TOWN OF COTTESLOE

ORDINARY COUNCIL MEETING

AGENDA

ORDINARY COUNCIL MEETING
TO BE HELD IN THE
Council Chambers, Cottesloe Civic Centre
109 Broome Street, Cottesloe
6:00 PM Tuesday, 24 November 2026

Town of Cottesloe

ORDINARY COUNCIL MEETING

Notice is hereby given that the next Ordinary Council Meeting will be held in the Council Chambers, Cottesloe Civic Centre 109 Broome Street, Cottesloe on **24 November 2026** commencing at **6:00 PM**.

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

Yours faithfully,

Mark Newman
Chief Executive Officer

20 November 2026

DISCLAIMER

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

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

Town of Cottesloe

DISCLOSURE OF INTERESTS

Agenda Forum ☐ *Ordinary Council Meeting* ☐ *Special Council Meeting* ☐

Name of Person Declaring an interest

Position *Date of Meeting*

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

INTEREST DISCLOSED

Item No *Item Title*

Nature of Interest

Type of Interest *Financial* ☐ *Proximity* ☐ *Impartiality* ☐

INTEREST DISCLOSED

Item No *Item Title*

Nature of Interest

Type of Interest *Financial* ☐ *Proximity* ☐ *Impartiality* ☐

INTEREST DISCLOSED

Item No *Item Title*

Nature of Interest

Type of Interest *Financial* ☐ *Proximity* ☐ *Impartiality* ☐

DECLARATION

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

DISCLOSURE OF INTERESTS

Notes for Your Guidance

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

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

a. In a written notice given to the Chief Executive Officer before the Meeting or;

b. At the Meeting immediately before the matter is discussed.

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

a. Preside at the part of the Meeting relating to the matter or;

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

INTERESTS AFFECTING FINANCIAL INTEREST

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

1. A Financial Interest, pursuant to *s. 5.60A or 5.61 of the Local Government Act 1995,* requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measured in money terms. There are expectations in the *Local Government Act 1995* but they should not be relied on without advice, unless the situation is very clear.

2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e sporting, social, religious etc, and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e, if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.

3. If an interest is shared in common with a significant number of electors and ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.

4. If in doubt declare.

5. As stated if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **must** be given when the matter arises in the Agenda, and immediately before the matter is discussed. Under *s. 5.65 of the Local Government Act 1995* failure to notify carries a penalty of $10 000 or imprisonment for 2 years.

6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The **only** exceptions are:

   6.1 Where the Councillor discloses the **extent** of the interest, and Council carries a motion under *s.5.68(1)(b)(ii)* of the *Local Government Act 1995;* or

   6.2 Where the Minister allows the Councillor to participate under *s.5.69(3)* of the *Local Government Act 1995*, with or without conditions.

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

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

INTERESTS AFFECTING IMPARTIALITY

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

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

a. In a written notice given to the Chief Executive Officers before the Meeting or;

b. At the Meeting, immediately before the matter is discussed.

IMPACT OF AN IMPARTIALITY DISCLOSURE

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

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

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1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS

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

2 DISCLAIMER

The Presiding Member directed the public's attention to the Disclaimer and the paragraph that advises that formal meetings of Council will be audio/visually recorded and livestreamed on the Town's website. Anyone attending the meeting, particularly if they are speaking, may be captured on the livestream recording.

3 ATTENDANCE

Elected Members

Mayor Melissa Harkins
Deputy Mayor Sonja Heath
Cr Lorraine Young
Cr Helen Sadler
Cr Chilla Bulbeck
Cr Brad Wylynko
Cr Michael Thomas
Cr Kirsty Barrett

Declaration of any Elected Members attending the meeting by electronic means.

Officers

Mr Mark Newman	Chief Executive Officer
Mrs Vicki Cobby	Director Corporate and Community Services
Mr Shaun Kan	Director Engineering Services
Mr Paul Neilson	A/Director Development and Regulatory Services
Ms Jacquelyne Pilkington	Governance and Executive Office Coordinator

3.1 APOLOGIES

3.2 APPROVED LEAVE OF ABSENCE

Cr Jeffrey Irvine

3.3 APPLICATIONS FOR LEAVE OF ABSENCE

4 DECLARATION OF INTERESTS

5 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

6 PUBLIC QUESTION TIME

6.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Peter Rattigan – Cottesloe resident

Q1a: Has Council obtained legal opinion as to the obligations of Council when dealing with development approvals and the removal of trees on private land?

R1a: Yes. The Town has obtained legal advice on matters relating to development approvals and the removal of trees on private land.

And if so:

Q1b: The dates of all such opinions?

R1a: The Town sought legal advice in February 2024, September 2025, June 2026 and August 2026. Some of this advice formed part of broader legal instructions on multiple matters, and the Town is therefore unable to provide a more comprehensive response without undertaking a detailed review of its legal files.

Q1c: Will Council release the opinions to residents of Cottesloe?

R1c: No. The legal advice is confidential and subject to legal professional privilege. The Town does not intend to waive that privilege by releasing the advice.

Q2: How many trees were removed from private property?

R2: The Town does not maintain a register of trees removed from private property and is therefore unable to provide this information.

Cottesloe has a goal stipulated in the Green Infrastructure Strategy of the Town of 30% tree cover on private land by 2040.

Q3a: What action has Council taken to date to implement the strategy?

R3a: Officers have continued the street tree planting and natural areas program in addition to developing a public open space landscaping plan to grow the canopy in this area and exploring a number of tree register software.

Q3b: How does Council envisage meeting the goal of 30% tree cover on private property as stated in the Green Infrastructure Strategy?

R3b. Officers continue to research this matter and will likely report its progress to Council in the first quarter of 2027.

6.2 PUBLIC QUESTIONS

7 PUBLIC STATEMENT TIME

8 CONFIRMATION OF MINUTES

That the Minutes of the Ordinary Meeting of Council held on Tuesday 27 October 2026 be confirmed as a true and accurate record.

9 PRESENTATIONS

9.1 PETITIONS

Procedure of Petitions – Local Government (Meetings Procedure) Local Law 2021, Clause 6.11

(3) The only question which shall be considered by the council on the presentation of any petition shall be:

a) that the petition shall be accepted;

b) that the petition shall not be accepted;

c) that the petition be accepted and referred to the CEO for consideration and report; or

d) that the petition be accepted and dealt with by the full council.

9.1.1 PETITION - JOAN SHARPE REPRESENTING COTT4CLIMATECOMPENSATION

A petition has been received from Joan Sharpe representing Cott4ClimateCompensation asking Council to consider the petition relating to the increasing costs of climate change. This will be tabled at the November 2026 Ordinary Council meeting, and Council will be required to make a resolution in line with (3) above.

OFFICER RECOMMENDATION

THAT Council considers the petition in accordance with clause 6.11 (3) of the Local Government (Meeting Procedure Local Law 2021)

9.2 PRESENTATIONS

9.3 DEPUTATIONS

10 REPORTS

10.1 REPORTS OF OFFICERS

COUNCIL RESOLUTION

That Council adopts the following en-bloc Officer Recommendations contained in the Agenda for the Ordinary Meeting of Council 24 November 2026: ____, ____, ____, ____, ____, ____, ____

CORPORATE AND COMMUNITY SERVICES

10.1.1 LIST OF PAYMENTS 1 TO 31 OCTOBER 2026

Directorate:	**Corporate and Community Services**
Author(s):	**Sarah-Jane Watkins, Manager Finance**
Authoriser(s):	**Vicki Cobby, Director Corporate and Community Services**
File Reference:	**D26/112980**
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 October 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 October 2026 is included in the attachment and totals $2,852,114.78. This includes purchases made via electronic fund transfers, credit card payments, and direct debits.

