighbouring sites in Station Street, now more than 8 times higher following last week's decision of the SDAU?

R6: The Precinct plan is highly site specific, taking into account the outcome for each site in the context of a well planned Village.

Q7: To ameliorate that inequity is the town prepared to consider asking the State to legislate 'transferrable development rights', to enable height bonuses to be bestowed on the south side of Napoleon Street even though they cannot use the extra height themselves, but who could sell the extra height to sites in other areas of the precinct where height is allowed but the other sites must purchase the extra height from those in Napoleon Street who have a height bonus they can't use themselves?

R7: Thank you for the suggestion, which will be passed on to the Town's Director of Planning for consideration.

7 PUBLIC STATEMENT TIME

Cat Containment

Mrs Anna Chandler spoke of the positive reaction of Cottesloe Ratepayers to the Cat Containment petition.

Credit Card Policy

Mr Kevin Morgan spoke on the Credit Card policy review and suggested the need for a policy on expenditure on alcohol and meals.

7-11 Station Street – WAPC Decision

Mr Phil Patterson spoke of his support of the Council's objection to the project and commented on the Part 17 process.

Cat Containment

Mrs Sharpe spoke on the submitted petition for Cat Containment and urged support for a local law.

8 CONFIRMATION OF MINUTES

OCM083/2025

Moved Cr Wylynko

Seconded Cr Thomas

That the Minutes of the Ordinary Meeting of Council held on Tuesday, 27 May 2025, be confirmed as a true and accurate record.

Carried 8/0

**For: Mayor Young, Crs Sadler, Bulbeck, Wylynko, Thomas, Mason, Irvine, and
Heath
Against: Nil**

OCM084/2025

Moved Cr Sadler,

Seconded Cr Heath

That the Minutes of the Special Meeting of Council held on Tuesday 17 June 2025 be confirmed as a true and accurate record.

Carried 8/0

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

Moved Mayor Young

Seconded Cr Thomas

THAT Council accepts the petition presented by Cr Bulbeck initiated by Mrs Joan Sharpe of Cottesloe on the request for Cat Containment.

Carried 8/0

For: Mayor Young, Crs Sadler, Bulbeck, Wylynko, Thomas, Mason, Irvine and
Heath
Against: Nil

9.2 PRESENTATIONS

Nil

9.3 DEPUTATIONS

Nil

10 REPORTS**10.1 REPORTS OF OFFICERS****OCM085/2025****Moved Cr Thomas****Seconded Cr Heath****COUNCIL RESOLUTION**

That Council adopts en-bloc the following Officer Recommendations contained in the Agenda for the Ordinary Council Meeting 24 June 2025:

Item #	Report Title
10.1.1	Monthly Financial Statements For The Period Ending 31 May 2025
10.1.2	List of Payments 1 to 31 May 2025
10.1.4	Policy Review – Appointment of Acting Chief Executive Officer Policy and Credit Card Policy.
10.1.5	Australia Day Events from 2026
10.1.6	Proposed Streetscape Improvement For Mixed Use Development on Lot 6 (110-112) Marine Parade, Cottesloe
10.1.7	Sea View Golf Club (SVGC) Clubhouse Redevelopment Concepts.

Carried by En Bloc Resolution 8/0

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

Directorate: Corporate and Community Services
Author(s): Vicki Cobby, Director Corporate and Community Services
Luca Swart, Management Accountant
Irene Wai Shan Au-Yeung, Assistant Finance Manager
Authoriser(s): Mark Newman, Chief Executive Officer
File Reference: D25/22294
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 2024 to 31 May 2025.

BACKGROUND

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

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

OFFICER COMMENT

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

- The net current funding position as at 31 May 2025 was \$5,883,585 compared to \$3,632,871 at the same time last year.

- Operating revenue exceeds the year-to-date budget by \$316,942 while operating expenditure is less than the year-to-date budget by \$798,442. An explanation of material variances is provided in Note 3: Explanation of Material Variances, in the attached financial statements.
- Cash and investments are shown in Supplementary Information 3: Cash and Financial Assets at Amortised Cost, of the attached financial statements. The Town has 37.94% of funds invested with the Westpac Banking Corporation, 21.72% with the National Australia Bank, and 40.33% with the Commonwealth Bank of Australia.
- The balance of cash-backed reserves was \$7,375,220 as at 31 May 2025, as shown in Supplementary Information 4: Reserve Accounts.
- The Capital Works Program is detailed in Supplementary Information 5: Capital Acquisitions. It shows that capital expenditure is less than the year-to-date budget by \$1,361,925. An explanation of material variances is provided in Note 3: Explanation of Material Variances in the attached financial statements.
- Rates, sundry debtors, and other receivables are shown in Supplementary Information 7: Receivables. Outstanding rates amount to \$628,620, compared to \$350,268 at the same time last year. Sundry debtors and other receivables indicate that 49.30%, or \$266,793 are older than 90 days, which includes outstanding infringements.
- Information on borrowings is shown in Supplementary Information 10: Borrowings, of the attached financial statements. The Town had total principal outstanding of \$1,753,978 as at 31 May 2025.

List of Accounts Paid for May 2025

The list of accounts is now presented to Council in a separate report titled “List of Payments”.

BUDGET AMENDMENTS

There are no budget amendments being recommended in this report.

ATTACHMENTS

- 10.1.1(a) Monthly Financial Statements for the period ending 31 May 2025 [under separate cover]**

CONSULTATION

Internal

STATUTORY IMPLICATIONS

Local Government Act 1995

Section 6.4

Local Government (Financial Management) Regulations 1996

Regulation 34

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

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

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

RESOURCE IMPLICATIONS

Resource requirements are in accordance with the existing budgetary allocation.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

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

By not approving recommended budget amendments, if any, current budget allocations may not be sufficient or exist at all, risking exceeding current budgets or incurring expenses that are not budgeted.

