

# 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, 28 April 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 **28 April 2026** commencing at **6:00 PM**.

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

Yours faithfully,



Mark Newman  
**Chief Executive Officer**

24 April 2026

## DISCLAIMER

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

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

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

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

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

Agenda and minutes are available on the Town's website [www.cottesloe.wa.gov.au](http://www.cottesloe.wa.gov.au)



# 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

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Item No

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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.

**3 ATTENDANCE**

**Elected Members**

- Mayor Melissa Harkins
- Cr Sonja Heath
- Cr Lorraine Young
- Cr Kirsty Barrett
- Cr Helen Sadler
- Cr Chilla Bulbeck
- Cr Brad Wylynko by electroinic means
- Cr Jeffrey Irvine
- Cr Michael Thomas

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 Steve Cleaver         | Director Development and Regulatory Services |
| Ms Jacquelyne Pilkington | Governance and Executive Office Coordinator  |

**3.1 APOLOGIES****3.2 APPROVED LEAVE OF ABSENCE****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****6.2 PUBLIC QUESTIONS****7 PUBLIC STATEMENT TIME****8 CONFIRMATION OF MINUTES**

That the Minutes of the Ordinary Meeting of Council held on Tuesday 24 March 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.*

**9.2 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 28 April 2026:**

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**CORPORATE AND COMMUNITY SERVICES****10.1.1 LIST OF PAYMENTS 1 TO 28 FEBRUARY 2026**

**Directorate:** Corporate and Community Services  
**Author(s):** Gabriel Wani, Coordinator Finance  
**Authoriser(s):** Vicki Cobby, Director Corporate and Community Services  
Mark Newman, Chief Executive Officer  
**File Reference:** D26/52247  
**Applicant(s):** Internal  
**Author Disclosure of Interest:** Nil

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**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 28 February 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 February 2026 is included in the attachment. This includes purchases made via electronic fund transfers and cheque payments, credit card payments, and fuel cards payments.

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

- \$260,226.14 and \$256,511.42 to the Town of Cottesloe staff for fortnightly payroll (includes ATO payments)
- \$93,293.39 to The Trustee For Rico Family Trust for waste collection services,
- \$77,965.84 to the Surf Life Saving Western Australia for lifeguard services in January and February 2026,
- \$54,013.29, \$49,375.86 and \$48,190.61 to SuperChoice Services Pty Ltd for Superannuation Payments,

- \$46,509.44 paid to Western Metropolitan Regional Council for waste disposal charges,
- \$34,239.89 to Managed IT Pty Ltd for IT services and licenses.

**ATTACHMENTS****10.1.1(a) Payment Listing February 2026 [under separate cover]****CONSULTATION**

Internal

**STATUTORY IMPLICATIONS**

*Local Government Act 1995*

Section 6.10

*Local Government (Financial Management) Regulations 1996*

Regulation 13

**POLICY IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

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

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

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

**RESOURCE IMPLICATIONS**

Resource requirements are in accordance with the existing budgetary allocation.

**ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

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

**RISK MANAGEMENT IMPLICATIONS**

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

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

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION**

**THAT Council RECEIVES the List of Payments 1 to 28 February 2026, as detailed in Attachment (a).**

Q: Please provide more detail on the payments received from;

- Managed IT Pty Ltd \$34,239.89,
- Datacom \$28,753.91, and
- Galapagos Pty Ltd \$19,250?

A: Managed IT Pty Ltd \$34,239.89

The payment consolidates multiple invoices covering ongoing managed services and security-related services, primarily for February 2026, plus a hardware purchase.

Category	Description	Period	Amount
Cloud Backup	SkyKick Cloud Backup Suite for Office 365	Feb 2026	\$906.44
Cybersecurity Monitoring	Managed Security Operations Centre (SOC)	Feb 2026	\$3,306.77
Network & Infrastructure	Fortinet firewall, internet, Ethernet, subnet, storage & recovery services	Feb 2026	\$5,061.87
Core Managed Services	Service desk, NOC, server support, onsite help, security essentials & vCIO	Feb 2026	\$15,711.30
Software Licensing	Business software licensing	Feb 2026	\$3,031.58
Endpoint Security	ThreatLocker Endpoint Protection Suite	Feb 2025	\$1,747.46
Email Security	Managed Protect Cloud Email Security	Feb 2026	\$420.75
Cyber Threat	Dark Web Monitoring and Intelligence	Feb 2026	\$396.00

Intelligence			
Governance & Compliance	Managed GRC – governance, risk & compliance services	Feb 2026	\$823.90
Security Testing	Penetration Testing as a Service	Feb 2026	\$916.30
Hardware	IT hardware purchase	N/A	\$1,917.52
<b>Total</b>			<b>\$34,239.89</b>

Datacom \$28,753.91

The payment consolidates three invoices covering the Town’s monthly software service fee and payments for work done on the ERP implementation.

Category	Description	Period	Amount (inc GST)
Software as a Service	Monthly SaaS Fee – Datascape	Jan 2026	\$8,161.91
ERP implementation	Chart of Accounts Restructure support		\$19,767.00
ERP Implementation	Finance Universal Access Testing support		\$825.00
<b>Total</b>			<b>\$28,753.81</b>

Galapagos Pty Ltd \$19,250

This payment relates to Milestone one of our iArchive project. The iArchive project involves the migration of the Town’s historical data from the legacy Authority system to the iArchive digital archive platform. The iArchive platform will act as a secure, supported repository where historical information is preserved and remains accessible for business, compliance, and record-keeping purposes, providing a lower-cost, better-supported solution for long-term access and retention of historical information.

**10.1.2 LEASE - 81 FORREST STREET**

**Directorate:** Corporate and Community Services  
**Author(s):** Vicki Cobby, Director Corporate and Community Services  
**Authoriser(s):** Mark Newman, Chief Executive Officer  
**File Reference:** D26/53145  
**Applicant(s):**  
**Author Disclosure of Interest:** No

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**SUMMARY**

The report seeks Council endorsement of proposed key terms to renew the lease at 81 Forrest Street to Curtin Heritage Living Incorporated following the transfer of the existing lease in 2023. The proposed arrangements provide short-to-medium-term occupancy certainty with flexible termination provisions to support the organisation's planned relocation. A revised rental structure, informed by a recent commercial valuation, improves cost recovery for the Town while continuing to recognise the community services delivered from the premises.