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

- $601,297.50 Department of Fire & Emergency Services for Emergency Service Levy remittance 2026/27,
- $225,890.51 to LGIS for the Town's 2026/27 Insurance and work cover costs (6 months),
- $255,120.12 and $247,328.28 the Town of Cottesloe staff for fortnightly payroll (includes ATO payments),
- $181,440.05 to the Shire of Peppermint Grove for the Grove Library contributions 2026/27 (payment 2),

- $124,149.52 to Roads 2000 for the Low-Cost Urban Road Safety Project - Broome & Marmion Streets,
- $121,932.22 to Roads 2000 for the Metropolitan Regional Road Group (MRRG) - Road rehabilitation projects,
- $107,571.44 to The Trustee For Rico Family Trust for monthly waste collection services,
- $51,564.60 to Pretzos Holdings Pty Ltd for the purchase of a Kubota utility vehicle and the 2026/27 tool trade-in and purchase,
- $50,479.21 and $48,727.28 to SuperChoice Services Pty Ltd for Superannuation Payments,
- $42,132.43 to Managed IT for IT services and licenses,
- $39,634.45 to Integrated Management Consultants Pty Ltd for the purchase of a Mazda utility vehicle,
- $38,919.31 to The Trustee for P & S Browne Family Trust for maintenance works to main beach retaining wall,
- $36,433.00 to T-Quip for the purchase of a Bushranger Drover utility vehicle,
- $36,012.78 to Orikan Australia Pty Ltd for Parking infringement software: Licence fee, support and maintenance (3 months),
- $31,970.20 to McLeods Lawyers Pty Ltd for legal services regarding Parking, contracts, Dog Act, tree planting, leases, events and developments,
- $28,690.03 to Briteshine Cleaning & Maintenance Services Pty Ltd for cleaning services located at the Civic Centre, Beach Toilets (Indiana's & North Cott), Anderson Pavilion and the Depot (2 months),
- $26,417.33 to The Department of Local Government, Industry Regulation and Safety for Building Service Levies remittance (2 months), and
- $25,377.21 to Electricity Generation and Retail Corporation for the supply of electricity.

ATTACHMENTS

10.1.1(a) Monthly Payment Listing - October 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

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

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

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

10.1.2 FINANCIAL STATEMENTS FOR THE PERIOD ENDING 30 SEPTEMBER 2026

Directorate:	**Corporate and Community Services**
Author(s):	**Sarah-Jane Watkins, Manager Finance**
Authoriser(s):	**Mark Newman, Chief Executive Officer**
	Vicki Cobby, Director Corporate and Community Services
File Reference:	**D26/125000**
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

Council is requested to receive the Financial Statements for the period ended 30 September 2026 and approve revised due dates for Rates Instalments 2, 3 and 4.

OFFICER COMMENT

The Financial Report presented to Council has been prepared in accordance with the requirements of the Local Government (Financial Management) Regulations 1996. Consistent with Regulation 34, **Attachment A** contains the Statement of Financial Activity, Statement of Financial Position and notes on net current assets information and material variances.

The Town's year-end financial processes and external audit fieldwork are now finalised, the final audited financial position as at 30 June 2026 will be reflected in the Town's Annual Financial Statements which are planned to be presented to the Audit, Risk and Improvement Committee on 7 December 2026.

In accordance with Council's adopted materiality thresholds, variances exceeding both 15% and $25,000 have been identified in the Statement of Financial Activity by a blue triangle. An upward-pointing triangle indicates a variance that has a favourable impact on the operating result by increasing the surplus or reducing a deficit. A downward-pointing triangle indicates a variance that has an unfavourable impact on the operating result by reducing the surplus or increasing a deficit. Please refer to Note 3 of **Attachment A** for the explanation of material variances.

Changes to Rates Payments Dates

At the Special Council Meeting held on 11 August 2026, Council, by absolute majority, adopted the 2026/27 Annual Budget. As part of that decision, Council approved the following due dates for rates paid by four instalments:

- First Instalment – 6 October 2026
- Second Instalment – 8 December 2026
- Third Instalment – 16 February 2027
- Fourth Instalment – 20 April 2027

The issue of the second instalment notices was delayed to allow for the correction of rates processing anomalies identified during the preparation of the instalment data.

Section 6.50(2) of the *Local Government Act 1995* requires that a rate notice provide a minimum of 35 days between the issue date of the notice and the due date for payment. Accordingly, the due date for the second instalment can no longer be maintained and must be extended. The determination of the due date for rates and service charges under s.6.50(1) is a decision of Council requiring an absolute majority and, therefore, any amendment to the adopted due date must be approved by Council by absolute majority.

Section 6.50(3) of the *Local Government Act 1995* further requires that instalments be due at intervals of not less than two months. As a result, the due dates for the third and fourth instalments must also be amended to maintain compliance with the Act.

The revised instalment schedule is expected to affect 866 properties that have elected to pay their rates by instalments. Ratepayers will remain able to make payments in advance of the revised due dates should they wish to do so, including in accordance with the original instalment schedule, without disadvantage.

ATTACHMENTS

10.1.2(a) Financial Statements for the period ending 30 September 2026 [under separate cover]

CONSULTATION

Internal

STATUTORY IMPLICATIONS

Local Government Act 1995

Section 6.4, 6.50(1),(2)&(3)

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

Cash flow remains strong following the receipt of the rates paid in full and the first rates instalment. Available funding and operational resources remain adequate to meet service delivery requirements and financial obligations, with no additional budget allocations required at this time.

The requested changes to the rates payment dates are not expected to materially affect the Town's cash flow.

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 a monthly financial report be presented to Council within two months of the end of the relevant month. This report has been presented within the required timeframe. As the legislative obligation relates to the presentation of the report, failure to accept the report would not result in non-compliance with the Regulation.

There is a potential governance risk that the revised rates instalment due date differs from the date approved by Council. While the change was necessary due to a system issue and does not disadvantage ratepayers, the lack of Council endorsement may result in audit or compliance concerns. This risk can be mitigated through Council ratification of the revised date.

VOTING REQUIREMENT

Simple Majority – Recommendation 1

Absolute Majority – Recommendation 2

OFFICER RECOMMENDATION

THAT Council;

1. **RECEIVES the Financial Statements for the period 1 July 2025 to 30 September 2026.**

THAT Council by ABSOLUTE MAJORITY;

2. AMENDS the following dates for payments of rates:

Second Instalment	**21 December 2026**
Third Instalment	**22 February 2027**
Fourth Instalment	**26 April 2027**

10.1.3 REQUEST TO ADOPT COMMUNITY PARTNERSHIP POLICY

Directorate:	**Corporate and Community Services**
Author(s):	**Sally DeFreitas, Manager Community and Customer Services**
Authoriser(s):	**Vicki Cobby, Director Corporate and Community Services** **Mark Newman, Chief Executive Officer**
File Reference:	**D26/115487**
Applicant(s):	
Author Disclosure of Interest:	**Nil**

SUMMARY

Following community consultation, the final Community Partnership Policy is presented to Council for adoption. Consultation feedback has informed several administrative improvements to support implementation of the Policy.

OFFICER RECOMMENDATION IN BRIEF

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

BACKGROUND

At its meeting on 22 September 2026, Council considered the Draft Community Partnership Policy (**Attachment A**) and resolved (OCM136/2026) to endorse the policy for community consultation.

Council requested that the Chief Executive Officer undertake community consultation and report the outcomes to Council when the final policy is presented for adoption. Council also resolved to amend the policy to clarify that entities whose primary purpose is the promotion of contested public policy outcomes, including political activities, are not eligible for support. This amendment has been incorporated into the revised Draft Community Partnership Policy (**Attachment C**).

