

Minutes

Ordinary Council Meeting

25 August 2026

By signing these minutes I certify that they were confirmed at the Ordinary Council Meeting held on Tuesday, 22 September 2026 by resolution of Council.

Mayor Filomena Piffaretti
PRESIDING MEMBER

OFFICIAL**Meeting Procedures**

1. All Council meetings are open to the public, except for matters dealt with under 'Confidential Items'.
2. Members of the public who are unfamiliar with meeting proceedings are invited to seek advice prior to the meeting from a City Staff Member.
3. Members of the public may ask a question during 'Public Question Time'. Questions are limited to three per person before other members of the public will be invited to ask their questions. If there is sufficient time, the Presiding member may allow you to ask additional questions if there are no more questions from other members of the public.
4. Meeting procedures are in accordance with the City's *Standing Orders Local Law 2021*.
5. To facilitate smooth running of the meeting, silence is to be observed in the public gallery at all times, except for 'Public Question Time'.
6. Persons are not permitted to record (visual or audio) at the Council meeting without prior approval of the Council.
7. Council meetings will be livestreamed in accordance with the resolution of 24 August 2021. Images and voices may be captured and streamed. If you have any issues or concerns regarding the live streaming and recording of meetings, please contact the City's Governance team.
8. In the event of an emergency, please follow the instructions of City of Bayswater Staff.

City of Bayswater

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Morley WA 6062

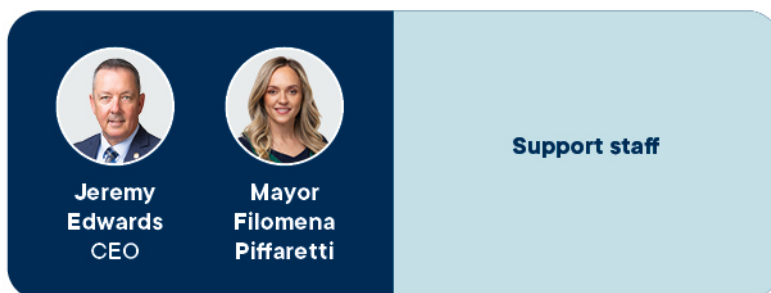
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Council Chambers Seating Plan



West Ward



Central Ward



South Ward

North Ward



Public Gallery (including press)

Nature of Council's Role in Decision Making

Advocacy:	When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
Executive/Strategic:	The substantial direction setting and oversight role of the Council, e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
Legislative:	Includes adopting local law, town planning schemes and policies.
Review:	When Council reviews decisions made by officers
Quasi-Judicial:	When Council determines an application/matter that directly affects a person's rights and interests. The Judicial character arises from the obligations to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licenses, applications for other permits/licenses (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.

*City of Bayswater Standing Orders Local Law 2021***6.9 DEPUTATIONS**

- (1) Allowance has been established for deputations to be heard at Agenda Briefing Forums the week prior to the Ordinary Council Meeting by any person or group wishing to be received. A deputation may be heard at the Council meeting, Agenda Briefing Forum or a Committee meeting open to the public at the discretion of Council, and the depute is to either-
 - (a) apply, before the meeting, to the CEO for approval and can be considered in both a verbal and written format;
 - (b) with the approval of the Presiding Member, at the meeting; and-
 - (c) are to be received by 1.30pm on the day of the forum receiving the deputation.
- (2) Upon receipt of a request for a deputation the CEO must refer the request to the relevant Council meeting, Agenda Briefing Forum or a Committee meeting.
- (3) Unless the Presiding Member allows, a depute invited to attend the meeting is not to address the meeting for a period exceeding 5 minutes.
- (4) Unless given leave by the Presiding Member, only two members of the deputation may address the meeting, although others may respond to specific questions from Members.
- (5) For the purposes of this clause, unless Council, Agenda Briefing Forum or the Committee determines otherwise, a deputation is taken to comprise all those people either in favour of, or opposed to, the matter which is the subject of the deputation.
- (6) Unless Council, Agenda Briefing Forum or the Committee resolves otherwise, any matter which is the subject of a deputation to the Council, Agenda Briefing Forum or a Committee open to the public is not to be decided by Council, Agenda Briefing Forum or the Committee until the deputation has completed its presentation.
- (7) The Presiding Member may require deputations to leave the meeting while other deputations are being heard in relation to that matter.
- (8) A member of the public who makes a deputation is to state his or her name and address, however only the name will be published in the minutes.

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Minutes of the Ordinary Council Meeting of the Bayswater City Council which took place in the Council Chambers, City of Bayswater Civic Centre, 61 Broun Avenue, Morley on Tuesday 25 August 2026.

1 Official Opening

The Presiding Member, Mayor Filomena Piffaretti, declared the meeting open at 7:02pm.

2 Acknowledgement of Country

Mayor Filomena Piffaretti will deliver the Acknowledgement of Country.

Noongar Language

Ngalla City of Bayswater kaatanginy baalapa Noongar Boodja baaranginy, Wadjuk moort Noongar moort, boordiar's koora koora, boordiar's ye yay ba boordiar's boordawyn wah.

English Language Interpretation

We acknowledge the Traditional Custodians of the Land, the Whadjuk people of the Noongar Nation, and pay our respects to Elders past, present and emerging.

The Presiding Member, Mayor Filomena Piffaretti acknowledged the Traditional Custodians of the land, the Whadjuk people of the Noongar nation, and paid respects to Elders past, present and emerging.

3 Announcements from the Presiding Member

There were no announcements.

4 Attendance

Members

Mayor Filomena Piffaretti (Presiding Member)

South Ward

Cr Elli Petersen-Pik - Deputy Mayor

Cr Nat Latter

Central Ward

Cr Calla Loiacono

Cr Steven Ostaszewskyj

North Ward

Cr Anthony Pittaway

Cr Michelle Sutherland

West Ward

Cr Cale Black

Cr Donovan MacDonald

Officers

Jeremy Edwards	Chief Executive Officer
Ryan Hall	Director Community Services
Luke Botica	Director Infrastructure and Assets
Kym Leahy	Director Corporate Services
Amanda Albrecht	Manager Governance and Strategy
Adrian Di Nella	Acting Manager Property and Economic Development
Emily Dempsey	Governance Advisor (minute-taker)
Muhummad Hassan	Digital Systems Officer

Observers

Public - 9

4.1 Apologies

Nil.

4.2 Approved Leave of Absence

Councillor	Date of Leave	Authority
Cr Cale Black	15 April 2026 to 14 October 2026	s.2.25(5B) of the <i>Local Government Act 1995</i>

Cr Black was on approved leave of absence, however was available to attend the meeting.

4.3 Applications for Leave of Absence

Nil.

5 Disclosure of Interest Summary

In accordance with section 5.65 of the *Local Government Act 1995* (WA):

A member who has an interest in any matter to be discussed at a Council or Committee meeting that will be attended by the member must disclose the nature of the interest -

- (a) in a written notice given to the CEO before the meeting; or
- (b) at the meeting immediately before the matter is discussed.

The following disclosures of interest were made at the meeting:

Name	Item No.	Type of Interest	Nature of Interest
Cr Steven Ostaszewskyj	10.3.2	Impartial	I know the Deputee, Mr Furina, personally and through my role as a Councillor.
Cr Michelle Sutherland	10.3.2	Impartial	I know the applicant for the tree removal.

6 Public Question Time

In accordance with the *Local Government Act 1995*, the *Local Government (Administration) Regulations 1996* and the *City of Bayswater Standing Orders Local Law 2021* the following procedures relate to public question time:

1. A member of the public who raises a question during question time, is to state his or her name and address.
2. Each member of the public with a question is entitled to ask up to 3 questions before other members of the public are invited to ask their questions. If there is sufficient time, the Presiding Member may allow additional questions if there are no more questions from other members of the public.
3. The minimum time to be allocated for public question time is 15 minutes.
4. Questions from the public must relate to a matter affecting the local government. Questions relating to matters of business listed on the agenda will be considered in the first instance, followed by questions relating to Council business not listed on the agenda.
5. A summary of each question raised by members of the public at the meeting and a summary of the response to the question will be included in the minutes of the meeting.
6. Where a question is taken on notice at the meeting, a summary of the response to the question will be provided in writing to the member of public and included in the agenda for the following meeting.

6.1 Responses to Public Questions Taken on Notice

Matt Duxbury, Bayswater

Item 10.3.1 Stone Street and Garratt Road Intersection Upgrade, Community Engagement Outcomes

Question 1

Has the community survey methodology appropriately addressed potential bias based on respondents' location, and what statistical considerations were applied to ensure valid results?