VOTING REQUIREMENT

Simple Majority

OCM086/2025

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Thomas

Seconded Cr Heath

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

Carried by En Bloc Resolution 8/0

10.1.2 LIST OF PAYMENTS 1 TO 31 MAY 2025

Directorate: Corporate and Community Services
Author(s): Vicki Cobby, Director Corporate and Community Services
Luca Swart, Management Accountant
Irene Wai Shan Au-Yeung, Assistant Finance Manager
Authoriser(s): Mark Newman, Chief Executive Officer
File Reference: D25/22296
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 2025.

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 2025 is included in the attachment. This includes purchases made via electronic fund transfers and cheque payments, credit card payments, and fuel cards payments.

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

- \$266,214.33 and \$171,715.95 to the Town of Cottesloe Staff for Fortnightly payroll
- \$163,413.27 to the Western Metropolitan Regional Council (WMRC) for waste disposal charges (WMRC)
- \$127,766.00 and \$50,251.00 to the Australian Taxation Office for PAYG
- \$124,439.17 to the Major Motors Pty Ltd for vehicle purchase (water truck)
- \$112,681.48 and \$92,892.07 to Solo Resource Recovery for waste collection services
- \$78,001.00 to Eco Shark Barrier Pty Ltd for the removal of shark barrier

- \$71,959.76 to Miraplex Group Pty Ltd for retaining wall remediation services
- \$51,224.20 and \$43,829.75 to the SuperChoice Services Pty Ltd for superannuation contributions
- \$39,838.26 to Datacom for the continuing implementation of the ERP
- \$37,076.75 to Surf Life Saving WA for Lifeguard services
- \$36,156.45 to Managed IT for IT services and license agreements
- \$35,915.00 to Horizon West Landscape & Irrigation Pty Ltd for reticulation services on Marine Parade
- \$35,534.40 to Programmed Property Services Pty Ltd for North Cottesloe public toilets refurbishment

ATTACHMENTS

10.1.2(a) Payment Listing May 2025 [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.

VOTING REQUIREMENT

Simple Majority

OCM087/2025

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Thomas

Seconded Cr Heath

THAT Council RECEIVES the List of Payments 1 to 31 May 2025, as detailed in Attachment 1

Carried by En Bloc Resolution 8/0

10.1.4 POLICY REVIEW - APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER POLICY AND CREDIT CARD POLICY

Directorate: Corporate and Community Services
Author(s): Vicki Cobby, Director Corporate and Community Services
Authoriser(s): Mark Newman, Chief Executive Officer
File Reference: D25/23141
Applicant(s):
Author Disclosure of Interest: Nil

SUMMARY

Policies are reviewed regularly to ensure they remain current and relevant. The Credit Card Policy and Appointment of Acting Chief Executive Officer Policy have been reviewed and are being recommended for amendment.

OFFICER RECOMMENDATION IN BRIEF

That Council APPROVES the amended policies as presented in the attachments:

1. Appointment of Acting Chief Executive Officer Policy; and
2. Credit Card Policy.

OFFICER COMMENT**Appointment of Acting Chief Executive Officer**

The current policy was adopted by Council in April 2020.

The amended policy gives reference to the Council Plan 2023-3033, replacing the Strategic Community Plan 2013-2023 and Community Business Plan 2020-2024 in the Reference heading.

Since April 2020, the job titles of the Executive team have changed from Executive Managers to Directors. In the amended policy the reference to Executive Managers has been updated to Directors.

The original policy includes a paragraph on the remuneration of the Acting CEO. This is not required to be outlined in this policy and is a decision of the Chief Executive Officer.

There is also a minor change in a reference to the Local Government Act 1995, replacing Section 5.36(2)(b) to Section 5.36(2)(a).

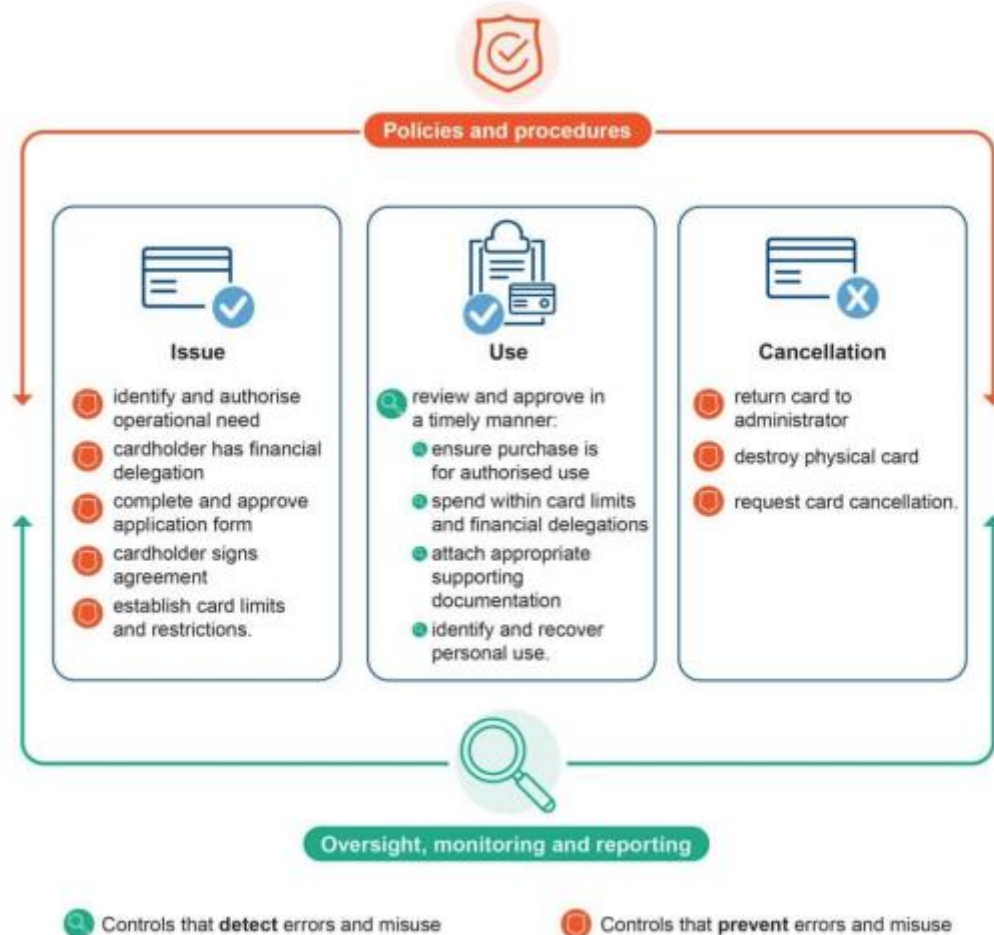
Attachment (a) shows the original policy with tracked changes. **Attachment (b)** is the final version of the recommended amended Appointment of Acting Chief Executive Officer Policy.

