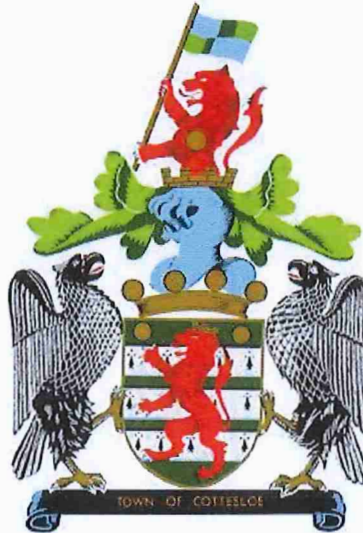


TOWN OF COTTESLOE



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 March 2026

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

MARK NEWMAN
Chief Executive Officer

2 April 2026

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

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1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member announced the meeting opened at 6:00 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

Cr Sonja Heath

Cr Lorraine Young

Cr Helen Sadler

Cr Chilla Bulbeck

arrived at 6:07 pm

Cr Jeffrey Irvine

Cr Michael Thomas

Officers

Mr Mark Newman

Chief Executive Officer

Mrs Vicki Cobby

Director Corporate and Community Services

Mr Shaun Kan

Director Engineering Services

Mr Steve Cleaver

Director Development and Regulatory Services

Ms Jacquelyne Pilkington

Governance and Executive Office Coordinator

3.1 APOLOGIES

Nil

Officers Apologies

Nil

3.2 APPROVED LEAVE OF ABSENCE

Cr Brad Wylynko

3.3 APPLICATIONS FOR LEAVE OF ABSENCE

OCM026/2026

Moved Mayor Harkins

Seconded Cr Thomas

That Cr Sadler be granted a leave of absence from 30 July to 13 September 2026.

Carried 7/0

OCM027/2026

Moved Cr Sadler

Seconded Cr Young

That Mayor Harkins be granted a leave of absence on 26 May 2026.

Carried 7/0

4 DECLARATION OF INTERESTS

Cr Sadler declared an IMPARTIALITY INTEREST in item 10.1.9 by virtue "as I am a member of Westcycle, peak body in WA advocating for bike infrastructure 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

Nil

6.2 PUBLIC QUESTIONS

Nil

7 PUBLIC STATEMENT TIME

Nil

8 CONFIRMATION OF MINUTES

OCM028/2026

Moved Cr Heath

Seconded Cr Sadler

That the Minutes of the Ordinary Meeting of Council held on Tuesday 24 February 2026 be confirmed as a true and accurate record.

Carried 7/0

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

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

CORPORATE AND COMMUNITY SERVICES**10.1.4 MONTHLY FINANCIAL STATEMENTS FOR THE PERIOD ENDING 31 JANUARY 2026**

| | |
|---------------------------------------|---|
| Directorate: | Corporate and Community Services |
| Author(s): | Vicki Cobby, Director Corporate and Community Services Luca Swart, Management Accountant |
| Authoriser(s): | Mark Newman, Chief Executive Officer |
| File Reference: | D26/29683 |
| 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 31 January 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 Town intends to reinstate the additional information in future reports.

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 31 January 2026 was \$6,777,685.
 - Operating revenue is lower than the year-to-date budget by \$211,456, while operating expenditure is under budget by \$2,185,060. It is important to note that this variance includes unposted depreciation of \$1,937,242; excluding this timing difference, the net variance would be \$247,818.
 - Grants, subsidies, and contributions are over budget by \$93,822. This is a timing variance only with grant money received earlier than budgeted.
-

- Fees and Charges are under budget by \$212,555, primarily due to lower-than-expected infringement revenue and building licence revenue. It is anticipated that this will not be recovered by year end.
- Interest revenue is \$28,908 below budget due to investment maturity journals not yet being processed. This is expected to be a timing variance only, and interest revenue is anticipated to meet or exceed the budget once all transactions are posted.
- Other Revenue is \$30,386 under budget. This is a timing-related variance, driven mainly by outstanding reimbursements that will be raised in coming periods.
- Employee costs are showing a favourable variance of \$661,052 but this does not include all transactions. There is currently \$841,688 of payroll expenses incurred by 31 January but posted in later periods. This would indicate a current employee cost deficit of \$180,636.
- Depreciation is under budget by \$1,937,242 as no depreciation transactions have been processed. These will occur in June and is a timing variance only.
- Materials and contracts are showing an unfavourable variance of \$311,062 and are currently trending above budget, influenced by timing differences relating to library contributions and expenses paid in advance. This variance is expected to be timing-related only, as several planned expenditure items are unlikely to proceed this financial year. Overall, this category is anticipated to end the year in surplus.
- Finance costs exceed budget by \$96,859, reflecting the inclusion of the depot lease payment in this category. The principal component of approximately \$70k will be reclassified as a repayment of lease liabilities and transferred to Financing Activities in the Statement of Financial Activity.
- The balance of cash-backed reserves was \$8,341,979 as at 31 January 2025.
- The Town has 41.62% of its term deposit investments with the Westpac Banking Corporation, 36.57% of funds invested with the National Australia Bank, and 21.81% with the Commonwealth Bank of Australia.

ATTACHMENTS

10.1.4(a) Monthly Financial Report - January 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 revenue tracking below budget; however, this is offset by a mix of operating expenditure variances. While some areas are exceeding budget, a greater number are currently under budget, resulting in an overall neutral impact on operational resourcing.

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

OCM030/2026

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Thomas

Seconded Mayor Harkins

THAT Council RECEIVES the Monthly Financial Statements for the period 1 July 2025 to 31 January 2026.

Carried by En Bloc Resolution 7/0

10.1.5 LIST OF PAYMENTS 1 TO 31 JANUARY 2026

Directorate: Corporate and Community Services
Author(s): Luca Swart, Management Accountant
Authoriser(s): Mark Newman, Chief Executive Officer
Vicki Cobby, Director Corporate and Community Services
File Reference: D26/32668
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 January 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 January 2026 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):

- \$613,638.80 to the Department of Fire & Emergency services for emergency service levy contributions
- \$276,239.54 and \$252,254.55 to the Town of Cottesloe staff for fortnightly payroll (includes ATO payments)
- \$265,964.24 to the Western Metropolitan Regional Council for waste disposal charges
- \$173,059.70 to the Shire of Peppermint Grove for The Grove library contributions
- \$121,089.72 to the Town of Mosman Park for the depot lease

- \$54,235.77 and \$52,594.67 to the SuperChoice Services Pty Ltd for Superannuation Payments
- \$53,547.43 to the Miraplex Group Pty Ltd for construction works at the Cottesloe Main Beach Groyne
- \$39,019.75 to Managed IT Pty Ltd for IT services and licenses
- \$38,982.92 and \$38,982.92 to the Surf Life Saving Western Australia for lifeguard services in November and December 2025.
- \$35,844.84 to Osborne Autos Pty Ltd to purchase Isuzu D-Max

ATTACHMENTS

10.1.5(a) Payment Listing - January 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

OCM031/2026

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Thomas

Seconded Mayor Harkins

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

Carried by En Bloc Resolution 7/0

Q1 What are the international transaction fees of \$10.57 in the payment listing?

R1 The Town paid a subscription for Survey Monkey which is based in the USA. The fees were incurred in the payment of that invoice.

ENGINEERING SERVICES**10.1.8 STREET TREE MASTERPLAN - RESIDENT CONSULTATION AND REVISED TREE SPECIES**

Directorate: Engineering Services
Author(s): Adeline Morrissey, Coordinator Environmental Projects
Authoriser(s): Shaun Kan, Director Engineering Services
Mark Newman, Chief Executive Officer
File Reference: D26/32011
Applicant(s): Internal
Author Disclosure of Interest: Nil

SUMMARY

Residents across 27 streets were consulted on the proposed revisions to the Street Tree Masterplan (STM).

These proposed changes are in response to water sustainability risks associated with the Norfolk Island Pines and Polyphagous Shot-Hole Borer (PSHB) infestation. In addition to these matters, the consultation also seek to confirm the preferred tree for streets that contained a variety of species.

A total of 114 submissions were received out of 1000 letters sent, with internal expert advice applied where community feedback was inconclusive.

OFFICER RECOMMENDATION IN BRIEF

With the exception of Alexandra Avenue, Officers recommend that Council endorse the revised street tree species for the remaining 26 streets.

For Alexandra Avenue officers recommend retaining the existing species temporarily and delaying replacement planting until the outcomes of the upcoming nematode trial on PSHB management are known.

Attachment A provides the full consultation summary and detailed information on the recommended species for each street.

BACKGROUND

The November 2024 Ordinary Council Meeting (OCM) Green Infrastructure Strategy resolution identified STM tree species changes for a number of streets and required that directly impacted residents living along these streets be consulted before the STM is finalised.

The need to change the STM assigned species for these 27 streets mentioned in the November 2024 report have been carried out for several reasons:

- To reduce the future Norfolk Island Pine population for improved water sustainability;
- Plant different future species along streets where the current trees are impacted by the PSHB;

- To formalise the:
 - (a) Peppermint tree as the designated species for Hamersley Street (previously Casuarina) and Napier Street West (previously Tuart); and
 - (b) Fraxinus Oxycarpa 'Raywood' (Claret Ash) as the designated species for Napoleon Street.

Further background information can be found within the November 2024 OCM item.

<https://www.cottesloe.wa.gov.au/council-meetings/ordinary-council-meeting/26-november-2024-ordinary-council-meeting/348/documents/confirmed-minutes-ordinary-council-meeting-26-november-2024.pdf>

Enclosed in Attachment B for context is the November 2024 Green Infrastructure Strategy Council resolution.

Resident consultation was undertaken over a three-week period in November–December 2025. Each street was provided with a choice of two species, as identified by Arbor Carbon, the Arborist consultant appointed to assist the Town in the STM revision.

It is envisaged that the Town will soon be invited to participate in the upcoming nematode trial (a roundworm that consumes PSHB larvae) conducted by the University of Western Australia (UWA) and the State Government. The following links provide further information on this initiative:

<https://waarc.org.au/research-programs/waarc-polyphagous-shot-hole-borer-fusarium-dieback-research-program/>

<https://www.abc.net.au/news/2025-08-03/shot-hole-borer-pest-management-progress-perth-trees/105603174>

OFFICER COMMENT

Streets with Clear Survey Preference

The STM will be updated with the survey outcomes for the 20 streets where residents provided a clear preferred species.

1. Did not provide any responses. This occurred for Gordon Street and Railway Street (Grant Street to Congdon Street); or
2. Provided an equal number of votes for each species. This was the situation for Burt Street and Gibney Street; or
3. Rejected all proposed species. This was the response from Alexandra Avenue and Railway Street (Congdon Street to Parry Street).

Officers have applied expert knowledge to recommend a preferred species for the streets mentioned in points one and two.

The following is the recommended course of action for the streets mentioned in point three:

- Alexandra Avenue

This forms part of the future nematode PSHB trial and in the interim, the Coral Tree (PSHB reproductive host) remains as the assigned species in the STM until results from the studies are available. This is because the Coral tree has formed part of the streetscape for several

decades and residents are strongly in favour of the status quo until all possible solutions have been exhausted. This was strongly expressed at a resident meeting with Officers (December 2025) and was re-iterated in their recent survey responses including correspondence with the Town (Attachment C);

- Railway Street (Congdon Street to Parry Street)

Given that there is only one response from this section of Railway Street objecting to the proposed revised tree types, Officers have applied expert knowledge in recommending that both street tree species proposed form part of the future STM to increase the variety in species along this rail corridor especially when this is not a residential verge; and

- Railway Street (Grant Street to Congdon Street)

Given that this section is adjacent to the Congdon Street to Parry segment, Officers have applied the same principles in allocating the same two street tree species onto the STM, noting that there were no responses from residents along this section of Railway Street.

Streets Pending Consultation and Assignment of Street Tree

- Develop a Public Open Space (POS) Landscaping Plan that excludes the Foreshore (Curtin Avenue to North Street), as this area will be addressed through the Marine Parade Shared Path and the Foreshore Precinct Redevelopment Project;
- Undertake canopy-modelling using the STM, POS Landscaping Plan, Foreshore Landscaping Design mentioned in the previous point and the adopted Natural Areas Management Plan (NAMP). This is to validate the practicality of the year 2040 30 percent canopy cover (WALGA nominated targets) which was adopted by Council in November 2024; and
- Develop a canopy expansion strategy for Officers to develop a long-term planting program.

Council should note that a Green Preservation Plan, discussed with elected members at the September 2025 Workshop, serves as the solution to ensure the current and any new canopy introduced continues to thrive.

An aerial flyover will occur in March 2026 to establish the Cottlesloe's current canopy cover and its condition. This will be compared against previous aerial views to determine the extent of growth.