**OFFICER RECOMMENDATION IN BRIEF**

Council is asked to endorse the proposed key terms for renewing the lease at 81 Forrest Street to Curtin Heritage Living Incorporated. Endorsement of these terms will enable officers to proceed with drafting and negotiating a formal lease agreement, which will be brought back to Council for final approval prior to execution.

**BACKGROUND**

The Town of Cottesloe as Landlord has entered into a Lease commencing on 1 July 2006 with Shine Community Services for a 20 year period concluding on 30 June 2026.

At the Ordinary Council Meeting on 28 November 2023, Council provided its consent to transfer the lease from Shine Community Services to Curtin Heritage Living Inc.

**OFFICER COMMENT**

Curtin Heritage Living Incorporated (CHL) has been in discussions with the Town and has advised that it has outgrown the Forrest Street premises and that the property does not represent a long-term accommodation solution for the organisation. However, CHL has indicated a willingness to remain at the premises in the short term and has requested a new lease for a term of five (5) years. In recognition of its intention to relocate to alternative premises, CHL has requested a three (3) month notice period to terminate the lease, with a six (6) month notice period applying should the Town elect to terminate the arrangement. This is to allow adequate time for the organisation to source and transition to suitable alternative accommodation.

Historically, the lease rental for the Forrest Street premises has been set at a concessional level, reflecting the significant community benefit derived from the services delivered by Shine Community Services and subsequently CHL, from the site. In the 2024/25 financial

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year, total lease revenue received by the Town was \$28,859. [Shine services provided by the Forrest Street facility include;](#)

- [In-home services such as domestic assistance, meal support and personal care support;](#)
- [Social activities and transport services including group activities in our Social centre in Cottesloe, bus outings and guest speaker events;](#)
- [Enablement services that involve assessment, planning and delivery of services and supports that build on your strengths and assist you in meeting your goals; and](#)
- [Help with navigating the various government support schemes that may be available.](#)

In 2025, the Town obtained a commercial market rental valuation for the property, which assessed an indicative market rent of approximately \$95,000 per annum. Officers have discussed the valuation outcome with CHL and, having regard to the organisation's not-for-profit status, the community-based services provided from the premises, and the short-to-medium-term nature of the proposed lease, consider that a negotiated rental of \$55,000 for the first year, with annual escalation, represents a reasonable and balanced outcome. [The valuation report prepared by Asset Valuation Advisory \(AVA\) is attached.](#)

The proposed rental seeks to improve cost recovery for the Town while continuing to recognise the social and community value delivered through CHL operations, and provides an appropriate transition arrangement while the organisation plans for relocation to alternative premises.

### **ATTACHMENTS**

**10.1.2(a) Valuation Report: 81 - 83 Forrest Street for Market Rental purposes - 1 April 2025 [under separate cover]**

### **CONSULTATION**

The following consultation has been undertaken in the preparation of this report:

Curtin Heritage Living Incorporated – Ongoing discussions and negotiations with senior executives of CHL regarding lease requirements and future accommodation needs. CHL also facilitated an on-site tour of the Forrest Street facility for Town officers and Councillors in 2025.

Asset Valuation Advisory – Engaged by the Town to undertake and provide a commercial market rental valuation for the property ([Attached](#)).

Town Executive Staff – Internal consultation with relevant executive staff regarding lease terms, financial implications and governance considerations.

### **STATUTORY IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

There are no perceived Policy implications arising from the Officer's recommendation.

**STRATEGIC IMPLICATIONS**

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

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

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

**RESOURCE IMPLICATIONS**

The proposed lease terms will result in an increase in lease revenue compared to the current arrangements, improving cost recovery for the Town during the proposed lease term. Notwithstanding this, renewing the lease will forego the opportunity for the Town to seek a commercial tenant and achieve full market rental returns in the immediate future. The short-to-medium-term nature of the proposed lease, however, provides flexibility for Council to consider alternative uses of the property upon lease expiry, including the potential to pursue a commercial leasing strategy should this align with Council's strategic and financial objectives at that time.

**ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

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

**RISK MANAGEMENT IMPLICATIONS**

The primary risks associated with the proposed lease renewal relate to opportunity cost, precedent and long-term asset utilisation. Renewing the lease will defer the Town's ability to seek a commercial tenant and achieve full market rental returns in the immediate future, representing a foregone revenue opportunity. However, this risk is mitigated by the increased rental proposed under the new arrangements and the short-to-medium-term nature of the lease, which preserves flexibility for future commercial use of the property.

There is also a risk of setting a precedent for concessional leasing of Town-owned properties. This risk is mitigated by the documented community benefit delivered by Curtin Heritage Living Incorporated, the use of an independent commercial valuation to inform negotiations, and the clear articulation that the proposed arrangements are transitional in nature. Retaining termination flexibility further reduces financial and operational risk by allowing the Town to respond to changing strategic, service or market considerations.

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION**

**THAT Council:**

1. **ENDORSES, in principle, the proposed key terms for the renewal of the lease for the property located at 81 Forrest Street, Cottesloe to Curtin Heritage Living Incorporated, to enable officers to proceed with the preparation and negotiation of a formal lease agreement, on the following basis:**
  - a. **A lease term of five (5) years;**
  - b. **A notice period of six (6) months applicable should the Town elect to terminate the lease;**
  - c. **A notice period of three (3) months applicable should Curtin Heritage Living Incorporated elect to terminate the lease;**
  - d. **Lease rental to commence at \$55,000 per annum, with incremental annual increases over the five-year term; and**
  - e. **NOTES that the Chief Executive Officer will prepare and negotiate the formal lease documentation consistent with the endorsed terms, with the final lease to be presented to Council for approval prior to execution.**

**10.1.3 NORTH COTTESLOE SURF LIFE SAVING CLUB LEASE OVER THE SKI SHED ROOF - PROPOSED COMMERCIAL TERMS**

**Directorate:** Corporate and Community Services  
**Author(s):** Vicki Cobby, Director Corporate and Community Services  
**Authoriser(s):** Mark Newman, Chief Executive Officer  
**File Reference:** D26/53148  
**Applicant(s):**  
**Author Disclosure of Interest:** No

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**SUMMARY**

As Council is aware, consideration of approval for a sauna on top of the North Cottesloe Surf Life Saving Club ski shed roof is currently being considered. This report seeks Council's consideration of the proposed revenue and lease payment arrangements arising from the intended sub-lease, if it were to be approved.

