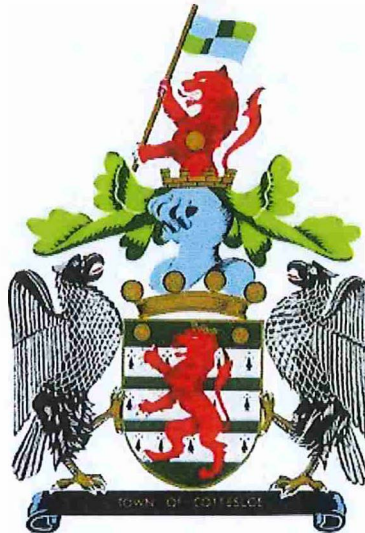


TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

ORDINARY COUNCIL MEETING
HELD IN THE
Council Chambers, Cottesloe Civic Centre
109 Broome Street, Cottesloe
6:00 PM Tuesday, 25 November 2025

A handwritten signature in black ink, appearing to read "Mark Newman".

MARK NEWMAN
Chief Executive Officer

5 December 2025

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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 6:00pm.

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 via electronic means

Cr Lorraine Young

Cr Helen Sadler

Cr Chilla Bulbeck via electronic means

Cr Brad Wylynko

Cr Katy Mason

Cr Jeffrey Irvine

The Presiding Member advised that Cr's Heath and Bulbeck had declared that their method of remote attendance would allow the Elected Member to maintain communication and enable them to fully participate in the meeting and that they were able to maintain confidentiality for any part of the meeting that was closed.

Officers

Mr Mark Newman

Chief Executive Officer

Mrs Vicki Cobby

Director Corporate and Community Services

Mr Shaun Kan

Director Engineering Services

Mr 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 Michael Thomas

3.3 APPLICATIONS FOR LEAVE OF ABSENCE**OCM166/2025****Moved Cr Mason****Seconded Cr Sadler****That Cr Heath be granted a leave of absence from 15 to 17 December 2025.****Carried 8/0****OCM167/2025****Moved Cr Sadler****Seconded Cr Irvine****That Cr Wylynko be granted a leave of absence from 15 December to 16 December.****Carried 8/0****OCM168/2025****Moved Cr Sadler****Seconded Cr Irvine****That Cr Young be granted a leave of absence from 1 December to 16 December 2025.****Carried 8/0****4 DECLARATION OF INTERESTS**

Cr Young declared an IMPARTIALITY INTEREST in item 10.1.6 by virtue “as some of the nominees and potential appointees are known to me and I will make a decision on its merits and vote accordingly”

Cr Young declared an IMPARTIALITY INTEREST in item 13.1.1 by virtue “as some of the nominees and potential appointees are known to me and I will make a decision on its merits and vote accordingly”

Cr Irvine declared an IMPARTIALITY INTEREST in item 10.1.6 by virtue “as some of the nominees and potential appointees are known to me and I will make a decision on its merits and vote accordingly”

5 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The Presiding Member announced that the meeting is being livestreamed on the Town’s website this evening and the recording will remain on the website and available to the public. Anyone attending the meeting, particularly if they are speaking, may be captured on the livestream recording .

The Presiding Member addressed last weeks announcement by the Planning Minister regarding the 10 station precincts with Cottesloe being one of them.

We recently met with the mayors and CEO's or representatives of Mosman Park, Peppermint Grove, Claremont, Nedlands and ourselves. It was decided in that meeting that a combined response would be sent to the WAPC outlining our desire for an orderly and proper planning process in the station precincts, acknowledging the work already undertaken by local government in preparing our own station precinct plans.

We have been informed that the WAPC will be preparing an Improvement Scheme for advertising which will build upon the relevant precinct plans already prepared by the local governments.

Our Council recently endorsed a new Cottesloe Village Precinct Structure Plan, to guide future development around the village and Train Station. This plan increased housing supply while balancing community needs. This includes higher-density housing, improved streetscapes and new commercial opportunities that support local businesses.

We will be requesting that the State Government work to improve the aging infrastructure around the stations to accommodate the additional population that will result due to higher density developments. Issues such as the safety of the level crossings and the design of the Cottesloe train station are 2 such examples.

On a different note, I would like to advise that tonight is Cr Mason's final Ordinary Council Meeting as she is leaving Cottesloe due to her selling their family home to move to a property in an another suburb with a larger backyard as she has 2 very active boys.

I would like to thank Cr Mason for her 2 years of hard work for the residents and ratepayers. Her passion for all things Cottesloe is very evident and she will certainly be missed. Thank you for your service Cr Mason.