ATTACHMENTS

- 10.1.8(a) Attachment A - STMP - Survey Results - Street Tree Masterplan [under separate cover]**
- 10.1.8(b) Attachment B - GIS Report Resolution OCM Minutes - 26 November 2024 [under separate cover]**
- 10.1.8(c) Attachment C - Alexandra Avenue Resident Feedback [under separate cover]**
- 10.1.8(d) Attachment D - Street Tree Masterplan - Species (all streets) - February 2026 [under separate cover]**

CONSULTATION

Resident consultation was undertaken over a three-week period in November and December 2025. Each street was offered a choice between two species (as identified by Arbor Carbon), and 114 survey responses were received from 1000 letters sent.

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.

The selection of the revised species are consistent with the Town's Street Tree Policy.

STRATEGIC IMPLICATIONS

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

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

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

RESOURCE IMPLICATIONS

Resource requirements are in accordance with the existing budgetary allocation.

Council has approved a \$150,000 Green Infrastructure allocation and street tree planting budget (embedded in the street tree maintenance funding) in the 2025/2026 financial year.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

Updating the Street Tree Masterplan will facilitate continued street tree planting initiatives and consequently contribute to expanding the urban tree canopy thereby achieving the objectives within the adopted Green Infrastructure Strategy.

RISK MANAGEMENT IMPLICATIONS

- Social – Not accepting the recommended species limits the optimisation of the planting program along the various streets identified thereby restricting the opportunity of providing more shade for active transport users and making sustainable travel modes more attractive leading to a reduce reliance on vehicle use particularly for local trips;
- Technical - Not proceeding with the officer's recommendation delays the ability to order quality trees for the winter 2026 planting. This will also affect the long-term health of the urban forest by prioritising species that are better adapted to climate change, disease pressures, and increasingly dry conditions. It will also delay the next

steps for the Green Infrastructure Strategy mentioned in the officer's comment section;

- Environmental – Addressed in previous section;
- Economical – Not revising PSHB host trees will increase street tree maintenance cost for Council particularly with the move by the State Government to management mode on this matter where this places the financial onus on the eradication of infected trees onto Local Governments.;
- Political – Amending the officer's recommendation towards assigning a street tree for Alexandra Avenue will create the perception of the lack in flexibility and collaboration with the community in accommodating their request.

VOTING REQUIREMENT

Simple Majority

OCM032/2026

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Thomas

Seconded Mayor Harkins

THAT Council

- 1. APPROVES the following street tree species in place of the Norfolk Island Pine trees within the revised Street Tree Masterplan for the following streets so as to improve water usage in the maintenance of the tree population:**
 - a. Charles Street West - Melaleuca Leucadendra (Weeping Paperbark);**
 - b. Congdon Street Centre Median - Corymbia Maculata (Spotted Gum);**
 - c. Dean Street - Eucalyptus Todtiana (Dwutta);**
 - d. Gibney Street - Eucalyptus Gomphocephala (Tuart);**
 - e. Marine Parade (Curtin Avenue to Forrest Street) - Melaleuca Lanceolata (Rottnest Island Tea Tree);**
 - f. Marine Parade (Eric Street to Grant Street) - Melaleuca Lanceolata (Rottnest Island Tea Tree);**
 - g. Seaview Terrace - Melaleuca Linariifolia (Narrow-leaved Paperbark);**
 - h. Warton Street - Eucalyptus Gomphocephala (Tuart);**
- 2. APPROVES the following street tree species in place of the Polyphagous Shot-Hole Borer Reproductive Host Trees within the revised Street Tree Masterplan for the following streets so as to reduce infestation and future tree removals:**
 - a. Brixton Street - Hymenosporum Flavum (Native Frangipani);**
 - b. Burt Street - Lagerstoemia indica (Crape myrtle);**
 - c. Charles Street East - Handroanthus Impetiginosus (Pink Trumpet Tree);**

- d. Florence Street - *Agonis Flexuosa* (Peppermint);
 - e. Gordon Street - *Eucalyptus Laeliae* (Darling Range Ghost Gum);
 - f. Graham Court - *Eucalyptus Victrix* (Little Ghost Gum);
 - g. Hawkstone Street (Broome Street to Hamersley Street) - *Eucalyptus Nicholii* (Narrow-leaved Black Peppermint);
 - h. Jarrad Street - *Eucalyptus Gomphocephala* (Tuart);
 - i. Mann Street - *Melaleuca Leucadendra* (Weeping Paperbark);
 - j. McNamara Way - *Melaleuca Leucadendra* (Weeping Paperbark);
 - k. Napier St (East of Curtin Avenue) - *Eucalyptus Laeliae* (Darling Range Ghost Gum);
 - l. Princes Street (Avonmore Terrace to Curtin Avenue) - *Allocasuarina Fraseriana* (Western Sheoak);
 - m. Railway Street (Congdon Street to Parry Street) - *Melaleuca Viridiflora* (broad-leaved paperbark) and *Hakea Laurina* (Pincushion Hakea);
 - n. Railway Street (Grant Street to Congdon Street) - *Melaleuca Viridiflora* (broad-leaved paperbark) and *Hakea Laurina* (Pincushion Hakea);
 - o. Windsor Street - *Hymenosporum Flavum* (Native Frangipani);
3. APPROVES for Alexandra Avenue:
- a. The temporary retention of the Coral Tree as the assigned Street Tree Masterplan species, noting that this tree has been identified as a Polyphagous Shot-Hole Borer Reproductive Host Tree;
 - b. The inclusion of the Coral Trees and if necessary any other trees along this street as part of the University of Western Australia and State Government's upcoming nematode trial;
 - c. A final decision on the next course of action following the outcome of the trial mentioned in point 3c;
 - d. REQUEST the Chief Executive Officer to communicate this to the residents along this street;
4. APPROVES changes to the assigned species for the following streets:
- a. Napier Street (Curtin Avenue to Marine Parade) - *Agonis Flexuosa* (Peppermint);
 - b. Hamersley Street - *Agonis Flexuosa* (Peppermint);
 - c. Napoleon Street – *Fraxinus Oxycarpa* 'Raywood' (Claret Ash)
5. NOTES that the Grant Street median tree species will be finalised upon the completion of the Town's Parking Strategy.

Carried by En Bloc Resolution 7/0

1

Q1 Could Council be provided with an indication on costs to take up Mr MacDonald's suggestion?

R1 Mr MacDonald has requested for the replacement of 8 verge coral trees along Alexandra Avenue for amenity reasons.

The annual maintenance cost of \$300 per tree is immaterial to the \$6000 needed to specially remove a PSHB infected tree. The cost implication is \$60,000 for all the replacements should the infestation occur in 5 years, which is the minimum susceptible age. This is equivalent to planting and maintaining 200 trees per annum. Given the risk, Officers recommend that no new trees be planted until the outcome is known.

CORPORATE AND COMMUNITY SERVICES**10.1.1 REVIEW OF SUITE OF LOCAL LAWS**

Directorate: Corporate and Community Services
Author(s): Nicola Temelcos, Governance Officer
Authoriser(s): Kate Jones, Governance Coordinator
File Reference: D26/10811
Applicant(s):
Author Disclosure of Interest: No

SUMMARY

For Council to conduct a review of its suite of local laws in accordance with the *Local Government Act 1995* (WA).

OFFICER RECOMMENDATION IN BRIEF

That Council, in accordance with section s.3.16 of the *Local Government Act 1996* (Act) intends to review its local laws and give notice as required by s.3.16(2) of the Act of the intention to do so.

BACKGROUND

Section 3.16 of the Act requires all local governments to conduct a review of their local laws to determine whether each local law should be repealed, amended or remain unchanged.

The *Local Government Amendment Act 2024* introduced the requirement that by 7 December 2026, all local governments are to undergo a review of any local laws that are due or overdue for review. Any relevant local laws that are not reviewed by this date will be automatically repealed.

Pursuant to s.3.16(4) of the Act, a local law becomes due for review 8 years from the date the local law commenced or a determination was made with respect to the local law.

Accordingly, the Town of Cottesloe is required to review all local laws that were commenced or reviewed over 8 years ago by 7 December 2026.

After 8 December 2026, the amendments to the *Local Government Amendment Act 2024* will require Local Governments to review their local laws every 15 years. This replaces the previous eight-year review cycle.

Explanation of possible outcomes of review recommendations (retain, amend, repeal)

Retain: The local law is considered contemporary, functional, and aligned with legislative requirements. No further action is required.

Amend: If a local law requires updating, consolidation, correction, or enhancement, Council may initiate an amendment local law. This triggers the full local law-making process of s.3.12 of the Act, including public notice, Ministerial referral, and gazettal.

Repeal: If the local law is obsolete or redundant, Council may initiate a repeal local law following the same procedural requirements in s.3.12 of the Act.

OFFICER COMMENT

Below is a summary of the Town’s local laws and whether they fall within the scope of the requirement to be reviewed by 7 December 2026.

| Local Law | Commencement / Last Review Date | Due for review by 7 December 2026 (per Sch.9.3 (Div 7) cl.65 <i>Local Government Amendment Act 2024</i> or for other reasons |
|---|--|---|
| Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2001 | 15 January 2001 | Yes |
| Beaches and Beach Reserves Local Law 2012 | 1 June 2012 | Yes |
| Dogs Local Law 2024 - Consolidated | 16 July 2024 | No |
| Fencing Local Law 2001 | 9 August 2001 | Yes |
| Health Local Law 1997 | 12 August 1997 | Yes |
| Local Government (Meeting Procedure) Local Law 2021 - Consolidated | 23 November 2021 | No |
| Local Government Property Local Law 2001 - Consolidated | 15 January 2001 | Yes |
| Parking and Parking Facilities Local Law 2024 - Consolidated | 28 September 2024 | No |
| Signs Hoarding and Billposting Local Law 1988 | 25 November 1988 | Yes |
| Special Events Local Law 2006 | 5 September 2006 | Yes |
| Waste Local Law 2024 | 19 February 2025 | No |

Excluded Local Laws

The following local laws do not need to be reviewed by 7 December 2026, because they were made or amended less than 8 years ago.

| Local Law | Commencement / Last Review Date |
|--|--|
| Dogs Local Law 2024 - Consolidated | 16 July 2024 |
| Local Government (Meeting Procedure) Local Law 2021 - Consolidated | 23 November 2021 Local government reforms yet to be |

| | |
|--|---|
| | introduced propose the introduction of a model Meeting Procedures Local Law |
| Parking and Parking Facilities Local Law 2024 - Consolidated | 28 September 2024 |
| Waste Local Law 2024 | 19 February 2025 |

Local Laws subject to the 7 December 2026 Review

A high level review of the following local laws has been conducted to determine whether they need to be amended, repealed, or remain unchanged. A brief overview of the outcome follows:

| Local Law | Recommendation | Reason |
|---|---|---|
| Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2001 | Recommended to be repealed and a new local law brought back to Council in the financial year ending 30 June 2028. | This local law does not align with current legislation and modern standards and uses an old drafting style which can be difficult to understand and apply in a contemporary context. It is proposed that a new Activities on Thoroughfares and Trading Local Law based on the WALGA model local law will replace this local law. |
| Beaches and Beach Reserves Local Law 2012 | Recommended to be repealed. A New Local Government Property Local Law to be submitted to Council for approval in April 2026. | A proposed new Local Government Property Local Law based on the WALGA model local law will address beaches and replace this local law. This will consolidate the local laws which relate to local government property within the single local law. WALGA model local laws are also consistent with current legislation. |
| Fencing Local Law 2001 | Recommended to be repealed and brought back to Council in the financial year ending 30 June 2029. | This local law does not align with current legislation and modern standards and uses an old drafting style which can be difficult to understand and apply in a contemporary context. This local law should be repealed and replaced with a new local law based on the WALGA Model Fencing Local Law |

| Local Law | Recommendation | Reason |
|---|--|---|
| | | which adopts modern drafting and contemplates current standards. There are safety implications as this local law is out of date. |
| Health Local Law 1997 | Recommended to be retained and brought back to Council for a review once a WALGA Model Health Local Law has been created. | <p>The introduction of the Public Health Act 2016 supersedes the legislation which gave authority to this local law. Local Governments cannot make local laws under the <i>Public Health Act 2016</i>.</p> <p>The State Government is currently reviewing this. It is anticipated that a WALGA model local law will be introduced once the State Government has produced public health regulations. It is intended to adopt a model WALGA health local law once one is created. In the meantime, the Cottesloe Health Local Law provides a useful guideline for residents and officers of the Town.</p> |
| Local Government Property Local Law 2001 - Consolidated | <p>Recommended to be repealed.</p> <p>A New Local Government Property Local Law to be submitted to Council for review in April 2026.</p> | <p>A proposed new Local Government Property Local Law based on the WALGA model local law will address local government property and therefore, this local law will become redundant.</p> <p>This will consolidate the local laws which relate to local government property within the single local law. WALGA model local laws are also consistent with current legislation.</p> |
| Signs Hoarding and Billposting Local Law 1988 | Recommended to be repealed and brought back to Council in the financial year ending 30 June 2028. | <p>This local law refers to outdated legislation.</p> <p>A proposed new Activities on Thoroughfares and Trading Local Law based on the WALGA model local law will replace this local law.</p> |
| Special Events Local Law 2006 | <p>Recommended to be repealed.</p> <p>A New Local Government Property Local</p> | A proposed new Local Government Property Local Law based on the WALGA model local law will address special events on local government property making this local law |

| Local Law | Recommendation | Reason |
|-----------|--|--|
| | Law to be submitted to Council for review in April 2026. | redundant. This will consolidate the local laws which relate to local government property within the single local law. WALGA model local laws are also consistent with current legislation. |

A separate report will be brought back to Council for further consideration of each local law amendment or repeal as outlined in the schedule above.