**OFFICER RECOMMENDATION IN BRIEF**

That Council, endorse the commercial terms presented in the report regarding the North Cottesloe Surf Life Saving Club lease, should the proposal for a sauna be approved and the lease amended.

**BACKGROUND**

The North Cottesloe Surf Life Saving Club (NCSLSC) holds a registered lease with the Town of Cottesloe over portions of Reserve 28199 and Reserve 13718 (the ski shed and associated areas), for a term of 21 years commencing on 26 August 2017 and expiring on 25 August 2038.

In August 2024, the Town met with the North Cottesloe Surf Life Saving Club (NCSLSC) regarding its intention to seek permission to sub-lease the ski shed roof to a third party for the operation of a sauna facility.

In February 2025, the Town advised NCSLSC that, subject to approval from the Department of Planning, Lands and Heritage (DPLH) and Council, a sub-lease of the ski shed roof was legally possible.

On 25 March 2025 (OCM045/2025), Council resolved to defer consideration of the matter to allow the Administration to present recommended principles for a potential sauna and public open space development on the NCSLSC ski shed roof at the April Briefing Forum.

On 22 April 2025 (OCM060/2025), Council approved five guiding principles for the activation and development of the NCSLSC ski shed roof. Council also noted that financial arrangements relating to the use of the space, including any potential financial contribution towards beautification and maintenance of the ski shed roof area, were to be discussed and agreed separately with the proponent of any redevelopment and activation.

Subsequently, NCSLSC submitted a proposal outlining commercial terms between the Town and the Club in respect of revised financial arrangements, principally in the form of increased lease payments associated with the proposed sub-lease.

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Several meetings with the Administration were held to determine the commercial arrangement that best represents the needs of the club and the interest of the ratepayers and community.

These proposed arrangements were presented to Elected Members at the April 2026 Elected Member Briefing, followed by a further briefing session at which NCSLSC representatives were present to respond to questions from Councillors.

### **OFFICER COMMENT**

The Administration recently met with representatives of the North Cottesloe Surf Life Saving Club (NCSLSC). A key outcome of that meeting was the Club's increasing concern regarding the financial viability of the proposed project. Ongoing delays, escalating construction and compliance costs, and increasing project risk have materially heightened this concern.

Under the proposed arrangements, the majority of the financial, operational and compliance risk rests with NCSLSC, including exposure to capital investment, operating costs and commercial performance. The Town's exposure is comparatively limited and is largely confined to reputational and governance considerations associated with the use of the site.

While Council approval is not required, at this stage, for the Administration to commence legal work associated with the proposed sub-lease and lease variations, NCSLSC is seeking Council's endorsement of the proposed financial arrangements to provide a reasonable level of commercial certainty. This certainty is important to enable the Club to proceed with preparatory works with confidence, knowing that the financial structure underpinning the project has, in principle, Council support. In the absence of such certainty, there is a risk that the Club could incur significant upfront costs advancing the proposal, only for the project to later be determined to be financially unviable once final lease arrangements are considered and approved.

In response, the Town's officers and NCSLSC have developed a mutually acceptable financial framework which seeks to balance the Club's not-for-profit status, the reinvestment of revenue into surf lifesaving and community outcomes, and the risks being borne by both parties, while also achieving outcomes that are considered appropriate for ratepayers and the broader community.

The proposed financial arrangements are linked directly to the commercial return being received by the Club from the proposed sub-lessee and are expressed as a percentage of sub-lease revenue payable to the Club.

Under the proposed structure, the Club would receive sub-lease revenue through two streams:

1. A base rent; and
2. A percentage of the sub-lessee's revenue.

Similarly, the Town would receive lease revenue through two streams:

1. Percentage of Base rent; and
2. A percentage of the lessee's percentage revenue once an agreed sub-lessee revenue threshold has been exceeded.

The proposed revenue threshold is \$1 million in gross revenue received by the sub-lessee within a financial year. The application of a threshold is intended to allow the Club to recover capital costs associated with preparing the site for the sauna development, as well as ongoing increased operating expenses, prior to the Town receiving a share of the additional commercial revenue.

The percentage of base rent payable to the Town will increase after year 5 and year 10, representing the reducing capital risks to the Club over time.

The proposal is represented in the table below;

		Base Rent	Percentage Rent up to threshold	Percentage Rent above threshold
Years 1-5	NCSLSC	85%	100%	90%
	TOC	15%	0%	10%
Years 6-10	NCSLSC	75%	100%	90%
	TOC	25%	0%	10%
Years >10	NCSLSC	70%	100%	90%
	TOC	30%	0%	10%

The threshold-based percentage rent arrangement also reflects the potential for increased commercial activity to place additional pressure on Town-managed facilities and services beyond the leased area, including public toilets and foreshore infrastructure. Should the sub-lessee’s operations achieve significant commercial success, the proposed arrangement ensures the Town receives additional revenue in line with that success, enabling it to appropriately resource and manage any associated increase in demand on public assets.

It is noted that the proposal includes improvements to the balance of the ski shed roof area beyond the footprint of the sauna, with the intention of enhancing the overall amenity of the space for community use. This includes additional seating, shade and general beautification works. The proposal also provides that the ongoing day-to-day maintenance and cleanliness of the roof area would be undertaken by the business operator, representing an increased level of service delivery for this space and an anticipated uplift in public use and enjoyment. Should the proposal proceed, it is intended that appropriate provisions be included within any lease variation to clearly secure these outcomes. This may include lease wording that places responsibility for maintenance and cleaning of the entire roof area with the lessee, with the ability for those obligations to be managed through the sub-lease arrangement.