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

OCM169/2025

Moved Cr Sadler

Seconded Cr Young

That the Minutes of the Ordinary Meeting of Council held on Tuesday 28 October 2025 be confirmed as a true and accurate record.

Carried 8/0

OCM170/2025

Moved Cr Sadler

Seconded Cr Wylynko

That the Minutes of the Special Meeting of Council held on Wednesday 22 October 2025 be confirmed as a true and accurate record.

Carried 8/0

9 PRESENTATIONS

9.1 PETITIONS

Section 9.4 - Procedure of Petitions

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

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

Nil

9.2 PRESENTATIONS

Nil

9.3 DEPUTATIONS

Nil

10 REPORTS**10.1 REPORTS OF OFFICERS****OCM171/2025****Moved Mayor Harkins****Seconded Cr Bulbeck****COUNCIL RESOLUTION**

That Council adopts en-bloc the following Officer Recommendations contained in the Agenda for the Ordinary Council Meeting 25 November 2025:

| Item # | Report Title |
|---------------|---|
| 10.1.1 | Policy Review – Policies Recommended For Revocation |
| 10.1.2 | Policy Review – Hardship Policy |
| 10.1.3 | Monthly Financial Statements For The Period Ending 30 September 2025 |
| 10.1.4 | List Of Payments 1 to 30 September 2025 |
| 10.1.5 | Council Meeting Dates 2026 |

Carried 8/0

CORPORATE AND COMMUNITY SERVICES**10.1.1 POLICY REVIEW - POLICIES RECOMMENDED FOR REVOCATION**

Directorate: Corporate and Community Services
Author(s): Sally DeFreitas, Manager Community and Customer Services
Authoriser(s): Mark Newman, Chief Executive Officer
File Reference: D25/63789
Applicant(s):
Author Disclosure of Interest: Nil

SUMMARY

Policies are reviewed regularly to ensure they remain current and relevant. The ongoing policy review has identified policies that are operational in nature or duplicating existing processes/legislation and subsequently are recommended for revocation.

OFFICER RECOMMENDATION IN BRIEF

That Council APPROVES the revocation of the following policies as presented in the attachments:

1. Email Management Policy
2. Disability Access and Inclusion Policy
3. Cottesloe Council News Policy

OFFICER COMMENT**Email Management Policy**

The current policy was adopted by Council in 2009 and has not been reviewed since.

It is now considered redundant, as its provisions are fully addressed within the Town's 2024 Recordkeeping Policy and updated Recordkeeping Plan.

The current policy is shown in **Attachment (a)**.

Disability Access and Inclusion Policy

The current policy, adopted by Council in 2010, has not been reviewed since.

A standalone Disability Access and Inclusion Policy is no longer required, as its purpose and requirements are already embedded within legislation and existing corporate frameworks. Under the *Disability Services Act 1993 (WA)*, local governments are required to prepare, implement, and review a Disability Access and Inclusion Plan (DAIP) every five years. The DAIP, along with the Town's Council Plan 2023-2033, provides the necessary legislative and

operational framework to ensure accessibility and inclusion are integrated across all services and facilities, making a separate policy redundant.

The current policy is shown in **Attachment (b)**.

Cottesloe Council News Policy

The current policy, adopted by Council in 1994, was reviewed in 2011.

This policy is no longer required as its objectives are already achieved through the Town's existing communication strategies and digital platforms. Council information and community updates are now disseminated through the Town's website, social media, print media, and other communication channels, making a standalone "Cottesloe Council News" policy redundant.

The current policy is shown in **Attachment (c)**.

ATTACHMENTS

- 10.1.1(a) Email Management Policy [under separate cover]**
- 10.1.1(b) Disability Access & Inclusion Policy [under separate cover]**
- 10.1.1(c) Cottesloe Council News Policy [under separate cover]**

CONSULTATION

N/A

STATUTORY IMPLICATIONS

Local Government Act 1995

Disability Services Act 1993 (WA)

Section 28

State Records Act 2000

Section 19

Section 28

POLICY IMPLICATIONS

Revoking these policies means they will no longer be used to guide decision-making. This action does not alter the intent or desired outcomes previously supported by Council. The relevant functions and responsibilities will continue to be managed in accordance with legislation, established operational procedures, and best practice. Removing the policies simply reduces duplication and clarifies that these matters are appropriately addressed through existing statutory frameworks and internal processes.

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 with revoking these Council policies.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

There is very little risk in revoking these policies as there is no anticipated change to business processes.