ATTACHMENTS

Nil

CONSULTATION

In accordance with sub-section 3.16(2) of the *Local Government Act 1995* (WA), the Town must give local public notice of its intention to review its suite of local laws. The period for submissions to be made is 6 weeks.

The Town must provide local public notice in accordance with the requirements of s.1.7 of the *Local Government Act 1995* (WA) and the *Local Government (Administration) Regulations 1996*.

STATUTORY IMPLICATIONS

Local Government Act 1995

Section 3.16 of the *Local Government Act 1995* provides the following in relation to periodic reviews of local laws.

Section 3.16 - Periodic review of local laws

(1) *Within a period of 15 years after the day on which a local law commenced or a determination in respect of the local law was last made under subsection (4), as the case requires, a local government must carry out a review of the local law to determine whether it considers that the local law should be repealed, be amended or remain unchanged.*

(2) *The local government is to give local public notice stating that —*

(a) the local government proposes to review the local law; and

(b) a copy of the local law may be inspected or obtained at any place specified in the notice; and

(c) submissions about the local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.

[(2a) deleted]

(3) After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to its council.

(4) After the report has been submitted to its council, the local government must determine whether it considers that the local law should be repealed, be amended or remain unchanged.*

** Absolute majority required.*

(5) If no determination is made under subsection (4) within the applicable 15-year period under subsection (1), the local law is repealed at the end of that period.

POLICY IMPLICATIONS

Replacing the Activities on Thoroughfares and Trading Thoroughfares and Public Places Local Law 2001 will require amendments to the Town's Residential Verges Policy.

Repealing the Beaches and Beach Reserves Local Law 2012 will require amendments to the Town's Beach Policy.

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.

This will be achieved by ensuring that all Local Laws are current, contemporary and fit for purpose.

RESOURCE IMPLICATIONS

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

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

The following current local laws have various environmental sustainability implications. Addressing these implications is something that will need to be considered throughout the review process for each local law. WALGA guidance emphasises the importance of water efficiency, biodiversity and climate resilience.

| Local Law | Does the local law have environmental sustainability implications | Summary of Environmental Sustainability Implications |
|---|--|--|
| Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2001 | Yes | Regulates verge planting and vegetation clearing, and manages activities that impact soil stability, drainage, erosion and vegetation protection on verges and thoroughfares. |
| Beaches and Beach Reserves Local Law 2012 | Yes | Protects dune systems and coastal vegetation by regulating vehicles, animals, fishing, and watercraft to minimise erosion and ecological disturbance. |
| Fencing Local Law 2001 | Yes | Prevents use of hazardous fencing materials, promotes long-lasting materials, avoids structures that may collapse onto vegetation, and restricts dangerous/electrified fencing to protect wildlife. |
| Health Local Law 1997 | Yes | Controls sanitation, wastewater, and refuse disposal to prevent soil and water contamination; regulates rainwater and stormwater management; and manages animals to reduce pollution and environmental harm. |
| Local Government Property Local Law 2001 - Consolidated | Yes | Protects flora and fauna, manages public behaviour, controls activities on natural reserves, limits access to rehabilitation areas, and improves waste, pollution, and water facility management. |
| Signs Hoarding and Billposting Local Law 1988 | Yes | Controls illuminated signs (reducing energy use/light pollution), restricts placement that may affect vegetation, and manages unsafe signs that may cause waste or environmental harm. |

| | | |
|-------------------------------|-----|--|
| Special Events Local Law 2006 | Yes | Regulates conduct at events to reduce waste, litter, and beach/dune damage; protects vegetation and coastal systems during high-impact event days. |
|-------------------------------|-----|--|

RISK MANAGEMENT IMPLICATIONS

Without a local law review, there is a risk that the Town will have local laws that become outdated and not fit for purpose. There is also a risk of gaps in the Town's local laws which could have strategic risk implications. Failure to conduct the review of the Town's suite of local laws by 7 December 2026 will also result in a repeal of each local law. A summary of the specific strategic risk implications is outlined below:

- i. **Health:** outdated local laws may increase the risk of injury or liability exposure and may conflict with current state legislation.
- ii. **Compliance:** the Town may not be compliant with modern disability access, planning policies or state legislation which may have health and legal implications.
- iii. **Reputational:** non-compliance and poor governance may have a negative impact on the Town's reputation. Inadequate compliance and health protections may also undermine trust in the Town's regulatory capability.
- iv. **Environment:** outdated provisions may not reflect contemporary environmental sustainability measures, foreshore erosion responses or coastal hazard mitigation.

VOTING REQUIREMENT

Absolute Majority

OCM033/2026

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Mayor Harkins Seconded Cr Heath

THAT Council by absolute majority

1. Pursuant to s.3.16 of the *Local Government Act 1995*, APPROVE the review of the Town of Cottesloe suite of local laws, in accordance with the following schedule:

| Local Law | Review Timeframe |
|---|---|
| Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2001 | Recommended to be repealed and brought back to Council in the financial year ending 30 June 2028. |
| Beaches and Beach Reserves Local Law 2012 | Recommended to be repealed. A new Local Government Property Local Law to be |

| | |
|---|---|
| | submitted to Council for review in April 2026. |
| Fencing Local Law 2001 | Recommended to be repealed and brought back to Council in the financial year ending 30 June 2029. |
| Health Local Law 1997 | Recommended to be retained and brought back to Council for a review once a WALGA Model Health Local Law has been created. |
| Local Government Property Local Law 2001 - Consolidated | Recommended to be repealed. A new Local Government Property Local Law to be submitted to Council for review in April 2026. |
| Signs Hoarding and Billposting Local Law 1988 | Recommended to be repealed and brought back to Council in the financial year ending 30 June 2028. |
| Special Events Local Law 2006 | Recommended to be repealed. A new Local Government Property Local Law to be submitted to Council for review in April 2026. |

2. Pursuant to s.3.12(2) of the *Local Government Act 1996*, REQUEST the CEO to give local public notice, stating that the Town proposes to review the local laws outlined in the schedule at (1) above.
3. NOTE that a report will be brought back to Council to consider the results of public submissions after the 6-week consultation period has closed.

Carried 7/0

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

Q1 What impact would the repeal of the Beaches Local Law and introduction of a new Property Local Law, have on the current Beaches Policy?

R1 The intention is to have the Property Local Law adopted, replacing references to “Beaches Local Law” in the Beaches Policy to “Property Local Law”.

A full review of the Beaches Policy will take place at a later stage.

10.1.2 FEEDBACK TO WALGA - ELECTION FREQUENCY AND COMPULSORY OR VOLUNTARY VOTING

Directorate: Corporate and Community Services
Author(s): Kate Jones, Governance Coordinator
Authoriser(s): Mark Newman, Chief Executive Officer
File Reference: D26/35823
Applicant(s):
Author Disclosure of Interest: Nil

CEO NOTE – Information to hand after this report was drafted confirmed Council had previously resolved to support compulsory voting and a four year term-two year half spill on 22 October 2024 in OCM 178/2024, minuted as:

“THAT Council RECOMMENDS that WALGA adopt the following Local Government Election Advocacy Positions:

1. PARTICIPATION – Council support advocacy position b (compulsory voting)
2. TERMS OF OFFICE – Council support advocacy position a ...”

Points (1) and (2) refer to support for compulsory voting and a four year term-two year half spill, consecutively.

In light of this, the officer’s report has been amended to insert amendments to the commentary referencing the 2024 decision. An additional recommendation has been included to revoke points (1) and (2) of OCM 178/2024 to create a clean slate.

SUMMARY

The purpose of this report is to present Council with an overview of the electoral reform issues raised through WALGA’s February 2026 *Electoral Reform Discussion Paper Attachment (a)* and seek Council’s position on:

1. Compulsory vs voluntary voting in local government elections.
2. Four-year full-spill elections vs the current two-year half-spill cycle.
3. Key considerations informing Council’s view.
4. Any further comments.

OFFICER RECOMMENDATION IN BRIEF

Recommended position: Revoke points (1) and (2) of Council’s decision OCM 178/2024 in the event Council has changed its position from that resolved at the OCM 22 October 2024.

Recommended Position: Support voluntary voting

Reasons:

- Cottesloe turnout remains higher than the WA average even under a voluntary model.
- Compulsory voting introduces significant and uncertain cost and enforcement burdens.
- WAEC cost modelling is not yet available.
- WALGA's established position supports voluntary voting.

Please note: This recommended position requires a revocation of Council's 22 October 2024 decision to support compulsory voting (Point 1 - OCM 178/2024). Officers have recommended in this report that the 2024 decision be revoked to create a clean slate in the event Council does not accept the officer's recommendation to support voluntary voting.

Recommended Position: Support Retention of Two-Year Half-Spill Elections**Reasons**

- Provides governance continuity and reduces risk of abrupt turnover.
- Smaller, more frequent elections are more manageable administratively, especially for small local governments.
- Turnout in Cottesloe remains relatively strong, suggesting voter fatigue is not a critical issue locally.
- Full-spill elections may create outsized volatility in a small local government electorate.

Please note: This recommended position will require a revocation of Council's 22 October 2024 decision to support two year-half spill elections (Point 2 - OCM 178/2024). Officers have recommended in this report that the 2024 decision be revoked to create a clean slate in the event Council does not accept the officer's recommendation to continue to support a two year-half spill elections.

BACKGROUND

At the 22 October 2024 OCM at Item 10.1.2 officer's recommended to provide feedback to WALGA that compulsory voting and four year term-two year half spills were both supported. The decision to support compulsory voting went against the officer's recommendation.

(a) 1.1 State Government and WALGA Context

The Minister for Local Government has publicly indicated that reforms under consideration include compulsory voting in local government elections, and moving WA to four-year, full-spill elections.

These matters are not yet the subject of formal legislative proposals, but WALGA is gathering sector feedback to inform its advocacy position. WALGA's current positions support voluntary voting, and half-spill elections every two years.

(b) **1.2 Local Turnout – Town of Cottesloe**

The Town of Cottesloe currently has 6,271 enrolled electors (*WA Electoral Roll*, 5 January 2026).

Historically, voter turnout in Cottesloe has been:

| Election Year | Office | Turnout |
|---------------|---------------------------|--------------|
| 2025 | Mayor | 36.49% |
| | Councillors (4 vacancies) | 36.42% |
| 2023 | Councillors (4 vacancies) | 34.35% |
| 2021 | Mayor | 45.51% |
| | Councillors (4 vacancies) | 45.72% (avg) |

These figures show turnout fluctuating between 34%–46%, with a downward trend relative to 2021.

OFFICER COMMENT

This section discusses the benefits and disadvantages of both reform options as they relate to Cottesloe.

A. COMPULSORY VS VOLUNTARY VOTING***Benefits of Compulsory Voting***(a) **Increased voter participation and democratic legitimacy**

- States with compulsory voting generally achieve participation rates of 80–90%+, compared to WA's ~29–31% average.
(National data: NSW 2024 = 84.54%, QLD 2024 = 82.31%, VIC 2024 = 81.46%)
- A higher turnout ensures councils are elected by a more representative cross-section of the community.

(b) **Equalising influence across demographic groups**

Compulsory voting tends to reduce turnout gaps between socio-economic groups, renters vs owners, younger voters vs older voters.

(c) **More stable and consistent engagement across election cycles**

A compulsory baseline may reduce campaign volatility and increase predictability for candidates and administrators.

Disadvantages of Compulsory Voting**(d) Administrative and enforcement burden**

Jurisdictions with compulsory voting (e.g., NT, Tasmania) experience significant administrative cost increases, including non-voter notices, appeals and fine processing. Tasmania's first compulsory local election saw a 35% per-electoral cost increase (from \$6.92 to \$9.32).

(e) Increased election delivery costs

- Higher turnout increases postage, return envelopes, and count staffing.
- The WAEC sets pricing based partly on expected participation.

(f) Risks of disengaged or informal voting

Experience in compulsory jurisdictions shows some electors participate only to avoid penalties, increasing informal vote rates.

(g) Equity considerations

Compulsory voting may disproportionately impact disadvantaged groups unless well-supported with exemptions, education and flexible voting options.

Implications for Cottesloe

- Cottesloe already performs above WA's participation average (~29–31%) with voter turnout since 2021 of ~34–46%.
- Compulsory voting would likely raise turnout into the 70–90% range but at significant additional cost, without WAEC cost transparency yet available.
- Compliance workload may increase for Town staff (supporting residents with queries, non-voter processing etc).

B. FOUR-YEAR FULL-SPILL VS TWO-YEAR HALF-SPILL ELECTION CYCLE***Benefits of Four-Year, Full-Spill Elections*****(h) Reduced voter fatigue**

- Elections occur less often, potentially improving voter engagement and reducing duplication of effort.
- WALGA notes frequent elections are linked with fatigue and may dampen participation.