Response 1

The methodology included address analysis and comparison between respondent groups. This allowed Council to better understand the choices and concerns of residents living both closer and further away from the proposed signals and left-in-left-out proposals. Validity came from transparent engagement practices and location-based analysis rather than formal statistical weighting.

To ensure that there were enough responses gathered, both from those closer and those further away i.e. geographic spread, more than 3,000 letters were distributed. The promotion was via letterbox drop and did not extend outside the City of Bayswater. The responses received indicate that 260 of 263 respondents were City of Bayswater residents.

6.2 Public Question Time

Public Question Time commenced at 7:04pm.

The following questions received in writing were not in relation to items on the agenda:

Name: Matthew Morgan, Bayswater

Subject: Stone Street intersection improvement

Question 1

Essentially, this intersection upgrade has returned back to the draft concept stage that will now incorporate community consultation. It is apparent, before any community consultation, the City of Bayswater had prematurely engaged a traffic consultant – GHD, that produced a rigid framework that nearby residents strongly opposed. Was the City of Bayswater premature by spending \$15,000 of ratepayers money before any community consultation had commenced?

Response 1

The City engaged GHD to undertake the necessary technical assessment to determine a suitable treatment to address the identified crash pattern at the intersection and to obtain in-principle support from Main Roads WA. This work was necessary to establish that there was a technically feasible treatment before presenting a concept to the community for consultation.

The project has not returned to the beginning of the process. The next stage is to further develop the initial configuration into a geometric design that responds to the physical constraints of the location and takes into account the feedback received through community consultation.

Question 2

At the 23 June 2026 Ordinary meeting it was stated that the dangerous 56km/h speed on Stone Street of the 85th percentile on a residential street does not “warrant the installation of traffic calming measures under The City’s usual assessment criteria”. Given that as pedestrians, Senior Citizens are disproportionately more likely to be victims of road trauma collisions, why did the City of Bayswater Traffic Engineers not give extra consideration for its Senior Citizens by advocating for traffic calming on Stone Street?

Response 2

The City’s assessment criteria are applied consistently across all suburbs and are based on established traffic engineering and road safety principles. The safety of vulnerable road users, including pedestrians and senior citizens, is reflected in the criteria. The City also continues to monitor speed and crash data on Stone Street.

As previously advised at the May meetings, the City had already identified and considered a raised platform on Stone Street through the Low Cost Urban Road Safety (LCURS) Program. Main Roads WA has now confirmed funding for this treatment, with installation currently proposed by October 2026.

Question 3

It is important for City of Bayswater Senior Citizens that reside nearby Stone Street to remain physically active by living in a walkable neighbourhood. Many Senior Citizens have defended our country in a time of war, worked their entire life for the community and some are respected First Nations Elders. In relation to my previous question, does the City of Bayswater consider and respect its Senior Citizens in the Bayswater Community?

Response 3

Yes. The City respects and values the contribution of its Senior Citizens, including our veterans and First Nations Elders, and recognises the importance of providing safe and accessible neighbourhoods that support people to remain active and connected to their community.

Name: Nana Maeshinjo, Bayswater

Subject: Upgrade of Stone Street intersection and reducing rat running

Question 1

At the 28 July 2026 meeting, regarding community requests to lower the Garratt Road speed limit to improve safety at the Stone street intersection, council stated: “it is considered very unlikely that MRWA would support a reduction in the posted speed limit on Garratt Road”. Has the City of Bayswater even formally requested MRWA for a reduction in speed limit on Garratt Road? If not, without prejudicing an outcome, why not?

Response 1

No. The City has not formally requested Main Roads WA to reduce the posted speed limit on Garratt Road. The comment in the July Council report was based on the City’s understanding of Main Roads WA speed zoning criteria and the characteristics and function of Garratt Road. On that basis, officers considered that a reduction in the posted speed limit was unlikely to be supported.

This does not prejudice any future consideration of a speed limit reduction or prevent the City from making a formal request to Main Roads WA should Council determine that it wishes to pursue this option.

Question 2

Will the Active Transport Committee have any input of the tender process of the new traffic consultant to upgrade the Stone Street intersection?

Response 2

No. The engagement of a traffic consultant is an operational procurement matter undertaken by the City in accordance with its procurement requirements. The Active Transport Advisory Group does not have a role in the tender or consultant selection process.

Any relevant input from the Active Transport Advisory Group regarding the Stone Street intersection can be considered separately through the appropriate project and consultation processes.

Question 3

Will the new traffic consultant directly engage and communicate with nearby residents on Stone Street and Frinton street and the residents that signed the petition to install “restricted movement traffic calming devices”?

Response 3

Community engagement will be coordinated by the City as part of the development of the revised intersection design. The traffic consultant will provide the necessary technical expertise and may participate in engagement activities where appropriate.

The following questions were received in person and were not in relation to the agenda:

Name: Aileen O'Rourke, Bayswater
Subject: City Tree Champion Proposal

Question 1

At the 2024 AGM, a resident brought forward a motion proposing a tree champion program. The motion passed, and when it went to Council, the officer recommendation was to explore the creation of a tree champion program that will incorporate members of the City, to support community efforts to increase canopy cover. The second part of the officer recommendation was to provide a report to the September 2024 Council meeting.

We're exploring this issue again and will be approaching Council about it, however I couldn't find the officer's report. I don't know whether that's my bad searching techniques or whether it's something that didn't happen, I just wanted to know if there was a report to Council?

Response 1

Jeremy Edwards, Chief Executive Officer, took the question on notice.

Name: Harry Bouzidis, Noranda
Subject: Wotton Reserve

Question 1

At the July 2026 Ordinary Council Meeting, I asked several questions regarding the proposed divestment of 2.1 hectares of land at Wotton Reserve to the Pelligra Group for one dollar. The questions included:

- Who will pay for the upkeep of the A-grade playing surface?
- What will be the projected annual cost of maintaining this playing field?
- Who will legally own and control the club rooms and sporting facilities?
- What would be the divested land title structure? In other words, green title or strata?
- What would the future of the Morley Windmills Club look like?

I was told that the discussions were still ongoing. A month on, could you please now add clarity to my previous questions?

Response 1

Jeremy Edwards, Chief Executive Officer, advised that negotiations and discussions are still ongoing. A report addressing the concerns raised is expected to be presented to Council at the September 2026 Ordinary Council Meeting.

Name: Dan West, Maylands
Subject: Proposed Petrol Station Development at 321 Guildford Road

Question 1

Would the proposed petrol station development at 321 Guilford Road be a permitted use under the Local Planning Scheme 25?

Response 1

Ryan Hall, Director Community Services confirmed that was his understanding. Council resolved to initiate it and it needs to be approved by the State Government, to advertise, so there's still a long way to go before that is finalised.

Question 2

What activity is the City undertaking to expedite approval of Local Planning Scheme 25?

Response 2

Ryan Hall, Director Community Services, advised that City officers have been working officers from the Department of Planning, Lands and Heritage, who are responsible for producing a report to the Statutory Planning Committee, and the City has been working to answer their questions. It is anticipated to be considered in the short term. The City has been putting pressure on the officers to ensure this happens as soon as possible.

Question 3

We saw what a material impact the community-funded traffic impact assessment had at the last hearing of JDAP in relation to the proposed petrol station development on 321 Guilford Road. Will the City commit to commissioning independent consultants or experts to draft responses documenting the negative health and environmental impact of the proposed development as part of its submission to JDAP (Joint Development Assessment Panel)?

Response 3

Adrian Di Nella, Acting Manager Property and Economic Development advised that the City is required to prepare a Responsible Authority Report, which is scheduled to be submitted in September.

Independent consultants will not be commissioned. The information received from the applicant and from public submissions will be assessed. A report outlining the recommendations will be provided, detailing the traffic concerns. The City's Engineers and the Department of Health have reviewed the proposal, which will be documented in the Responsible Authority Report.

Name: Sandra Keiff, Bayswater¹

Subject: Safe Routes Implementation Plan

Question 1

In 2022-2023 the Kenilworth Street and Darby Street intersection was part of the Safe Routes to School Implementation Plan. Because the intersection is at a lower point, the more secure way to cross is via a substandard median located approximately 100 meters towards Bayswater.

School children from the cluster of social housing at the end of Kenilworth Street, toward Whatley Crescent, must cross Guildford Road on their way to Maylands Peninsula Primary School. My husband Mark and I have raised the issue of the substandard median strip several times over the last three years with the City of Bayswater (meetings with Transport

¹ At the Ordinary Council Meeting held on 22 September 2026, Council considered item 7.1 and resolved to amend the unconfirmed minutes of the Ordinary Council Meeting held on 25 August 2026. Sandra Keiff contacted the City to advise that the minutes did not accurately reflect the intent of the public question she asked in relation to the Safe Routes Implementation Plan. The unconfirmed minutes were subsequently amended to accurately reflect the intent of Sandra Keiff's public question.

