

TOWN OF COTTESLOE



SPECIAL COUNCIL MEETING

AGENDA

**SPECIAL COUNCIL MEETING
TO BE HELD IN THE
Council Chambers, Cottesloe Civic Centre
109 Broome Street, Cottesloe
4:30 PM Tuesday, 14 July 2026**

Town of Cottesloe

SPECIAL COUNCIL MEETING

Notice is hereby given that the next Special Council Meeting will be held in the Council Chambers, Cottesloe Civic Centre, 109 Broome Street, Cottesloe on **14 July 2026** commencing at **4:30 PM**.

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

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Mark Newman', with a stylized flourish at the end.

Mark Newman
Chief Executive Officer

10 July 2026

DISCLAIMER

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

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

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

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

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

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

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

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



Town of Cottesloe

DISCLOSURE OF INTERESTS

Agenda Forum ☐

Ordinary Council Meeting ☐

Special Council Meeting ☐

Name of Person Declaring an interest

Position

Date of Meeting

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

INTEREST DISCLOSED

Item No

Item Title

Nature of Interest

Type of Interest

Financial ☐

Proximity ☐

Impartiality ☐

INTEREST DISCLOSED

Item No

Item Title

Nature of Interest

Type of Interest

Financial ☐

Proximity ☐

Impartiality ☐

INTEREST DISCLOSED

Item No

Item Title

Nature of Interest

Type of Interest

Financial ☐

Proximity ☐

Impartiality ☐

DECLARATION

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

DISCLOSURE OF INTERESTS

Notes for Your Guidance

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

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

- a. In a written notice given to the Chief Executive Officer before the Meeting or;
- b. At the Meeting immediately before the matter is discussed.

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

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

INTERESTS AFFECTING FINANCIAL INTEREST

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

1. A Financial Interest, pursuant to s. 5.60A or 5.61 of the *Local Government Act 1995*, requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measured in money terms. There are expectations in the *Local Government Act 1995* but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e sporting, social, religious etc, and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e, if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors and ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. If in doubt declare.
5. As stated if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **must** be given when the matter arises in the Agenda, and immediately before the matter is discussed. Under s. 5.65 of the *Local Government Act 1995* failure to notify carries a penalty of \$10 000 or imprisonment for 2 years.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The **only** exceptions are:
 - 6.1 Where the Councillor discloses the **extent** of the interest, and Council carries a motion under s.5.68(1)(b)(ii) of the *Local Government Act 1995*; or
 - 6.2 Where the Minister allows the Councillor to participate under s.5.69(3) of the *Local Government Act 1995*, with or without conditions.

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

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

INTERESTS AFFECTING IMPARTIALITY

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

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

- a. In a written notice given to the Chief Executive Officers before the Meeting or;
- b. At the Meeting, immediately before the matter is discussed.

IMPACT OF AN IMPARTIALITY DISCLOSURE

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

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

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS	4
2	DISCLAIMER	4
3	ATTENDANCE	4
3.1	APOLOGIES	5
3.2	APPROVED LEAVE OF ABSENCE.....	5
3.3	APPLICATIONS FOR LEAVE OF ABSENCE	5
4	DECLARATION OF INTERESTS.....	5
5	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION	5
6	PUBLIC QUESTION TIME	5
6.1	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	5
6.2	PUBLIC QUESTIONS	5
7	PUBLIC STATEMENT TIME.....	5
8	PRESENTATIONS	5
8.1	PETITIONS	5
8.2	PRESENTATIONS.....	5
8.3	DEPUTATIONS	5
9	REPORTS.....	6
9.1	REPORTS OF OFFICERS.....	6
	CORPORATE AND COMMUNITY SERVICES	6
9.1.1	NOTICE OF INTENTION TO LEVY DIFFERENTIAL RATES.....	6
10	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	12
11	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING BY:.....	12
11.1	ELECTED MEMBERS	12
11.2	OFFICERS.....	12
12	MEETING CLOSURE	12

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
Deputy Mayor Sonja Heath
Cr Lorraine Young
Cr Helen Sadler
Cr Chilla Bulbeck
Cr Brad Wylynko
Cr Jeffrey Irvine
Cr Kirsty Barrett