(i) **Stronger whole-of-council mandate**

A full-spill allows the electorate to choose an entire council team at once, improving democratic clarity and accountability.

(j) **Administrative efficiency**

Fewer elections reduce the number of times fixed costs are incurred (eg, advertising, statutory notices, tendering, logistics).

Disadvantages of Four-Year, Full-Spill Elections

(k) **Increased cost per single election event**

WAEC charges are partly based on number of vacancies; full spills double vacancies and counting complexity. WALGA notes without cost modelling from WAEC, costs to local government for four-year, full-spill elections cannot be quantified.

(l) **Loss of continuity**

- A four-year full spill can result in high councillor turnover in a single election.
- WALGA data suggests re-election rates after full-spill elections can be as low as 43% (Queensland and Victoria in 2024).
- Risk of loss of institutional memory, particularly for smaller councils.

(m) **Reduced accountability frequency**

Voters only provide feedback once every four years rather than every two.

(n) **Extraordinary vacancies still occur**

These may require by-elections or appointments mid-cycle, potentially negating some cost savings.

Implications for Cottesloe

- Cottesloe tends to have moderate candidate interest and above-average turnout, which may reduce the risk of major governance instability.
- Full-spill elections may increase candidate competition due to consolidated electoral interest.
- However, the Town, at only 6,271 electors, is more susceptible to rapid shifts in council composition if a full-spill produces unexpected outcomes.

- If this reform is introduced prior to 2029, it will result in those people who were elected to Council in 2025, not having the opportunity to serve their four year term.

4. KEY CONSIDERATIONS

The following factors may guide Council’s position:

(o) **Participation Trends**

- Cottesloe turnout is falling (2021: ~45%; 2025: ~36%), but remains above the state average.
- Compulsory voting would reverse this trend but with administrative implications.

(p) **Cost Uncertainty**

WALGA stresses WAEC cost modelling is not yet available, making forecasting difficult. Cost impacts could be substantial changes to election frequency or compulsory/voluntary voting.

(q) **Governance Stability**

- Half-spill elections promote continuity.
- Full-spills heighten risk of abrupt turnover, although national comparison suggests this is moderate rather than extreme.

(r) **Town of Cottesloe’s Scale**

- Small electorates tend to experience large swings from small groups of highly engaged voters.
- Compulsory voting may mitigate over-representation of highly motivated groups.

(s) **Sector Alignment**

- Currently, WALGA’s official positions support voluntary voting and two-year half-spills.
- However, WALGA’s consultation notes increasing metropolitan support (64%) for compulsory voting, indicating the sector’s view may be shifting.

5. OPTIONS FOR COUNCIL

Option A (Voting Method)

| | |
|---------------------------------|----------------------------------|
| Support Voluntary Voting | Support Compulsory Voting |
|---------------------------------|----------------------------------|

| Pros | Cons | Pros | Cons |
|--------------------------------------|---|---|---|
| Aligns with current WALGA policy | Turnout remains low and trending downward | Higher turnout and stronger democratic legitimacy | Higher costs (Tasmania +35%) |
| Lower administrative burden and cost | Risk of unrepresentative outcomes | More balanced representation across demographics | Enforcement burden and potential inequities |
| Maintains voter autonomy | | | WAEC cost impacts unknown. |

Option B (Election Frequency)

| Retain Two-Year, Half-Spill Elections | | Move to Four-Year, Full-Spill Elections | |
|--|---|---|--|
| Pros | Cons | Pros | Cons |
| Maintains continuity and institutional stability | Voter fatigue risk | Reduces election frequency | Higher per-event cost and operational complexity |
| Smaller, more manageable election events | Twice as many election events over four years | May improve clarity of mandate | Greater risk of major Council turnover |
| Reinforces accountability | | Potential long-term administrative efficiencies | Reduced opportunities for electoral accountability |

ATTACHMENTS

10.1.2(a) DRAFT WALGA Discussion Paper - Electoral Reform [under separate cover]

CONSULTATION

This report forms part of WALGA's sector-wide consultation process. Council's feedback will contribute to WALGA's advocacy position ahead of any State Government electoral reform proposals.

STATUTORY IMPLICATIONS

Voting method

If the State were to introduce compulsory voting, amendments to the *Local Government Act 1995* and *Local Government (Elections) Regulations 1997* would have to be introduced to mirror the statutory framework already applied in compulsory voting jurisdictions.

The flow on effect would increase the administrative burden due to requirements for voter identification processes, infringement notice, penalty amounts and recovery processes, appeal processing and processes to ensure procedural fairness requirements are met.

Election frequency

Legislative amendments to cater for four year spills would involve transitional provisions to include, amongst other things, one-off extension/shortening of current terms to realign cycles, rules for extraordinary vacancies during transition and further amendments to owner/occupier provisions. Ballot formats, caretaker periods, nominations, and statutory notice periods would have to be amended.

Amendments to the statutory framework for voting method and election frequency would have flow-on effects to relevant administrative procedures and processes.

POLICY IMPLICATIONS

Retaining the current model maintains existing policy settings but may limit opportunities to modernise participation, governance continuity and election-readiness frameworks.

STRATEGIC IMPLICATIONS

Supporting voluntary voting and retaining the two-year election cycle aligns with the Council Plan's focus on stable governance, community engagement, and maintaining efficient service delivery by preserving continuity and manageable administrative demands.

The recommended position also supports the Plan's principles of responsible resource management and organisational sustainability by avoiding significant, un-modelled cost and workload increases that could divert capacity away from strategic priorities.

RESOURCE IMPLICATIONS

If compulsory voting or four-year full-spill elections were introduced, there would be increased demands on staff time, administration, and system capacity due to higher participation and larger election events. Retaining voluntary voting and two-year half-spills avoids major new resourcing burdens but continues the need for frequent election preparation and coordination.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

The environmental impacts of electoral reform mainly relate to the amount of paper, printing and freight involved in running postal elections. Compulsory voting or a four-year full-spill likely is likely to increase material use and transport emissions due to higher participation or larger election events. These impacts can be mitigated through sustainable procurement (eg, recycled paper, plastic-free envelopes), carbon-neutral logistics, and greater use of digital voter information.

RISK MANAGEMENT IMPLICATIONS**Summary of Key Risks**

1. Legislative misalignment if State adopts reforms contrary to Council's position.
2. Financial uncertainty, especially if compulsory voting is introduced without cost modelling.
3. Operational pressure from being left behind if possible rapid transition to reform occurs.
4. Reputational exposure, particularly amid shifting sector preferences.

VOTING REQUIREMENT

Absolute Majority

NOTE: Three councillors (1/3) are required to sign to agree to the revocation motion before the recommendation is voted on.

Cr Young, Thomas and Irvine signified their approval to the proposed revocation.

OCM034/2026

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Young

Seconded Cr Thomas

THAT COUNCIL pursuant to s.5.25(1)(e) of the *Local Government Act 1995* and r.10(2) of the *Local Government (Administration) Regulations 1996*, REVOKE by ABSOLUTE MAJORITY, points (1) and (2) of OCM 178/2024 resolved at the Ordinary Council Meeting on 22 October 2024, recorded as:

- "1. PARTICIPATION – Council support advocacy position b (compulsory voting)**
- 2. TERMS OF OFFICE – Council support advocacy position a..."**

Carried 7/0

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

Against: Nil

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

THAT Council

1. SUPPORT voluntary voting in local government elections.
2. SUPPORT the continuation of two-yearly half-spill elections rather than four-year full-spill elections but if a four year full spill is introduced, this should commence in 2029 to enable current elected members to serve the election period for which they were

elected.

3. ENDORSE the key considerations outlined in this report as the Town of Cottesloe's feedback to WALGA regarding:
 - a. opportunities and challenges associated with compulsory vs voluntary voting; and
 - b. opportunities and challenges associated with four-year vs two-year elections cycles
4. AUTHORISE the CEO to submit this position as the Town's formal response to WALGA's Draft Electoral Reform Discussion Paper.

The Presiding Member advised that they would split the Officer Recommendation into 1, then 2, then 3 and 4.

COUNCILLOR ALTERNATE MOTION – COMPULSORY OR VOLUNTARY VOTING

Moved Cr Sadler

Seconded Cr Bulbeck

1. **SUPPORT compulsory voting in local government elections**

COUNCILLOR AMENDMENT – COMPULSORY OR VOLUNTARY VOTING

Moved Cr Bulbeck

Seconded Cr Young

To add a point 2 to Cr Sadler's alternative motion;

2. **REQUESTS WALGA to advocate strongly to the WA State Government that they fund the WAEC to administer local government elections if compulsory voting is introduced.**

Carried 6/1

For: Mayor Harkins, Crs Young, Sadler, Bulbeck, Irvine and Thomas

Against: Crs Heath

OCM035/2026

COUNCILLOR MOTION AS AMENDED – COMPULSORY OR VOLUNTARY VOTING

Moved Cr Sadler Seconded Cr Bulbeck

1. **SUPPORT compulsory voting in local government elections; and**
2. **REQUESTS WALGA to advocate strongly to the WA State Government that they fund the WAEC to administer local government elections if compulsory voting is introduced.**

Lost 3/4

For: Crs Sadler, Bulbeck and Thomas

Against: Mayor Harkins, Crs Heath, Young and Irvine

During debate the Presiding Member foreshadowed the Officer Recommendation point 1.

OCM036/2026

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Mayor Harkins Seconded Cr Young

THAT Council

1. **SUPPORT** voluntary voting in local government elections.

Carried 4/3

For: Mayor Harkins, Crs Heath, Young and Irvine

Against: Crs Sadler, Bulbeck and Thomas

OCM037/2026

COUNCILLOR MOTION – 2 YEAR OR 4 YEAR SPILL

Moved Cr Sadler Seconded Mayor Harkins

2. **SUPPORTS** the change to four-year full spill elections from two-yearly half-spill elections, **SUBJECT** to this commencing in 2029, to enable current elected members to serve the full election period for which they were democratically elected.

Carried 4/3

For: Mayor Harkins, Crs Sadler, Bulbeck and Thomas

Against: Crs Heath, Young and Irvine

Rationale

1. Reducing the frequency of elections to every four years assists in off-setting any potential increase in costs from compulsory voting
2. Two –yearly half-spill elections are resulting in significant voter fatigue – particularly in years when there are also State and/or Federal elections held in the same year. Anecdotally, this is more about the campaign process than the act of voting itself

OCM038/2026

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Sadler Seconded Mayor Harkins

3. **ENDORSE** the key considerations outlined in this report as the Town of Cottesloe’s feedback to WALGA regarding:
 - a. opportunities and challenges associated with compulsory vs voluntary voting;

and

- b. opportunities and challenges associated with four-year vs two-year election cycles
4. AUTHORISE the CEO to submit this position as the Town's formal response to WALGA's Draft Electoral Reform Discussion Paper.

Carried 7/0

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

Against: Nil

10.1.3 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: D25/92295
Applicant(s):
Author Disclosure of Interest: Nil

SUMMARY

The Town's existing event-related policies are fragmented, duplicated and contain significant operational detail. The draft Events Policy at Attachment A proposes principles and a risk-based approach to event management at the Town. It will ultimately replace the *Event Conditions Policy*, *Event Classification Policy*, and *Facility Hire Policy*. The proposal is to contain much of the content covered by these policies in administrative procedures.

The report proposes introducing a new cost-recovery model for events that applies the Council-endorsed Schedule of Fees and Charges for use of Town facilities. It recommends engaging with the community to seek feedback on this proposal before referring back to Council to approve a final version of the Events Policy.

OFFICER RECOMMENDATION IN BRIEF

That Council approve the draft Events Policy at Attachment A to be submitted to the community for feedback, then referred again to Council for final approval.

BACKGROUND

The Town manages a range of public facilities and spaces which is approved for community, commercial and private events. Council policies, adopted over a number of years, currently guide event-related activity:

- Event Classification Policy (2020)
- Event Conditions Policy (2023)
- Facility Hire Policy (2024)

A review of the events policy suite conducted during 2025, found duplication of various provisions, outdated conditions, unclear classification rules, gaps in coverage for private events, contradictory subcontractor requirements, and inconsistent treatment of high-use spaces.

The draft Events Policy at Attachment A was subsequently created to guide the development of a new events management framework. This report presents the draft policy.

OFFICER COMMENT

A review of the Town’s existing event-related policies has concluded that much of the content is administrative in nature and obscures a clear statement of Council’s policy position on event management.

Specific issues with the current suite of policies include:

| Issue | Current Situation / Gap | Implication / Impact |
|-------------------------------|--|--|
| Classification gaps | Private events are not defined; certain community programs are not included in fee exemptions | Limits effective management of all events held within the Town and equitable treatment |
| Restrictions on community use | Capped bookings for community groups | Limits ongoing initiatives and revenue potential |
| Subcontractor prohibitions | Event Conditions Policy bans subcontractors | Unrealistic for weddings and private functions |
| Commercial event limits | Prescriptive frequency restrictions | Reduces activation opportunities and Town revenue |
| Insurance inconsistencies | No standard liability requirement | Increased risk exposure |
| Rates embedded in policy | Fees sit within the Event Classification Policy rather than Council’s Schedule of Fees & Charges | Creates inconsistency, duplication, and risk of outdated rates |

The draft Events Policy proposes a set of principles and a risk-based approach that will enable administrative procedures to be developed to deal with these issues.