VOTING REQUIREMENT

Simple Majority

OCM172/2025

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Mayor Harkins

Seconded Cr Bulbeck

THAT Council REVOKES:

- 1. The Email Management Policy as outlined in Attachment (a)**
- 2. The Disability Access and Inclusion Policy as outlined in Attachment (b)**
- 3. The Cottesloe Council News Policy as outlined in Attachment (c) At this point in the meeting the En Bloc items were moved and resolved.**

Carried by En Bloc Resolution 8/0

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

Against: Nil

10.1.2 POLICY REVIEW - HARDSHIP POLICY

Directorate: Corporate and Community Services
Author(s): Vicki Cobby, Director Corporate and Community Services
Authoriser(s): Mark Newman, Chief Executive Officer
File Reference: D25/71684
Applicant(s):
Author Disclosure of Interest: Nil

SUMMARY

Policies are reviewed regularly to ensure they remain current and relevant. The Hardship Policy has been reviewed and is being recommended for amendment.

OFFICER RECOMMENDATION IN BRIEF

That Council APPROVES the amended Hardship Policy as presented in Attachment (b).

OFFICER COMMENT

The current policy was adopted by Council in June 2020.

The amended policy gives reference to the Council Plan 2023-2033, replacing the Strategic Community Plan 2013-2023 and Community Business Plan 2020-2024 in the reference heading.

The current policy is limiting the policy to ratepayers, excluding other community members who may also experience genuine financial hardship, such as local business operators, tenants, sporting groups and others.

The current policy is outdated because it only applies to debts that were outstanding when it was adopted. As it hasn't been reviewed for five years, it hasn't been effective in supporting current ratepayers in hardship. While the policy should be reviewed every two years, this restriction makes it less useful. Adding the phrase "*and as subsequently levied*" would make the policy more practical and better suited to ongoing use. This is the wording used in the WALGA template.

The references to the Government (COVID-19 Response) Ministerial Order 2020 have been removed.

The CEO is responsible for approving Financial Hardship applications and will make the Financial Hardship application available on the Town's website. Each application will be carefully assessed to determine whether the circumstances are genuine.

ATTACHMENTS

- 10.1.2(a)** Draft Hardship Policy with tracked changes [under separate cover]
10.1.2(b) Draft Hardship Policy [under separate cover]
-

CONSULTATION

Executive Team, Manager Finance.

STATUTORY IMPLICATIONS

Local Government Act 1995

Section 6.12

Section 6.49-51

Local Government (Financial Management) Regulations 1996

Regulation 68-71

Rates and Charges (Rebates and Deferments) Act 1992

Section 44

POLICY IMPLICATIONS

Approving the Officers recommendation will amend the policy without changing its original intent. The proposed changes align the policy more closely with the WALGA template while broadening its scope to include all community members who may be experiencing genuine hardship.

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

Extended periods of outstanding debt can negatively impact the Town's cash flow. However, the Town's current level of outstanding debt is relatively low and is not having a significant impact on cash flow at this time. Implementing a hardship policy that allows debtors to enter into payment arrangements enables gradual debt recovery and can ultimately result in payments being received more promptly.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

The risk of not updating this policy is that the Town may be unable to provide appropriate support to community members genuinely experiencing financial hardship. There is also a significant reputational risk if the Town is perceived as unresponsive or lacking empathy.

VOTING REQUIREMENT

Simple Majority

OCM173/2025

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Mayor Harkins

Seconded Cr Bulbeck

THAT Council APPROVES the amendment of the Hardship Policy as outlined in Attachment (b).

Carried by En Bloc Resolution 8/0

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

Against: Nil

10.1.3 MONTHLY FINANCIAL STATEMENTS FOR THE PERIOD ENDING 30 SEPTEMBER 2025

Directorate: Corporate and Community Services
Author(s): Sheryl Teoh, Finance Manager
Authoriser(s): Mark Newman, Chief Executive Officer
Vicki Cobby, Director Corporate and Community Services
File Reference: D25/71704
Applicant(s): N/A
Author Disclosure of Interest: Nil

SUMMARY

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

OFFICER RECOMMENDATION IN BRIEF

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

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

- The net current funding position as at 30 September 2025 was \$11,319,254, compared to \$13,942,134 at the same time last year.
- Operating revenue exceeds the year-to-date budget by \$438,287, while operating expenditure is lower than the year-to-date budget by \$140,484.
- There is a material variance with the surplus at the start of the financial year, with the budget amount of \$1,273,963 being less than the actual amount of \$1,532,776. While this figure is still subject to audit, the variance of \$258,813 is due to an anticipated surplus in the closing figure for 2024/25.
- The balance of cash-backed reserves was \$8,341,979 as at 30 September 2025.

- The Town has 48.23% of funds invested with the Westpac Banking Corporation, 29.59% with the Commonwealth Bank of Australia, and 22.17% with the National Australia Bank.