Officers

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

3.1 APOLOGIES

Cr Michael Thomas

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 PRESENTATIONS

8.1 PETITIONS

8.2 PRESENTATIONS

8.3 DEPUTATIONS

9 REPORTS**9.1 REPORTS OF OFFICERS****CORPORATE AND COMMUNITY SERVICES****9.1.1 NOTICE OF INTENTION TO LEVY DIFFERENTIAL RATES**

Directorate: Corporate and Community Services
Author(s): Vicki Cobby, Director Corporate and Community Services
Mark Newman, Chief Executive Officer
Authoriser(s): Mark Newman, Chief Executive Officer
File Reference: D26/84952
Applicant(s):
Author Disclosure of Interest: Nil

SUMMARY

Council each year is asked to authorise the advertising of its intention to levy differential and minimum rates. This year's consideration includes the impact of the revaluation performed by Landgate, the introduction of a new differential rate category for Short-term Rental Accommodation – Unhosted, and the adjustment of minimum rates to ensure equitable contribution to Council's revenues.

OFFICER RECOMMENDATION IN BRIEF

That Council advertise its intention to levy differential rates in the dollar and minimum rates and adopt the Objects and Reasons for 2026/2027.

BACKGROUND

The *Local Government Act 1995* (the Act) requires local governments which have differential rates, to advertise the proposed rates and invite public submissions for 21 days. The Statement of Rating Objects and Reasons, including the proposed Differential has now been prepared for Council consideration.

The Town of Cottesloe has previously imposed differential rates based on the purpose for which land is zoned or for which the land is used for (vacant or improved).

In accordance with Section 6.36, *Local Government Act 1995*, the Town is required to give local public notice of its intention to impose differential general rates prior to adopting its 2026/27 budget.

This financial year the Town has been considering the inclusion of a rate category for Short Term Rental Accommodation (Unhosted).

OFFICER COMMENT

For many years the Town has imposed differential rates, via the use of six (6) different rate categories, being:

1. GRV Residential Improved (RI);
2. GRV Residential Vacant (RV);
3. GRV Commercial Improved (CI)
4. GRV Commercial Vacant (CV)
5. GRV Commercial Town Centre (CT)
6. GRV Industrial (ID)

These rate categories represent the various land zonings/uses and whether the land is vacant or improved. The rates are set at differential levels with the intention to provide a fair and equitable distribution of rates to each category, having regard to the total services provided by the Town. Residential improved land is the base rate for comparison and the lowest rate charged. The higher rates in the dollar are indicative of the increased demand on the Town's infrastructure and services from these categories. It is proposed for 2026/27 to include an additional category for Short Term Rental Accommodation (Unhosted)

SHORT TERM RENTAL ACCOMMODATION

Council has previously requested Officers to pursue a rating philosophy that ensures that properties used for Short Term Rental Accommodation contribute more equitability through the rating system. Officers have investigated the methods other Councils have been undertaking and have taken particular note of the rating policies of the City of Busselton and the City of Fremantle.

It is recommended that Council take the action through the 2026/27 Budget process to create a new category by land use of "Short Term Rental Accommodation – Unhosted" and that these properties be rated by applying the same rate in the dollar, and the same minimum rate as the Commercial Improved Code. Attachment 2 shows the comparable rates for Busselton and Fremantle.

Council would use the register maintained by the State Government of approved unhosted short-term rentals as at 1 July each year.

REVALUATION

The Valuer General is responsible for providing valuations for all rateable properties in Western Australia. Landgate provides these valuations to Local Governments for the purpose of calculating its rates, service charges and levies for individual property owners.

Every three years the Valuer General conducts a revaluation of the GRV attributable to each property. Depending on market conditions, this will cause movement in the GRV for each property. The GRV movement is not always consistent.

A revaluation has occurred for 2026/27, and the Town is required to utilise these revised values. For the Town, valuations of rateable property increased on average by 15.5%. The Town adjusts its rate in the dollar in each category. An effort is made to keep the average

increase per property in line with the general increase in required rating review. The average rate increase for property owners is 4.9%, except for those properties affected by the new minimum rates or the introduction of the new rate category for Short Term Rental Accommodation.

MINIMUM RATES

The Town of Cottesloe has traditionally set its minimum rates at a very low level compared with other local governments in Western Australia. The 2025/26 minimums were:

Residential Improved	\$900	(100 properties)
Commercial Vacant	\$1,144	(2 properties)
Other Codes	\$1,433	(22 properties)
Commercial Town Centre	\$1,456	(25 properties)

Attachment 3 shows the minimums set by a range of other Councils - metropolitan, urban and tourist-based. Councils' policies in relation to the setting of minimums can vary substantially. As can be seen, the Town's past practice has been to set to low minimums.