Infrastructure Manager Fatima al Gahmini and Senior Project Manager Tom Stacey) and with Main Roads, in the hope that the median strip would be updated.

Unfortunately, the most recent Active Transport Advisory Group Meeting Minutes do not mention the Kenilworth Street/Darby Street intersection or the substandard median strip. Can you please provide an update on these?

Response 1

Ryan Hall, Director Community Services, took the question on notice.

Question 2

At the last JDAP meeting in March, the DA application for a 24/7 high-impact fuel station development at 321 Guildford Road — the site adjacent to the Kenilworth Street/Darby Street intersection — was discussed. The applicant has since forwarded an updated design on a larger footprint.

During the March JDAP meeting, the City of Bayswater (Fatima al Gahmini) stated that a signalised crossover is proposed for Guildford Road and that the area near the site is one of the options the City is considering. Is this still the case, and will the City of Bayswater make a similar statement for the next JDAP hearing?

Response 1

Ryan Hall, Director Community Services, took the question on notice.

Name: Carmine Zollo, Morley

Subject: Verge Bond

Question 1

I have an installation in a couple of months and received a notice from the contractor about the verge bond. The verge bond costs \$2,505; \$2,300 of which is refundable. Being a rate payer for 36 years, the last time I paid a verge bond in 2011- 2010 was \$400. It's six and a half times that amount today, 15 years later. My house was worth about \$250,000 - \$300,000 then, my house is not worth \$2m today. So why is the Verge bond \$2,505?

Response 1

Luke Botica, Director Infrastructure and Assets advised that the verge bond is part of the City's fees and charges and is refundable. The bond is taken as security when works are being undertaken as protection. If there is any damage as a result of the works, the bond can be used to cover the cost of repairs.

The portion of the bond that is retained covers the cost of officer's time to attend the verge, take photos and undergo an inspection before the works commence and another inspection following the works. The verge bond figure is reviewed by Council every year and is determined by the costs of repair and construction, which have increased.

Question 2

How much does 1 metre of curb cost to repair?

Response 2

Luke Botica, Director Infrastructure and Assets advised that the cost is dependent on how much damage occurred to the curb. Depending on the length of the curb, the more that is repaired, the cheaper it is. The less repaired, the more expensive, because contractors are mobilised to the site. Director Infrastructure and Assets offered to provide the hourly contractor rate for curb repairs, on notice.

Name: Harvey Tonkin, Noranda

Subject: Childcare Centre on Camboon Road

Question 1

A couple of meetings back, someone asked a question about development of the old garden centre on Camboon Road. From memory, the advice was that there was nothing happening and no approval. I drove past three or four weeks later, and there was construction underway. Can construction commence without approval from Council?

Response 1

Ryan Hall, Director Community Services advised that development approval for a childcare centre on the site has been in place since 2023. Recently, the City has received a building permit, which is generally received prior to construction, which may account for the works Mr Tonkin has witnessed on the site.

Question 2

Do the Rangers supervise the disabled parking bays?

Response 2

Ryan Hall, Director Community Services confirmed that Rangers do monitor disabled parking bays. He also noted the City has some private property monitoring and enforcement arrangements.

Question 3

Is there any criteria by which they penalise people? A few years ago at Bankwest, someone used 3 disabled parking bays, and I was standing with a Ranger who wouldn't penalise them.

Response 3

Ryan Hall, Director Community Services confirmed that there are criteria, and consideration is given to whether there is clear signage, markings on the ground are legible and a permit is displayed. The City must collect evidence in case it is challenged in Court.

Cr Elli Peterson-Pik – Deputy Mayor, withdrew from the Council Chambers at 7:26pm.

There being no further questions, public question time closed at 7:26pm.

7 Confirmation of Minutes

7.1 Ordinary Council Meeting

ADDITIONAL INFORMATION

Officers have identified that the minutes from item 10.4.1 of the Ordinary Council Meeting of 28 July 2026 did not include the Mayor's reading of the purpose and effect of the proposed

Parking Local Law 2026. Therefore, the recommendation for the confirmation of minutes has been updated to include that statement:

**COUNCIL RESOLUTION
(OFFICER'S RECOMMENDATION)**

The Minutes of the Ordinary Council Meeting held on 28 July 2026 which have been distributed, be confirmed as a true and correct record, with the following statement included following the Council Resolution on item 10.4.1:

Mayor Filomena Piffaretti read out the purpose and effect of the proposed Parking Local Law 2026:

The purpose of the Parking Local Law 2026 is to provide for the regulation, control and management of parking within the City.

The effect of the Parking Local Law 2026 is to control parking throughout the City to ensure the safe, fair and equitable use of parking facilities under the care and control of the City.

Cr Calla Loiacono Moved, Cr Steven Ostaszewskyj Seconded

CARRIED UNANIMOUSLY: 9/0

For: Mayor Filomena Piffaretti, Cr Calla Loiacono, Cr Steven Ostaszewskyj, Cr Anthony Pittaway, Cr Michelle Sutherland, Cr Nat Latter, Cr Elli Petersen-Pik - Deputy Mayor, Cr Cale Black and Cr Donovan MacDonald.

Against: Nil.

Cr Elli Petersen-Pik – Deputy Mayor, rejoined the meeting at 7:28pm.

8 Presentations

8.1 Petitions

Nil.

8.2 Presentations

Nil.

8.3 Deputations

The following deputations were received at the Agenda Briefing Forum held on 18 August 2026:

Written deputations

Written deputations were circulated to Council and copies provided on the City's website.

10.3.1 Drake Street Traffic Management

1. In relation to item 10.3.1 - Drake Street Traffic Management, Ian Rogers submitted a written deputation in support of the officer's recommendation.
2. In relation to item 10.3.1 - Drake Street Traffic Management, Lee Hollingsworth submitted a written deputation.

3. In relation to item 10.3.1 - Drake Street Traffic Management, Brendan Williamson submitted a written deputation.

10.3.2 Verge Tree Removal Request – Elstead Way, Morley

4. In relation to item 10.3.2 - Verge Tree Removal Request – Elstead Way, Morley, Robert Furina submitted a written deputation in opposition to the officer's recommendation.
5. In relation to item 10.3.2 - Verge Tree Removal Request – Elstead Way, Morley, Wendy Garstone submitted a written deputation in support of the officer's recommendation.

8.4 Delegates Reports

9 Method of Dealing With Agenda Business

With the exception of items identified to be withdrawn for discussion, the remaining reports will be adopted by exception (en bloc).

An adoption by exception resolution may not be used for a matter:

- (a) in which an interest has been disclosed;
- (b) that has been the subject of a petition or deputation;
- (c) that is a matter on which a Member wishes to make a statement; or
- (d) that is a matter on which a Member wishes to move a motion that is different to the recommendation.

Items were withdrawn and discussed in the order shown below:

Item	Reason for withdrawal
10.3.1	A member wished to move the officers recommendation, the item was subject to deputations and an interest was disclosed.
10.3.2	The item was subject to deputations, the item was subject to deputations and an interest was disclosed.
10.1.1	An absolute majority decision was required to carry this item.
10.2.1	An absolute majority decision was required to carry this item.

The remaining items, 10.2.2, 10.2.3, 10.3.3 and 10.3.4 were carried by exception (En bloc).

COUNCIL RESOLUTION

That items 10.3.1 and 10.3.2, which were the subject of deputations, be brought forward and considered before the other items in section 10.

Cr Calla Loiacono Moved, Cr Nat Latter Seconded

CARRIED UNANIMOUSLY:9/0

For: *Mayor Filomena Piffaretti, Cr Calla Loiacono, Cr Steven Ostaszewskyj, Cr Anthony Pittaway, Cr Michelle Sutherland, Cr Nat Latter, Cr Elli Petersen-Pik - Deputy Mayor, Cr Cale Black and Cr Donovan MacDonald.*

Against: *Nil.*

10 Reports

10.1 Office of the CEO Directorate Reports

10.1.1 Dog Amendment Local Law 2026

Responsible Branch:	Governance and Strategy
Responsible Directorate:	Office of the CEO
Authority/Discretion:	Legislative
Voting Requirement:	<i>ABSOLUTE MAJORITY REQUIRED for limb 3</i>
Attachments:	1. Draft Dogs Amendment Local Law 2026 [10.1.1.1 - 4 pages] 2. Dogs Local Law 2016 showing marked up changes as proposed by Dogs Amend [10.1.1.2 - 16 pages]
Refer:	Item: 10.1.1 OCM: 28.04.2026 Item: 10.1.3 OCM: 29.04.2025 Item: 10.1.5 OCM: 24.09.2024 Item: 10.1.5 OCM: 31.05.2024
Officer Declaration:	<i>The officers involved in drafting and reviewing this report do not have any interests to disclose in the item.</i>

This item does not contain any information that is considered confidential in accordance with Section 5.23 of the Local Government Act 1995.