The Town's investment policy stipulates that no more than 45% of funds may be held with any one A-1 short-term rated Authorised Deposit-Taking Institution (ADI). As a result, the balance held with Westpac as at 30 September 2025 constituted a breach of this policy. This position remained until 15 October 2025, when a new investment reduced the proportion held with Westpac to 39.19%, bringing the Town back into compliance. To mitigate the risk of future breaches, officers will ensure that investment approval requests identify upcoming maturing deposits and clearly outline the anticipated impacts on policy compliance.

ATTACHMENTS

10.1.3(a) Monthly Financial Report 1 July 2025 to 30 September 2025 [under separate cover]

CONSULTATION

Internal

STATUTORY IMPLICATIONS

Local Government Act 1995

Section 6.4

Local Government (Financial Management) Regulations 1996

Regulation 34

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

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

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

RESOURCE IMPLICATIONS

Resource requirements are in accordance with the existing budgetary allocation.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

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

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

VOTING REQUIREMENT

Simple Majority

OCM174/2025

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Mayor Harkins

Seconded Cr Bulbeck

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

Carried by En Bloc Resolution 8/0

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

Against: Nil

10.1.4 LIST OF PAYMENTS 1 TO 30 SEPTEMBER 2025

Directorate: Corporate and Community Services
Author(s): Sheryl Teoh, Finance Manager
Gabriel Wani, Coordinator Finance
Authoriser(s): Mark Newman, Chief Executive Officer
Vicki Cobby, Director Corporate and Community Services
File Reference: D25/71706
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 30 September 2025.

BACKGROUND

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

OFFICER COMMENT

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

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

- \$235,670.55 and \$232,860.84 to the Town of Cottesloe staff for fortnightly payroll (includes ATO payments)
- \$174,460.20 to the Shire of Peppermint Grove for the contribution to the Grove Library and Infant Health MOU
- \$162,598.36 to ProCott Incorporated for the 2024/25 economic development contribution
- \$84,599.57 to The Trustee For Rico Family Trust T/As Solo Resource Recovery for waste collection services

- \$74,535.62 to the Western Metropolitan Regional Council for verge valet and waste station disposals
- \$52,200.76, \$50,612.42 and \$50,558.94 to SuperChoice Services Pty Ltd for Superannuation Payments
- \$37,542.54 to Managed IT for IT services and software licensing
- \$35,981.60 to Total Autos (Total Nissan) for new vehicle, Nissan XTrail
- \$32,829.10 to WALGA for Annual subscriptions and WALGA Convention 2025
- \$30,970.78 to DFS Industrial and Environmental Services for Gully eduction, street sweeping and traffic management.

ATTACHMENTS

10.1.4(a) List of Payments - September 2025 [under separate cover]

CONSULTATION

Internal

STATUTORY IMPLICATIONS

Local Government Act 1995

Section 6.10

Local Government (Financial Management) Regulations 1996

Regulation 13

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

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

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

RESOURCE IMPLICATIONS

Resource requirements are in accordance with the existing budgetary allocation.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

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

VOTING REQUIREMENT

Simple Majority

OCM175/2025

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Mayor Harkins

Seconded Cr Bulbeck

THAT Council RECEIVES the List of Payments 1 to 30 September 2025, as detailed in Attachment (a)

Carried by En Bloc Resolution 8/0

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

Against: Nil

EXECUTIVE SERVICES**10.1.5 COUNCIL MEETING DATES 2026**

Directorate: Executive Services
Author(s): Jacquelyne Pilkington, Governance and Executive Office Coordinator
Authoriser(s): Mark Newman, Chief Executive Officer
File Reference: D25/71726
Applicant(s): Nil
Author Disclosure of Interest: Nil

SUMMARY

The *Local Government Act 1995* (Act), requires a schedule for Ordinary Council Meetings for the 2026 calendar year to be published on the Town's website. The dates, times and locations for these meetings has been prepared and is presented to Council for approval. Once approved, the meeting information will be published on the Town's website.

It is not a statutory requirement to publish Agenda Forum dates; however, it is considered appropriate as it provides the opportunity for the public to plan around these dates also.

OFFICER RECOMMENDATION IN BRIEF

For Council to adopt the proposed meeting schedule for Agenda Forum and Ordinary Council Meetings for 2026.

BACKGROUND

The Local Government (Administration) Regulations 1996 require the CEO to publish on the Town's website before the beginning of 2026, the dates, times and locations for Ordinary Council Meetings to be held in 2026.

In addition to the Ordinary Council Meetings, it is recommended the Town also advertises the Agenda Forum dates as these are open to members of the public. There is no requirement for local public notice to publish Council meeting schedules; however, the Act requires them to be published on the Town's website.