Credit Card Policy

The Office of the Auditor General (OAG) has issued two reports in two years on Local Government entities management of purchasing cards. The most recent of these, published on 28 May 2025 was on larger metropolitan entities. The previous report, issued on 12 June 2024 was on regional Local Governments.

With the review of the Town's Credit Card policy, it is the intention to address the concerns raised by the OAG and ensure the Town of Cottesloe has effective and appropriate control over its credit card usage.

In both audits the OAG assessed the following controls;



Source: OAG

The resulting recommendations from the 2025 OAG report are;

Recommendations

- The six entities should ensure their policy and guidance is clear on what is allowable and reasonable business use expenditure for items such as travel, alcohol, meals, entertainment and gifts.
- The six entities, as relevant, should:
 - Report purchasing card transactions more transparently to council to enable better scrutiny of how public money is being spent.
 - Have suitable controls in place to manage the issue and timely cancellation of purchasing cards.
 - Review and approve purchasing card transactions in a timely manner
 - Keep proper records of the review and approvals of purchasing card transactions and card cancellations.

- e. Regularly monitor and report on purchasing card controls to allow management to oversee usage and control effectiveness. The results of reviews should be documented and retained.

The credit card policy was last reviewed in May 2016, and is now being recommended for a significant revision and amendment. The results of the most recent OAG review on local government management of purchasing cards has demonstrated that the Town currently has inadequate controls and monitoring. While this is an appropriate report to present to the Audit Committee (soon to become the Audit, Risk and Improvement Committee), the administration believes immediate action to ensure the Town of Cottesloe is reducing risk and improving accountability, control and transparency is paramount.

ATTACHMENTS

- 10.1.4(a) Appointment of Acting CEO Policy - Tracked changes [under separate cover]
- 10.1.4(b) Appointment of Acting CEO Policy - AMENDED June 2025 [under separate cover]
- 10.1.4(c) Credit Card Policy - Tracked changes [under separate cover]
- 10.1.4(d) Credit Card Policy - AMENDED June 2025 [under separate cover]

CONSULTATION

Executive Team

STATUTORY IMPLICATIONS

Local Government Act 1995

Section 2.7(2)(a)and(b)

Section 6.5(a)

Local Government (Financial Management) Regulations 1996

Regulation 11(1)a

Regulation 13A

POLICY IMPLICATIONS

Updating the Appointment of the Acting Chief Executive Officer Policy will not alter the process of appointing an Acting CEO. This change updates terminology and improves the ability of the CEO to remunerate staff appropriately.

The recommended Credit Card Policy amendments will substantially change the way we currently use our corporate credit card. These changes will tighten the control on credit card spend by establishing cardholder agreements, formalising application processes and approval, setting card limits and restrictions while increasing oversight, monitoring and reporting.

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 little risk in not updating the Appointment of Acting Chief Executive Officer Policy. Not updating the Credit Card Policy holds a lot of risk. The OAG have issued direct guidelines and needs a proactive response. Financial and reputational risk is high if no action is taken.

VOTING REQUIREMENT

Simple Majority

OCM088/2025

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Thomas

Seconded Cr Heath

THAT Council AMENDS:

- 1. The Appointment of Acting Chief Executive Officer Policy as outlined in Attachment (a); and**
- 2. The Credit Card Policy as outlined in Attachment (b).**

Carried by En Bloc Resolution 8/0

10.1.5 AUSTRALIA DAY EVENTS FROM 2026

Directorate: Corporate and Community Services
Author(s): Sally DeFreitas, Manager Community and Customer Services
Authoriser(s): Vicki Cobby, Director Corporate and Community Services
File Reference: D25/23173
Applicant(s):
Author Disclosure of Interest: Nil

SUMMARY

For Council to consider endorsing the commencement of community consultation regarding the preferred date for the Town's annual Australia Day Citizenship Ceremony.

OFFICER RECOMMENDATION IN BRIEF

That Council ENDORSES community consultation to determine community preferences for the timing of the Australia Day Citizenship Ceremony.

BACKGROUND

The *Australian Citizenship Ceremonies Code*, which outlines the requirements for conducting citizenship ceremonies under the *Australian Citizenship Act 2007 (Cth)*, initially required local governments to hold a citizenship ceremony on Australia Day.

Since 2011, the Town of Cottesloe has co-hosted a combined Citizenship Ceremony and Awards event with the Town of Mosman Park and the Shire of Peppermint Grove.

In 2022, the Australian Government updated the Code to give councils greater flexibility, allowing ceremonies to be held on 26 January or within a three-day window before or after that date (anytime between 23 January and 29 January). The three Councils continued rotation of hosting responsibilities, including setting the date of the celebration.

Since the change, the Town has held its citizenship ceremonies on the following dates:

- **26 January 2023** – Hosted by the Town of Cottesloe in partnership with the Shire of Peppermint Grove and the Town of Mosman Park.
- **27 January 2024** – Hosted by the Town of Mosman Park, who independently chose to hold the event on 27 January, again in partnership with the Shire of Peppermint Grove and the Town of Cottesloe.

In July 2024, the Shire of Peppermint Grove resolved to establish a new biennial event, the *Peppermint Grove Community Day*, to be held every two years in October. As a result, the Shire advised the Town of Cottesloe that it would no longer participate in the joint Australia Day citizenship ceremony from 2025 onwards.