SUMMARY

The *Dogs Amendment Local Law 2025* was advertised for public comment from 28 May 2026 to 17 July 2026 in accordance with section 3.12 of the *Local Government Act 1995*. No submissions were received during the advertising period.

During the consultation process, the City received final technical feedback from the Department of Local Government, Industry Regulation and Safety (LGIRS), and officers also identified a minor drafting correction to clause 4.13(2)(c) of the principal local law. Officers recommend that Council proceed to make the *Dogs Amendment Local Law 2025*, subject to these minor amendments, including reducing the proposed modified penalty for clause 5.1(2) from \$150 to \$100 to comply with the statutory limit on modified penalties and correcting the definition relating to “not a fit and proper person”.

BACKGROUND

At the Ordinary Council Meeting of 29 April 2025, the Council adopted the *Dogs Amendment Local Law 2025* for public comment.

Public comment took place between 15 May 2025 and 4 July 2025. The public comment period closed with no submissions received. However, a final internal review identified that the clause

dealing with failure to provide a suitable enclosure should have a corresponding modified penalty in Schedule 3. The City was advised by the Department of Local Government, Industry Regulation and Safety that this would amount to a material change to the local law, and it should be publicly advertised again including the modified penalty for that clause.

At the Ordinary Council Meeting of 28 April 2026, the Council approved the advertisement of the *Dogs Amendment Local Law 2025* for a further round of public comment, with the inclusion of the modified penalty for the clause for failure to provide a suitable enclosure.

EXTERNAL CONSULTATION

The Public comment period for the *Dogs Amendment Local Law 2025*, including the modified penalty for the failure to provide a suitable enclosure offence, occurred between 28 May 2026 and 17 July 2026. Local public notice was given in the City's fortnightly e-newsletter, which circulates in the district; the Perth Now newspaper; Noticeboards at the Civic Centre and the City's three libraries; and on the City's website. The local public notice included a link to the project on the City's engagement page, Engage Bayswater, where interested parties could view a copy of the amendment local law, read frequently asked questions, complete a survey and upload a submission if they wished.

No submissions were received from members of the public. The City did however receive technical feedback on the proposed local law from LGIRS. LGIRS suggested the following minor amendments:

- Where a Part of a local law is deleted, best practice is to leave the remaining Parts and clauses in their original numbering and simply mark the deleted section as repealed in the consolidated version, rather than renumbering the rest of the local law.
- The proposed modified penalty for clause 5.1(2) "Dogs excreting in prohibited place" should be reduced from \$150 to \$100, because the existing maximum court-imposed penalty for that offence is \$500 and a modified penalty must not exceed 20% of that amount.

OFFICER'S COMMENTS

No public submissions were received in response to the amended draft *Dogs Amendment Local Law 2025*. As a result, there is no community feedback requiring further policy consideration by Council.

The feedback received from LGIRS is technical in nature and is directed to improving the drafting quality and legal robustness of the amendment local law. Officers support the suggested changes.

The recommendation to retain the original numbering of the principal local law where a Part is deleted is considered sound drafting practice. It avoids the need to renumber large parts of the local law and reduces the risk of consequential errors in cross-references, schedules and future amendments.

The proposed reduction of the modified penalty for clause 5.1(2) from \$150 to \$100 is also necessary. Under the *Local Government Act 1995*, a modified penalty must not exceed 20% of the maximum fine that could be imposed by a court for the offence. As the principal local law sets the maximum fine for clause 5.1(2) at \$500, the modified penalty cannot exceed \$100.

In officers' view, the recommended amendments are minor and technical only, and do not alter the substance or policy intent of the advertised draft. Council may therefore proceed to make the *Dogs Amendment Local Law 2025* with these changes, as contained in **Attachment 1**.

In addition to the above, as part of this final review, officers also identified an error with the definition in subclause 4.13(2)(c), "Variation or cancellation of a licence". In the current local law, the

definition given is for a “fit and proper person”, however the definition provided describes a person who is not fit and proper:

“means a person who has been deemed to be not fit to care for animals by a reputable body such as the RSPCA, or a person who is deemed by an authorised officer, not to have the ability or adequate support to undertake obligations of the license”.

Officers have added clause 8 to the draft amendment local law to rectify the error, by deleting the words “a fit and proper person” in subclause 4.13(2)(c) and inserting the words “not a fit and proper person” in the definition relating to that subclause. This amendment is considered minor and therefore does not trigger a requirement to readvertise the draft amendment local law for public comment.

The final consolidated *Dogs Local Law 2016*, which includes the changes made by the amendment local law, can be viewed in **Attachment 2**.

LEGISLATIVE COMPLIANCE

Procedure for Making the Local Law

Section 3.12 of the *Local Government Act 1995* sets out the procedure for making local laws, including public advertising, consideration of submissions, and the making of the local law by absolute majority after the submission period closes.

The Dogs Amendment Local Law 2025 has been advertised in accordance with section 3.12(3), and Council may now determine whether to make the local law after considering whether any submissions were received. As no submissions were received, the statutory consultation requirement has been satisfied.

The local law must be published in the Government Gazette after it is made and will come into operation 14 days after, in accordance with its commencement clause.

A gazetted copy of the amendment local law must be sent to the Minister, and final local public notice of the adoption of the local law must be given.

Within 10 working days of gazettal, the local law is sent to the Joint Standing Committee on Delegated Legislation (JSCDL) together with an explanatory memorandum. The final step is for JSCDL to scrutinise the local law and, if necessary, provide any undertakings to the Council.

Limitations on Modified Penalty Amounts

Section 9.22B of the *Local Government Act 1995* provides that a modified penalty prescribed for an offence must not exceed 20% of the maximum fine that could be imposed by a court for that offence. For this reason, the proposed modified penalty for clause 5.1(2) should be reduced to \$100. The other option would be to increase the unmodified penalty amount, however \$500 is the standard unmodified penalty for offences of that kind.

RISK MANAGEMENT CONSIDERATION

The table below shows the level of risk for each impact category, if the officer’s recommendation is not adopted by the Council.

Impact Category	Appetite	Risk Rating
Workplace, Health and Safety	Low	Low
Financial	Medium	Low
Reputation and Stakeholders	Medium	Low

Service Delivery	Medium	Low
Environment	Low	Low
Governance and Compliance	Low	Medium
Strategic Risk	SR07 - Unethical or inadequate governance and/or decision-making.	

FINANCIAL IMPLICATIONS

The cost of gazettal and final public notice of the local law is estimated at \$4,000.

STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Council Plan 2025 – 2035, the following applies:

Key Result Area:	Social
Outcome 1.2:	A Safe and Resilient Community
Objective 1.2.1:	Facilitate a safe environment
Key Result Area:	Leadership and Governance
Outcome 5.1	Good Governance
Objective 5.1.1	Provide ethical and accountable governance.

CONCLUSION

The public comment period for the *Dogs Amendment Local Law 2025* has closed. No public submissions were received during the public comment period. Technical drafting suggestions were received from LGIRS, which officers support as minor amendments that improve the clarity, consistency and legal robustness of the local law without altering its policy intent.

The proposed reduction of the modified penalty for clause 5.1(2) to \$100 is required to comply with the statutory limit on modified penalties.

In view of the consultation undertaken, the legislative requirements, the risk implications and the alignment with the City's strategic objectives, it is recommended that Council make the *Dogs Amendment Local Law 2025* as set out in **Attachment 1**.

OFFICER'S RECOMMENDATION

That Council:

1. Notes that the amended draft *Dogs Amendment Local Law 2025* was advertised for public comment from 28 May 2026 to 17 July 2026 in accordance with section 3.12(3) of the *Local Government Act 1995* and that no submissions were received.
2. Notes the final feedback received from the Department of Local Government, Industry Regulation and Safety (LGIRS) regarding the amended draft *Dogs Amendment Local Law 2025*.
3. Makes the City of Bayswater *Dogs Amendment Local Law 2025* under the powers conferred by the *Local Government Act 1995* and the *Dog Act 1976*, as contained in Attachment 1, which includes the following minor amendments:
 - (a) The original numbering of the principal local law is retained where a Part is deleted, rather than renumbering the remaining Parts and clauses.
 - (b) New clause 8 amends subclause 4.13(2)(c) of the principal local law by deleting the words "a fit and proper person" and inserting the words "not a fit and proper person" in the definition relating to that subclause.
 - (c) Amendment of clause 14 and Schedule 3 so that the modified penalty for clause 5.1(2) of the principal local law "Dogs excreting in prohibited place" is \$100.