Council further sought assurance that the proposed outcome areas and funding categories were sufficiently broad to capture the diverse range of community, sporting, cultural and not-for-profit organisations operating within the Town.

This report presents the outcomes of the consultation process, outlines the amendments made following community feedback, and seeks Council's adoption of the final Community Partnership Policy.

OFFICER COMMENT

The Community Partnership Policy provides the Town with a contemporary framework to guide community funding, partnerships and support activities. It replaces the existing Donations Policy (2004) with a more strategic and outcomes-focused approach that aligns community investment with Council priorities and the Council Plan.

The Policy establishes clear funding categories, eligibility criteria, assessment principles and governance arrangements, providing greater transparency and consistency for both applicants and decision-makers. It also creates a more equitable framework for allocating support while allowing sufficient flexibility to respond to emerging community needs and opportunities.

The supporting guidelines and application process have been refined following consultation to provide greater clarity regarding application requirements, funding timeframes, reporting obligations, venue hire concessions and Council recognition requirements. The application period has also been extended from four weeks to six weeks to improve accessibility for community organisations, many of which operate through volunteer resources.

The Policy maintains a straightforward acquittal process while strengthening accountability by ensuring funding is directed towards future community projects and activities that deliver measurable benefits to the Cottesloe community.

Officers consider the Policy establishes a strong foundation for the future development of the Town's community funding and partnership programs, improves governance and administrative consistency, and provides a clear, transparent and accountable framework for supporting community outcomes.

ATTACHMENTS

10.1.3(a) Donations Policy 2004 [under separate cover]

10.1.3(b) Consultation - Community Partnership [under separate cover]

10.1.3(c) DRAFT-Community-Partnership-Policy-2026-REVISED [under separate cover]

CONSULTATION

Consultation on the draft Community Partnership Policy was undertaken between 9 October and 3 November 2026 via the Town's Engagement Hub and promoted through the Town's website and social media channels. The draft policy, supporting documentation and survey were made available for public comment throughout the consultation period.

Given the specialised nature of the Policy, a targeted engagement approach was adopted. In addition to public promotion, consultation materials were distributed directly to 20 previous grant recipients and 17 community groups and sporting clubs**,** all of whom were invited to provide feedback on the draft Policy.

Participants were invited to comment on the clarity of the proposed partnership approach, appropriate funding categories, potential barriers to accessing funding, and any concerns or suggestions for improvement.

The consultation generated 298 unique visitors, 38 document downloads and 10 survey submissions**.** Feedback was received from organisations representing community participation, health and wellbeing, community events, disability inclusion, environmental sustainability, youth development and community sport.

All respondents indicated the proposed partnership approach was either clear or somewhat clear. No gaps were identified in the proposed outcome areas or funding categories, with all organisations able to align their activities to one or more funding streams.

Feedback focused primarily on implementation matters, including funding timeframes, assessment processes, eligible expenditure, reporting requirements, fee waivers, in-kind support, and opportunities for ongoing or multi-year funding. Respondents also highlighted the importance of maintaining a simple application process for volunteer-run organisations.

Several stakeholders provided suggestions to strengthen the Policy, including recognising broader forms of community partnership such as facility stewardship, support for external funding applications, multi-year partnership arrangements, and the contribution of sport and active recreation to community wellbeing. Feedback also sought confirmation that community fundraising events remain eligible for support and requested consultation on any future changes to fees and charges.

Overall, no significant concerns or opposition to the proposed Policy were identified. Feedback demonstrated strong support for the framework and has informed implementation improvements, including the development of clear funding guidelines, assessment criteria and supporting documentation.

In response to the feedback received, officers are refining the supporting guidelines and application process, including extending the application period from four weeks to six weeks, developing clearer assessment criteria and supporting documentation, and providing additional guidance regarding eligibility and acquittal requirements. The proposed timing of the funding round has also been reviewed in response to feedback, recognising that some community organisations do not operate during January and may otherwise be disadvantaged in preparing applications. Feedback received through the consultation process will also inform the development of a Frequently Asked Questions (FAQ) resource to accompany future funding rounds and, subject to demand, officers will consider providing an information session or webinar to assist community organisations in understanding the program requirements and application process. While some respondents expressed interest in multi-year partnership arrangements, this has not been incorporated into the Policy at this time. It is proposed that the program initially operate on an annual basis to allow Council to assess participation levels, effectiveness and the extent to which the program assists in delivering Council's Strategic Community Plan objectives. In future, Council may choose to consider multi-year partnership arrangements if it is satisfied that doing so would support improved outcomes for both the community and the Town.

STATUTORY IMPLICATIONS

Local Government Act 1995
Section 2.7 – Role of Council
Provides Council with the authority to govern the affairs of the local government and make decisions in the interest of the district.
Section 3.1 – General function of local government
Establishes the role of local government in providing for the good government of people within its district.
Section 3.5 – General powers of local governments
Grants local governments broad powers to undertake activities necessary or convenient for performing their functions.
Section 6.8 – Expenditure from municipal fund
Requires that expenditure of municipal funds be authorised in accordance with the adopted budget or other lawful authority.

Local Government Act 1995 (Administration) Regulations 1996
Regulation 10 – Revoking or changing decisions
Prescribes the process Council must follow when seeking to revoke or emend a previous Council decision.

POLICY IMPLICATIONS

Adoption of the Draft Community Partnership Policy will facilitate the replacement of the current Donations Policy (2004) (**Attachment A**), establishing a contemporary and consolidated framework for the Town's approach to community partnerships and support. The new policy provides clear principles, eligibility criteria and governance arrangements to guide the allocation of support to community organisations and initiatives.

Replacing the existing Donations Policy will remove outdated provisions, improve transparency and consistency in decision-making, and ensure the Town's support for community activities aligns with current strategic priorities and community expectations.

STRATEGIC IMPLICATIONS

The proposal supports the Council Plan 2023–2033 by strengthening community connections, enhancing transparency and accountability in the allocation of Council support, and providing a consistent framework for establishing and managing community partnerships that deliver positive outcomes for the Town and its residents.

RESOURCE IMPLICATIONS

An amount of $18,000 has been included in the Town's 2026/27 budget for community donations and grants. Adoption of the Community Partnership Policy does not require additional funding and will provide a clear and transparent framework for administering the approved allocation in alignment with Council priorities.

Funding recommendations will be considered by Council through future budget allocation processes and in accordance with the eligibility and assessment criteria established under the policy.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

Failure to adopt the Community Partnership Policy will leave the Town operating under an outdated Donations Policy and without a contemporary framework to guide the provision of support to community organisations and initiatives. This increases governance, transparency and consistency risks and may result in uncertainty for applicants and decision-makers.

The new policy reduces these risks by establishing clear principles, eligibility criteria and accountability measures to guide community partnerships and the allocation of Council support. Community consultation has now been completed, and feedback has informed the finalisation of the policy, ensuring it reflects community expectations and supports a transparent and equitable approach to decision-making.

VOTING REQUIREMENT

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

OFFICER RECOMMENDATION

THAT Council by ABSOLUTE MAJORITY;

1. **Pursuant to Regulation 10 of the Local Government (Administration) Regulations 1996, REVOKE the Donations Policy adopted by Council in 2004 at Attachment A.**

That COUNCIL by simple majority;

2. **NOTE the community feedback provided at Attachment B on the Draft Community Partnership Policy.**

3. **Pursuant to s.2.7(2)(b) of the *Local Government Act 1995*, ADOPT the Draft Community Partnership Policy at Attachment C.**

DEVELOPMENT AND REGULATORY SERVICES

10.1.4 AMENDMENT TO HEAD LEASE TO INCLUDE PROPOSED SAUNA - INDIANA TEAHOUSE, 99 MARINE PARADE, COTTESLOE

Directorate:	**Development and Regulatory Services**
Author(s):	**Ed Drewett, Acting Manager Planning Services**
Authoriser(s):	**Paul Neilson, A/Director Development and Regulatory Services**
File Reference:	**D26/124347**
Applicant(s):	**N/A**
Author Disclosure of Interest:	**Nil**

SUMMARY

For Council to consider an amendment to the head lease for the Indiana Teahouse to include a proposed sauna.