The North Cottesloe Surf Life Saving Club (NCSLSC) has requested that the financial terms of the sublease arrangement with its proposed sub-lessee are not made publicly available **at this time**. The Club has advised that public disclosure of these commercially sensitive arrangements could adversely affect its operational and commercial position and may create unnecessary complexity in managing its internal and external stakeholder obligations.

- i. In addition to lease revenue, the Town would also benefit from ongoing rates income associated with the operation. By way of comparison, a similar-sized commercial operation located on the foreshore currently contributes \$22,876 per annum in rates. It is anticipated that the proposed sauna use could generate a comparable level of rates revenue, further contributing to the Town's overall financial return.
- ii. The exact calculation of potential rates revenue cannot be determined until Landgate provides a Gross Rental Valuation for the commercial property, which would only be initiated if and when the proposed sublease is approved.

### **ATTACHMENTS**

Nil

### **CONSULTATION**

North Cottesloe Surf Life Saving Club

Alchemy Saunas

Executive Leadership Team and Manager Planning Services

Community Consultation will commence shortly regarding the planning application

### **STATUTORY IMPLICATIONS**

Metropolitan Region Scheme (MRS)

DC Policy 5.3 – *Use of Land Reserved for Parks & Recreation and Regional Open Space.*

SPP 2.6 – *Coastal Planning*

Heritage Act 2018

Local Planning Scheme No. 3

Town of Cottesloe Beach policy

### **POLICY IMPLICATIONS**

The financial proposal is generally consistent with the intent of the Beach Policy in that it contributes to recreational amenity and provides a revenue stream that may assist with facility maintenance and broader beach management outcomes. The policy recognises the leasing of fixed facilities and compatible income-generating uses where these support the sustainability of the beach reserve and remain subordinate to public recreation objectives.

Officers have considered the proposed sub-lease and financial arrangements against the policy's emphasis on public interest, limited commercialisation and ongoing flexibility of use. This has included consideration of concerns for the policy position on development west of Marine Parade, particularly provisions seeking to limit new enclosed and roofed structures. Officers acknowledge this concern and note that the proposal is contained entirely within an existing facility and does not involve expansion of the existing building footprint.

Officers also note that interpretations of the policy may raise questions regarding the commercial nature of the sub-lease and the extent of fee-based access within a beach reserve facility.

### **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**

The proposed sub-lease arrangements provide an opportunity to introduce an additional revenue stream for the Town, reducing reliance on rates and assisting with the costs associated with servicing and maintaining the foreshore area. The proposal is not expected to generate additional staffing or operational resource requirements.

### **ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

The proposed financial arrangements are not expected to have any direct environmental sustainability implications.

### **RISK MANAGEMENT IMPLICATIONS**

There is a risk that the Town may miss the opportunity to secure a financial return or achieve cost recovery associated with the commercial use of a public asset. In the longer term, this may impact the Town's capacity to meet the Beach Policy objective of ensuring that the costs of beach management are not borne solely by Cottesloe ratepayers.

Failure to support the proposed financial and revenue arrangements may result in the North Cottesloe Surf Life Saving Club electing not to progress with the project. This may lead to a missed opportunity to deliver improved amenity, enhanced activation of the ski shed roof area, and increased service levels for maintenance and cleanliness of the space.

### **VOTING REQUIREMENT**

Absolute Majority

### **OFFICER RECOMMENDATION**

**THAT Council;**

- 1. ENDORSE the proposed commercial terms below, for the North Cottesloe Surf Life Saving Club lease over portions of Reserve 28199 and Reserve 13718, in the event that the Planning Approval for the Sauna is approved, including;**
  - a. 15% of Base rent for years 1 – 5**
  - b. 25% of Base rent for years 6 – 10**
  - c. 30% of Base rent for years >10**

- d. A threshold for Percentage rent of \$1,000,000 (Sub-lessee revenue)
  - e. 10 % of the Lessee's percentage revenue over the threshold.
2. **NOTES the commercial operation proposed would be rateable and the Town will receive rates income in addition to the commercial terms above.**

**10.1.4 MONTHLY FINANCIAL STATEMENTS FOR THE PERIOD ENDING 28 FEBRUARY 2026**

<b>Directorate:</b>	<b>Corporate and Community Services</b>
<b>Author(s):</b>	<b>Gabriel Wani, Coordinator Finance</b>
<b>Authoriser(s):</b>	<b>Vicki Cobby, Director Corporate and Community Services Mark Newman, Chief Executive Officer</b>
<b>File Reference:</b>	<b>D26/58503</b>
<b>Applicant(s):</b>	<b>N/A</b>
<b>Author Disclosure of Interest:</b>	<b>Nil</b>

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**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 28 February 2026.

**OFFICER COMMENT**

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

In accordance with the Local Government (Financial Management) Regulations, the report includes the required Statement of Financial Position and Statement of Financial Activity. Supplementary information that is not prescribed by legislation has been temporarily excluded. The Town intends to reinstate the additional information in future reports.

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

- The net current funding position as at 28 February 2026 was \$5,333,276.
- Operating revenue is higher than the year-to-date budget by \$333,378, while operating expenditure is under budget by \$1,647,017. It is important to note that this variance includes unposted depreciation of \$2,213,991; excluding this timing difference, the net variance would be \$566,974 over budget.
- Grants, subsidies, and contributions are under budget by \$60,010. This is a timing variance only as acquittals occur later in the year.
- Profit on asset disposals are over budget by \$66,014 due to assets not being disposed in the asset system, this is a timing variance.

- Employee costs are showing a unfavourable variance of \$351,816, with \$142,390 being workers compensation payments which have been reimbursed. Approximately \$104,000 are a result of unbudgeted termination payments, these payments reduce the Town's Employee provisions liability. All payroll postings are up to date.
- Depreciation is under budget by \$2,213,991 as no depreciation transactions have been processed. These will occur in June and is a timing variance only.
- Finance costs exceed budget by \$75,965, this is a timing variance only as the budget phasing needs to be updated.
- Other expenditure is over budget by \$76,665 due to contributions to Sculptures by the Sea being invoiced in February and phased later in the financial year.
- The balance of cash-backed reserves was \$8,341,979 as at 28 February 2026, as no reserve transfers have been processed yet.
- The Town has 41.62% of its term deposit investments with the Westpac Banking Corporation, 36.57% of funds invested with the National Australia Bank, and 21.81% with the Commonwealth Bank of Australia.