ABSOLUTE MAJORITY REQUIRED

4. Authorises the Chief Executive Officer to:
 - (a) Affix the Common Seal to the City of Bayswater *Dogs Amendment Local Law 2025*.
 - (b) Publish notice of the making of the local law in the Government Gazette in accordance with the *Local Government Act 1995*.
 - (c) Undertake all other actions necessary to give effect to Council's resolution.

ADDITIONAL INFORMATION

The City has been advised by the Joint Standing Committee on Delegated Legislation (JSCDL) that the preferred naming convention for local laws is for the date to reflect the year in which the local law is being made.

In view of this, officers have updated the draft local law in Attachment 1 to change the name of the amendment local law to *Dogs Amendment Local Law 2026* (previously *Dogs Amendment Local Law 2025*). The attachment as contained in this addendum will replace Attachment 1 in the minutes for the meeting.

Recommendation Implications

In light of the above, the officer's recommendation is changed to the following:

COUNCIL RESOLUTION**(OFFICER'S RECOMMENDATION)**

That Council:

1. **Notes that the amended draft *Dogs Amendment Local Law 2025* was advertised for public comment from 28 May 2026 to 17 July 2026 in accordance with section 3.12(3) of the *Local Government Act 1995* and that no submissions were received.**
2. **Notes the final feedback received from the Department of Local Government, Industry Regulation and Safety (LGIRS) regarding the amended draft *Dogs Amendment Local Law 2025*.**

3. Makes the City of Bayswater *Dogs Amendment Local Law 2026* under the powers conferred by the *Local Government Act 1995* and the *Dog Act 1976*, as contained in Attachment 1, which includes the following minor amendments:
- (a) The original numbering of the principal local law is retained where a Part is deleted, rather than renumbering the remaining Parts and clauses.
 - (b) New clause 8 amends subclause 4.13(2)(c) of the principal local law by deleting the words “a fit and proper person” and inserting the words “not a fit and proper person” in the definition relating to that subclause.
 - (c) Amendment of clause 14 and Schedule 3 so that the modified penalty for clause 5.1(2) of the principal local law “Dogs excreting in prohibited place” is \$100.
 - (d) The title changed to *Dogs Amendment Local Law 2026*.

ABSOLUTE MAJORITY REQUIRED

4. Authorises the Chief Executive Officer to:
- (a) Affix the Common Seal to the City of Bayswater *Dogs Amendment Local Law 2026*.
 - (b) Publish notice of the making of the local law in the Government Gazette in accordance with the *Local Government Act 1995*.
 - (c) Undertake all other actions necessary to give effect to Council’s resolution.

Cr Anthony Pittaway Moved, Cr Calla Loiacono Seconded

CARRIED UNANIMOUSLY 9/0

For: Mayor Filomena Piffaretti, Cr Calla Loiacono, Cr Steven Ostaszewskyj, Cr Anthony Pittaway, Cr Michelle Sutherland, Cr Nat Latter, Cr Elli Petersen-Pik - Deputy Mayor, Cr Cale Black and Cr Donovan MacDonald.

Against: Nil.

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Attachment_10.1.1.2

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10.2 Corporate Services Directorate Reports**10.2.1 Financial Report for the Period Ended 31 July 2026**

Responsible Branch:	Financial Services
Responsible Directorate:	Corporate Services
Authority/Discretion:	Legislative
Voting Requirement:	Simple Majority Required <i>ABSOLUTE MAJORITY REQUIRED for limb 2</i>
Attachments:	1. Monthly Financial Statement Snapshot [10.2.1.1 - 1 page] 2. Executive Summary and Statement of Financial Activity Significant Variances [10.2.1.2 - 6 pages] 3. Statement of Financial Activity [10.2.1.3 - 1 page] 4. Statement of Financial Position [10.2.1.4 - 1 page] 5. Net Current Assets [10.2.1.5 - 1 page] 6. Cash Backed Reserves Report [10.2.1.6 - 1 page] 7. Capital Acquisitions & Non-Operating Grants Report [10.2.1.7 - 14 pages]
Officer Declaration:	<i>The officers involved in drafting and reviewing this report do not have any interests to disclose in the item.</i>

This item does not contain any information that is considered confidential in accordance with Section 5.23 of the Local Government Act 1995.

SUMMARY

This report details the financial reports for the period ended 31 July 2026 including, Monthly Financial Statements with supporting information (**Attachments 1 to 5**), Cash Backed Reserve Report (**Attachment 6**) and Capital Acquisitions & Non-Operating Grants Report (**Attachment 7**).

COUNCIL RESOLUTION**(OFFICER'S RECOMMENDATION)**

That Council:

1. **Receives the financial reports for the period ended 31 July 2026, comprising:**
 - (a) **Monthly Financial Statements with supporting information (Attachments 1 to 5);**
 - (b) **Cash Backed Reserve Report (Attachment 6);**
 - (c) **Capital Acquisitions & Non-Operating Grants Report (Attachment 7); and**
2. **Updates the 2026/27 budget as per Tables 1-11 detailed in this report.**

ABSOLUTE MAJORITY REQUIRED

Cr Nat Latter Moved, Cr Cale Black Seconded

CARRIED UNANIMOUSLY: 9/0

For: *Mayor Filomena Piffaretti, Cr Calla Loiacono, Cr Steven Ostaszewskyj, Cr Anthony Pittaway, Cr Michelle Sutherland, Cr Nat Latter, Cr Elli Petersen-Pik - Deputy Mayor, Cr Cale Black and Cr Donovan MacDonald.*

Against: *Nil.*

BACKGROUND

The *Local Government Act 1995* in conjunction with regulation 34(1) of the *Local Government (Financial Management) Regulations 1996* requires a monthly Statement of Financial Activity to be presented to Council. This Statement is to include:

- (a) Annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c) of the *Local Government Act 1995*;
- (b) Budget estimates to the end of the month to which the statement relates;
- (c) Actual amounts of expenditure, revenue and income to the end of the month to which these statements relate;
- (d) The material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- (e) The net current assets at the end of the month to which the statement relates.

Regulation 35(1) of the *Local Government (Financial Management) Regulations 1996* requires a monthly Statement of Financial Position showing the financial position of the local government as at the last day of the previous month, and:

- (a) The financial position of the local government as at the last day of the previous financial year; or
- (b) if the previous month is June, the financial position of the local government as at the last day of the financial year before the previous financial year.

At its meeting on 28 July 2026, Council adopted the Annual Budget for the 2026/27 financial year. The figures in this report are compared to the adopted budget and subsequent amendments as approved by Council throughout the financial year.

Regulation 34(5) determines the mechanism required to ascertain the definition of material variances which are required to be reported to Council as part of the monthly report. It also requires Council to adopt a 'percentage or value' for what it will consider to be material variances on an annual basis. The material variance adopted by the Council for the 2026/27 Budget is \$50,000 or 10% of the appropriate base, whichever is the higher.

EXTERNAL CONSULTATION

In accordance with section 6.2 of the *Local Government Act 1995*, the adopted budget was prepared having regard to the Community Strategic Plan, prepared under section 5.56 of the *Local Government Act 1995*, which was made available for public comment.

OFFICER'S COMMENTS

The financial statements for the reporting period are submitted in the form of:

- Monthly Financial Statements with supporting information (**Attachments 1 to 5**);
- Cash Backed Reserve Report (**Attachment 6**); and
- Capital Acquisitions & Non-Operating Grants Report (**Attachment 7**).

The Monthly Financial Statement Snapshot (**Attachment 1**) summarises total capital and operating expenditure. Details of the material variances are outlined in the Executive Summary and Statement of Financial Activity Significant Variances Report (**Attachment 2**).

The Statement of Financial Activity (**Attachment 3**) reports the financial performance of the City after adjusting for non-cash items (depreciation, provisions, etc.) by Nature and Type.

The Statement of Financial Position (**Attachment 4**) reports the financial position of the City as at the last day of the previous month.

The City's net current assets are outlined in (**Attachment 5**) with details of any adjustments.