OFFICER RECOMMENDATION IN BRIEF

That Council notes the draft Deed of Variation and authorises the Chief Executive Officer (CEO) to liaise with the lessee to finalise the draft Deed of Variation in an agreed form, seek the approval of the Minister for Lands and, upon receipt of that approval, execute all documentation necessary to give effect to the finalised Deed of Variation for the proposed sauna facility at Indiana Teahouse.

BACKGROUND

At the OCM on 25 March 2025, Council resolved to support in principle, as land manager and lessor, a development application for refurbishment works and a sauna facility at the Indiana Teahouse.

The current lease eventually expires on 3 August 2041. Under the lease, the lessee must not make alterations or additions or demolish any part of the premises without prior consent of the Town. The permitted uses are limited to café, kiosk and toilets/change rooms. While the proposed refurbishment works can be addressed through the Town's consent as lessor, the proposed sauna facility requires a variation to the lease.

The Western Australian Planning Commission (WAPC) approved the development application on 15 May 2025.

OFFICER COMMENT

The Town's solicitors have prepared the draft Deed of Variation of Lease at Attachment (a).

Subject to the approval of the Minister for Lands, under the terms of the Deed, the lease would be varied to include a sauna facility as an approved use of the premises by inserting new sub-clause 17.1(e) and making the necessary consequential amendment to sub-clause 17.1(d).

The effect of the variation is that, upon execution of the Deed of Variation and receipt of Ministerial approval, a sauna facility becomes an authorised use under clause 17.1 of the lease.

ATTACHMENTS

10.1.4(a) **Deed of Variation of Lease - Indiana Teahouse [CONFIDENTIAL] [UNDER SEPARATE COVER]**

10.1.4(b) **WAPC Decision Letter [under separate cover]**

10.1.4(c) **Approved Plans Stamped 7 April 2025 [under separate cover]**

CONSULTATION

Not required

STATUTORY IMPLICATIONS

Local Government Act 1995 (s.3.53)

Land Administration Act 1997

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 3: Our Prosperity - A vibrant and sustainable place to live, visit and enjoy.

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

Resource requirements are in accordance with the existing budgetary allocation. The lessee currently pays a commercial rent for the lease. The rental is about to undergo a market review.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

If the proposed lease variation is not approved, the sauna facility approved by the WAPC will be unable to lawfully operate from the premises.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

THAT Council authorises the Chief Executive Officer (CEO) to liaise with the lessee to finalise the draft Deed of Variation in an agreed form, seek the approval of the Minister for Lands and, upon receipt of that approval, EXECUTE all documentation necessary to give effect to the finalised Deed of Variation.

10.1.5 IMPLEMENTATION OF PARKING RESTRICTIONS AND DESIGNATION OF PARKING PERMIT AREA

Directorate:	**Development and Regulatory Services**
Author(s):	**Corey Parkinson, Coordinator Ranger Services**
Authoriser(s):	**Mark Newman, Chief Executive Officer** **Paul Neilson, A/Director Development and Regulatory Services**
File Reference:	**D26/124869**
Applicant(s):	
Author Disclosure of Interest:	**Nil**

SUMMARY

As a result of the proposed Parking Strategy introducing paid parking in the Cottesloe Town Centre, there is potential for parking demand to shift into surrounding residential streets. To address this, this report recommends introducing 2-hour parking restrictions on Vera Street, Albion Street and the southern section of Dalgety Street, Monday to Sunday (incl public holidays), 8:00am to 6:00pm. It is further recommended that affected residents/landowners be offered the opportunity to apply for one free residential parking permit by designating these streets and Forrest Street, as designated parking permit areas.

OFFICER RECOMMENDATION IN BRIEF

In accordance with the Town's Parking and Parking Facilities Consolidated Local Law 2024 (Local Law), implement two-hour parking restrictions between 8:00am and 6:00pm, Monday to Sunday, including public holidays; require installation of signage to reflect the new parking restrictions; and designate streets affected by parking spillover as parking permit areas to enable residents/owners to apply for one free parking permit.

BACKGROUND

In May 2026, Council resolved (OCM072/2026) to endorse the Town of Cottesloe Parking Strategy 2026-2029. (**Parking Strategy**)

The Parking Strategy developed from earlier strategic work, parking studies and community consultation, identified paid parking as a key measure to address Town Centre parking congestion and support economic activity. The Strategy also recognised the potential for parking spillover into nearby residential streets and recommended consideration of parking controls and residential permits to mitigate these impacts. Following Council's adoption of paid parking in August 2026 (OCM119/2026), with implementation scheduled for January 2027, the Town is proposing parking restrictions and a free residential permit scheme in residential streets north of the Town Centre to manage anticipated parking displacement.

OFFICER COMMENT

Officers have determined that the streets north of the Town Centre expected to experience parking spillover will be:

- Vera Street;
- Albion Street;
- Dalgety Street (southern end); and
- Forrest Street.

Currently, only Forrest Street has parking restrictions. The proposal to mitigate the spillover impact on residents in all four streets is twofold:

a. Introduce parking restrictions on Vera Street, Albion Street and the southern end of Dalgety Street; and

b. Offer affected residents/owners in these streets and Forrest Street the opportunity to apply for one residential parking permit per household with permit fees waived.

Introducing Parking Restrictions

The Town's Parking and Parking Facilities Consolidated Local Law 2024 (**Parking Local Law**) provides Council with authority to prohibit or regulate by signs the stopping or parking of any vehicle in any part of the Cottesloe district.

Accordingly, it is recommended Council resolve to exercise this authority in Vera Street, Albion Street and the southern end of Dalgety Street, as shown in Attachment (a), to introduce paid 2-hour parking limits between 8:00am and 6:00pm, Monday to Sunday, including public holidays. As discussed above, the same restrictions are already in place in Forrest Street, monitored through the existing parking sensor system.

Offer of Residential Parking Permits

The Parking Local Law provides for the application and approval of residential parking permits. Under the local law:

a. the CEO or a duly authorised person can decide an application;

b. the holder of a valid parking permit is exempt from a prohibition against the stopping or parking of vehicles on any part of a road for more than a specified period.

The Town proposes to offer affected residents/landowners of Vera, Albion, Dalgety and Forrest Streets the opportunity to apply for one parking permit per property with fees waived for at least this and next financial year (2026/2027 and 2027/2028). Residents may apply for a second permit subject to the standard assessment process detailed in Council's Parking Permit Policy. Fees would be waived for a second permit for the remainder of this financial year (2026/2027). The Town's Local Law stipulates that a permit will entitle the holder to park for no longer than 24 hours on their street before having to move their vehicle.

Implementation Period

To support residents during the introduction of the new parking arrangements, the Town's Rangers will undertake an education and awareness period for one month following commencement. During this period, infringement notices will generally not be issued for failure to display a valid permit within the affected two-hour parking restricted streets.

After paid parking in the Town Centre becomes operational from 11 January 2027, parking spillover will be monitored to determine if it becomes more widespread beyond the streets identified in this report.

ATTACHMENTS

10.1.5(a) Attachment A - Location of Parking Restrictions Area

10.1.5(b) Attachment B - Permit Parking Areas

CONSULTATION

The Parking Strategy was the subject of extensive public consultation prior to adoption.