### **BUDGET AMENDMENT**

Since 2022, the Town has worked with Main Roads and the local community to develop the **Low Cost Urban Road Safety Program** project. Council supported the detailed design in February 2026.

Officers have now confirmed the funding, with costs covered by Main Roads and the Federal Government's Roads to Recovery program, meaning the project does not require Council funding.

A budget amendment is needed to formally approve the works through Roads2000, who already hold a three-year asphalt supply and laying contract awarded in November 2024.

If approved, construction is planned to start in early May and be completed before **30 June 2026**.

There is currently no budget allocated to this project. However, the full funding has been committed by external sources:

- **Main Roads WA** will contribute **\$812,217**
- **Roads to Recovery** will contribute **\$356,797**

Council is not required to contribute any funding.

To allow the project to proceed, a budget amendment of **\$1,169,014** is required to formally recognise these external funds, and the corresponding capital expenses in the budget.

### **ATTACHMENTS**

**10.1.4(a) 2026-Monthly-Financial-Report- February 2026.pdf [under separate cover]**

### **CONSULTATION**

Internal

**STATUTORY IMPLICATIONS**

*Local Government Act 1995*

Section 6.4

*Local Government (Financial Management) Regulations 1996*

Regulation 34

**POLICY IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

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

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

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

**RESOURCE IMPLICATIONS**

The financial results for the month show operating revenue tracking above budget by approximately 2 per cent, while operating expenditure is under budget by approximately 11.65 per cent. This outcome continues to reflect a mix of over- and under-performance across individual revenue and expenditure categories. When depreciation is excluded, the combined impact of these movements results in an overall operating deficit position of 6.23 per cent as at 28 February 2026.

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

The proposed budget amendments are fully offset by external grant funding and will have no net impact on Council's overall financial position.

**ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

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

**RISK MANAGEMENT IMPLICATIONS**

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

**VOTING REQUIREMENT**

Absolute Majority

**OFFICER RECOMMENDATION**

**THAT Council;**

- 1. APPROVES by ABSOLUTE MAJORITY the amendments of the 2025/2026 annual budget as follows;**
  - a. Increase of \$1,169,014 to capital expenditure for the Low Cost Urban Road Safety Program;**
  - b. Increase of \$1,169,014 to Capital Revenue-Grants;**
  
- 2. RECEIVES the Monthly Financial Statements for the period 1 July 2025 to 28 February 2026.**

**ENGINEERING SERVICES****10.1.5 SOUTH COTTESLOE TOILET FACILITY - REVISED CONCEPT**

**Directorate:** Engineering Services  
**Author(s):** Peter Ng, Coordinator Development Projects  
Shaun Kan, Director Engineering Services  
**Authoriser(s):** Mark Newman, Chief Executive Officer  
**File Reference:** D25/80225  
**Applicant(s):** Internal  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

Council has been assessing the location, design, and cost of a toilet block at the South Cottesloe foreshore since the public consultation undertaken in April and May 2025. Cost escalation from the original design resulted in insufficient funds to deliver the project within the 2025/2026 financial year.

As a result, the project was deferred for further consideration. Council is now requested to consider the deferral until the 2026/2027 budget to decide if the project is to be funded that year.

**OFFICER RECOMMENDATION IN BRIEF**

That this project is deferred for further deliberation until the 2026/2027 budget.

**BACKGROUND**

Council allocated \$200,000 in the 2024/25 budget for the project and later increased this to \$300,000 at the time of budget review to accommodate a higher design standard. This funding was re-allocated in February 2026 in recognition of the funding shortfall and insufficient time to deliver the project.

Previously, community consultation occurred in April and May of 2025 to determine a preferred location for a prefabricated public toilet near the Dutch Inn Playground.

The survey results suggest that nearby residents were unsupportive of the two advertised toilet locations, whilst the remaining Cottesloe residents and non-residents were supportive of either position. 52% participants agreed with the proposed prefabricated design.

Further information is available within the May 2025 Ordinary Council Meeting Minutes - <https://www.cottesloe.wa.gov.au/council-meetings/ordinary-council-meeting/27-may-2025-ordinary-council-meeting/359>

Council asked the Chief Executive Officer to consider consultation feedback when investigating alternative designs and locations. Subsequently, several briefings were held with Council to discuss location, design and cost. A report was submitted to Council in February 2026. As a result of this report, Council requested further information on available options, including architecturally designed prefabricated facilities comprising one or two

toilet cubicles. This report responds to the May 2025 OCM resolution and several elected member queries for Council to determine the next steps for the project.

### **OFFICER COMMENT**

#### **Consultation Feedback**

As previously advised, the survey respondents who were unsupportive expressed concerns around unwarranted expenditure and the need for this facility. Surrounding residents felt that their views would be obstructed and asked for a location closer to the playground.

There was community appetite for a higher quality site-responsive design incorporating natural materials, coastal colours, and local or Indigenous artwork. There was also feedback suggesting the inclusion of both an accessible and ambulant unisex toilet with external showers was appropriate and other measures that deter anti-social behaviour should be included.

Those in support highlighted the need for improved public infrastructure to service the high use, multi purpose South Cottesloe foreshore.

#### **Additional Location Option 3 – Dutch Inn Dunes**

As a result of the feedback, a third option was investigated, being the Dutch Inn Dunes option. The openness of the area makes the Dutch Inn Dunes shown in Figure 1, the only location that addresses the major concerns raised in the consultation. Location options one and two were positions to the north of the playground and were highly visible to the residents living adjacent.

Preliminary investigations have found option three feasible, provided the building foundation is set no lower than a fixed survey level for the toilet so as to be gravitationally drained to a sewer connection on the eastern side of Marine Parade (Figure 2). A mechanical pump will be required should the building be constructed lower than this point. The implications of this is further discussed later in this report.

Coastcare has no objection to the removal of approximately 40 m<sup>2</sup> of dune vegetation needed for the new location.