The introduction in 2025 of a centralised event booking system improved customer service; however, policy modernisation is required to ensure the system is supported by a clear, consistent and risk-based approach. This is particularly important with the possibility of engaging a third-party to manage events at the Civic Centre.

Proposal to change fee structure

The proposal to Council is to move the current fee structure for events to a cost-recovery model, with an opportunity for fees to be waived in cases where certain criteria is met.

Cost recovery

The current Event Classification Policy includes exemptions from payment of hire fees and bonds for several organisations, including:

- Cottesloe Surf Life Saving Club
- North Cottesloe Surf Life Saving Club
- Cottesloe Rugby Club
- Cottesloe Australian Football League Club/s
- Cottesloe Longboard Club
- Cottesloe Tennis Club
- Cottesloe Parkrun
- Department of Education – Swimming Programs

Exemptions fail to account for:

- a. the upkeep and maintenance costs associated with high-use reserves and beaches;
- b. administrative time required to conduct risk assessments, process bookings and manage compliance;
- c. wear and tear on infrastructure, including amenities, turf, and coastal assets;
- d. the need for equitable, transparent and defensible fee structures achieved by alignment with a Council-endorsed Schedule of Fees and Charges - a single source of truth for all hire costs.

Under the current event framework, the Town is absorbing all costs.

Benchmarking – Other Local Government’s sports ground hire fees 2025/26

An exemption model is not consistent with contemporary practice across a number of local governments. Costs incurred to maintain assets and other relevant expenses are recouped through fees and charges that apply to all external users of public spaces. Examples are:

City of Nedlands

- a. \$36.82 per day – senior team ground hire
- b. \$18.18 per day – junior team ground hire
- c. Separate charges apply for sports lighting

City of Subiaco

- a. Playing field usage is charged as a percentage of annual maintenance cost:
 - i. Juniors: 10% of annual maintenance cost
 - ii. Seniors: 20% of annual maintenance cost
- b. Additional charges apply for lighting, casual hire, and sporting infrastructure with a maintenance-based cost recovery model.

Town of Mosman Park

- a. \$3.60 per hour – local and junior clubs / community users
- b. \$81.81 per hour – standard rate for all other users
- c. A simple two-tier model supporting junior and local participation.

The current Event Classification Policy exempts the following charities and not-for-profit organisations from paying standard hire fees inside the organisation’s normal operations:

| | |
|------------------------------|---|
| • Cottesloe Surf Life Saving | • North Cottesloe Surf Life Saving |
| • Cottesloe Rugby Club | • Cottesloe Australian Football League Club/s |
| • Cottesloe Longboard Club | • Cottesloe Tennis Club |
| • Cottesloe Parkrun | • Department of Education – Swimming Programs |

Preliminary benchmarking indicates that all comparable local governments implement some form of cost recovery, with none identified as exempting these fees.

While not-for-profit and charitable organisations are currently broadly exempt from paying fees—both within the Town of Cottesloe and in many other jurisdictions—preliminary benchmarking indicates that comparable local governments nonetheless apply some form of cost recovery, with none identified as fully exempting these organisations from fees

As an alternative to exempting these organisations from fees, it is proposed that Council consider adopting a “locals first” approach to promote:

- a. a fairer, more transparent cost-recovery model;
- b. continued support for local community participation;
- c. stronger alignment with contemporary industry practice, noting increasing evidence that cost-recovery is now standard across local governments; and
- d. clarity between policy and fees and charges administration.

This approach would maintain support for local clubs while improving consistency and equity across all users of Town facilities.

Where appropriate, the CEO could, under delegation from Council, grant fee waivers in cases where any of the following apply:

- a. demonstrable community benefit;
- b. Town-initiated programs; and
- c. charitable or not-for-profit events.

Applications for a fee waiver would be assessed individually removing the need for exemptions to be provided in a policy.

Flow on effects

Introducing a new cost-recovery fee structure will effectively:

- a. remove the need for the Event Classification Policy which ties classifications to fees and other event policies that can be replaced with procedures, delegations, or other administrative means; and
- b. require a review of relevant fees and charges on the Schedule.

Establishment of Event Control Units

The draft Events Policy refers to an Event Control Unit (ECU). The implementation of a new Events Policy and development of the framework to support it, will be the responsibility of the ECU. Terms of Reference for the ECU will be developed to define the scope of the unit's role and responsibility for overseeing and monitoring event management at the Town.

Timing to introduce draft Events Policy

It is anticipated that the procedural framework to support the introduction of the draft Events Policy, will be established during April-May 2026. This includes development of CEO procedures, processes and guidelines, Terms of Reference for the ECU and review of relevant fees and charges.

It will be important to engage with the community on proposed changes to the way events are to be managed and the imposition of a cost-recovery model. A community engagement exercise is recommended during April 2026, to gather feedback.

Conclusion

The introduction of a new Council policy in the form of the draft Events Policy at Attachment A will set the standard for a principled, risk-based approach to event management at the Town. This high level policy will negate the need for the Event Classification Policy, Event Conditions Policy and Facility Hire Policy. The content of these is administrative and can be dealt with through the development of CEO Procedures to support implementation of the new policy.

The proposal to move to a cost-recovery model applies one of the principles in the new policy - financial prudence. The Town continuing to apply a model where it absorbs maintenance costs, is, it is argued, not financially prudent. This is particularly the case where increasing use of the Town's facilities for events is likely to degrade to assets, resulting in ongoing costs to maintain them in good condition.

Adoption of the draft Events Policy will effectively:

- a. provide a clear statement of Council's policy position to event managers and others making Council's expectations for events clear;
- b. establish mandatory risk-based controls;
- c. remove administrative procedural content from the policy framework that exists currently; and
- d. enable the Town to implement minimum safety, compliance and operational standards.

Seeking feedback from the community on the policy will ensure the community has the opportunity to comment on the proposal to change to a new event-management model.

ATTACHMENTS

- 10.1.3(a) DRAFT - 2026 Events Policy [under separate cover]
- 10.1.3(b) Attachment DRAFT Terms and Conditions [under separate cover]
- 10.1.3(c) Attachment DRAFT Events Matrix [under separate cover]
- 10.1.3(d) Attachment DRAFT Community Consultation Events Policy [under separate cover]

CONSULTATION

It is proposed to seek feedback from the community on the draft Events Policy for a period of 28 days. Feedback will be taken into account to finalise a version scheduled to return to Council for approval in May 2026.

It is proposed to seek feedback from the community on the draft Events Policy for a period of 28 days. Feedback will be taken into account to finalise a version of the policy scheduled to return to Council for approval in May 2026.

Documents (in draft form) are attached to provide further information about the Town's Terms and Conditions, Event Approval Requirements and Fee Structure.

STATUTORY IMPLICATIONS

The proposal aligns with the *Local Government Act 1995*, which requires Council to provide effective, transparent and risk-based governance over activities occurring on Town-managed land. The draft Events Policy provides a clear statutory framework to support consistent decision-making and compliance with Council's legislative obligations.

Section 2.7(2)b) of the *Local Government Act 1995* states that one of Councils' governing roles is to determine Council policies.

POLICY IMPLICATIONS

Adoption of the draft Events Policy will revoke the Event Conditions Policy (2023), Event Classification Policy (2020), and Facility Hire Policy (2024), replacing them with a single, contemporary policy supported by administrative procedures. This 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.

RESOURCE IMPLICATIONS

The consolidated policy framework can be implemented within existing budget allocations and staffing resources, improving efficiency by reducing administrative duplication and providing clearer processes for staff and users.

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 draft 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 policy with mandatory risk-based controls.

Engaging with the community to finalise the draft policy, will mitigate the risk of reputational damage caused by backlash if a new fee structure is introduced that differs from what is currently in place.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

Moved Mayor Harkins

Seconded Cr Young

THAT Council

1. Pursuant to s.2.7(2)(b) of the *Local Government Act 1995*, APPROVE the draft Event Policy at Attachment A being released to the community for a consultation period of 14 days.
2. REQUEST the CEO report to Council by May 2026, the results of community engagement on the draft Event Policy at Attachment A.

OCM039/2026

COUNCILLOR AMENDMENT

Moved Cr Bulbeck

Seconded Cr Irvine

Amend point 1 of the Officer Recommendation as follows:

1. Pursuant to s.2.7(2)(b) of the *Local Government Act 1995*, APPROVE the draft Event Policy at Attachment 10.1.3A and Draft Terms and Conditions at Attachment 10.1.3B being released to the community for a consultation period of 14 days, with

the following amendments:

- a. To the draft Event Policy at Attachment 10.1.3A at clause (4), add an additional dot point as follows:
 - An equity and inclusion plan: Proportionate to scale/risks to guests and staff: a plan to safeguard participants from experiences which would discourage their further participation at this event or future Cottesloe events, such as verbal abuse, physical abuse, sexual harassment or being put in fear.
- b. To the Draft Terms and Conditions at Attachment 10.1.3B at clause (7.7) add an additional dot point as follows:
 - An equity and inclusion plan to safeguard participants from experiences which would discourage their further participation at this event or future Cottesloe events, such as verbal abuse, physical abuse, sexual harassment or being put in fear. This plan could be based on the LGIRS sponsored 'Ask for Angela' initiative.

Lost 2/5

For: Crs Bulbeck and Irvine

Against: Mayor Harkins, Crs Heath, Young, Sadler and Thomas

OCM040/2026

COUNCILLOR AMENDMENT

Moved Cr Young

Seconded Cr Thomas

To change in point 1, 14 days to;

1. Pursuant to s.2.7(2)(b) of the *Local Government Act 1995*, APPROVE the draft Event Policy at Attachment A being released to the community for a consultation period of 28 days.

Carried 7/0

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

Against: Nil

OCM041/2026

SUBSTANTIVE MOTION

Moved Mayor Harkins

Seconded Cr Young

THAT Council

1. Pursuant to s.2.7(2)(b) of the *Local Government Act 1995*, APPROVE the draft Event Policy at Attachment A being released to the community for a consultation period of 28 days.
2. REQUEST the CEO report to Council by May 2026, the results of community engagement on the draft Event Policy at Attachment A.

Carried 7/0

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

Against: Nil

RATIONALE

The additional 14 days allow the community sufficient time to respond to the consultation, taking into account the Easter period and school holidays.

10.1.6 MID-YEAR BUDGET REVIEW 2025/26

Directorate: Corporate and Community Services
Author(s): Vicki Cobby, Director Corporate and Community Services
Authoriser(s): Mark Newman, Chief Executive Officer
File Reference: D26/29713
Applicant(s):
Author Disclosure of Interest: Nil

SUMMARY

A year-to-date review of the 2025/2026 budget and actuals as at 31 January 2026 has been completed, together with updates to reflect required corrections to the adopted budget and current forecasts through to 30 June 2026. The mid-year budget amendments result in a net deficit for the year of \$59,000, leading to a revised forecast surplus of \$655,152 at 30 June 2026. The revised forecast incorporates a range of favourable and unfavourable adjustments across both revenue and expenditure. The updated budget is provided in **Attachment 1** for Council's consideration.

OFFICER RECOMMENDATION IN BRIEF

That Council receives the 2025/26 Mid-Year Budget Review, approves the proposed amendments to the Annual Budget, and notes the revised estimated closing surplus of \$655,152 as at 30 June 2026.

BACKGROUND

The *Local Government (Financial Management) Regulations 1996* require all local governments to undertake a review of their annual budget between 1 January and 31 March each financial year. This review must assess year-to-date financial performance, the financial position at the time of the review, and the forecasted end-of-year outcome.

For the Town, the review date is 31 January 2026.

Budget amendments adopted at the February Ordinary Council Meeting (OCM018/2026) incorporated the 2024/25 surplus and applied necessary budget corrections, resulting in a current budgeted surplus of \$714,152 prior to the Mid-Year Budget Review.

OFFICER COMMENT

The staggered implementation of the ERP system, combined with the timing of the transition to the updated Chart of Accounts, created significant challenges for this review. Comprehensive engagement across all business areas was required, along with detailed analysis and thorough examination of revenue and expenditure to ensure accuracy.

During the transition between charts, visibility across a number of accounts was limited, resulting in additional time-consuming review work to reconcile and verify balances. Particular attention was given to major revenue sources, key projects, and capital works to ensure the revised forecasts are realistic and appropriately cautious.

Where appropriate, a conservative approach has been applied to reflect responsible financial management while the organisation continues to stabilise its financial reporting within the new system.

In the coming months, Council will continue to receive further budget review analysis through the monthly financial reports. The Administration will maintain ongoing monitoring of performance against the amended budget and will report any emerging variances as they arise.