Generally the Ordinary Council Meetings are scheduled for the fourth Tuesday of each month and the Agenda Forum on the third Tuesday. The exception to this in past years has been the January recess and the December meeting, where the meeting is brought forward one week.

Taking the above into account, a proposed Council Meeting schedule for the 2026 calendar year has been prepared and included in the recommendation.

OFFICER COMMENT

The Act requires Ordinary Council Meeting details to be published on the Town's website before the beginning of the year in which the meetings are to be held. The same requirement extends to committee meetings that have delegated authority. None of the

Town's committees, including the Audit, Risk and Improvement Committee, have such authority, so have not been included on the Council meeting schedule.

It is recommended that:

- the December 2026 Ordinary Council meeting be brought forward one week from the normal cycle, to avoid clashing with the festive season; and
- Agenda Forum dates again be included in the Council meeting schedule to be published on the Town's website so residents have this information.

Any Special Council Meetings that may be required will be advertised in accordance with the requirements of the Act.

Listed below, for Council's benefit when considering the Council meeting schedule, are public holidays and school holidays in Western Australia for 2026:

Public Holidays - 2026

- 1 January - New Year's Day
- 26 January - Australia Day
- 2 March – Labour Day
- 3 April - Good Friday
- 5 April - Easter Sunday
- 6 April - Easter Monday
- 27 April - Anzac Day holiday
- 1 June – Western Australia Day
- 28 September - King's Birthday
- 25 December - Christmas Day
- 28 December - Boxing Day holiday

School Holidays - 2026

- Term 1 break – 3 April to 19 April
- Term 2 break – 4 July to 19 July
- Term 3 break – 26 September to 11 October
- Term 4 break - commences 18 December

ATTACHMENTS

Nil

CONSULTATION

As the requirement to annually publish Council meeting dates on the Town's website is a statutory requirement, no public consultation has taken place.

STATUTORY IMPLICATIONS***Local Government Act 1995***

Section 5.25 - Regulations about council and committee meetings and committees.

Local Government (Administration) Regulations 1996

Regulation 12 - Publication of meeting details (Act s. 5.25(1)(g))

(2) *The CEO must publish on the local government's official website the meeting details for the following meetings before the beginning of the year in which the meetings are to be held —*

(a) ordinary council meetings;

(b) committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Publishing meeting details annually on the Town's website ensures compliance and promotes transparency, strengthens public trust and demonstrates good governance. This is relevant to achieving the *Our Leadership and Governance* strategic objective in the *Council Plan 2023-2033*.

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.

VOTING REQUIREMENT

Simple Majority

OCM176/2025

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Mayor Harkins

Seconded Cr Bulbeck

THAT Council

1. APPROVES a recess for January 2026, with no Ordinary Meeting of Council.
2. APPROVES the following Ordinary Council Meeting dates for 2026, which are to commence at 6.00pm in the Council Chambers, 109 Broome Street, Cottesloe;

Tuesday 24 February

Tuesday 24 March

Tuesday 28 April

Tuesday 26 May

Tuesday 23 June

Tuesday 28 July

Tuesday 25 August

Tuesday 22 September

Tuesday 27 October

Tuesday 24 November, and

Tuesday 15 December

3. APPROVES the following Agenda Forum dates for 2026 which are to commence at 6.00pm in the Council Chambers, 109 Broome Street, Cottesloe;

Tuesday 17 February

Tuesday 17 March

Tuesday 21 April

Tuesday 19 May

Tuesday 16 June

Tuesday 21 July

Tuesday 18 August

Tuesday 15 September

Tuesday 20 October

Tuesday 17 November, and

Tuesday 8 December

Carried by En Bloc Resolution 8/0

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

Against: Nil

EXECUTIVE SERVICES**10.1.6 GOVERNANCE REQUESTS**

Directorate: Executive Services
Author(s): Kate Jones, Governance Coordinator
Authoriser(s): Mark Newman, Chief Executive Officer
File Reference: D25/72448
Applicant(s):
Author Disclosure of Interest: Nil

SUMMARY

Council made appointments at its Ordinary Council Meeting on 28 October 2025, to the Town's committees, advisory and working groups. Some amendments to various Terms of Reference or Charters are required to ensure membership compositions match the number of appointments made. This report proposes recommendations that give effect to these amendments.

Following the appointments Council made on 28 October 2025, an amendment to the members of one group has been proposed and an appointment of a member for another. This report seeks Council approvals to give effect to these.

A recommendation is made in this report to amend Delegation 1.14 in the Council-approved 2025/26 Delegations Register to avoid the extent of the power delegated being misinterpreted.