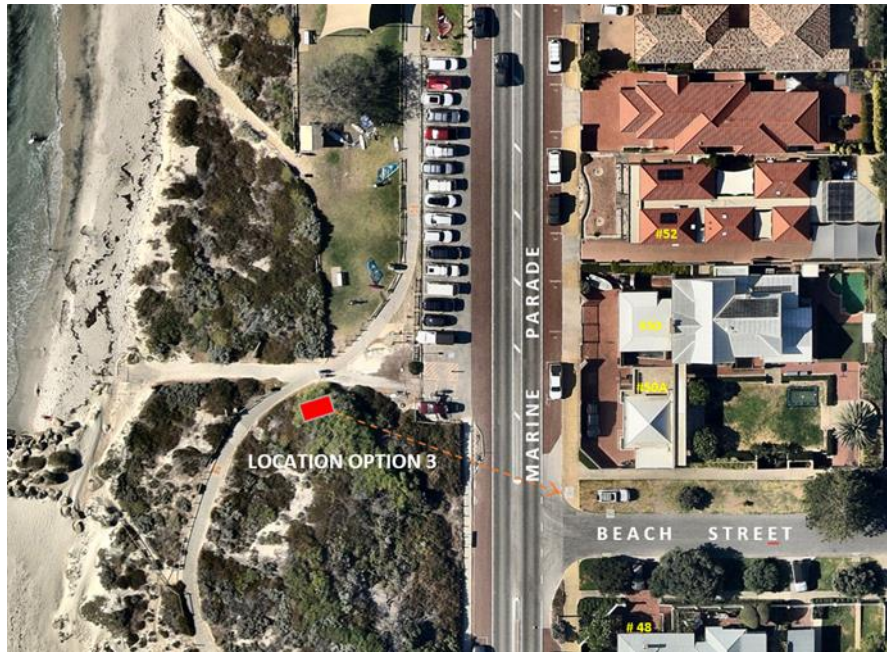


Figure 1 – Location Option 3

### The Additional Toilet Design (Building and Sewer)

- **Building**

The additional concept (**Attachment A**) incorporates the following features:

- (a) One unisex accessible toilet and one unisex ambulant toilet;
- (b) An external shower with service duct and storage;
- (c) Wheelchair-accessible ramp and concrete steps; and
- (d) 3.2 metres overall building height.

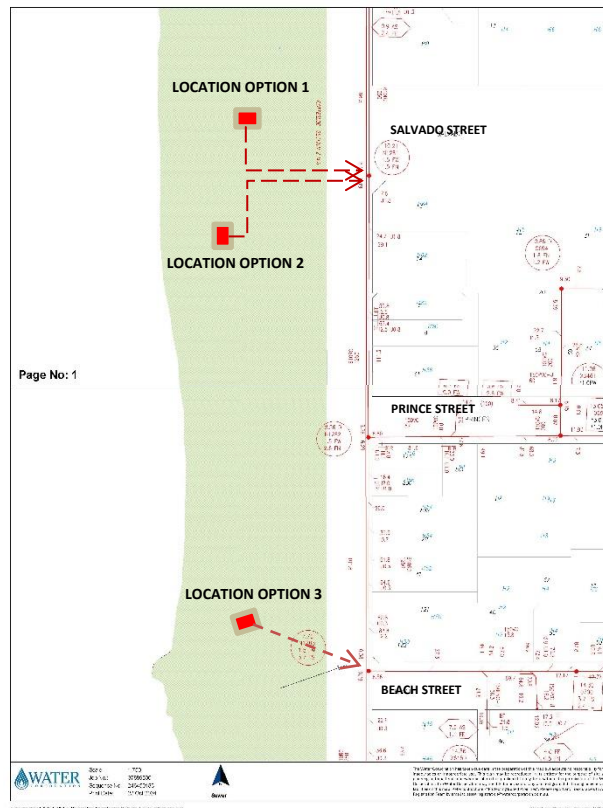
The installation of timer-controlled locks, illuminating the toilet entrance and the future shared path lighting are measures that will improve public safety and deter anti-social behaviour.

Officers are of the view that the selected cladding materials (**Attachment B**) are sympathetic to the coastal surrounds.

A visual impact assessment (**Attachment C**) shows that the toilet is largely concealed when viewed from 48 Marine Parade and becomes increasingly apparent (unavoidably) for properties further to the North (50A Marine Parade onwards).

#### Sewer

Regardless of location, the toilet will need to be connected to the main sewer located on the eastern side of Marine Parade.



**Figure 2** – Water Corporation asset plan showing the existing sewer main along the eastern side of Marine Parade within the vicinity of Dutch Inn.

The pump, if required at location option 3, has a useful life of 10 years and will incur \$100,000 in capital to install and a further \$400,000 to maintain based on asset management principles (20 percent capital and 80 percent maintenance).

- **Cost Estimate**

The cost estimate is approximately \$647,000 and comprises of the following elements:

(a) Detail design consultancy	\$70,000
(b) Contingency (design and construction)	\$74,000
(c) Headworks and permits	\$25,000
(d) Escalation	\$14,000
(e) Building construction	\$364,000
(f) Sewer connection	\$100,000

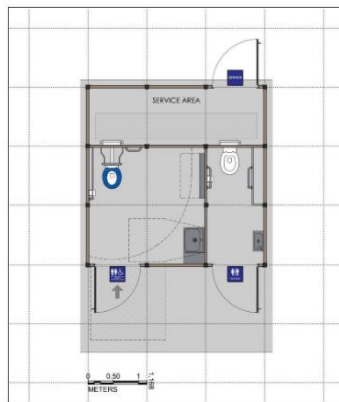
**Comparison with March 2025 Prefabricated Toilet Option**

This cost \$350,000 with a design that incorporates a universal accessible toilet and an all gender ambulant stall with an external shower (**Figure 3**).

(g) Detail design consultancy	\$25,000
(h) Contingency (design and construction)	\$30,000
(i) Headworks and permits	\$25,000
(j) Escalation	\$10,000

(k) Building construction	\$160,000
(l) Sewer connection	\$100,000

Indicative Floorplan



Indicative Render



**Figure 3** - Prefabricated toilet design

Reducing either design option to a single unisex accessible toilet may result in savings of up to 30 percent of building construction costs. This equates to approximately \$90,000 for the revised design and \$50,000 for the prefabricated design, reflecting reduced superstructure extent and internal fixtures.