26 January 2025 – Hosted by the Town of Cottesloe - Town of Cottesloe only.

The Town is now commencing a community consultation process to seek feedback on the future of the Australia Day Citizenship Ceremony. This will help ensure the event is inclusive, respectful, and reflective of the diverse views and values of the local community.

OFFICER COMMENT

It is proposed that consultation be undertaken in June 2025 to determine community views on preferred dates for the Citizenship Ceremony, with three options to be presented:

Question: When should the Town of Cottesloe hold its Australia Day events?

These events include the Citizenship Ceremony and the Community Citizen of the Year Awards.

- **Option A:** On the nearest Saturday to 26 January (or Sunday 27 January if 26 January is a Saturday)
- **Option B:** On 26 January (Australia Day)
- **Option C:** I have no preference

The consultation will be carried out via the Town's community engagement platform 'Engage Cottesloe.'

PROPOSED CONSULTATION TIMELINE

- **Friday 27 June 2025:** Community consultation opens (3 weeks)
- **Friday 18 July 2025:** Consultation closes
- **Tuesday 26 August 2025:** Report to Council on consultation outcomes

A summary of community feedback will be presented to Council in August 2025 to inform future planning.

ATTACHMENTS

Nil

CONSULTATION

- General community (via online and printed survey)

STATUTORY IMPLICATIONS

Local Government Act 1995

Section 2.7 – Role of Council**POLICY IMPLICATIONS**

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

STRATEGIC IMPLICATIONS

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

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

Major Strategy 4.1: Engage, inform and actively involve our community in Council decision making.

RESOURCE IMPLICATIONS

Costs associated with community consultation and engagement will be met within the existing operational budget.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

Failure to consult with the community on this matter may result in reputational risks and perceptions of non-inclusiveness. Community engagement helps mitigate these risks by ensuring transparency and representation.

VOTING REQUIREMENT

Simple Majority

OCM089/2025

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Thomas

Seconded Cr Heath

THAT Council;

- 1. ENDORSES the commencement of community consultation in June 2025 regarding the preferred date of the Town's Australia Day Citizenship Ceremony;**
- 2. NOTES that a Community Engagement Plan will be circulated to Elected Members prior to the commencement of consultation; and**
- 3. REQUESTS the Chief Executive Officer to oversee the consultation process and**

present a report to Council in August 2025 summarising the outcomes

Carried by En Bloc Resolution 8/0

ENGINEERING SERVICES**10.1.6 PROPOSED STREETScape IMPROVEMENT FOR MIXED USE DEVELOPMENT ON LOT 6 (110-112) MARINE PARADE, COTTESLOE**

Directorate: Engineering Services
Author(s): Peter Ng, Coordinator Building and Conservation Projects
Authoriser(s): Shaun Kan, Director Engineering Services
Mark Newman, Chief Executive Officer
File Reference: D25/14966
Applicant(s): Space Collective Architects
Author Disclosure of Interest: Nil

SUMMARY

For Council to consider APPROVING the attached streetscape proposal for the 110 Marine Parade development, subject to conditions.

OFFICER RECOMMENDATION IN BRIEF

That Council APPROVES the attached proposal subject to conditions.

BACKGROUND

110 Marine Parade is a five-storey mixed-use development, approved by JDAP on 20 December 2021, comprising three ground-floor commercial tenancies and eight multiple dwellings. The developers, after consulting with the Town, have submitted a streetscape enhancement proposal for the frontage of their property that features the:

- Planting of five trees within the public footpath, of which three are on Marine Parade and the other two along Warnham Road;
- Building and tree well uplights;
- Temporary potted plants;
- Relocation of Western Power street lighting, including some other street furniture;
- Replacement of kerbing and removal of vehicle bays along Marine Parade; and
- The installation of a loading bay along Warnham Road.

Whilst the developers will be responsible for the cost of the entire proposal, Council should note that there are elements that are inconsistent with the approved Foreshore Masterplan.

This is discussed in the officer's comment section.

The building works, including any approved streetscape improvements, are expected to be completed by October 2025.

OFFICER COMMENT

These enhancements provide immediate community benefits and set a strong precedent for future development along Marine Parade by setting high design standards and a coordinated approach by improving the public realm in conjunction with the building works.

Foreshore Masterplan Variations

The following are the proposal's variations from the approved Foreshore Masterplan (https://www.cottesloe.wa.gov.au/Profiles/cottesloe/Assets/ClientData/10_2_85_Percent_Detailed_Design_Summary_Plan.pdf)

- Deviation 1: Replace 2 Marine Parade designated trees: Norfolk Island Pine and *Casuarina equisetifolia* (Coastal Sheoak) with 3 *Melaleuca quinquenervia* (Paperbark tree) as the substantive pine tree species may impact the building and public infrastructure;
- Deviation 2: Installation of uplighting for trees along Marine Parade to subtly illuminate the streetscape trees, assisting with wayfinding in the public realm and set a positive precedent for future development;
- Deviation 3: Installation of temporary planter boxes to soften the landscape and views until such time as the Foreshore Redevelopment is complete;
- Deviation 4: Relocation of street infrastructure such as waste bins, bicycle racks, an Australia Post mailbox, parking sign, fire hydrant and hydrant pit;
- Deviation 5: Plant 3 Paperbark street trees along Warnham Road in front of the development site to enhance the streetscape's aesthetic character;
- Deviation 6: The incorporation of a Warnham Road Loading Bay to replace the one on Marine Parade is needed to facilitate commercial deliveries and servicing needs;
- Council is to note that the kerbing works within the proposal are in line with the approved Foreshore Masterplan.
- Deviation 7: Proposed relocation of a streetlight pole to the western side of Marine Parade.

Assessment of Proposal

This development and several others did not exist in 2018 and 2019, at the time when the Masterplan was being designed, and this may be the opportunity for the streetscape, particularly on the eastern side of Marine Parade to be reviewed.