All of the reserve accounts are cash-backed and supported by funds held in financial institutions as set out in the City's Investment Policy (**Attachment 6**).

The projects summarised in the Capital Acquisitions & Non-Operating Grants Report (**Attachment 7**) detail the capital (actual and committed) expenditure for the period ended 31 July 2026.

The proposed budget variations below primarily relate to grant funding and reimbursements that were awarded or confirmed after the draft budget was prepared. Due to the time required to prepare the statutory budget, funding agreements and grant details were not finalised within the required budget preparation timeframes. As a result, these amounts are now being presented to Council for adoption as budget variations.

Table 1: Maylands Yacht Club – Airconditioning Upgrades

Cost Centre – Project	Type	Project Type	Project Description	Current Budget \$	Adjust. \$	Revised Budget \$
1805-81544-4802	Increase Revenue	Capital	Maylands Yacht Club	0	(7,370)	(7,370)
1805-81579-6381	Decrease Expenditure	Capital	The RISE – AC replacements	176,566	(4,893)	171,673
1805-81544-6381	Increase Expenditure	Capital	Maylands Yacht Club	0	12,263	12,263
			Total:	176,566	0	176,566

The City has recently been awarded funding of \$60,000 from Department of Creative Industries, Tourism and Sport for the installation of an air conditioning system and solar system at Maylands Yacht Club.

The budget adjustment is required to reflect the outstanding solar panel installation costs which are scheduled for completion in 2026/27.

A project shortfall of \$4,893.00 was identified from additional works relating specifically to the building for the installation of the air conditioning and solar.

The reallocation of \$4,893 from The RISE capital project of air-conditioning replacements is acceptable as there were project cost savings from The RISE capital project of the sports court air-conditioning replacements (2025/26 FY) which allowed for additional units to be replaced at the time, resulting in few units requiring replacement this financial year.

Table 2: Old Post Office Restoration (14 King William Street)

Cost Centre – Project	Type	Project Type	Project Description	Current Budget \$	Adjust. \$	Revised Budget \$
1805-81737-4700	Increase Revenue	Capital	Old Post Office Restoration (14 King William Street)	0	(33,730)	(33,730)
1805-81737-6381	Increase Expenditure	Capital	Old Post Office Restoration (14 King William Street)	0	33,730	33,730
			Total:	0	0	0

The City has received \$33,730 compensation from previous tenant in 2025/26 financial year, but capital works are scheduled to commence in 2026/27. The budget adjustment is required to conduct restoration works.

Table 3: PSHB Local Government Support Scheme

Cost Centre – Project	Type	Project Type	Project Description	Current Budget \$	Adjust. \$	Revised Budget \$
3410-60222-4123	Increase Revenue	Operating	PSHB Local Government Support Scheme	0	(120,000)	(120,000)
3410-60222-6395	Increase Expenditure	Operating	PSHB Local Government Support Scheme	0	120,000	120,000
			Total:	0	0	0

The City of Bayswater's application to the 2026 PSHB Local Government Support Scheme has been successfully approved, securing funding for \$120,000 (ex GST). Funds are to be spent by April 2027. This funding is intended to support local government management activities aimed at the detection, and treatment of Polyphagous Shot-Hole Borer (PSHB) infestations. Additionally, the scope of the approved funding activities also includes the development of a management plan, procurement of community education resources, and Tree identification and mapping to expand urban forest inventories.

Table 4: LGBTIQA+ Inclusion Grant 2025-26 - So You Think You Can Vogue

Cost Centre – Project	Type	Project Type	Project Description	Current Budget \$	Adjust. \$	Revised Budget \$
4800-13701-4123	Increase Revenue	Operating	Access and Inclusion	(1,000)	(5,179)	(6,179)
4800-13701-6131	Increase Expenditure	Operating	Access and Inclusion	2,000	5,179	7,179
			Total:	1,000	0	1,000

The City has recently been awarded funding of \$5,179 from the Department of Communities as part of the LGBTIQA+ Inclusion Grants Program to conduct the So You Think You Can Vogue project.

The funding will support the delivery of 3 workshops and a community dance celebration showcasing the Perth Ballroom community who will share the history and culture of the movement. This community-led program directly aligns with the City of Bayswater's objectives of fostering a connected, inclusive, active, and healthy community. Through accessible dance, movement, and creative expression workshops, the program will create safe and welcoming spaces for LGBTIQA+ community members and allies to build confidence, develop social connections, and celebrate diversity. The program also advances the City's Access and Inclusion Plan by ensuring accessible, adaptable, and inclusive participation opportunities, while supporting the Youth Action Plan through skills development, self-expression, wellbeing, and strengthened social connections.

Table 5: Morley Community Gardens Program

Cost Centre – Project	Type	Project Type	Project Description	Current Budget \$	Adjust. \$	Revised Budget \$
4800-30139-4123	Increase Revenue	Operating	Morley Community Centre	0	(10,000)	(10,000)
4800-30139-6350	Increase Expenditure	Operating	Morley Community Centre	1,400	10,000	11,400
			Total:	1,400	0	1,400

The City has recently been awarded funding of \$10,000 from the Department of Communities as part of the Community Gardens Grants Program to conduct workshops and purchase equipment for the Morley Community Centre Community Garden.

The funding will support the ongoing development of the Morley Community Centre Community Garden through the delivery of community gardening workshops, volunteer training opportunities,

and the purchase of essential gardening equipment. This initiative aligns with the City of Bayswater's objectives of creating a connected, healthy, and sustainable community by encouraging residents to participate in hands-on environmental activities, build practical skills, and develop meaningful social connections. The community garden provides an inclusive space where people of all ages, backgrounds, and abilities can come together to learn, share knowledge, and contribute to a shared community asset. By strengthening volunteer capacity, promoting environmental stewardship, supporting lifelong learning, and encouraging community participation, the project will enhance community wellbeing, foster a sense of belonging, and contribute to a more resilient and sustainable City of Bayswater.

Table 6: Baigup Wetlands

Cost Centre – Project	Type	Project Type	Project Description	Current Budget \$	Adjust. \$	Revised Budget \$
2600-60247-4123	Increase Revenue	Operating	Baigup Wetlands East	0	(157,963)	(157,963)
2600-60247-6395	Increase Expenditure	Operating	Baigup Wetlands East	0	157,963	157,963
			Total:	0	0	0

Funding for Baigup Wetlands East, provided by the Department of Planning, Lands and Heritage (DPLH), will support the transfer of management responsibility for Baigup Wetlands East from DPLH to the City of Bayswater. Funding of \$550,000 (excluding GST) has been awarded for the initial five years of environmental restoration and maintenance works, with \$157,963 allocated in 2026/27. The funding will be used for ongoing environmental maintenance and restoration activities within the reserve, consistent with the site management plan.

Activities will include weed control, vegetation management, planting, post-planting care, erosion control, and other general environmental maintenance works. The works are expected to significantly improve vegetation condition across the site and support cohesive management across Baigup Wetlands, complementing the City of Bayswater's existing management of Baigup Wetlands West.

Table 7: Weld Square Urban Stream - Urban Greening Improvement

Cost Centre – Project	Type	Project Type	Project Description	Current Budget \$	Adjust. \$	Revised Budget \$
2600-60188-4126	Increase Revenue	Operating	Weld Square Urban Stream	0	(50,000)	(50,000)
2600-60188-6125	Increase Expenditure	Operating	Weld Square Urban Stream	500	50,000	50,500
			Total:	500	0	500

The Weld Square funding, provided by the Water Corporation through the Drainage Livability Program, is for the ongoing maintenance and enhancement of the existing living stream, which was originally delivered as a partnership between the Water Corporation and the City. The funding will be used to restore the site to a manageable condition through activities such as vegetation pruning, weed management and drain clearing. Any remaining funds will be used to undertake additional living stream improvement works and increase vegetation within the site, further improving water quality, biodiversity and amenity.

Table 8: Abinger Reserve Compensating Basin - Urban Greening Improvement

Cost Centre – Project	Type	Project Type	Project Description	Current Budget \$	Adjust. \$	Revised Budget \$
2600-65025-4126	Increase Revenue	Operating	Abinger Reserve Compensating Basin	0	(30,000)	(30,000)
2600-65025-6125	Increase Expenditure	Operating	Abinger Reserve Compensating Basin	0	30,000	30,000
			Total:	0	0	0

The Abinger Reserve funding, provided by the Water Corporation through the Drainage Livability Program, will be used to upgrade the existing compensating basin into a more naturalised living stream system. Works will include the installation of a significant number of sedges and other native vegetation to improve water quality, enhance biodiversity and increase the overall environmental and community amenity of the area.