However, the majority of project costs relate to fixed civil and servicing infrastructure, including headworks, sewer connection, permits, and ground works, which are required regardless of the number of cubicles provided.

Both designs do not incorporate warm showers and officers will provide the cost in supplying this in a future report to Council.

Council should note the annual asset management cost are further explained under the resource implication section of this report.

**Proposed next steps**

Council could proceed to public consultation to determine a preferred concept and location. This would then be followed by the detailed design and appointing a builder.

However, prior to any consultation occurring, it would be logical to allow the 2026/27 budget finalisation to ensure this remains a Council priority and that funding is available for the project. To go to the consultation prior to this would unnecessarily raise expectations that the project is going to proceed in the near future.

**ATTACHMENTS**

- 10.1.5(a) Attachment A - South Cottesloe Toilet Revised Concept Design [under separate cover]**
- 10.1.5(b) Attachment B - South Cottesloe Toilet Facility - Proposed Material Selection [under separate cover]**

**10.1.5(c) Attachment C - 3D Visualisation from Neighbouring Balcony Views [under separate cover]****CONSULTATION**

In light of the recommendation to defer the South Cottesloe public toilet project due to current funding constraints, no further consultation is proposed at this time.

Council has previously undertaken consultation regarding the location and design of the proposed South Cottesloe public toilet facility. Further consultation may be considered should Council determine that the revised location warrants additional feedback, particularly from the local community. However, it is recommended that any further consultation be deferred until the 2026/27 budget process determines whether this project will proceed.

**STATUTORY IMPLICATIONS**

*Local Government Act 1995*

Section 2.7 – Role of Council

**POLICY IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

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

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

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

**RESOURCE IMPLICATIONS**

The funding previously allocated to the project was reallocated at the February Council meeting. In addition, the funds previously set aside were insufficient to meet the estimated project costs. To proceed with the project, new funding would need to be considered as part of the 2026/27 budget process.

The yearly financial impacts are \$88,000 for the revised design and \$72,000 for the prefabricated toilet. Below is a breakdown:

- Asset (water, plumbing, structural etc.) Maintenance of approximately \$25,000 and \$15,000 respectively for the revised and prefabricated toilet design that will apply approximately 12 months post construction, depending on the warranty period;
- Toilet cleaning cost of \$50,000; and
- The need to set aside \$13,000 (revised design) and \$7000 (pre-fabricated toilet) for future asset renewals, where these figures have been calculated using linear annual depreciation.

**ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

The Dutch Inn Dune locality will require the removal of a small portion of the natural areas vegetation. Consultation has occurred with the Cottesloe Coastcare group.

Both designs are solar powered.

**RISK MANAGEMENT IMPLICATIONS**

- **Social** - Advancing to consultation may create community expectations that the facility will be delivered in the short term. Deferring the project provides clarity to the community regarding Council's current position and reduces the risk of perceived non-delivery.
- **Technical** – A budget is required for a tender to be advertised.
- **Economic** – Progressing onto consultation carries the risk of increased lost costs, especially if Council decides not to proceed. It limits Council's capacity to fund other priorities. Deferral allows Council to reassess whether the project represents optimal use of limited financial resources.

Additionally, the facility would add to Council's asset base and result in ongoing operational and maintenance liabilities. Deferring the project postpones the introduction of these long-term financial obligations until Council is better positioned to fund both capital and whole-of-life costs.

- **Reputation** – Council has, to some extent, raised community expectations that the project would proceed. Some reputational risk remains; however, this can be mitigated through transparent communication with the community regarding the reasons for deferral.

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION**

**THAT Council**

- **NOMINATES** Location Option 3 – Dutch Inn Dune site as its preferred location for a toilet facility in South Cottesloe;
- **RESOLVES** to refer consideration of funding for the South Cottesloe toilet facility to the 2026/27 budget, noting an estimated cost range from \$350,000 for a prefabricated facility to \$647,000 for the architecturally designed facility; and
- **RESOLVES** that, should Council approve funding for a toilet facility through the 2026/27 budget, a consultation process with the Cottesloe community be undertaken prior to finalisation of the facility design.

**EXECUTIVE SERVICES****10.1.6 APPOINTMENT TO COMMITTEES AND WORKING GROUP****Directorate:****Author(s):** Kate Jones, Governance Coordinator**Authoriser(s):** Mark Newman, Chief Executive Officer**File Reference:** D26/53855**Applicant(s):****Author Disclosure of Interest:** Nil

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**SUMMARY**

Council is requested to approve the appointment of Cr Kirsty Barrett to several committees and a working group to fill vacancies created following the resignation of Cr Katy Mason. As a result of her election, Cr Barrett will vacate her existing positions as a community representative on two working groups. It is considered that these changes will not compromise the governance or effective operation of the affected working groups.

Cr Jeffrey Irvine has requested that Council withdraw his appointment as the elected member delegate for ProCott Incorporated (**ProCott**). The consequential impact of this is for Council to consider appointing a new elected member delegate and deputy elected member delegate.

**OFFICER RECOMMENDATION IN BRIEF**

That Council appoint Cr Kirsty Barrett to the relevant committees and working group vacated by Cr Katy Mason and note the consequential changes to community representation on the affected working groups.

The officer recommendation is for Council to approve the withdrawal of Cr Irvine's appointment as the elected member delegate for ProCott; appoint the current deputy delegate, Deputy Mayor Heath as the elected member delegate; and appoint another Councillor as a deputy delegate.

**BACKGROUND**

Cr Kirsty Barrett was elected to Council on 26 March 2026, to fill the casual vacancy created when Cr Katy Mason resigned on 1 December 2025.

Vacancies now exist on the following committees and working group previously held by Cr Mason:

- Foreshore Precinct Advisory Committee
  - Seaview Golf Club Redevelopment Advisory Committee
-

- Public Open Space Working Group

Prior to her election to Council, Cr Barrett served as a community representative on the Active Transport Working Group and the Public Open Space Working Group.

ProCott is an incorporated body promoting the interests of the business community in the Cottesloe town centre.