In summary, the Administration:

- Has no objection to Deviation 1, provided an Arborist can certify that the proposed changes to the tree species and the landscape design at this location will not cause other implications;
- Supports Deviation 2 to 6 subject to conditions because:
 - (a) The in-ground and building luminaries are expected to enhance verge lighting and are likely to set a standard for high-quality design outcomes in future developments which are removable if needed to be consistent with any future streetscape;

- (b) The planter boxes are temporary and can be removed if requested;
 - (c) The street furniture relocation improves pedestrian movement, reduces visual clutter, and creates a more functional and visually appealing public realm while ensuring compliance with accessibility and safety standards;
 - (d) The proposed Paperbark tree for Warnham Road is consistent with the Foreshore landscape palette and is located on a side street which allows it to complement the overall Foreshore vision without impacting key sightlines or the broader landscape design intent; and
 - (e) It is expected that the loading bay will improve traffic flow along Marine Parade, minimise on-street parking disruptions, and support the efficient operation of ground floor businesses while maintaining safe pedestrian access.
- Does not support Deviation 7 as the street lighting relocation poses a risk to traffic and pedestrian safety at the intersection. The Masterplan specifies a uniform placement of street lighting poles at the north-east corner of each intersection along Marine Parade (as depicted in Figure 1 below), and the proposed deviation would undermine road safety and this coordinated design approach.

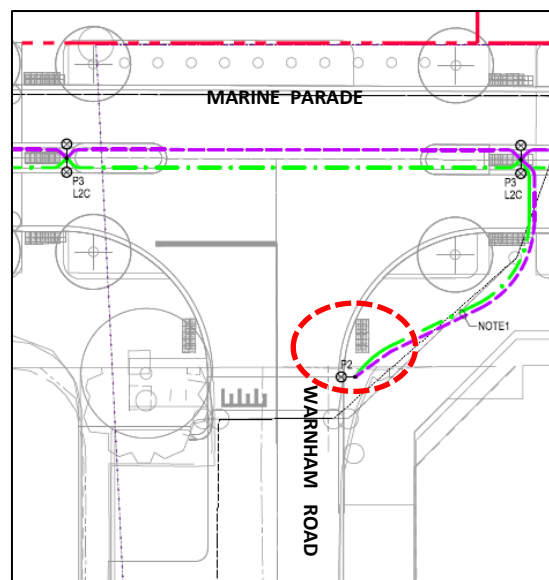


Figure 1 - Foreshore Masterplan - Streetlight Placement at North-East Corners of Marine Parade Intersections

The officer's recommendation has been worded accordingly based on this assessment.

ATTACHMENTS

10.1.6(a) Attachment A - 110 Marine Parade Verge Application [under separate cover]

CONSULTATION

Planning Services, Parks and Operations, Elected Members, and the Applicant.

STATUTORY IMPLICATIONS

Local Government Act 1995 Section 2.7 – Role of Council

https://classic.austlii.edu.au/au/legis/wa/consol_act/lga1995182/s2.7.html

POLICY IMPLICATIONS

The treatment suggested will deviate from the approved Foreshore Masterplan.

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 4.2: Work innovatively and collaboratively with government, industry, business and community to deliver positive outcomes.

RESOURCE IMPLICATIONS

The proposed streetscape improvement and maintenance of the landscaping and verge trees will be at the expense of the developer.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

Following the officer's recommendation will promote environmental sustainability by ensuring appropriate species selection, minimising maintenance needs, and enhancing the ecological value of the public realm.

RISK MANAGEMENT IMPLICATIONS

Accepting the Officer's recommendation will help ensure safety, maintain compliance, and uphold the integrity of the Foreshore Masterplan, particularly around the tree species changes and not accepting the relocation of street lighting.

VOTING REQUIREMENT

Simple Majority

OCM090/2025

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Thomas

Seconded Cr Heath

THAT Council

- 1. With the exception of Deviation 7 referenced within the officer's comment section of this report relating to the proposed street lighting modifications, SUPPORT the other proposals in principle within Attachment A and the variation from the approved Foreshore Masterplan subject to the following conditions:**

- a. Arboriculture certification, obtained by the Town and at the cost of the owner is required for the following street tree species modifications:
 - I. Changes to the Marine Parade property frontage species from a Norfolk Island Pine and Coastal Sheoak to 3 *Melaleuca quinquenervia* (Paperbark tree);
 - II. Installation of three Paperbark trees on Warnham Road;
 - III. The Arborist assessment shall consist of:
 - i. The impact on the canopy as a result of the tree species changes;
 - ii. Other implications arising from this revision;
- b. The final verge tree species selected is subject to the Arborist Report and shall be to the satisfaction of the Town;
- c. The verge trees and soft landscaping along the Marine Parade and Warnham Road are to be maintained in good health for three years at the owner's expense;
- d. A bond in line with the fees and charges schedule shall be held and returned only when the Town is satisfied that the trees are in a healthy and thriving condition;
- e. The temporary planter pots and plants:
 - I. Must not exceed 0.75 metres in height to maintain safe sightlines at the intersection (visual truncation);
 - II. Are to be maintained by the owner and at their cost;
 - III. Are to be removed if requested by the Town, at the expense of the owner;
- f. All landscape lighting (building and trees) must be:
 - I. Maintained and operated at the owner's expense;
 - II. Removed at the owner's expense if requested by the Town.
- g. The applicant must provide for the relocation of various street infrastructure elements:
 - I. Written consent or approval from the relevant agencies;
 - II. Retain this furniture within the frontage of the development site;
- 2. INSTRUCTS the Chief Executive Officer to liaise with the applicant to provide an engineer's certified detailed design that addresses the following:
 - a. All the conditions mentioned in point 1;
 - b. The engineering compliance of all other infrastructure within the proposal and their alignment to the approved Foreshore Masterplan that includes the road, kerb, and footpath;
 - c. Any other matters determined necessary by the Chief Executive Officer;
- 3. AUTHORISES the Chief Executive Officer to:
 - a. APPROVE a streetscape design by the proponent that meets the requirements mentioned in points 1 and 2.