Table 9: Community Rivercare - Maylands Samphire Flats (Clarkson Reserve)

Cost Centre – Project	Type	Project Type	Project Description	Current Budget \$	Adjust. \$	Revised Budget \$
2600-65002-4123	Increase Revenue	Operating	Community Rivercare - Maylands Samphire Flats	0	(96,960)	(96,960)
2600-65002-6395	Increase Expenditure	Operating	Community Rivercare - Maylands Samphire Flats	0	96,960	96,960
			Total:	0	0	0

The City has recently been awarded funding of \$96,960 from the Department of Biodiversity, Conservation and Attractions to continue the restoration of the Maylands Samphire Flats, a nationally significant coastal saltmarsh ecosystem along the Swan River foreshore.

Since 2012, the Maylands Samphire Flats project has built strong capability in saltmarsh conservation through successive grants supporting on-ground works. Previous funding has enabled targeted weed control, including the removal of *Carex divisa*, African cornflag and watsonia, supplementing the efforts of City staff and the Friends of Maylands Samphire Flats volunteers. These works have facilitated natural regeneration and revegetation using locally sourced saltmarsh species, with specialist propagation from locally collected provenance seed achieving high survival rates.

The new two-year project will build on this success by delivering a coordinated restoration program across the 7.4-hectare site, which forms part of the Subtropical and Temperate Coastal Saltmarsh Threatened Ecological Community. While much of the site remains in good condition, the edges continue to be impacted by invasive weeds, stormwater runoff and adjacent turf management.

Funding will support targeted weed control, site preparation, staged revegetation using local native species, community planting days, and ongoing maintenance and monitoring. By extending revegetation landward to the tree line, the project will strengthen the ecological buffer surrounding the saltmarsh, reduce weed reinvasion, improve water quality by intercepting nutrients, enhance the site's resilience to future pressures, and reduce long-term maintenance requirements.

Table 10: Maylands Foreshore Clarkson Reserve

Cost Centre – Project	Type	Project Type	Project Description	Current Budget \$	Adjust. \$	Revised Budget \$
2600-65010-4123	Increase Revenue	Operating	Maylands Foreshore Clarkson Reserve	0	(252,365)	(252,365)
2600-65010-6395	Increase Expenditure	Operating	Maylands Foreshore Clarkson Reserve	0	252,365	252,365

			Total:	0	0	0
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The City has recently been awarded funding of \$252,365 from the Department of Biodiversity, Conservation and Attractions to restore and enhance the Maylands foreshore through revegetation and habitat improvement works.

The project aims to restore a natural, multi-layered vegetation structure that supports canopy development and increases overall habitat diversity along the foreshore. Targeted revegetation with locally native species, together with the removal of invasive weeds, will improve habitat quality for native wildlife, strengthen ecological connectivity along the Swan River corridor, and enhance the amenity and recreational value of the area for the community.

Table 11: Riverbank Funding - Hinds Reserve Riverside Gardens Detailed Design

Cost Centre – Project	Type	Project Type	Project Description	Current Budget \$	Adjust. \$	Revised Budget \$
4200-81735-4802	Increase Revenue	Capital	Riverbank Program – Hinds Reserve Riverside Gardens	0	(65,000)	(65,000)
4200-81735-	Increase Expenditure	Capital	Riverbank Program – Hinds Reserve Riverside Gardens	0	65,000	65,000
			Total:	0	0	0

The City has recently been awarded funding of \$65,000 from the Department of Biodiversity, Conservation and Attractions to prepare the detailed design and tender documentation for the restoration and access improvement of a highly utilised section of the Maylands foreshore.

This project builds on the previously completed concept design and will deliver a comprehensive detailed design for the entire length of the site, enabling the City to progress to future implementation of restoration and access improvement works. The detailed design and tender documentation were originally included in the scope of the earlier G23BW01 project; however, due to higher-than-anticipated tender prices, they were removed from the project scope by agreement between the Department and the City. This funding will allow the City to complete this critical planning stage and ensure the project is ready for delivery when future implementation funding becomes available.

LEGISLATIVE COMPLIANCE

Section 6.4 of the *Local Government Act 1995* requires a local government to prepare an annual financial report for the preceding year and such other financial reports as are prescribed. Regulation 34(1) of the *Local Government (Financial Management) Regulations 1996* as amended requires the local government to prepare each month a statement of financial activity reporting on the source and application of funds as set out in the annual budget.

Regulation 35(1) of the *Local Government (Financial Management) Regulations 1996* requires the local government to prepare each month a Statement of Financial Position showing the financial position of the local government.

RISK MANAGEMENT CONSIDERATION

The table below shows the level of risk for each impact category, if the officer's recommendation is not adopted by the Council.

Impact Category	Appetite	Risk Rating
Workplace, Health and Safety	Low	Low
Financial	Medium	Low
Reputation and Stakeholders	Medium	Low
Service Delivery	Medium	Low
Environment	Low	Low
Governance and Compliance	Low	Medium
Strategic Risk	SR07 - Unethical or inadequate governance and/or decision-making.	

FINANCIAL IMPLICATIONS

All amounts quoted in this report are exclusive of GST.

STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater's Council Plan 2025-2035, the following applies:

Key Result Area: Leadership and Governance
 Outcome 5.1 Good Governance
 Objective 5.1.1 Provide ethical and accountable governance.

CONCLUSION

It is recommended that Council receives the financial reports for the period ended 31 July 2026 and adopts the budget amendments contained in Table 1 to Table 11.

Attachment_10.2.1.1

Attachment_10.2.1.2

Attachment_10.2.1.2 page 2

Attachment_10.2.1.2 page 3

Attachment_10.2.1.2 page 4

Attachment_10.2.1.2 page 5

Attachment_10.2.1.2 page 6

Attachment_10.2.1.3

Attachment_10.2.1.4

Attachment_10.2.1.5

Attachment_10.2.1.6

Attachment_10.2.1.7

Attachment_10.2.1.7 page 2

Attachment_10.2.1.7 page 3

Attachment_10.2.1.7 page 4

Attachment_10.2.1.7 page 5

Attachment_10.2.1.7 page 6

Attachment_10.2.1.7 page 7

Attachment_10.2.1.7 page 8

Attachment_10.2.1.7 page 9

Attachment_10.2.1.7 page 10

Attachment_10.2.1.7 page 11

Attachment_10.2.1.7 page 12

Attachment_10.2.1.7 page 13

Attachment_10.2.1.7 page 14

10.2.2 List of Payments for the Month of July 2026

Responsible Branch:	Financial Services
Responsible Directorate:	Corporate Services
Authority/Discretion:	Legislative
Voting Requirement:	Simple Majority Required
Attachments:	1. Schedule of Accounts - Municipal Fund [10.2.2.1 - 8 pages] 2. Schedule of Accounts - Trust Fund [10.2.2.2 - 1 page] 3. Summary of Corporate Credit Card Expenses [10.2.2.3 - 1 page] 4. Summary of Corporate Purchase Card Expenses [10.2.2.4 - 4 pages] 5. Electronic Fund Transfers [10.2.2.5 - 1 page]
Officer Declaration:	<i>The officers involved in drafting and reviewing this report do not have any interests to disclose in the item.</i>

This item does not contain any information that is considered confidential in accordance with Section 5.23 of the Local Government Act 1995.

SUMMARY

This report presents the list of payments, comprising **Attachments 1, 2, 3, 4 and 5** made under delegated authority for the month of July 2026 in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*.

COUNCIL RESOLUTION**(OFFICER'S RECOMMENDATION)**

That Council receives the list of payments for the month of July 2026 made under delegated authority in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* comprising:

1. Schedule of Accounts – Municipal Fund (**Attachment 1**);
2. Schedule of Accounts – Trust Fund (**Attachment 2**);
3. Summary of Corporate Credit Card Expenses (**Attachment 3**);
4. Summary of Corporate Purchase Card Expenses (**Attachment 4**); and
5. Electronic Fund Transfers (**Attachment 5**).

Cr Donovan MacDonald Moved, Cr Nat Latter Seconded

CARRIED UNANIMOUSLY BY EXCEPTION (EN-BLOC): 9/0

For: Mayor Filomena Piffaretti, Cr Calla Loiacono, Cr Steven Ostaszewskyj, Cr Anthony Pittaway, Cr Michelle Sutherland, Cr Nat Latter, Cr Elli Petersen-Pik - Deputy Mayor, Cr Cale Black and Cr Donovan MacDonald.

Against: Nil.

BACKGROUND

Council has delegated to the Chief Executive Officer the exercise of its power to make payments from the City's Municipal and Trust Funds in accordance with Regulation 13 of the *Local Government (Financial Management) Regulations 1996*.