There are no new projects proposed as part of this budget review. It is noted, however, that the Heritage Review and Information Technology Review will be presented for consideration as part of the 2026/27 annual budget process.

Predicted Variances

The key variances are outlined below.

Fees and Charges

Projected fees and charges are expected to decrease by \$580,000, which is a concern for the Town. The largest component of this reduction is infringement revenue, forecast to be \$275,000 below budget. As at 31 January 2026, actual infringement revenue is already \$100,000 behind budget, largely due to the slow start to the financial year following the implementation of the new ERP system. Significant challenges were experienced with the infringement module, including a period during which the team was unable to issue infringements and provided warnings instead. Revenue for the remainder of the year is also trending lower than expected, with visitor behaviour during Sculptures by the Sea being better than previous years.

Waste revenue, particularly commercial waste charges is also lower than anticipated, with the net waste revenue position expected to fall short by approximately \$100,000.

Building licence fee revenue is considerably lower than the same period last year. The Town had anticipated receiving several large applications before 30 June; however, these now appear unlikely, and revenue is expected to fall short by approximately \$140,000.

Employee Costs

The Monthly Financial Report shows employee costs are \$180,000 over budget as at 31 January 2026. This variance is primarily driven by three factors: back-pay payments to Rangers, staffing coverage for employees on workers' compensation leave, and additional staff support for the ERP implementation. Work cover insurance reimbursements are expected to offset salary expenditure by approximately \$120,000, resulting in a net overspend of around \$60,000.

Materials and Contracts

The ERP project is currently exceeding budget, with variations approved for the Chart of Accounts implementation, Chart of Accounts support, and the Asset Module. The contracted project manager's engagement has been extended to maintain project momentum and ensure continuity. Casual appointments have also been made to provide support during periods requiring significant staff time to resolve implementation challenges. The anticipated budget overrun is approximately \$150,000.

Across the waste management budget of approximately \$2.4 million, an emerging overspend of around 4.2% has been identified, resulting in an anticipated budget shortfall of approximately \$100,000.

The Depot, leased from the Town of Mosman Park, should have its lease payments recognised in the budget under financing activities, specifically under the principal portion of lease liabilities. While this was correctly included in the budget, the costs were also inadvertently budgeted under Materials and Contracts as maintenance expenses. This duplication was not identified at the time the budget was adopted but is now being corrected. The resulting budget amendment of \$110,000 offsets other overspends within Materials and Contracts.

Capital grants, subsidies and contributions

Grant funding of \$400,000 for the Marine Parade Shared Path detailed design, originally budgeted in 2024–25, now needs to be included in the 2025–26 budget, along with \$102,000 in previously unbudgeted Roads to Recovery funding for the Marine Parade roadworks from Warton Street to Pearce Street.

Payments for construction of infrastructure

As irrigation works can only be undertaken during winter, the installation of the new reticulation bore and pump near the Ocean Beach Hotel will need to be deferred to 2026–27. A budget amendment of \$50,000 is required to effect this deferral. In addition, capital works on Right of Ways (ROW) have been completed with \$100,000 unspent. These funds are to be returned to the ROW Reserve, increasing the reserve balance by the same amount.

Note 3 of **Attachment 1** provides further detail by providing a one-line summary for each recommended budget amendment.

ATTACHMENTS

10.1.6(a) Budget Review Report for the period ending 31 January 2026 [under separate cover]

CONSULTATION

As a part of the preparation of the Budget Review senior staff have been consulted.

STATUTORY IMPLICATIONS

Local Government Act 1995

Local Government (Financial Management) Regulations 1996 r33A

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

After the budget review amendments are processed, the Town is projected to hold a budgeted surplus of \$655,152 at 30 June 2026. As the financial year progresses, consideration will be given to the most appropriate treatment of this surplus. This may include planning for future requirements and potential allocation to Reserve funds. Any recommendations will be presented to Council in due course.

RISK IMPLICATIONS**Financial Risk**

There is a risk that the Town may not achieve its projected year-end financial position. The proposed budget adjustments mitigate this risk by aligning the budget with current revenue trends, expenditure forecasts and known project variations. Ongoing monitoring will further reduce this risk, with monthly reporting on material variances to ensure emerging issues are identified early. As the new Work Order system becomes fully operational and begins producing improved financial reports, the quality and timeliness of information available to Council will continue to strengthen.

Operational Risk

Failure to update the budget to reflect current circumstances may impact the delivery of services and capital works. Several cost centres require recalibration to ensure resources are appropriately allocated to maintain service levels for the remainder of the financial year.

Compliance Risk

Local governments are required under the Local Government (Financial Management) Regulations 1996 to review and maintain an accurate annual budget. Endorsing the proposed amendments ensures the Town continues to comply with statutory financial management obligations.

Reputational Risk

If the Town does not proactively address variances or correct budget anomalies (e.g., duplication of lease costs, unrecorded grants), there is a risk of reduced transparency or confidence in financial reporting. The budget review process and recommended amendments improve accuracy and enhance accountability. Although the amendments correct prior budget omissions (e.g., grant entries, duplicated lease costs), adoption may draw attention to earlier budgeting oversights. Clear communication will be important to maintain confidence in the Town's financial management.

Stakeholder & Community Expectation Risk

Changes to project timing or reductions in anticipated revenue may affect community expectations around service delivery or the progress of key projects. While the budget amendments improve accuracy, they may also highlight delays or reprioritisation.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

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

VOTING REQUIREMENT

Absolute Majority

OCM042/2026

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

**Moved Cr Young
Seconded Cr Sadler**

THAT Council by ABSOLUTE MAJORITY

- 1. RECEIVES the Mid-Year Budget Review for the Financial Year 2025/26;**
- 2. APPROVES the following amendments to the 2025/26 Annual Budget as per Attachment 1:**
 - (a) A net decrease to operating revenue of \$637,000;**
 - (b) A net decrease to operating expenditure of \$26,000;**
 - (c) A net increase to capital grants, subsidies and contributions of \$502,000;**
 - (d) A net decrease to payments for construction of infrastructure of \$150,000;**
 - (e) An increase in transfers to reserve of \$100,000;**
- 3. Notes the estimated cash surplus at 30 June 2026 of \$655,152 subject to Council consideration of Point 2.**

Carried by Absolute Majority 7/0

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

Against: Nil

ENGINEERING SERVICES**10.1.7 INSTALLATION LOCALITY OF PUBLIC ART DONATION - "SANDBAR"**

Directorate: Engineering Services
Author(s): Ruwantha Wimalasiri, Mr
Authoriser(s): Shaun Kan, Director Engineering Services
Mark Newman, Chief Executive Officer
File Reference: D26/10185
Applicant(s): Internal
Author Disclosure of Interest: Nil

SUMMARY

For Council to revoke its 27 May 2025 decision to place "Sandbar" (the sculpture) at East Cottesloe Playground and consider the west side of Marine Parade between Pearse Street and Forrest Street as new location for the donated artwork.

OFFICER RECOMMENDATION IN BRIEF

That Council REVOKES its previous decision in relation to "Sandbar" and APPROVES the new location shown in **Diagram 2**.

BACKGROUND

In late 2023, a donation of a sculpture was made to the Town of Cottesloe. At the February 2024 Ordinary Council Meeting, Council resolved in principle to accept the donation and requested that the Chief Executive Officer (CEO) establish a working group comprising the donor and the artist to identify a suitable installation site.

By November 2024, the working group identified the southern end of the East Cottesloe Playground as the preferred location. During this process, concerns were raised regarding the potential for children to climb the sculpture due to its proximity to the playground.

To address these concerns, the Town commissioned an independent LGIS risk assessment, which concluded that foreseeable climbing risk could expose the Town to liability if not sufficiently mitigated. LGIS recommended that the sculpture be installed at least 50 to 100 metres from playground boundaries, supported by adequate visual separation and interpretive signage.



In May 2025, Council endorsed the East Cottesloe Playground location and requested further work on integrating LGIS recommendations. Subsequent consultation with the working group found that the LGIS recommendations conflicted with the artistic intent and contextual relationship of the sculpture with its surroundings. On this basis, Officers undertook further investigations to identify alternative sites that satisfy artistic requirements while adequately managing risk.

OFFICER COMMENT

The following five locations were deemed suitable for the sculpture:

1. North-west corner of the Broome Street and Pearse Street intersection
2. West side of Marine Parade between Pearse Street and Forrest Street
3. South-West corner of the Forrest Street and Broome Street Intersection
4. East side of the Curtin Avenue and Forrest Street Intersection
5. Grant Marine Park (South-East Corner of Grant street and Marine Parade Intersection)

Table 01 below shows the assessment carried out for each location to determine its suitability. An artist impression of the sculpture has been superimposed at each site.

| Location | Comments |
|--|---|
| <p>1. North-west corner of the Broome Street and Pearse Street intersection</p>  <p><i>Diagram 1: Concept sketch for location 01</i></p> | <p>Merits:</p> <ul style="list-style-type: none"> • Good visibility for the sculpture • No other sculptures nearby • Free from infrastructure • Availability of a coastal backdrop <p>Constrains:</p> <ul style="list-style-type: none"> • May affect sightlines/future upgrades |
| <p>2. West side of Marine Pde between Pearse St and Forrest St</p>  <p><i>Diagram 2: Concept sketch for location 02</i></p> | <p>Merits:</p> <ul style="list-style-type: none"> • Good visibility for the sculpture • No other sculptures nearby • Free from infrastructure • Availability of a coastal backdrop • Proven location for public art-previous sculpture removed due to deterioration <p>Constrains:</p> <ul style="list-style-type: none"> • N/A |
| <p>3. South-West corner of the Forrest St and Broome St Intersection</p> | <p>Merits:</p> <ul style="list-style-type: none"> • No other sculptures nearby |




| | |
|---|--|
|  <p><i>Diagram 3: Concept sketch for location 03</i></p> | <ul style="list-style-type: none"> • Free from infrastructure • Availability of a coastal backdrop <p>Constrains:</p> <ul style="list-style-type: none"> • Low visibility of the structure • Limited space • May obstruct sight lines at the intersection |
| <p>4. East side of the Curtin Ave and Forrest St Intersection</p>  <p><i>Diagram 4: Concept sketch for location 04</i></p> | <p>Merits:</p> <ul style="list-style-type: none"> • Good visibility for the sculpture • Free from infrastructure <p>Constrains:</p> <ul style="list-style-type: none"> • Sculpture available at the location (requires replacement of Ball and Chain sculpture). • Unavailability of a coastal backdrop |
| <p>5. Grant Marine Park (South-East Corner of Grant st and Marine Pde Intersection)</p>  <p><i>Diagram 5: Concept sketch for location 05</i></p> | <p>Merits:</p> <ul style="list-style-type: none"> • Good visibility for the sculpture • Free from infrastructure • Availability of Coastline view as the background <p>Constrains:</p> <ul style="list-style-type: none"> • Sculpture available at the location (requires replacement of Relationship Together Series sculpture). • Limited space |

Table 1: Assessment of proposed locations

On balance, the west side of Marine Parade between Pearse Street and Forrest Street, as shown in **Diagram 02**, appears to be the most suitable location. In addition, interpretive

signage will be installed to mitigate potential risks. Both the donor and the artist have approved the site as appropriate.

However, this represents a change from the previous Council resolution OCM077/2025 made at the Ordinary Council Meeting on 27 May 2026. Under Regulation 10(1) of the Local Government (Administration) Regulations 1996, one third of Council would need to support a revocation (procedural) motion to enable this change.

ATTACHMENTS

Nil

CONSULTATION

Elected Members;

Sculpture by the Sea;

Mr James Rogers, Artist and

LGIS

STATUTORY IMPLICATIONS

Local Government Act (1995) Section 5.25 (1)(e) - the circumstances and manner in which a decision made at a council or a committee meeting may be revoked or changed (which may differ from the manner in which the decision was made).

Local Government (Administration) Regulations 1996, Part 2, Regulation 10 – Revoking or Changing Decisions.

Council will need to revoke point 1 of its May 2025 OCM resolution (OCM077/2025) which reads:

“1. APPROVE the installation of the sculpture at the East Cottesloe Playground site as per the position shown in diagram 3 within the officer’s comment section of the report”

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

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

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

RESOURCE IMPLICATIONS

There are no perceived resource implications arising from the officer’s recommendation. The donor is responsible for sculpture fabrication, delivery and installation costs, including all

local freight and contractor expenses. Routine maintenance will be managed through the Town's sculpture maintenance allocation.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

Placing the sculpture at this location will result in the loss of some green space and the reduction is minor compared to the entire green area across the Town and the increase in aesthetical value the artwork will bring to the area. Council should note that the roundabout sculpture was previously situated at this location.

RISK MANAGEMENT IMPLICATIONS

Social – Moving the sculpture away from East Cottesloe Playground removes the foreseeable climbing risk identified by LGIS and reduces the likelihood of injury. The Marine Parade site provides safer separation from children's activity areas.

Technical – The recommended location offers better installation conditions, lowers potential for service clashes, and a more suitable environment for long-term structural stability in coastal conditions.