In the Town of Cottesloe case, we have very few minimums. If the suggested differential rates and minimums recommended in this report were adopted, the following minimums would apply.

Residential Approved	132 out of a total of 3,411 properties
Residential Vacant	4 out of a total of 70 properties
Commercial Improved	20 out of a total of 74 properties
Commercial Vacant	1 out of a total of 3 properties
Commercial Town Centre	34 out of a total of 126 properties
Industrial	0 out of a total of 1 property
STRA's	57 out of a total of 134 properties
A total of	248 out of a total of 3,849 properties

The increase from 149 properties is a result of the new classifications for STRA's and the proposed increase in the minimum. The increase in the minimum rate results in an extra \$51,000 in rate revenue whilst the new classification of STRA (un-hosted) results in an additional \$59,000 in rate revenue.

PROPOSED RATES

Rates in the dollar and minimum rates for each category as recommended are detailed below:

Rates Estimates	Rate in \$	Minimum Rates
Residential Improved	0.05279	\$1,200
Residential Vacant	0.06300	\$1,700
Commercial Improved	0.06300	\$1,700
Commercial Vacant	0.06300	\$1,700
Town Centre Improved	0.07538	\$1,750
Industrial Improved	0.06300	\$1,700
Short Term Rental Accommodation	0.06300	\$1,700

The higher rate in the dollar and minimums for the commercial Town Centre, improved category result in extra revenue of approx. \$156,000, which is used to fund ProCott Incorporated.

ATTACHMENTS

- 9.1.1(a) Attachment A - Statement of Objects and Reasons [under separate cover]
- 9.1.1(b) Attachment B - Benchmarking with Other Local Governments - 2026 [under separate cover]
- 9.1.1(c) Attachment C - Rates Minimums Comparison [under separate cover]

CONSULTATION

Council has discussed the proposed rating strategies and its proposed rating increase through its Budget Workshops. The Officer recommendation proposes that the Town advertises its intended differential rates prior to formal consideration and budget adoption.

The advertising will occur for a minimum of 21 days and allows ratepayers the ability to consider the proposed rates in the dollar and make submissions prior to Council adopting the proposed rates as part of the budget adoption process.

STATUTORY IMPLICATIONS

The following sections of the *Local Government Act 1995* give guidance and direction

Section 1.7 Local Public Notice

Section 6.33 Differential General Rates

Section 6.36 Local Government to give notice of certain Rates

Section 6.35 Minimum Rates

Additionally Regulation 3A of the *Local Government (Administration) Regulations* describes the requirements for local public notice.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

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

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

RESOURCE IMPLICATIONS

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

The differential rates and the minimum rates when set allow for a balanced budget for the Town. The use of minimum rates and differential rates provides Council with a mechanism to ensure the owners of properties contribute equability to the operations of the Town. The proposed rates and minimums are in line with the market in terms of the rate of inflation and amounts being levied at other municipalities.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

THAT Council

- 1. ADVERTISE its intention to raise the following differential rates in the dollar for the 2026/27 Financial Year;**
 - a. GRV – Residential Improved (RI) – Rate in the dollar being 0.05279 with a minimum rate of \$1,200**
 - b. GRV - Residential Vacant (RV) – Rate in the dollar being 0.06300 with a minimum rate of \$1,700**
 - c. GRV – Commercial Improved (CI) – Rate in the dollar being 0.06300 with a minimum rate of \$1,700**

- d. GRV – Commercial Vacant (CV) - Rate in the dollar being 0.06300 with a minimum rate of \$1,700
 - e. GRV – Commercial Town (CT) - Rate in the dollar being 0.07538 with a minimum rate of \$1,750
 - f. GRV – Industrial (ID) - Rate in the dollar being 0.06300 with a minimum rate of \$1,700
 - g. GRV Short Term Rental Accommodation (Unhosted) - Rate in the dollar being 0.06300 with a minimum rate of \$1,700
2. ENDORSES the Objects and Reasons for differential rates as per Attachment 1.

10 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

11.1 ELECTED MEMBERS

11.2 OFFICERS

12 MEETING CLOSURE