b. REVIEW the Foreshore Masterplan landscaping design particularly the trees along the eastern side of Marine Parade to integrate with future developments and to ensure that any changes to the tree species do not reduce the future tree canopy that is provided within the currently approved design

Carried by En Bloc Resolution 8/0

10.1.7 SEA VIEW GOLF CLUB (SVGC) CLUBHOUSE REDEVELOPMENT CONCEPTS

Directorate: Engineering Services
Author(s): Shaun Kan, Director Engineering Services
Authoriser(s): Mark Newman, Chief Executive Officer
File Reference: D25/23784
Applicant(s): Internal
Author Disclosure of Interest: Nil

SUMMARY

For Council to consider making the Sea View Golf Club Clubhouse Redevelopment Concepts (SVGC Concepts) public and provide these designs and their monetary values to the market sounding and economic analysis consultant for them to carry out their works in line with the April 2025 Ordinary Council Meeting (OCM) resolution.

OFFICER RECOMMENDATION IN BRIEF

That Council **AUTHORISES** the Chief Executive Officer (CEO) to make the SVGC concepts public and provide their monetary values including these designs to the appointed consultants to carry out their work.

BACKGROUND

At the October 2024 Ordinary Council Meeting (OCM), Council approved the development of 3 concepts based on the principles below:

- Demolish and rebuild;
- Refurbish and expand; and
- Refurbish only.

Given that the CEO had deemed the then item to have met the confidential provisions under the Local Government Act 1995 Section 5.23, the officer's report and its attachments were not publicly available. This included the concepts and cost estimates.

Council at its April 2025 OCM then discussed the item behind closed doors and openly resolved as follows:

OCM067/2025

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

1. APPROVES a budget amendment of \$33,945;

a. funded through the property reserve that has an outstanding balance of \$188,697;

b. Increase the approved budget within account 35.1171.2 Seaview Golf Club House Redevelopment Feasibility from \$75,000 to \$108,945; and

2. REQUESTS the Chief Executive Officer to include a request for suggestions for off course improvement and activities in the surrounding area of the clubhouse as part of the analysis for the remaining elements of Stage 2; and

3. ENDORSES the 3 Solutions attached for the purpose of economic analysis to develop benefit to cost ratios and market sounding for each design option.

Carried by Absolute Majority 8/0

Council approval is now needed for these concepts to be made public and provide their monetary values to the market sounding consultant for them to provide these to industry to obtain accurate and meaningful feedback. The economic analysis consultant would require the same information to carry out the benefit to cost analysis.

OFFICER COMMENT

In April 2025, the view was that the SVGC Concepts and the quantities specified within the cost estimate documents were likely to form part of a future contract. Given this, the CEO, determined the item to meet the confidentiality provisions under *Local Government Act (1995)* and restricted public access to the officer's report and all the attachments. This approach was supported by previous legal advice obtained a number of years ago.

The latest legal advice provides reasons as to why the concept plans can be made public for the market sounding consultant to progress their works.

However, in the interest of transparency and good governance, it is appropriate for Council to approve this before the concept plans are made public.

Should Council accept the officer's recommendation, the concepts will be published on the Town's website.

Council should note that the access to the monetary value for each option will only be limited to the consultants. Making this public may create the risk of complicating any future procurement process for this project.

ATTACHMENTS

Nil

CONSULTATION

McLeod's

STATUTORY IMPLICATIONS

Local Government Act 1995 Section 5.23

https://classic.austlii.edu.au/au/legis/wa/consol_act/lga1995182/s5.23.html

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

Making a confidential document public without Council approval carries legislative compliance and reputational risk. Without the concept plans, the consultant is unable to provide Council with an accurate opinion from industry on their appetite for each of the 3 concepts.

VOTING REQUIREMENT

Simple Majority

OCM091/2025

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Thomas

Seconded Cr Heath

THAT Council

- 1. AUTHORISES the Chief Executive Officer to:**
 - a. Make the three concept plans for the Sea View Golf Course Clubhouse public by publishing them on the Town's website; and**
 - b. Provide the three concepts and the monetary values to the appointed market sounding and economic analysis consultants for them to carry out their work.**

Carried by En Bloc Resolution 8/0

CORPORATE AND COMMUNITY SERVICES**10.1.3 DELEGATION REGISTER UPDATE**

Directorate: Corporate and Community Services
Author(s): Vicki Cobby, Director Corporate and Community Services
Authoriser(s): Mark Newman, Chief Executive Officer
File Reference: D25/22523
Applicant(s):
Author Disclosure of Interest: Nil

SUMMARY

For Council to consider the review of the Delegations Register.

OFFICER RECOMMENDATION IN BRIEF

That Council approves the delegations provided to the CEO and notes the updated Delegation Register for 25/26.

BACKGROUND

Delegations allow the Chief Executive Officer (and other appropriate staff) to make decisions on behalf of Council in certain circumstances. This allows for the more efficient operation of the Town and improves the level of services that the Town is able to offer residents.

The Delegations Register contains all such delegations made to the Chief Executive Officer (CEO) and where the CEO has then on-delegated to other staff. The Register also contains any limits on the types of decisions that can be made under the Delegation, but importantly, it does not set out what decision has to be made.

The Register was last adopted by Council at the July 2024 Ordinary Council Meeting and should be reviewed each financial year to ensure all delegations are in place for the new financial year.

The amended Delegations Register is attached for Council's consideration - **Attachment (a)**.

OFFICER COMMENT

Under the Local Government Act 1995, Section 5.42 allows the Council to delegate certain powers and duties to the Chief Executive Officer (CEO). Section 5.44 further permits the CEO to delegate (or sub-delegate) these powers and duties to other Town Officers. The purpose of these delegations is to streamline decision-making processes, thereby eliminating the need for the Council to convene formal meetings for routine matters such as payment arrangements, invoice authorisations, and issuing infringements under local laws.

All delegations, whether from the Council to the CEO or from the CEO to officers, must be recorded in the Town's Delegation Register. Section 5.46 mandates an annual review of these delegations each financial year.