OFFICER RECOMMENDATION IN BRIEF

This report recommends amendments to membership compositions in the Terms of Reference or Charters of the Public Open Space Working Group; Reconciliation Action Working Group; and Universal Access and Inclusion Community Reference Group.

Other recommendations are that relate to membership of the Sea View Golf Club Redevelopment Advisory Committee and the Reconciliation Action Working Group.

A further recommendation is made to avoid misinterpretation of the extent of powers Council has delegated in 2025/26 in Delegation 1.14, currently named *Waive, Grant Concessions or Write off Individual Debts*.

BACKGROUND

It is not uncommon for the membership of various committees, advisory and working groups to change during a two-year term between election cycles. That said, it is important that Terms of Reference or Charters that set out membership compositions of these groups stay up to date to reflect correct membership breakdowns and numbers. Council's appointment of members to its committees, advisory and working groups on 28 October 2025, require some amendments to membership compositions in some Terms of Reference or Charters to reflect correct membership compositions.

In addition, there have been some requests that, if approved, will affect the members who Council appoints to the Sea View Golf Club Redevelopment Advisory Committee and the Reconciliation Action Working Group.

A review of Delegation 1.14, the delegation of Council's power to the CEO to, as it is currently named, Waive, Grant Concessions or Write off Individual Debts has revealed some anomalies.

This report provides recommendations to Council to give effect to the above.

OFFICER COMMENT

1. Amendments to Various Terms of Reference/Charters

On 28 October 2025, Council resolved to appoint various elected members and community members to the Town's committees, advisory and working groups. Some of these appointments require amendments to the relevant Terms of Reference or Charter to ensure the membership composition is correctly reflected.

To follow are amendments, indicated in [blue text](#), to various Terms of Reference or Charters, that, if adopted, give effect to changes in membership compositions.

Public Open Space Working Group (POSWG)

The POSWG Charter currently provides the membership composition of the POSWG includes **three** Town of Cottesloe Elected Members. On 28 October 2025, Council appointed three elected members and an additional appointment of Cr Bulbeck as a deputy. To ensure the POSWG Charter correctly reflects this change to the membership composition, an amendment is proposed to (part of) clause 5 of the POSWG Charter, as follows:

5. Membership

Membership of this Committee will generally comprise of:

- *Three Town of Cottesloe Elected Members;*
- *[One Town of Cottesloe Elected Member as Deputy;](#)*
- *One Coastcare representative; and*
- *Up to two community representatives*

Reconciliation Action Working Group (RAWG)

The RAWG Terms of Reference currently provide the membership composition of the RAWG includes **three** elected members (including the Mayor or Deputy Mayor). On 28 October 2025, Council appointed three elected members and the appointment of Cr Sadler as a fourth member of the RAWG. To ensure the RAWG Terms of Reference correctly reflect this change to the membership composition, an amendment is proposed to (part of) clause 5 of the RAWG Terms of Reference, as follows:

5. Membership

The Group shall consist of:

- *~~Three (3)~~ [Four \(4\)](#) Elected Members (including the Mayor or Deputy Mayor)*

- *Town of Cottesloe CEO or nominated Director*
- *Up to five (5) community members including Aboriginal and Torres Strait Islander community members (to be invited by way of public advertisement).*

Universal Access and Inclusion Community Reference Group (UAICRG)

The UAICRG Terms of Reference currently provide the membership composition of the UAICRG includes **one** elected member as Presiding Member. On 28 October 2025, Council appointed Mayor Harkins as a member of the Group and an additional appointment of Cr Irvine as a deputy member. To ensure the UAICRG Terms of Reference correctly reflect this change to the membership composition, an amendment is proposed to (part of) clause 5 of the RAWG Terms of Reference, as follows:

5. Membership

Membership of this Group will generally comprise of:

- *One Town of Cottesloe Elected Member (who will be the Presiding Member of the Group)*
- *One Town of Cottesloe Elected Member as Deputy;*
- *One Department of Communities representative*
- *One Curtin Heritage representative*
- *Up to four Community representatives*
- *Representatives from service providers as invited by the Town of Cottesloe*

2. Change to Current Community Member Appointments

The Town has received a request, a copy of which is at **Attachment 1**, from the Sea View Golf Club to amend the membership of its representatives on the Sea View Golf Club Redevelopment Advisory Committee.

Council is requested to approve, by absolute majority, the change to community membership of the Sea View Golf Club Redevelopment Advisory Committee Sea View Golf Club has made.

3. Appointment to Reconciliation Action Working Group (RAWG)

The Town has received a nomination from a community member to become a member of the RAWG. Nominee details are at **Confidential Attachment 2**.