Environmental – The Marine Parade site limits unnecessary disturbance and places the sculpture in a coastal setting where environmental impacts can be easily managed through routine maintenance.

Economic– Selecting the Marine Parade site avoids the potential for higher potential liability and mitigation costs associated with the playground location.

Political - Revising the original decision demonstrates that Council has acted on expert risk advice and prioritised public safety, reducing reputational and political exposure.

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

THAT COUNCIL:

1. Pursuant to s.5.25(1)(e) of the *Local Government Act 1995* and r.10(2) of the Local Government (Administration) Regulations 1996, REVOKE by ABSOLUTE MAJORITY limb 1 of Council resolution OCM077/2025, made at the Ordinary Council Meeting on 27 May 2025, being to: *"1. APPROVE the installation of the sculpture at the East Cottesloe Playground site as per the position shown in diagram 3 within the officer's comment section of the report"*.
2. APPROVES the location shown in Diagram 6 below as the new location for the installation of the "Sandbar" sculpture, which is along Marine Parade between Pearse Street and Forrest Street intersection.

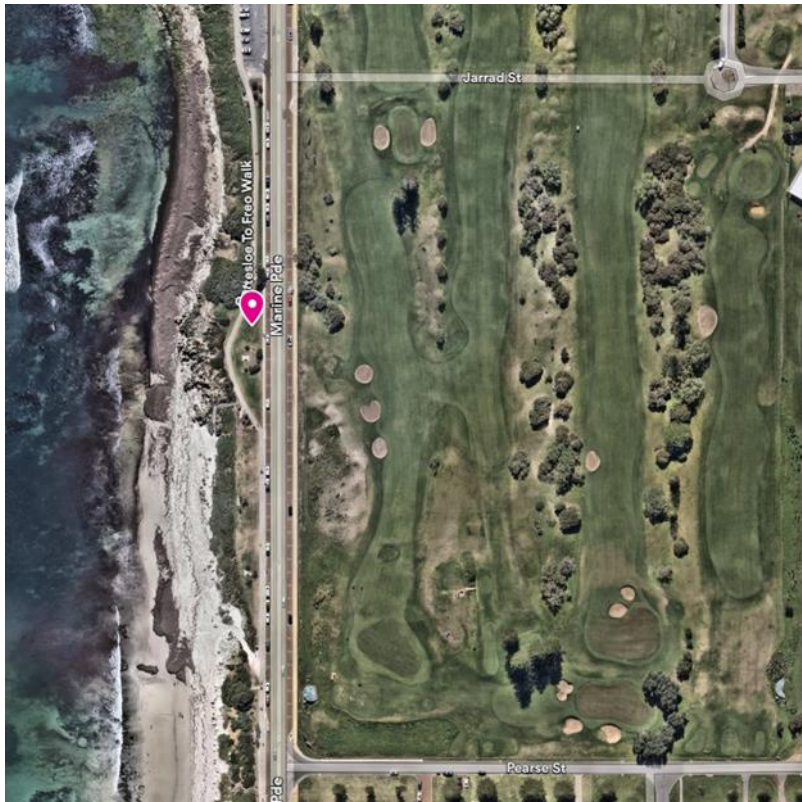


Diagram 6: Sculpture Locality Plan

The Presiding Member advised that they would split the Officer Recommendation into points 1 and 2.

OCM043/2026

OFFICERS RECOMMENDATION AND COUNCIL RESOLUTION

NOTE: Three councillors (1/3) are required to sign to agree to the revocation motion before the recommendation is voted on. Mayor Harkins, Cr Sadler and Young signified their approval to the proposed revocation.

Moved Mayor Harkins

Seconded Cr Sadler

THAT COUNCIL:

1. Pursuant to s.5.25(1)(e) of the *Local Government Act 1995* and r.10(2) of the *Local Government (Administration) Regulations 1996*, REVOKE by ABSOLUTE MAJORITY limb 1 of Council resolution OCM077/2025, made at the Ordinary Council Meeting on 27 May 2025, being to: *"1. APPROVE the installation of the sculpture at the East Cottesloe Playground site as per the position shown in diagram 3 within the officer's comment section of the report"*.

Carried by Absolute Majority 7/0

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

Against: Nil

OCM044/2026

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION ON POINT 2

Moved Mayor Harkins

Seconded Cr Heath

THAT COUNCIL;

APPROVES the location shown in Diagram 6 below as the new location for the installation of the “Sandbar” sculpture, which is along Marine Parade between Pearse Street and Forrest Street intersection.

Carried by Absolute Majority 7/0

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

Against: Nil

10.1.9 MARINE PARADE SHARED PATH DESIGN - DETAILED DESIGN

Directorate: Engineering Services
Author(s): Tin Oo May, Project Engineer
Renuka Ismalage, Manager Projects and Assets
Shaun Kan, Director Engineering Services
Authoriser(s): Mark Newman, Chief Executive Officer
File Reference: D26/34336
Applicant(s): Internal
Author Disclosure of Interest: Nil

SUMMARY

This report outlines the detailed design for the Marine Parade Shared Path project and seeks Council direction on remaining matters including dune fencing, landscaping, and sustainable lighting. Significant design changes may risk the Federal Government grant, as the final design must be submitted by March 2026.

OFFICER RECOMMENDATION IN BRIEF

That Council ENDORSE the detailed design and proceed with the non-solar lighting as outlined in this report.

BACKGROUND

Over the past year, Council has approved several key project milestones, including design principles, concept plans, preliminary construction drawings, and a lighting strategy. The latest plans incorporate independent design compliance review feedback and place-making elements.

In accordance with the December 2025 OCM Resolution (OCM194/2025), the detailed design drawings (Attachment A) were presented at the March 2026 Workshop and now incorporate the proposed lighting design.

This report addresses the remaining matters relating to dune fencing, landscaping, sustainable lighting, and minor amendments to the December 2025 (OCM194/2025) and February 2026 approved design (OCM013/2026).

OFFICER COMMENT**Dune Fencing Replacement**

Three fencing types currently separate the path from the dunes: kopper logs, treated wood, and post-and-horse-wire (See Figures 1 to 3). The path earthworks will affect sections of fencing, requiring targeted replacement (see Attachment B). The replacement strategy is guided by:

- Only replacing fencing impacted by construction;
- Ensuring new fencing complements the existing adjacent type; and

- Addressing fall heights over one metre for user safety.



Figure 1: Kopper Logs



Figure 2: Treated Wood



Figure 3: Post and Horse Wire

The proposed replacement locations and fencing type are:

- MacArthur Street, South of Gibney Street - Post and horse wire replacing the existing Kopper logs for both aesthetics and safety reasons;
- Dutch Inn near Beach Street – pedestrian handrails replacing both Kopper logs and post and horse wire fencing due to the steepness of the bend;
- Salvado Street to Rosendo Street - Treated wood like-for-like replacement to reflect aesthetic finish;
- Rosendo Street to Deane Street - Treated wood like-for-like replacement to reflect aesthetic finish;
- Golf Course frontage: Post and horse wire to replace the existing Kopper logs due to the closeness between the path and the drop edge;
- Cottesloe Surf Lifesaving Club – Post and horse wire like-for-like replacement to reflect aesthetic finish;
- South of Eric Street - Kopper logs like-for-like replacement to reflect aesthetic finish; and
- South of Grant Street – Kopper logs like-for-like replacement to reflect aesthetic finish.

Coastcare supports kopper logs as they allow dune vegetation to grow through and maintain vehicle views. However, using lower-profile kopper logs in areas with fall-from-height risk increases Council's duty-of-care exposure. Kopper logs have only been proposed where there is a safety buffer (minimum 1.5 metres) between these low barriers and the drop edge.

The fencing replacement strategy cost estimates are summarised in Table 1.

| Fence Type | Replacement Length in 'metre' (Total) | Useful Life (Years) | Capital Cost (\$) | Total Maintenance Cost over useful life (\$) | Renewal Cost (\$) | Whole of Life Costing (\$) | Cost per year over the useful Life |
|---------------------|---------------------------------------|---------------------|-------------------|--|-------------------|----------------------------|------------------------------------|
| Kopper Log | 213 | 25 | \$ 51,120 | \$ 85,200 | \$ 94,774 | \$ 231,094 | \$ 9,244 |
| Post and Horse Wire | 346 | 30 | \$ 83,040 | \$ 186,840 | \$ 174,182 | \$ 444,062 | \$ 14,802 |
| Treated Wood | 330 | 40 | \$ 79,200 | \$ 211,200 | \$ 212,657 | \$ 503,057 | \$ 12,576 |

Note:
 - Assume CPI inflation of 2.5% (RBA CPI inflation target rate is 2%-3%). Therefore, renewal calculation is "current capital cost x (1 + CPI)^{useful life}".

Table 1: Costing rough estimate for proposed replacement (Subject to change)

The ones along the beach will be identified separately and incorporated into Council's Beach Access Path Management Plan.

Landscaping Strategy

Tree planting along Marine Parade has been limited to protect views, with most trees located near the golf course in clustered "shady nodes" as seen in Figure 4. Officers consider that additional planting opportunities exist as part of this project, and that avoiding trees solely for view protection is inconsistent with the Street Tree Policy.

Three layout options were considered:

- Layout 1: Evenly spaced trees along the path
- Layout 2: Shaded tree nodes (clusters)
- Layout 3: Combination of both

Attachment C presents a Layout 3 based strategy, using species with moderate height to retain first floor views. Layout 1 on its own is constrained by maintenance access due to centre medians, narrow verge widths and parking bays. Where tree planting is unsuitable, low natural area vegetation has been installed only if there is no risk of damage to them.



1. Figure 4: Shady Nodes (Examples)

Sustainable Lighting Solutions

Consultants have progressed the grid powered supply lighting design to the 50% stage, which was needed to inform the February 2026 Lighting Strategy (OCM012/2026).

Solar lighting was not recommended by the designers due to corrosion on the lighting infrastructure elements in a marine environment thereby reducing their useful life by 50 percent, resulting in their premature replacement, adding future cost.

Although the City of Fremantle reports positive performance of solar lighting at Leighton Beach, switching to solar at this stage would require redesigning the lighting system (cost variation of \$10,000 -\$15,000), delaying the detailed design submission beyond March 2026 and risking the Federal grant.

Officers recommend placing all district lighting assets onto WALGA’s Renewable Energy Scheme. This retains the current design work, meets sustainability objectives via renewable power, and thus reducing long-term carbon emissions at a network level.

Table 2 outlines cost comparisons; full district renewable supply would cost an additional \$15,000 annually. Officers recommend continuing with the existing 50 percent lighting design and deferring a decision on renewable energy until such costs have been modelled.

Table 2 provides a strategic cost comparison substantiating the Officer’s recommendation. This is based on 100 percent renewable supply. There are options to go 25, 50 and 75 percent, which will lower the cost of energizing all lighting within the District.

| Bollards | | | | | | | | | | |
|--------------|------------------|-------------------|------------------------------|------------------|-------------------|---------------------------|------------|--------------------------------------|------------------------------------|------------------|
| Type | Quantity (Total) | Capital Cost (\$) | Annual Maintenance Cost (\$) | Useful Life (yr) | Renewal Cost (\$) | Energy Cost - Annual (\$) | Grant Risk | Whole-of-life Costing (For 25 years) | Cost per year over the useful Life | Cost Implication |
| Solar | 133 | \$ 904,400 | \$ 1,000 | 15 | \$1,309,841 | 0 | \$ 4.175 M | \$ 2,239,241 | \$ 61,960 | \$ 6,414,241 |
| Grid (Mains) | 133 | \$ 798,000 | \$ 1,000 | 25 | \$ 700,272 | \$ 2,499 | 0 | \$ 885,477 | \$ 37,918 | \$ 885,477 |

| | | | | | | | | | | |
|------------------------|------------------|-------------------|------------------------------|------------------|-------------------|---------------------------|------------|--------------------------------------|------------------------------------|------------------|
| WALGA Renewable Energy | 133 | \$ 798,000 | \$ 1,000 | 25 | \$ 700,272 | \$ 2,719 | 0 | \$ 890,969 | \$ 38,358 | \$ 890,970 |
| Poles | | | | | | | | | | |
| Type | Quantity (Total) | Capital Cost (\$) | Annual Maintenance Cost (\$) | Useful Life (yr) | Renewal Cost (\$) | Energy Cost - Annual (\$) | Grant Risk | Whole-of-life Costing (For 25 years) | Cost per year over the useful Life | Cost Implication |
| Solar | 15 | \$ 127,500 | \$ 22,600 | 25 | \$ 236,378 | 0 | \$ 4.175 M | \$ 726,250 | \$ 27,700 | \$ 4,901,250 |
| Grid (Mains) | 15 | \$ 120,000 | \$ 2,000 | 25 | \$ 222,473 | \$ 692 | 0 | \$ 187,296 | \$ 8,184 | \$ 187,296 |
| WALGA Renewable Energy | 15 | \$ 120,000 | \$ 2,000 | 25 | \$ 222,473 | \$ 753 | 0 | \$ 188,816 | \$ 8,305 | \$ 188,816 |

Table 2: Comparison of strategic cost estimates for lighting types

Modifications to the Preliminary Design

Minor modifications to the December 2025 Concept and the February 2026 Preliminary design include:

- **Handprint Paving**

Sections containing existing handprint artwork will no longer be reconstructed. Instead, surface treatments such as stencilling will be applied to preserve the handprints and avoid the risk of damage during construction.