In recent years, the delegations from the Council to the CEO have remained consistent. In this report two changes are being recommended.

1. **1.14 Waive, Grant Concessions or Write Off Individual Debts to a maximum of \$1,000.** The use of this delegation for amounts between \$1,000 and \$5,000 don't occur very often, but when they do, the amount of work involved in preparing a council report, by the officer, the Directors, the Governance & Executive Support Coordinator and the CEO, combined with the time spent by up to nine Elected Members to read and debate this item suggest that this is not cost or time effective. The recommended amendment to this delegation is to increase the limit allowable to \$5,000.
2. **1.17 Action Taken When Rates are Unpaid for at Least Three Years.** A correction of a spelling mistake in the Function Delegated, changing "the" to "three" so the sentence reads, "Authority to take possession of land and hold the land against a person having an estate of interest in the land where any rates or service charges in respect of the rateable land have been unpaid for at least three years."

In the previous review of delegations, two changes were made to the delegations from the CEO to the staff. Nine delegation amendments are being proposed by the CEO for 2025/2026 and are detailed below.

1. **1.7 Withholding of Goods.** The Manager Finance has been removed as a sub-delegate, as the delegation is not necessary for the effective performance of their role and responsibilities.
2. **1.8 Disposal of Impounded Goods.** The Manager Finance and Manager Building and Health were removed as sub delegates and replaced with the Coordinator Ranger Services. This change aligns the delegation with the current operational responsibilities and functional roles within the organisation.
3. **1.9 Disposal of Sick or Injured Animals.** The Manager Building and Health was removed as a sub delegate and replaced with the Coordinator Ranger Services. This change aligns the delegation with the current operational responsibilities and functional roles within the organisation.
4. **1.14 Waive, Grant Concessions or Write Off Individual Debts to a maximum of \$1,000.** This delegation is used frequently and predominantly for small amounts and takes a considerable amount of the CEO's time. These include infringements where it is not possible to proceed with debt recovery and small interest amounts on accounts that have been paid and pursuing the debt is not cost effective. A proposed limit of \$500 for Directors with the condition that they can only use the delegation on fees and charges related to their operational areas and responsibilities.
5. **2.1 Power to Make Payments from the Municipal and Trust Funds.** The Manager Building and Health was removed as a sub delegate as the delegation is not necessary for the effective performance of their role and responsibilities. Five signatories are sufficient for the organisation.
6. **3.1 Obstruction of Public Thoroughfare by Things Placed and Left.** The Coordinator Ranger Services has been added to this delegation as this aligns with the current operational responsibilities and functional roles of this position.
7. **3.2 Obstruction of Public Thoroughfare by Fallen Things.** The Coordinator Ranger Services has been added to this delegation as this aligns with the current operational responsibilities and functional roles of this position.

8. **3.3 Encroaching of Public Thoroughfare.** The Coordinator Ranger Services has been added to this delegation as this aligns with the current operational responsibilities and functional roles of this position.
9. **12.3 Removal and Dispose of Signs Unlawfully Displayed.** The Coordinator Ranger Services has been added to this delegation as this aligns with the current operational responsibilities and functional roles of this position.

A marked-up version of theses delegations is attached for Council review – **Attachment (b)**.

It is important that Council review the delegations to the CEO to ensure that authority is not granted for decisions where Council involvement is deemed necessary. The Council can also impose conditions on the delegation to limit the circumstances under which the CEO can make decisions on its behalf.

It is important to note that the use of delegated authority is discretionary. The CEO (or other delegated officers) may choose not to use their delegation if they believe that the Council is better suited to make a particular decision.

Regarding the CEO's delegation of authority to individual officers, the Council should understand that this is at the CEO's discretion. The Council cannot directly overrule the CEO's delegations except by limiting the delegation from the Council to the CEO. Council should note that changes to delegations from the CEO to officers may occur during the year, and the Register will be updated when this occurs. Officers granted delegated authority are required to complete primary and annual returns to identify and mitigate possible conflicts of interest related to their use of delegated authority.

The Delegation Register is a public document and is accessible by the community via the Town's website.

ATTACHMENTS

- 10.1.3(a) **2025/2026 Delegated Authority Register [under separate cover]**
10.1.3(b) **Amended Delegations - Tracked Changes [under separate cover]**

CONSULTATION

Executive Staff

STATUTORY IMPLICATIONS

Local Government Act 1995

s5.42 Delegation of some powers and duties to CEO

s5.43 Limits on delegations to CEO

s5.44 CEO may delegate powers and duties to other employees

s5.45 Other matters relevant to delegations under this Division

s5.46 Register of, and records relevant to, delegations to CEO and employees

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 minimal risk to the Town should the amended delegation to the CEO not be approved as the existing delegations will remain in effect. However, the potential efficiencies in cost and time associated with the proposed changes would not be realized. It is important to note that an annual review of delegations is a requirement under the *Local Government Act 1995*, and failure to complete this review may place the Town at risk of non-compliance.

VOTING REQUIREMENT

Absolute Majority

OCM092/2025

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Sadler

Seconded Cr Irvine

THAT Council by absolute majority APPROVES the Delegations made to the Chief Executive Officer (CEO) and NOTES the attached Delegations Register for 2025/26, which also identifies current sub-delegations from the CEO to Town Officers.

Carried by Absolute Majority 8/0

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

Against: Nil

EXECUTIVE SERVICES**10.1.8 APPOINTMENT OF PRESIDING MEMBERS TO COUNCIL COMMITTEES**

Directorate: Executive Services
Author(s): Jacquelyne Pilkington, Governance & Executive Office Coordinator
Authoriser(s): Mark Newman, Chief Executive Officer
File Reference: D25/24181
Applicant(s): Internal
Author Disclosure of Interest: Nil

SUMMARY

Amendments to the *Local Government Act (1995)* require Council to approve by Absolute Majority the Presiding and Deputy Presiding Members of Council Committees, in this case, the Audit Committee, the Foreshore Precinct Advisory Committee, and the Sea View Golf Club Redevelopment Advisory Committee. The amendments will also require the repurposing of the Audit Committee to include Risk and Improvement at a later date.