The RAWG terms of reference provide for up to five community members, including Aboriginal and Torres Strait Islander community members. At the 28 October 2025, Ordinary Council Meeting, Council appointed three community members to the Group. Appointing an additional member will bring community membership numbers to four.

Officers have assessed the nominee's application at **Confidential Attachment 2** and consider them to be appropriate for membership. It is recommended Council approve the appointment.

4. Appointment to Universal Access and Inclusion Reference Group (UAIRG)

The Town has received a nomination from Curtin Heritage for a representative from the organisation to join the UAIRG as a member. The representative's details are at **Confidential Attachment 3**.

The UAIRG terms of reference provide for the inclusion of one Curtin Heritage representative as a member of the Group. There has only been one nomination from the organisation and the nominee representative's credentials at **Confidential Attachment 3** are assessed to be appropriate. It is therefore recommended that the representative Curtin Heritage has put forward be appointed to the UAIRG.

5. Amendment to Council Delegation 1.14

At the Ordinary Council Meeting on 24 June 2025, Council approved in absolute majority decision OCM092/2025, the Delegations Register for 2025/26. Amongst the delegations approved was Delegation 1.14, entitled:

Delegation 1.14 – Waive, Grant Concessions or Write Off Individual Debts to a Maximum of \$1,000.

Recent consideration of the delegation has noted two anomalies:

- (a) The function delegated in Delegation 1.14 was to:

Waive, grant concessions or write off individual debts to a maximum of \$5,000 in relation to any amount of money which is owed to the Town.

The argument in the officer's commentary of the report to increase the limit of \$1,000 (as it was in 2024/25) to \$5,000 in 2025/26, was not challenged by Council and formed part of the approval for the amount given in OCM092/2025. The anomaly identified recently is the inconsistency between the limit of \$5,000 referred to in the delegated function and the limit in the title of \$1,000.

The amendment at **Attachment 4**, tracks a correction to change the title of Delegation 1.14 to ensure the approved amount of \$5,000 is referenced. It is recommended Council approve this amendment to change the limit of \$1,000 currently referred to in the title of Delegation 1.14 to \$5,000.

- (b) Given that a recommendation has been proposed to the title of Delegation 1.14, it is an opportunity to recommend a further amendment to the wording of the title. Currently, the title does not match the wording of s.6.12 of the *Local Government Act 1995*, from which powers or duties are being delegated. Section 6.12 is worded:

Defer, grant discounts, waive or write off debts

The title of Delegation 1.14 is worded:

Waive, Grant Concessions or Write off Individual Debts

With statutory interpretation, there can be more than a semantic difference between a legislative reference and how it has been reworded. To avoid misinterpretation, it is recommended the title of Delegation 1.14 be amended to match the s.6.12 legislative reference, so the title of the delegation reads - *Defer, grant discounts, waive or write off debts*.

An amendment has been tracked at **Attachment 4** to illustrate a change to the title of Delegation 1.14 so it is consistent with this wording. It is recommended the amended title be adopted.

ATTACHMENTS

- 10.1.6(a) Request from Sea View Golf Club to change representatives on Sea View Golf Club Redevelopment Advisory Committee **[CONFIDENTIAL] [UNDER SEPARATE COVER]**
- 10.1.6(b) Nomination from Community Member - Reconciliation Action Working Group **[CONFIDENTIAL] [UNDER SEPARATE COVER]**
- 10.1.6(c) Nomination - Universal Access Inclusion Reference Group **[CONFIDENTIAL] [UNDER SEPARATE COVER]**
- 10.1.6(d) Delegation 1.14 with tracked changes [under separate cover]

CONSULTATION

Given the nature of this report, there is no requirement for public consultation.

STATUTORY IMPLICATIONS

Local Government Act 1995

s.6.12 – Power to defer, grant discounts, waive or write off debts

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The strategic objective of *Our Leadership and Governance* in the Town's Council Plan 2023-2033, is furthered by ensuring:

- (a) appointments to the Town's committees, advisory and working groups are made in accordance with relevant Terms of Reference or Charters. Some information from nominees has been provided in confidential attachments. This is to ensure that privacy is protected; and

- (b) legislative references and financial limits referred to in powers or duties Council has delegated in Delegation 1.14 have been amended to avoid the possibility of misinterpretation.

RESOURCE IMPLICATIONS

There are no resource implications associated with the recommendations of this report.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

If the references in delegations of powers or duties are incorrect, a delegation may be legally invalid. This means any decision made under that delegation could be challenged or overturned.

If terms of reference do not reflect membership compositions approved by Council, it could lead to an imbalance in the contribution of diverse voices in decision making.