Historically, Council has appointed one elected member delegate and one deputy elected member delegate for membership of ProCott.

At the Ordinary Council Meeting on 28 October 2025, Council appointed Cr Jeffrey Irvine as the elected member delegate and Deputy Mayor Sonja Heath as the deputy elected member delegate for ProCott.

### **OFFICER COMMENT**

#### **New appointments**

It is proposed that Cr Kirsty Barrett be appointed to the Foreshore Precinct Advisory Committee, Seaview Golf Club Redevelopment Advisory Committee and the Public Open Space Working Group to fill the vacancies created by Cr Katy Mason's resignation.

Cr Barrett's election to Council requires her to vacate her community representative roles on the Active Transport Working Group and Public Open Space Working Group. Elected Members cannot also serve as community representatives.

Following this change, the Active Transport Working Group community membership will be reduced to three members and the Public Open Space Working Group reduced to five community members.

The Charters for these working groups provide for:

- **Active Transport Working Group:** up to four community representatives, with appointments at Council's sole discretion.
- **Public Open Space Working Group:** up to two community representatives.

Cr Barrett brought experience and skills to these working groups in her capacity as a community representative. The vacancies created by her election to Council will not compromise the governance, effectiveness or decision-making capacity of either working group.

A further report will be presented to Council in the near future to reflect changes to working group memberships where necessary.

#### **Withdrawal of Appointment**

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Cr Irvine has advised that his current private workload and travel commitments require him to request Council to withdraw his appointment, made in October 2025, as the elected member delegate for ProCott.

This requires Council to consider appointing the current deputy delegate, Deputy Mayor Heath, as the elected member delegate, and appointing another Councillor as a deputy delegate.

It is recommended that Council resolve to withdraw and make these appointments accordingly.

### **ATTACHMENTS**

Nil

### **CONSULTATION**

No external consultation was undertaken. The matter relates to internal governance and Council appointments.

### **STATUTORY IMPLICATIONS**

*Local Government Act 1995*

Council has the authority to appoint elected members and community representatives in accordance with s5.10 of the Act.

### **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, particularly in relation to leadership, good governance and effective Council representation.

### **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**

Appointing Cr Barrett ensures continuity of elected member representation, maintaining effective governance arrangements, and supporting the efficient operation of the

committees and the working group. The consequential reduction in community representation does not present a material risk, as membership remains within the discretion and provisions of the respective Charters.

There is limited risk arising from Council agreeing to withdraw the appointment of Cr Irvine as the elected member delegate for ProCott. A representative from the organisation has confirmed it has no difficulty with this course of action. The risk of Council’s obligations of representation and continuity being affected, is eliminated by Council’s appointment of Deputy Mayor Heath to replace Cr Irvine as the elected member delegate; and another Councillor, of Council’s choice, appointed as a deputy delegate.

**VOTING REQUIREMENT**

Absolute Majority

**OFFICER RECOMMENDATION**

**THAT Council:**

- 1. APPOINTS Cr Kirsty Barrett to the:
  - a. Foreshore Precinct Advisory Committee;
  - b. Seaview Golf Club Redevelopment Advisory Committee; and
  - c. Public Open Space Working Group
- 2. NOTES, that because of her election to Council, Cr Kirsty Barrett will vacate her community representative positions on the Active Transport Working Group and the Public Open Space Working Group.
- 3. WITHDRAWS the appointments made by Council on 28 October 2025, to ProCott Incorporated of:
  - a. Councillor Jeffery Irvine as an elected member delegate; and
  - b. Deputy Mayor Sonja Heath as an elected member deputy delegate.
- 4. APPOINTS to Procott Incorporated:
  - a. Deputy Mayor Sonja Heath as an elected member delegate; and
  - b. .... as an elected member deputy delegate.

**AGENDA FORUM COMMENTS**

**Q: From Cr Irvine:** Could officers please confirm the process and timing for formalising my resignation from ProCott Incorporated and any implications for committee representation communication to the public?

**A:** The recommended process is for Council to resolve to withdraw Cr Irvine’s appointment at the April 2026 OCM. At the same meeting, Council can appoint the current deputy

elected member delegate, Deputy Mayor Sonja Heath, as the new elected member delegate; and appoint another elected member as a deputy delegate.

The report has been amended to give effect to these appointments.

Should Council resolve to follow this process, ProCott Incorporated will be notified of changes to appointments.

**10.2 RECEIPT OF MINUTES AND RECOMMENDATIONS FROM COMMITTEES**

**10.2.1 RECEIPT OF AUDIT, RISK AND IMPROVEMENT COMMITTEE UNCONFIRMED MINUTES**

**Attachments: 10.2.1(a) Unconfirmed Minutes - Audit, Risk and Improvement Committee - 30 March 2026 [under separate cover]**

**THAT Council RECEIVES the attached Unconfirmed Minutes of the Audit, Risk and Improvement Committee Meeting held on 30 March 2026 and ADOPTS the recommendations contained within, with the following amendment to AC006/2026 to read that Council ADOPTS the following ARIC meeting dates for 2026.**

- **Monday, 30 March 2026 4.30 pm**
- **Monday, 11 May 2026 4:30 pm**
- **Monday, 15 June 2026 4.30 pm**
- **Monday, 14 September 2026 4.30 pm**
- **Monday, 7 December 2026 4.30pm**

**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****MOTION FOR BEHIND CLOSED DOORS**

**That, in accordance with Section 5.23(2) ((4)(b(ii)) and ((4)(d(iii))), Council discuss the confidential reports behind closed doors.**

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

**13.1.1 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW 2025/26 & 2026/27**

This item is considered confidential in accordance with the *Local Government Act 1995* section 5.23(4)(b(ii)) as it contains information relating to a review of performance under section 5.38;.

**13.1.2 T01/2026 - BUS SHELTER ADVERTISING TENDER**

This item is considered confidential in accordance with the *Local Government Act 1995* section 5.23(4)(d(iii)) as it contains information relating to the making public of the information would be likely to have an adverse effect on the tenderer's business interests;.

**MOTION FOR RETURN FROM BEHIND CLOSED DOORS**

**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.**

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

**13.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC**

**14 MEETING CLOSURE**