OFFICER RECOMMENDATION IN BRIEF

That Council appoints the current Chairs of the Audit Committee, the Foreshore Precinct Advisory Committee, and the Sea View Golf Club Redevelopment Advisory Committee as the Presiding Officers until 18 October 2025.

BACKGROUND

The State Government has progressively introduced wide ranging amendments to the *Local Government Act (1995)*. One of these relates to the provision concerning the Audit Committee which is to be renamed the Audit, Risk and Improvement Committee. The changes have the intent of

- expanding the scope to include risk and business improvement
- mandatory independent members and independent leadership (after the October elections)
- aligning with contemporary standards for best practices in financial and risk management.

The Department of Local Government illustrates the roles of the Committee members as follows:



The Regulations pertaining to this change are yet to be promulgated.

Another amendment that takes effect from 1/7/2025 is the need for Presiding Officers, (and if necessary Deputy Presiding Officers) to be appointed by an absolute majority of Council rather than a vote of the Committees itself.

OFFICER COMMENT

The section of the Amendment Act relating to the mandatory appointment of independent members is yet to be proclaimed however is expected to be proclaimed before the Council elections.

Similarly, the Regulations relating to the changed purpose of the Audit Committee are yet to be prescribed.

Local Governments are required to appoint Presiding Members for Committees commencing 1 July 2025.

Council has three formal Committees;

- Audit Committees – (to be renamed Audit, Risk and Improvement Committee)
- Foreshore Precinct Advisory Committee
- Sea View Golf Club Redevelopment Advisory Committee

Officers are recommending for ease of transition that the current Presiding Officers are approved by Council for the period 1 July 2025 until the election. Officers are not recommending the appointment of Deputy Presiding Officers for such a short period.

ATTACHMENTS

Nil

CONSULTATION

Nil

STATUTORY IMPLICATIONS

Local Government Act 1995

Section 5.12 and 5.13 of the *Local Government Act (1995)* have been amended to require Presiding Members of Committees to be appointed by way of Absolute Majority of Council.

Deputy Presiding Members may be appointed by Council, and again this would need to be by absolute majority.

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

If Council does not appoint Presiding Members to its Committees by 1 July 2025 a result will be noncompliance with legislative requirements.

VOTING REQUIREMENT

Absolute Majority

OCM093/2025

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Sadler

Seconded Cr Mason

THAT Council by absolute majority appoint

- 1. Mayor Lorraine Young as Presiding Member of the Audit, Risk and Improvement Committee from 1 July 2025 to 18 October 2025;**
- 2. Councillor Brad Wylynko as Presiding Member of the Sea View Golf Club Redevelopment Advisory Committee to 18 October 2025; and**

3. Mr Adrian Fini as the Presiding Member of the Foreshore Precinct Advisory Committee to 18 October 2025

Carried by Absolute Majority 8/0

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

Against: Nil

10.2 RECEIPT OF MINUTES AND RECOMMENDATIONS FROM COMMITTEES

Nil

11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**11.1 COUNCILLOR MOTION - CAT WELFARE AND CONTAINMENT LOCAL LAW**

The following motion has been proposed by Cr Bulbeck.

OCM094/2025

COUNCILLOR MOTION

Moved Cr Bulbeck

Seconded Cr Thomas

THAT Council:

Requests the Administration to prepare for Council's consideration at the July OCM a Local Law for Cat Welfare and Containment, for example by adopting the provisions of the Shire of Narrogin Cats Local Law 2016 as amended and appropriately modified for the Town of Cottesloe

Lost 1/7

For: Crs Bulbeck

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

FORESHADOWED BY CR WYLYNKO**COUNCILLOR MOTION**

Moved Cr Wylynko

Seconded Cr Irvine

THAT Council:

- 1. SUPPORTS an intent to manage cat welfare and containment via a local law requiring cats to be under effective control; and,**
- 2. REQUESTS the Chief Executive Officer to bring a report to Council on initiating an appropriate local law once a Western Australian Local Government Association (WALGA) template local law dealing with this issue has been published.**
- 3. Requires the CEO to send a copy of the resolution and rationale to the Minister for Local Government Hannah Beasley.**

OCM095/2025

COUNCILLOR AMENDMENT

Moved Cr Heath

Seconded Mayor Young

To add a Point 4

- 4. Request the CEO to use the Towns communication such as the Post and Social**

Media to educate our residents the benefits of cat containment.

Carried 5/3

For: Mayor Young, Crs Sadler, Bulbeck, Thomas and Heath

Against: Crs Wylynko, Mason and Irvine

OCM096/2025

SUBSTANTIVE MOTION AND COUNCIL RESOLUTION

Moved Cr Wylynko

Seconded Cr Irvine

THAT Council:

1. SUPPORTS an intent to manage cat welfare and containment via a local law requiring cats to be under effective control; and,
2. REQUESTS the Chief Executive Officer to bring a report to Council on initiating an appropriate local law once a Western Australian Local Government Association (WALGA) template local law dealing with this issue has been published.
3. Requires the CEO to send a copy of the resolution and rationale to the Minister for Local Government Hannah Beasley.
4. Request the CEO to use the Town's communication, such as the Post, and Social Media to educate our residents about the benefits of cat containment.

Carried 8/0

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

Against: Nil

Rationale

It is clear that cat containment is an important element of protection for native wildlife and biodiversity. However, any local law to manage cats requires careful thought and consideration.

It is understood that both the State Government and WALGA are considering this issue.

This motion indicates Council's interest and support for a cat welfare and containment local law, but is aimed at ensuring that such a law is appropriately drafted, and consistent with the efforts of other Councils.

12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING BY:**12.1 ELECTED MEMBERS****12.2 OFFICERS****13 MEETING CLOSED TO PUBLIC****13.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED****13.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC****14 MEETING CLOSURE**

The Presiding Member announced the closure of the meeting at 7:36 pm.