STATUTORY IMPLICATIONS

Town of Cottesloe Parking and Parking Facilities Local Law 2024

Clause 1.11 Powers of the local government

The local government may by resolution, prohibit or regulate by signs or otherwise, the stopping or parking of any vehicle or any class of vehicles in any part of the parking region but must do so consistently with the provisions of this local law.

Clause 8.1 Parking Permits

(1) A person may only apply for a parking permit to park a vehicle on a thoroughfare, in a parking zone, or other form of parking facility.

(2) An application for a permit shall –

(a) provide the information required by the form; and

(b) be accompanied by the payment of any fee determined by the local government.

(3) The CEO or an authorised person may in respect of an application for a permit for the purpose of subclause (1) –

(a) approve it;

(b) approve it subject to such conditions the CEO or an authorised person considers appropriate; or

(c) refuse to approve it and provide reasons to the applicant for the refusal.

POLICY IMPLICATIONS

The purpose of Council's Parking Permit Policy is to provide residents in designated permit parking areas with access to permits that allow parking near their properties where restrictions apply.

The proposed residential parking permits discussed above are intended to address parking displacement resulting from a Council-initiated parking reform, rather than existing parking demand. As a transitional measure associated with the introduction of paid parking in the Town Centre, strict application of the policy would not achieve its intended purpose and may unfairly disadvantage affected residents.

Accordingly, it is reasonable and recommended for Council to designate Vera Street, Albion Street, the southern end of Dalgety Street and Forrest Street as a permit parking area under the Parking Permit Policy, with modified eligibility criteria, permit allocations and fees applying to residents and property owners within that area.

Once the designation is made, residents in the affected streets can display parking permits and park legally within the designated parking permit areas.

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 3.1: Activating Cottesloe and Swanbourne town centres and increasing their appeal, attracting more local business and visitors.

RESOURCE IMPLICATIONS

The following costs are associated with the implementation of the residential parking permit system across Vera Street, Albion Street, the southern end of Dalgety Street, and Forrest Street. Costs include the supply and installation of all required signage and the production of physical parking permits.

- Includes signs, posts, brackets, caps and installation – 32 x signs = $2442.50
- Residential parking permits – 66 x residents @ $28.00 per permit = $1848.00

Resource requirements are in accordance with the existing budgetary allocation.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

Risk	Mitigation

Risk	Mitigation
Parking displacement to streets beyond the restricted area	Monitor parking occupancy and complaints after implementation and extend restrictions if evidence demonstrates ongoing spillover.
Resident dissatisfaction with parking restrictions or permit arrangements	Undertake clear communication, provide a transition period, and issue permits before paid parking commences.
Low compliance with new restrictions	Implement an initial education and awareness period followed by targeted enforcement.
Increased administrative demand for permit applications	Establish a streamlined application process and proactively communicate eligibility requirements.
Negative perception of paid parking and associated measures	Clearly communicate that the restrictions and permits are intended to protect residential amenity and preserve parking availability for local residents.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council:

1. **Pursuant to Council's Parking Permit Policy, DESIGNATE the following Cottesloe streets, as shown in Attachment (b), as permit parking areas:**
   - **(a) Forrest Street;**
   - **(b) Vera Street;**
   - **(c) Albion Street;**
   - **(d) the southern end of Dalgety Street.**
2. **AUTHORISES an exemption for residents/owners within the designated permit parking area in Resolution (1), from payment of the first year's parking permit fee.**
3. **Pursuant to clause 1.11 of the Town of Cottesloe Parking and Parking Facilities Local Law 2024 and excluding existing parking restrictions, RESOLVES to limit parking for all vehicles, excepting those displaying valid parking permits, to a 2-hour time limit, Monday to Sunday, including public holidays in the following Cottesloe streets as shown in Attachment (a):**
   - **(a) Vera Street;**
   - **(b) Albion Street; and**
   - **(c) the southern end of Dalgety Street.**

4. REQUESTS the Chief Executive Officer to arrange for signage to be installed reflecting the changes.

Note that letters were sent to residents on Vera, Albion, the southern end of Dalgety Street, and Forrest Street on 6 November 2026 (a small number were hand delivered to residents on Forrest Street on 16 November 2026 who did not received the initial mail out) advising of the proposed parking restrictions and permits. The letters advised residents about a 'Drop-in' Information Session to be held on the morning of Saturday 21 November 2026. It also informed residents that Council would be considering the proposed parking restrictions and permits at its Ordinary Council Meeting to be held on Tuesday 24 November 2026.

ENGINEERING SERVICES

10.1.6 RIGHT OF WAY 30A ACCESS FROM WARNHAM ROAD

Directorate:	**Engineering Services**
Author(s):	**Renuka Ismalage, Manager Projects and Assets**
Authoriser(s):	**Shaun Kan, Director Engineering Services**
File Reference:	**D26/120278**
Applicant(s):	**Internal**
Author Disclosure of Interest:	**Nil**

SUMMARY

Some John Street residents that have their garage entry along Right of Way (ROW) 30A are unable to access these garages from Warnham Road because the laneway entry point is obstructed by trees. These property owners currently gain vehicular access by travelling onto private land belonging to 1 De Bernales Walk. The residents have asked Council to assist in providing legal access.

Council has a legislative obligation under the *Local Government Act 1995* Section 3.52 – Public Access to be Maintained and Plans Kept to provide entry to a public road.

A tree will need to be removed and replaced with asphalt to provide direct access onto the ROW. Costs in the order of $10,000 will be required to initiate these works. This can be accommodated within existing budgets.

Council approval is required as the officer's recommendation falls outside the provisions of the Street Tree Policy.

OFFICER RECOMMENDATION IN BRIEF

Council NOTES its legislative obligation and APPROVES the removal of the tree to create an access onto the laneway from Warnham Road.

BACKGROUND

A number of homes along John Street access their garages from ROW 30A (public road) due to the steep drop along their property frontage. The residents can only gain access from Warnham Road as opposed to John Street due to the 90-degree bend along this laneway.

The strata managers for 1 De Bernales Walk, on behalf of their nine residents, has asked the Town to remove this tree so that these John Street residents do not need to traverse private property to access their garages. The Strata Manager has been instructed to install a gate to create exclusive access should officers decide not to accommodate their request.

OFFICER COMMENT

ROW 30A is a designated road under the care, control and management of the Town. Under Section 55(2) of the *Land Administration Act 1997*, Council has a legislative obligation to provide access to a public road under section 3.52 of the *Local Government Act 1995*.

The current access arrangement is uncertain and relies heavily on the current arrangements being permitted. Either a change in attitude by the neighbours or redevelopment could result in the loss of any access. In these circumstances, the Town could risk being implicated by challenges and disputes regarding access rights and responsibilities.

There are two possible options:

- Option 1 – Remove the tree on the Warnham Street end to create access; or
- Option 2 – Resume land along the ROW to avoid the tree removal and provide direct access through John Street

Option one is preferred because:

- The land resumption required to provide direct access from John Street for vehicles to safely go around the sharp corner will cost several hundred thousand and significantly more than the $10,000 solution and would require landowner consent; and
- There is insufficient laneway width to build a turnaround facility without resuming land from 1 De Bernales Walk at the Warnham Street end and without a proper cul-de-sac, vehicles will have to reverse back to exit through John Street.

Whilst there are concerns from surrounding residents about the tree removal, Council's legislative obligations and the more expensive alternative make the $10,000 solution the preferred one. Officers will identify other areas to plant offset trees to compensate for the loss of this tree.