VOTING REQUIREMENT

Absolute Majority – appointments to committees and groups; and amendment to Delegation title

Simple Majority – Amendments to Terms of Reference

OCM177/2025

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Cr Sadler

Seconded Cr Young

THAT Council, by **absolute majority**, APPROVES:

1. The appointments of:
 - a. Nominee A David Devenish as a community member of the Sea View Golf Club Redevelopment Advisory Committee.
 - b. Nominee B David Rogers as a deputy community member of the Sea View Golf Club Redevelopment Advisory Committee.
2. An amendment to the title of Delegation 1.14 in the Delegations Register approved by Council in absolute majority decision OCM092/2025 on 24 June 2025, so it now reads:

1.14 Defer, Grant Discounts, Waive or Write off Debts to a Maximum of \$5,000

THAT Council, by **simple majority**, APPROVES:

3. The appointment of Nominee C Sherryn Rietdyk as a community member of the Reconciliation Action Working Group.
4. The appointment of Nominee D Lisa Winter as the Curtin Heritage representative to the Universal Access and Inclusion Reference Group.
5. Amendments to Terms of Reference or Charters of the Town's committees, advisory or working groups as follows:

- a. The first paragraph of clause 5 of the Town of Cottesloe Public Open Space Working Group Charter, be amended to:

5. Membership

Membership of this Committee will generally comprise of:

- ***Three Town of Cottesloe Elected Members;***
- ***One Town of Cottesloe Elected Member as Deputy;***
- ***One Coastcare representative; and***
- ***Up to two community representatives***

- b. The first paragraph of clause 5 of the Town of Cottesloe Reconciliation Action Working Group Terms of Reference, be amended to:

5. Membership

The Group shall consist of:

- ***Four (4) Elected Members (including the Mayor or Deputy Mayor)***
- ***Town of Cottesloe CEO or nominated Director***
- ***Up to five (5) community members including Aboriginal and Torres Strait Islander community members (to be invited by way of public advertisement).***

- c. The first paragraph of clause 5 of the Town of Cottesloe Universal Access and Inclusion Reference Group Terms of Reference, be amended to:

5. Membership

Membership of this Group will generally comprise of:

- ***One Town of Cottesloe Elected Member (who will be the Presiding Member of the Group)***
- ***One Town of Cottesloe Elected Member as Deputy;***
- ***One Department of Communities representative***
- ***One Curtin Heritage representative***
- ***Up to four Community representatives***
- ***Representatives from service providers as invited by the Town of Cottesloe***

Carried by Absolute Majority 8/0

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

Against: Nil

10.2 RECEIPT OF MINUTES AND RECOMMENDATIONS FROM COMMITTEES

Nil

11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING BY:**12.1 ELECTED MEMBERS**

Nil

12.2 OFFICERS

OCM178/2025

Moved Cr Young

Seconded Mayor Harkins

THAT Council moves to consider a late item relating to the 2025 Community Citizen of the Year Awards.

Carried 8/0

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

13 MEETING CLOSED TO PUBLIC**13.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

OCM179/2025

MOTION FOR BEHIND CLOSED DOORS

Moved Cr Young

Seconded Mayor Harkins

That, in accordance with Section 5.23(2) (b), Council discuss the confidential reports behind closed doors.

Carried 8/0

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

The public and members of the media were requested to leave the meeting at 6:14 m.

The Presiding Member requested the recording equipment to be deactivated when going behind closed doors

13.1.1 2026 COMMUNITY CITIZEN OF THE YEAR AWARDS

This item is considered confidential in accordance with the *Local Government Act 1995* section 5.23(2) (b) as it contains information relating to the personal affairs of any person.

OCM180/2025

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

Moved Mayor Harkins

Seconded Cr Wylynko

THAT Council APPROVES the Officer Recommendation as detailed in the Confidential Report, and AGREES the selected Nominees remain embargoed until the official announcement of the honours.

Carried 8/0

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

Against: Nil

OCM181/2025

MOTION FOR RETURN FROM BEHIND CLOSED DOORS

Moved Mayor Harkins

Seconded Cr Sadler

In accordance with Section 5.23 that the meeting be re-opened to members of the public and media, and motions passed behind closed doors be read out if there are any public present.

Carried 8/0

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

Against: Nil

The Presiding Member requested the recording equipment to be reactivated after coming out of closed doors.

The public and members of the media returned to the meeting at 6:18 pm.

13.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC**13.1.1 2026 COMMUNITY CITIZEN OF THE YEAR AWARDS**

The resolution for item 13.1.1 was read aloud.

14 MEETING CLOSURE

The Presiding Member announced the closure of the meeting at 6:19 pm.