- **Eric Street Path Connection**

The existing carpark section can be raised to match the Marine Parade path level (see Diagram A in green). This results in the removal of three parking bays and includes a new pedestrian crossing. This aligns with the December 2025 OCM direction to minimise sacrificial works before the Foreshore Masterplan implementation (See Diagram B) while ensuring safe connections between the two paths.



Diagram A: Eric Street Connection



Diagram B: Foreshore Masterplan Design

- **Lighting**

Additional bollards have been incorporated in the following sections due to insufficient illumination provided by the existing street lighting:

- Just north of Vlamingh;

- Between Warton Street and Gibney Street;
- Between Salvado Street and Rosendo Street;
- Between Deane Street and Pearse Street including the section just north of this; and
- Short section fronting the golf course.

3 lighting poles will also be converted to approximately 6 bollards just south of the Dutch Inn Groyne bend.

The financial impacts of the design are further discussed in the financial implications section of the report.

ATTACHMENTS

- 10.1.9(a) Attachment A - 85% Detailed Design Drawings [under separate cover]**
- 10.1.9(b) Attachment B - Dune Fencing Replacement [under separate cover]**
- 10.1.9(c) Attachment C - Landscaping Plan [under separate cover]**

CONSULTATION

The Community, Coastcare, Active Transport Working Group, Elected Members and Design Consultants.

STATUTORY IMPLICATIONS

Local Government Act 1995

Section 2.7 – Role of Council

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

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

Major Strategy 2.3: Future population growth is planned to enhance community connectivity , economic prosperity as well as the built and natural environment.

RESOURCE IMPLICATIONS

The available budget is approximately \$4,200,000.00

The concept estimate is as follows.

Stage 1 is the section between Curtin Avenue to Forrest Street and stage 2 spans from Napier Street to North Street. Both these sections follow the alignment of the existing path.

Stage 3, the length bookended by Forrest Street and Napier Street, has been designed to part of the Foreshore Redevelopment section as approved in July 2025, where cyclist enter an on-road shared zone through the frontage of carpark one.



LEGEND

- ROAD SECTIONS RAISED BETWEEN FORREST STREET TO OVERTON GARDENS WITH RAISED INTERSECTION AT NAPIER STREET
- PROPOSED SHARED PATH WIDENING ALONG EXISTING PATH ALIGNMENT

STAGE 3: FORESHORE PRECINCT FROM FORREST STREET TO NAPIER STREET

| ITEM | Cost |
|--|---------------------|
| Stage 1 - Curtin Avenue to Forrest Street Path Construction | \$ 2,671,220 |
| Stage 2 – Napier Street to North Street Path Construction | \$ 1,103,650 |
| Lighting (Stage 1 and 2) | \$ 918,000 |
| Fencing (Stage 1 and 2) | \$ 213,360. |
| Stage 3 – Forrest Street to Napier Street Construction | \$ 2,000,000 |
| Total | \$ 6,906,230 |
| Contingency (25%) | \$ 1,726,558 |
| Total with Contingency | \$ 8,632,788 |
| Note: * The path cost includes all relevant costs, including preliminaries, civil works, landscaping and drainage. | |

Table 3: Concept estimate

It is not unusual for any initial concept estimate to exceed budgets by such a quantum (40 percent without contingency) given the need to apply a higher risk allowance towards mitigating the unknowns and such cost should only be taken to be indicative until more advanced designs are completed.

A detailed design estimate that normalises the risk element will be developed for the Federal Government’s approval before a public tender is advertised. Council will be responsible for five percent of the total additional cost based on the agreed cost sharing arrangements. An item will return to an OCM before any procurement occurs.

Council should note that the \$2 Million needed for stage 3 will be covered by any separate external funding received for the Foreshore Redevelopment Project. The Town is in the process of advocating both the State and Federal Governments for this funding.

The risk management section of this report spells out funding options should there be no additional budgets available to finance any cost over-runs.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

Social Risks

- Reputational: Solar lighting contradicts consultant advice and may require early replacement as the corrosive marine environment will have an impact on useful life. The mitigation would be to retain the current lighting design and consider the WALGA renewable energy program as a sustainable way of energising these luminaries;
- Duty of Care: Lower kopper log fencing in high risk areas increases liability exposure and the replacement with these lower barrier factors in the distance the path is from the drop off;
- Community Expectations: Increased planting may be opposed by residents due to view concerns or reduced open space. It is expected that the selection of lower growing species is the compromise for residents to retain views and for Council to provide shade and continue expanding Cottesloe's canopy;

Technical Risks

- The recommended design complies with current engineering standards.

Economic Risks

- Tender prices may exceed estimates and should this occur, the following are options available to Council:
 - (a) Option 1: Approach the Federal Government for additional funding;
If the Federal Government's additional funding is insufficient to cover the over budget cost, the solutions are then to either:
 - (b) Option 2: Reduce the selected scope such as lighting in stages 1 and 2 and revoke the design for stage 3 by only undertaking minor refurbishments to the existing path on the western end of Carpark 1 with stencilling (\$50,000 to \$100,000) to connect stages 1 and 2; or
 - (c) Option 3: Proceed with the reduced scope in stages 1 and 2 and then fund any shortfall for stage 3 through the Foreshore Reserves; or
 - (d) Option 3: Abandon the project in its entirety and in this solution Council is responsible for the \$400,000 spent on the design.

Options 1 and 3 come with Metropolitan Regional Roads Group (MRRG) funding opportunities to supplement the roadworks component associated with stage 3.

Environmental Risks

- Upgrades may not increase path use enough to reduce vehicle traffic.

Political Risks

- The only identified political risk is not proceeding with the project.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

Moved Cr Thomas

Seconded Cr Young

THAT Council

1. APPROVES the attached 85 percent Design comprising of:
 - a. Detailed Design Civil Drawings;
 - b. Fencing Replacement Strategy;
 - c. Landscaping Strategy;
 - d. The lighting design that is based on the luminaires being energised by power drawn from the electricity grid;
2. REQUEST the Chief Executive Officer to:
 - a. Consider the financial implications in transitioning all the lighting within Cottesloe to the Western Australia Local Government's (WALGA) Renewable Energy Scheme;
 - b. Bring an item back to an Ordinary Council Meeting following the completion of point 1a; and
3. NOTES that an item will return to an Ordinary Council Meeting as soon as possible following the finalisation of the detailed design estimate to request a budget amendment before a public tender to be advertised

COUNCILLOR AMENDMENT

Moved Cr Bulbeck

Seconded Cr Sadler

To amend point 2 and 3 to:

2. REQUESTS the Chief Executive Officer to:

- a. **Bring to Council by June 2026 an item on the financial implications in transitioning all the lighting within Cottesloe to the Western Australia Local Government's (WALGA) Renewable Energy Scheme, WALGA's Sustainable Energy Supply Project or a**

community renewable power plant;

- b. Bring an item back to an Ordinary Council Meeting following the completion of point 1a; which includes a cost analysis of the elements of each of the 3 stages of the project and proposals for acquitting the project within the available budget of \$4.2million.
3. NOTES that an item will return to an Ordinary Council Meeting as soon as possible following the finalisation of the detailed design estimate to request any necessary budget amendments before a public tender is advertised.

The Presiding Member advised the Councillor Amendment would be split into Point 2(a) and Point 2(b) and therefore the motion above lapsed.

OCM045/2026

COUNCILLOR AMENDMENT

Moved Cr Bulbeck

Seconded Cr Sadler

To add to point 2 (a);

2. REQUESTS the Chief Executive Officer to:

- a. Bring to Council by June 2026 an item on the financial implications in transitioning all the lighting within Cottesloe to the Western Australia Local Government's (WALGA) Renewable Energy Scheme, WALGA's Sustainable Energy Supply Project or a community renewable power plant;

Lost 1/6

For: Crs Bulbeck

Against: Mayor Harkins, Crs Heath, Young, Sadler, Irvine and Thomas

OCM046/2026

COUNCILLOR AMENDMENT

Moved Cr Bulbeck

Seconded Cr Sadler

To add to point 2 (b)

2. REQUESTS the Chief Executive Officer to;

- b. Bring an item back to an Ordinary Council Meeting following the completion of point 1a; which includes a cost analysis of the elements of each of the 3 stages of the project and proposals for acquitting the project within the available budget of

\$4.2million.

3. NOTES that an item will return to an Ordinary Council Meeting as soon as possible following the finalisation of the detailed design estimate to request any necessary budget amendments before a public tender is advertised.

Carried 7/0

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

Against: Nil

OCM047/2026

COUNCILLOR AMENDMENT

Moved Cr Heath

Seconded Cr Young

To add to point 1 (a) through to (c);

- a. Detailed Design Civil Drawings – Attachment A
- b. Fencing Replacement Strategy – Attachment B, subject to
 - (i) south of Gibney Street and along the Golf Course frontage the Post and Horse Wire fencing only replaces the existing Kopper Log fencing where the minimum of a 1.5m safety buffer between the barrier and the drop edge cannot be achieved.
- c. Landscaping Strategy - Attachment C

Carried 7/0

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

Against: Nil

OCM048/2026

SUBSTANTIVE MOTION

Moved Cr Thomas

Seconded Cr Young

THAT Council

1. APPROVES the attached 85 percent Design comprising of:
 - a. Detailed Design Civil Drawings – Attachment A
 - b. Fencing Replacement Strategy – Attachment B, subject to
 - (i) south of Gibney Street and along the Golf Course frontage the Post and Horse Wire fencing only replaces the existing Kopper Log fencing where the minimum of a 1.5m safety buffer between the barrier and the drop edge cannot be achieved.
 - c. Landscaping Strategy - Attachment C
 - d. The lighting design that is based on the luminaires being energised by power drawn from the electricity grid;

2. **REQUEST** the Chief Executive Officer to:
 - a. Consider the financial implications in transitioning all the lighting within Cottesloe to the Western Australia Local Government's (WALGA) Renewable Energy Scheme;
 - b. Bring an item back to an Ordinary Council Meeting following the completion of point 1a; which includes a cost analysis of the elements of each of the 3 stages of the project and proposals for acquitting the project within the available budget of \$4.2million.
3. **NOTES** that an item will return to an Ordinary Council Meeting as soon as possible following the finalisation of the detailed design estimate to request any necessary budget amendments before a public tender is advertised.

Carried 7/0

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

Rationale

There is currently a mix of the three fencing types, Kopper Logs, Treated Wood and Post and Horse Hair, along the Foreshore Path and they work well together aesthetically.

Having Kopper Logs along the flatter areas of the path and then Post and Horse Hair fencing at the steeper sections will be aesthetically pleasing whilst maintaining safety.

There is currently long sections of Kopper Logs south of Gibney St and along the Golf Course Frontage which, if possible, should be replaced like-for-like.

The Kopper Log fence type is preferable along the coastal Shared Path for a number of reasons:

1. Coastcare supports Kopper logs as they allow dune vegetation to grow through and maintain vehicle views
2. It is the least visually intrusive of the 3 fence types
3. It is the most natural of the 3 fence types being wood only
4. It has the cheapest cost per year over the useful life as set out in Table 1 of the Officer's Report.

Minimising Post and Horse Hair fence type is desirable because

1. The wires across the fence are plastic coated in order that they can be seen by people and pets and prevent accidents. Use of plastic in general and especially along the foreshore should be minimised.
2. This type of fencing is less visually appealing.

3. It has a temporary aesthetic.
4. It has the most expensive cost per year over the useful life

We should only replace the existing Kopper Logs when there is reason to do so. The only reason should be where in the area in question there is a fall-from-height risk resulting in a duty of care exposure for the Town.

The Officer's report on p59 states that 'kopper logs have only been proposed where there is a safety buffer (minimum 1.5m) between these low barriers and the drop edge.'

This amendment ensures that this will be the case.

Separately, the Attachments are now referred in the motion to for clarification as there is a nomenclature clash between the wording of the Officer's Recommendation and the Titles of the Attachments; and

In the Town's current constrained budgetary situation, it would be remiss of Council to approve the next stage of this project without foreshadowing an analysis of how the project can be managed within the allocated budget. The overrun of the cost of the Dutch Inn playground is a salutary lesson.

A path already exists along the foreshore and it is quite likely the community would not wish to spend an extra \$4 million over the allocated budget to create a new one.

The officers have proposed securing the \$2m estimated for funding Stage 3 (the foreshore) via the Foreshore Redevelopment Project. While this reduces the estimated cost of the shared path project to \$4,906,230, the foreshore redevelopment grant may not cover the shared path, or only by sacrificing some other element of the proposed foreshore redevelopment.

Other potential savings have been identified by the officers to the extent of \$150,000, which would still make the project unlikely to be delivered within a budget of \$4.2 million, given cost blowouts in the State's tight construction market.

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 7:25 pm.