Officers are awaiting information from Landgate at the time of updating this report to confirm whether any easement rights exist for these properties. However, it is very unlikely that such rights exist, given that the ROW is designated as a public road.

ATTACHMENTS

10.1.6(a) 1 De Bernales Walk - Attachment A - Site location and image [under separate cover]

CONSULTATION

The Town has been in consultation with the Strata Managers of 1 De Bernales Walk.

STATUTORY IMPLICATIONS

Land Administration Act 1997

Section 55(2) –

(2) Subject to the Main Roads Act 1930 and the Public Works Act 1902, the local government within the district of which a road is situated has the care, control and management of the road."

Local Government Act 1995

Section 2.7 – Role of Council

(1) The council governs the local government's affairs and, as the local government's governing body, is responsible for the performance of the local government's functions.

(2) The council's governing role includes the following —

a) overseeing the allocation of the local government's finances and resources;

b) planning strategically for the future of the district;

c) determining the services and facilities to be provided by the local government in the district;

Section 3.52 – public access to be maintained and plans kept

(2) Except to the extent that is authorised by law to close them or restrict their use, a local government is to ensure that public thoroughfares are kept open for public use.

(3) In fixing or altering the level of, or the alignment of, a public thoroughfare, a local government is to ensure that access by vehicle to land adjoining the thoroughfare can be reasonably provided.

POLICY IMPLICATIONS

The officer's recommendation is inconsistent with Clause 4.5 of the Street Tree Policy, given there is an alternative engineering solution to the removal of this tree.

"The Council prioritises street tree retention and removal is only considered when no other reasonable alternative exists or has been exhausted'

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 2.1: Town infrastructure is well planned, effectively managed and supports our community, whilst protecting and promoting our unique heritage and character

RESOURCE IMPLICATIONS

The officer recommendation can be accommodated within the existing budget allocations.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

The tree removals will impact canopy cover and will be mitigated by offset planting.

RISK MANAGEMENT IMPLICATIONS

Should a decision be made against the officer's recommendation:

- Affected John Street residents will lose vehicle access to their garages should the Strata Manager restrict access to 1 De Bernales Walk;

- Council's non-fulfilment of its obligation in providing access between 2 public roads; and
- Council may be liable for any incidents that result from the continued access by John Street residents through private property.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

THAT Council

1. **RECEIVES the officer's report; and**
2. **RECOGNISES the need for access to be provided to the John Street residents through ROW 30A, and therefore a tree needs to be removed.**

10.1.7 T05/2026 - MARINE PARADE SHARED PATH UPGRADE - CONSTRUCTION TENDER

Directorate:	**Engineering Services**
Author(s):	**Tin Oo May, Coordinator Infrastructure**
Authoriser(s):	**Shaun Kan, Director Engineering Services**
File Reference:	**D26/119859**
Applicant(s):	**Internal**
Author Disclosure of Interest:	**Nil**

SUMMARY

Council is asked to consider awarding the Marine Parade Shared Path construction tender (T05/2026).

The project covers the construction of a 2.5 metre minimal width path and the installation of lighting at specific locations between Curtin Avenue and North Street. The other element is a link that connects the Marine Parade Shared Path at Curtin Avenue to the Perth to Fremantle Principal Shared Path.

OFFICER RECOMMENDATION IN BRIEF

That Council AWARDS T05/2026 to Tenderer A and AUTHORISES the Chief Executive Officer (CEO) to implement either Option A2 or A3, contingent upon the funding variation endorsement from the Australian Government and Council APPROVING a budget amendment.

BACKGROUND

This tender was advertised in August 2026 and closed on 7 October 2026.

Given the uncertainty of the construction industry and the possibility of the project going over-budget, five options were advertised to provide scope flexibility in mitigating these constraints, namely:

- Option A1: Construction of the full shared path with lighting along the full project corridor;
- Option A2: Construction of the full shared path with lighting at three critical locations;
- Option A3: Construction of the shared path using the existing limestone base (no reconstruction of limestone base) with lighting at three critical locations;
- Option A4: Construction of the full shared path with lighting at three critical locations and without the connector to the Perth to Fremantle Principal Shared Path; and
- Option A5: Construction of the shared path using the existing limestone base (no reconstruction of limestone base) with lighting at three critical locations and without the Perth to Fremantle Principal Shared Path

Council should note that the 3 critical lighting locations are at Vlamingh, Dutch Inn (light poles) and Cottesloe Surf Lifesaving Club (bollards).

Selection of the option Council prefers, allows officers to deliver the project's core objective of constructing the full length of path between Curtin Avenue and North Street.

OFFICER COMMENT

Tender Evaluation Summary

Further details from the evaluation panel are summarised in confidential **Attachment A**.

The submissions received were assessed against the following criteria:

- Relevant Experience (20%);
- Technical Experience and Skills of Key Personnel (20%);
- Availability of Resources (15%);
- Demonstrated Understanding of Project (15%); and
- Pricing (30%).

In summary Tenderer A's bid when combined with the pricing for the three viable solutions (A1, A2 and A3), deemed to be the one that best demonstrated value for money. For this reason, officers have recommended appointing Tenderer A as the building contractor for the project.

Preferred Delivery Solution

Council should note that the preferred contract value is subject to additional funding approval. Fundamentally, Tenderer A's Option A1 has not been recommended because this is beyond the funding variation limits of the Australian Government.

For this reason, Tenderer A's Option A2, costing $4,187,052, involving the construction of the full shared path and installing lighting only at Vlamingh, Dutch Inn and Cottesloe Surf Lifesaving Club is the preferred solution for this project.

Whilst this exceeds the remaining budget of $3,868,913 and requires additional funding contributions from Council and the Australian Government, officers are of the view that this design delivers a balance between the project's strategic intent and its whole of life costing.

Required Funding Variation

The following tables summarise the remaining budget and the funding variation proposal submitted to the Australian Government for option A2. The contribution increase shown in Table 1, needed to award the contract for option A2, changes Council's share from 5% to 6% (Table 2). This remains a remarkable financial outcome.

Option A2 Budget Implications and Funding Proposal	
ATF Contribution (95%)	$4,175,000
Council Contribution (5%)	$200,000
Approved Budget	**$4,375,000**
Less Design Contract	$386,087
Less Salaries Component	$120,000
Budget Remaining	**$3,868,913**
Less Option A2	$4,187,052
Less Contingency	$167,482
Shortfall	**-$485,621**
Australian Government Additional Funding (Appiled)	$385,973
Council Additional Contributions	$99,648
Revised Budget Shortfall	**$0**

Table 1: Option A2 Budget Implications and Funding Proposal

Contribution Summary			
	Australian Government	Council	Total
Original Contributions	$4,175,000	$200,000	$4,375,000
Proportions	**95%**	**5%**	**100%**
Additional Contributions	$385,973	$99,648	$485,621
Proportions	**79%**	**21%**	**100%**
Total Contributions	$4,560,973	$299,648	$4,860,621
Overall Proportions	**94%**	**6%**	**100%**

Table 2: Option A2 Funding Contribution Summary

Worst Case Funding Scenario

Should the Australian Government decline the variation request, officers recommend that Council authorises the CEO to award alternative Option A3 that can be completed within the available budget as shown in Table 3. The scope covers the construction of the shared path by re-using the existing limestone base and installing lighting at three critical locations. This includes the Perth to Fremantle PSP connector.

Option A3 Budget Implications and Funding Proposal	
ATF Contribution (95%)	$4,175,000
Council Contribution (5%)	$200,000
Approved Budget	**$4,375,000**
Less Design Contract	$386,087
Less Salaries Component	$120,000
Budget Remaining	**$3,868,913**
Less Scenario 4 Contract	$3,646,524
Less Contingency	$222,389
Shortfall	**$0**
Australian Government Additional Funding (Appiled)	$0
Council Additional Contributions	$0
Revised Budget Shortfall	**$0**

Table 3: Option A3 Budget Implications and Funding Proposal

The officer's recommendation has been crafted accordingly.

Council should note that major scope reduction Options A4 and A5 have not been evaluated because the worst case scenario Option A3 delivers the project scope within the design submitted to the Australian Government. Officers suggest that the Perth to Fremantle Principal Shared Path connector, costing $137,000 should remain as part of the project because this is supported by the Department of Transport (the grant administrators) and the Australian Government on the basis that this provides a link between 2 major cycle routes.

ATTACHMENTS

10.1.7(a) **Signed Combined Assessment Sheet - T05/2026 - Marine Parade Shared Path Upgrade - Construction [CONFIDENTIAL] [UNDER SEPARATE COVER]**

10.1.7(b) **Marine Parade Shared Path Tender Summary [CONFIDENTIAL] [UNDER SEPARATE COVER]**

CONSULTATION

Australian Government Active Transport Fund

STATUTORY IMPLICATIONS

Local Government Act 1995

Section 3.57(1) requires a Local Government to invite tenders before entering into a contract of a prescribed kind under which another person is to supply goods or services.

Local Government (Functions and General) Regulations 1996

Part 4 Division 2 – Tenders for Providing Goods and Services

Regulation 18 (4) and (5) of the Local Government (Functions and General) Regulations 1996 - Rejecting and accepting tenders

(4) Tenders that have not been rejected under subregulation (1), (2), or (3) are to be assessed by the local government by means of a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept and it is to decide which of them (if any) it thinks it would be most advantageous to the local government to accept.

(5) The local government may decline to accept any tender.

POLICY IMPLICATIONS

The officer's recommendation is compliant with the Purchasing Policy. If the tender is awarded, it would consider a fixed-term contract to deliver the services specified under the conditions outlined in the executed agreement.

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 preferred solution is dependent on a funding variation approval by the Australian Government. However, the alternative can be completed within the remaining budget.

Should option A2 be adopted, the recommended budget amendments will be required. There is no net impact to the budget resulting from these amendments.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

The construction of the Perth to Fremantle Principal Shared Path connector on the Southern end of the Marine Parade Path will result in the removal of vegetation. It is intended for offset trees to be planted along side this new path and any available space along this connector.

RISK MANAGEMENT IMPLICATIONS

Social – Failure to award the contract and proceed with the project would mean that the anticipated improvements to accessibility, connectivity, safety and amenity for pedestrians and cyclists would not be realised. The existing shared path would remain in its current condition, potentially affecting community expectations regarding the delivery and renewal of public infrastructure.

Economic – Not proceeding with the contract award may result in approved external funding not being fully utilised and could require the funding to be returned. Delaying or retendering the works may also expose the Town to increased construction costs due to changing market conditions.

Reputational – Failure to award the contract and proceed after completing the design, tender and funding processes may affect community and stakeholder confidence in the Town's ability to deliver the project.

VOTING REQUIREMENT

Absolute majority

OFFICER RECOMMENDATION

THAT Council:

1. **NOTES that Council currently has a funding variation proposal submitted to the Australian Government and is awaiting confirmation as to whether that funding application is approved.**
2. **AGREES that should the funding application be approved, that option A2 is the preferred design solution for the project.**

3. **Pursuant to Regulation 18 of the Local Government (Functions and General) Regulations 1996, AUTHORISE the Chief Executive Officer to:**

   a. **APPOINT Tenderer A as the contractor for the Marine Parade Path Construction Project;**

   b. **EXECUTE a contract with Tenderer A and affix the Town's common seal on the basis that a minimum contract amount will be for design A3 - $3,646,524, with authority to amend the contract to approve design A2 - $4,187,052, should the Australian Government approve the funding variation request.**

4. **APPROVES the following budget amendments:**

   a. **Increase Capital Expenditure – Marine Parade Shared Path by $485,621;**

   b. **Increase Capital Revenue – Grant funding by $385,973;**

   c. **Increase Transfer from Reserve – Active Transport Reserve by $99,648.**

10.1.8 T04/2026 - BEACH CLEANING SERVICES - TENDER RECOMMENDATION

Directorate:	**Engineering Services**
Author(s):	**Renuka Ismalage, Manager Projects and Assets**
Authoriser(s):	**Shaun Kan, Director Engineering Services**
File Reference:	**D26/118135**
Applicant(s):	**Internal**
Author Disclosure of Interest:	**Nil**

SUMMARY

Council is asked to consider the submission received for the T04/2026 - Beach Cleaning Services tender, the analysis undertaken and consider a recommendation to award the tender.

OFFICER RECOMMENDATION IN BRIEF

That Council award the Tender to Tenderer A for a period of 3 years with an optional 2 year extension.

BACKGROUND

The Town requires a contractor to provide ongoing mechanical beach cleaning along the Cottesloe Main Beach and North Cottesloe Beach.



Area 1: Main Beach



Area 2: North Cottesloe Beach

The levels of service delivered are as follows:

- Main Beach – This is cleaned weekly between April and August and increases to four times per week from September to March.
- North Cottesloe Beach – This is cleaned monthly.

The Town of Cottesloe's Purchasing Policy objectives are to:

- Provide compliance with the *Local Government Act 1995* and the Local Government Act (Functions and General) Regulations 1996.
- Deliver a best practice approach to all purchasing arrangements for the Town of Cottesloe, and accompanying procedures to assist staff.
- Ensure consistency for all purchasing activities that integrate all the Town of Cottesloe's operational areas.

Depending on the value of works, the Administration either obtains quotes or seeks tenders for individual works to comply with the Purchasing Policy.

However, many local governments, to provide an efficient, effective, economical and sustainable service to ratepayers, procure through a public tender process to establish a fixed term contract with a supplier to provide the necessary goods and services. Bids received will be assessed against quantitative and qualitative criteria to ensure that competence and value for money outcomes are achieved.

The recommended contractor was identified through this process.

OFFICER COMMENT

The submissions were assessed against the Request for Tender Specifications and Selection Criteria (Confidential attachment A). Tenderer A's bid has been determined to best represent value for money and has been recommended accordingly.

Council should note that this new contract will attract an increase of $28,000 per annum. The calculations are within the confidential attachments.

It is recommended that the Chief Executive Officer be authorised to approve non-material contract variations to provide operational flexibility to adjust the frequency, timing and deployment of mechanical beach cleaning services in response to seasonal demand, weather events, beach conditions and service requirements. Any variation would remain within the scope of the services originally tendered and would not alter the fundamental nature of the contract or compromise the integrity of the procurement process.

ATTACHMENTS

10.1.8(a) **Signed Combined Assessment Sheet - T04/2026 - Beach Cleaning Services [CONFIDENTIAL] [UNDER SEPARATE COVER]**

10.1.8(b) **T04/2026 - Beach Cleaning Tender - Price Analysis [CONFIDENTIAL] [UNDER SEPARATE COVER]**

CONSULTATION

No consultation was required.

STATUTORY IMPLICATIONS

Local Government Act 1995

Section 3.57(1) requires a Local Government to invite tenders before entering a contract of a prescribed kind under which another person is to supply goods or services.

Local Government (Functions and General) Regulations 1996

Part 4 Division 2 – Tenders for Providing Goods and Services

Regulation 18 (4) and (5) of the Local Government (Functions and General) Regulations 1996 - Rejecting and accepting tenders

(4) Tenders that have not been rejected under subregulation (1), (2), or (3) are to be assessed by the local government by means of a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept and it is to decide which of them (if any) it thinks it would be most advantageous to the local government to accept.

POLICY IMPLICATIONS

Purchasing 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.

RESOURCE IMPLICATIONS

Resource requirements are in accordance with the existing budgetary allocation.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

- Regular beach cleaning improves environmental outcomes by removing litter and marine debris, protecting coastal ecosystems and reducing pollution entering the marine environment.
- Frequent cleaning activities can disturb natural beach processes and wildlife habitats, particularly where organic material, dune vegetation or nesting areas are affected.

RISK MANAGEMENT IMPLICATIONS

- Reputational risk to the Town's iconic tourist status;
- Safety risk to the public associated with injury caused by sharp objects

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

THAT Council:

1. **Pursuant to Regulation 18 of the Local Government (Functions and General) Regulations 1996, AUTHORISES the Chief Executive Officer to award the Mechanical Beach Cleaning Services Tender (Tender) to TENDERER A.**
2. **Subject to APPROVAL of Point One, AUTHORISES:**
   a. **pursuant to s.9.49B of the *Local Government Act 1995*, the Chief Executive Officer to approve non-material variations to beach cleaning services remaining within the scope advertised in the Tender; and**
   b. **pursuant to s.9.49A of the *Local Government Act 1995*, the Mayor and Chief Executive Officer to duly execute the Contract and affix the Town's Common Seal (if required); and**
   c. **the Mayor, Elected Members and the Town's Administration to disclose the identity of the successful Tenderer A.**

EXECUTIVE SERVICES

10.1.9 POTENTIAL LOCAL GOVERNMENT AMALGAMATION OPPORTUNITIES AND FUNDING OF A BUSINESS CASE

Directorate:	**Executive Services**
Author(s):	**Kate Jones, Manager Governance**
Authoriser(s):	**Mark Newman, Chief Executive Officer**
File Reference:	**D26/124714**
Applicant(s):	**Internal**
Author Disclosure of Interest:	**Nil**

SUMMARY

Council is requested to consider its position in relation to local government reform proposals.

This report considers the advantages and disadvantages of amalgamation.

Council officers consider that any decision regarding amalgamation should be informed by an independent business case assessing financial, operational, governance and community impacts. The estimated cost of undertaking such an assessment is approximately $100,000.

Given that local government reform and amalgamation are matters driven by State Government policy, it is considered unreasonable that local ratepayers bear the cost of investigating a proposal that primarily advances a State Government objective.

OFFICER RECOMMENDATION IN BRIEF

That Council is open to considering local government amalgamation where there is clear evidence that it would deliver improved outcomes for the community, service delivery and long-term financial sustainability, and that any assessment of amalgamation should be funded by the State Government rather than local ratepayers.

BACKGROUND

Periodic consideration of local government boundaries, governance arrangements and amalgamation proposals has occurred throughout Western Australia. Such discussions are often initiated as part of broader State Government reform agenda aimed at improving efficiency, service delivery and the long-term sustainability of local governments.

In recent months the Minister for Local Government, Hannah Beasley, has requested Councils to consider if voluntary amalgamations are appropriate. As a consequence of this the Town of Claremont has written to all Western Suburb councils proposing discussions (see attachment 1).

Amalgamation proposals can have significant implications for communities, assets, staffing arrangements, governance structures and service levels. Any informed decision requires detailed analysis supported by a comprehensive business case.

The estimated cost of preparing a business case is approximately $100,000, depending on the scope of the assessment and the level of specialist financial and organisational analysis required.

OFFICER COMMENT

Council has consistently sought to ensure that decisions affecting the future of the Cottesloe district are evidence-based and centred on community outcomes.

There may be circumstances where combining local government areas produces benefits including:

- Improved financial sustainability;
- Increased organisational capability;
- Greater economies of scale;
- Enhanced asset management outcomes;
- Reduced duplication; and
- Increased strategic influence within the region.

Equally, amalgamation may result in challenges including:

- Reduction in local representation;
- Loss of local identity and community connection;
- Transitional organisational costs;
- Integration risks; and
- Potential impacts on service delivery.

For these reasons, a rigorous independent assessment is essential before Council, the community or the State Government can reasonably determine whether amalgamation would be in the public interest.

The preparation of a business case is not a routine operational activity of local government. There is a strong argument that the State Government should bear the full cost of undertaking this assessment.

Requiring local governments to fund such investigations would effectively transfer the financial burden of State-led reform to local ratepayers, irrespective of whether an amalgamation ultimately proceeds or delivers community benefit.

Should the State Government wish local governments to meaningfully participate in future amalgamation discussions, providing funding assistance for business case preparation would encourage a more transparent, evidence-based and equitable process.

CONCLUSION

It is appropriate for Council to maintain an open and constructive position regarding potential amalgamation opportunities. However, any consideration of amalgamation should

be supported by a robust and independent assessment of the financial, operational, governance and community impacts.

Given that local government amalgamation is fundamentally a matter of State Government policy and reform, it is reasonable that the cost of preparing a business case be funded by the State Government rather than local ratepayers. Council can therefore indicate its willingness to participate in future amalgamation discussions while strongly advocating for State funding of any required assessment.

ATTACHMENTS

10.1.9(a) Letter - Town of Claremont to Town of Cottesloe -Discussion on Local Government Boundary Changes - October 2026 [under separate cover]

CONSULTATION

No community consultation has been undertaken at this stage.

Should a formal amalgamation proposal be advanced, extensive community engagement would be required before any final position is adopted.

STATUTORY IMPLICATIONS

Relevant legislation includes:

- *Local Government Act 1995*;
- Local Government Regulations;
- Any future State Government policies, reviews or reform initiatives relating to local government boundaries or structural reform.

There is no statutory obligation requiring Council to fund an amalgamation business case at its own expense.

FINANCIAL IMPLICATIONS

Preparation of a business case is estimated to cost approximately $100,000 and should Council wish to fund it, the cost would need to be accommodated through budget reallocation.

No provision exists within the current budget for this expenditure.

POLICY IMPLICATIONS

There are no Council Policy implications.

STRATEGIC IMPLICATIONS

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

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

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

RESOURCE IMPLICATIONS

There are no resource implications at this stage arising from the subject matter of this report.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

At this stage, there are no direct environmental impacts arising from the recommendation.

RISK IMPLICATIONS

Risk	Consequence	Mitigation
Council perceived as unwilling to consider reform	Reputational risk	Publicly support evidence-based assessment of amalgamation opportunities
Business case not undertaken	Limited information available for decision-making	Advocate for state government funding
Cost borne by local government	Financial impact on ratepayers	Seek full state government funding

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council:

1. **Notes the opportunities and challenges associated with local government amalgamation.**
2. **Advises the State Government that it is willing to participate in discussions regarding potential local government amalgamation where it can be demonstrated that the proposal would deliver improved services, financial sustainability and community outcomes.**
3. **Supports the need for the preparation of an evidence-based business case to assess the merits and impacts of any amalgamation proposal affecting the district before any decision is made, and that the State Government should be responsible for the preparation of any such business case.~~, noting that the estimated cost of~~**

~~**approximately $100,000 would impose an unreasonable financial burden on ratepayers for an initiative that arises from a State Government policy objective.**~~

4. **Authorises the Chief Executive Officer to write to the Minister for Local Government advising Council's position.**
5. **Authorises the Mayor and Chief Executive Officer to participate in discussions with other Western Suburbs councils to reflect the town of Cottesloe's position.**

10.2 RECEIPT OF MINUTES AND RECOMMENDATIONS FROM COMMITTEES

Nil

11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

12.1 ELECTED MEMBERS

12.2 OFFICERS

13 MEETING CLOSED TO PUBLIC

13.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

13.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

14 MEETING CLOSURE