A list of accounts paid is to be provided to Council where such delegation is made.

EXTERNAL CONSULTATION

Not applicable.

OFFICER'S COMMENTS

A list of payments is presented to Council each month for noting in accordance with the *Local Government (Financial Management) Regulations 1996*.

Payments drawn from the Municipal Account for the month of July 2026 are included in **Attachment 1**.

Payments drawn from the Trust Fund for the month of July 2026 are included in **Attachment 2**.

Payments made via corporate credit and purchase cards are included in **Attachment 3 and Attachment 4** respectively. *Regulation 13(A) of the Local Government (Financial Management) Regulations 1996* was updated requiring the reporting of payments by employees via purchase cards (i.e. in addition to Credit Cards) to be reported from 1 October 2023. Purchase Cards used by employees include BP (Fuel) and Bunnings Cards with those transactions reported separately but the total spend is included in payments from the Municipal Account.

All other payments of a direct debit nature made from the Municipal including bank fees; payroll payments; and other direct payment arrangements, are represented in **Attachment 5**.

All payments are summarised in **Table 1**.

Table 1

<i>Payment Type</i>	<i>Reference</i>	<i>Amount \$</i>
<i>Municipal Account</i>		
BPay Direct Credits Electronic Fund Transfers (EFTs)	BP000334-000336, DC001018-001022, EF100278-100712, EF100715-101130	\$11,034,905.49
<i>Trust Fund</i>		
Electronic Fund Transfers (EFTs)	EF100713-100714	\$25,665.88
<i>Credit Card Expenses</i>	30 June 2026 to 28 July 2026	\$11,032.02
<i>Direct Debit and Other Electronic Fund Transfer</i>	1 July 2026 to 31 July 2026	\$2,519,511.31
	Total	\$13,591,114.70

No payments from previous months were cancelled in July.

LEGISLATIVE COMPLIANCE

Regulation 13 of the *Local Government (Financial Management) Regulations 1996*.

The City's *Procurement Policy* applies.

Council has delegated to the CEO the exercise of its authority to make payments from the Municipal and Trust Funds accounts. Therefore, in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, a list of accounts paid by the CEO is prepared each month showing each account paid since the list was prepared.

RISK MANAGEMENT CONSIDERATION

The table below shows the level of risk for each impact category, if the officer's recommendation is not adopted by the Council.

Impact Category	Appetite	Risk Rating
Workplace, Health and Safety	Low	Low
Financial	Medium	Low
Reputation and Stakeholders	Medium	Low
Service Delivery	Medium	Low
Environment	Low	Low
Governance and Compliance	Low	Medium
Strategic Risk	SR07 - Unethical or inadequate governance and/or decision-making.	

FINANCIAL IMPLICATIONS

All accounts are for goods and services that have been duly incurred and authorised for payment in accordance with the budget allocation and statutory obligations. This provides for the effective and timely payment of the City's contractors and other creditors.

STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Council Plan 2025-2035, the following applies:

Key Result Area:	Leadership and Governance
Outcome 5.1	Good Governance
Objective 5.1.1	Provide ethical and accountable governance.
Objective 5.1.2	Ensure resource sustainability for future generations.

CONCLUSION

That Council notes the List of Payments for the month of July 2026 comprising **Attachments 1, 2, 3, 4 and 5.**

Attachment_10.2.2.1

Attachment_10.2.2.1 page 2

Attachment_10.2.2.1 page 3

Attachment_10.2.2.1 page 4

Attachment_10.2.2.1 page 5

Attachment_10.2.2.1 page 6

Attachment_10.2.2.1 page 7

Attachment_10.2.2.1 page 8

Attachment_10.2.2.2

Attachment_10.2.2.3

Attachment_10.2.2.4

Attachment_10.2.2.4 page 2

Attachment_10.2.2.4 page 3

Attachment_10.2.2.4 page 4

Attachment_10.2.2.5

10.2.3 Investment Report for the Period Ended 31 July 2026

Responsible Branch:	Financial Services
Responsible Directorate:	Corporate Services
Authority/Discretion:	Information Purposes
Voting Requirement:	Simple Majority Required
Attachments:	1. Investment Register [10.2.3.1 - 1 page] 2. Investment Summary [10.2.3.2 - 1 page] 3. Investment Portfolio [10.2.3.3 - 1 page]
Officer Declaration:	<i>The officers involved in drafting and reviewing this report do not have any interests to disclose in the item.</i>

This item does not contain any information that is considered confidential in accordance with Section 5.23 of the Local Government Act 1995.

SUMMARY

This report presents the City's Investment Portfolio for the period ended 31 July 2026.

COUNCIL RESOLUTION
(OFFICER'S RECOMMENDATION)

That Council receives the Investment Portfolio Report for the period ended 31 July 2026 with investments totalling \$83,861,429.95.

Cr Donovan MacDonald Moved, Cr Nat Latter Seconded

CARRIED UNANIMOUSLY BY EXCEPTION (EN-BLOC): 9/0

For: Mayor Filomena Piffaretti, Cr Calla Loiacono, Cr Steven Ostaszewskyj, Cr Anthony Pittaway, Cr Michelle Sutherland, Cr Nat Latter, Cr Elli Petersen-Pik - Deputy Mayor, Cr Cale Black and Cr Donovan MacDonald.

Against: Nil.

BACKGROUND

The purpose of this report is for Council to note the Investment Portfolio detailed in **Attachments 1, 2 and 3.**

In accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, a monthly report on the City's Investment Portfolio is to be presented to Council.

The City's Investment Policy details the way the City is to manage the investment portfolio ensuring:

- a high level of security;
- an adequate level of diversification to spread risk; and
- sufficient liquidity to meet all reasonably-anticipated cash flow requirements (ready access to funds for daily requirements).

The City's investment portfolio (**Attachments 1, 2 and 3**) is spread across several financial institutions in accordance with the risk management guidelines as contained in the policy.

- **Maximum Risk Exposure** - The City policy sets a portfolio credit framework which limits the credit exposure of the City's investment to the following Standard & Poor's (S&P) rated banking institutions.

S&P Long-Term Rating	S&P Short-Term Rating	Maximum Risk Limit % Credit Rating
AAA	A-1+	100%
AA	A-1	100%
A	A-2	80%

This report is intended to not only meet the City's regulatory and policy obligations, but also to summarise how the City's funds have been invested and with which financial institution.

EXTERNAL CONSULTATION

Not applicable.

OFFICER'S COMMENTS

Total investments for the period ended 31 July 2026 were \$83,861,429.95.

Of the total investment portfolio, \$71,537,055.27 is internally restricted and \$2,089,010.49 externally restricted, to satisfy the City's legislative responsibilities and to set aside funds for future projects. The balance of the investment funds represents working capital and funding required for the City's 2026/27 operating and capital expenditure requirements.

LEGISLATIVE COMPLIANCE

Investment Policy applies. It is noted that the City currently has 6% in fossil fuel free investments.

RISK MANAGEMENT CONSIDERATION

The table below shows the level of risk for each impact category, if the officer's recommendation is not adopted by the Council.

Impact Category	Appetite	Risk Rating
Workplace, Health and Safety	Low	Low
Financial	Medium	Low
Reputation and Stakeholders	Medium	Medium
Service Delivery	Medium	Low
Environment	Low	Low
Governance and Compliance	Low	Low
Strategic Risk	SR06 - City does not have the adequate financial capacity to deliver planned services and maintain assets.	

FINANCIAL IMPLICATIONS

Income earned from investments is recognised in the City's financial statements.

STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Council Plan 2025-2035, the following applies:

Key Result Area: Leadership and Governance
Outcome 5.2 Stakeholder Leadership

Objective 5.2.1 Communicate and engage effectively to empower civic participation.

CONCLUSION

That Council receives the Investment Portfolio Report for the period ended 31 July 2026 with investments totalling \$83,861,429.95.

Attachment_10.2.3.1

Attachment_10.2.3.2

Attachment_10.2.3.3

10.3 Infrastructure and Assets Directorate Reports**10.3.1 Drake Street Traffic Management**

Responsible Branch:	Transport and Buildings
Responsible Directorate:	Infrastructure and Assets
Authority/Discretion:	Executive/Strategic
Voting Requirement:	Simple Majority Required.
Attachments:	Nil.
Refer:	Nil.
Officer Declaration:	<i>The officers involved in drafting and reviewing this report do not have any interests to disclose in the item.</i>

This item does not contain any information that is considered confidential in accordance with Section 5.23 of the Local Government Act 1995.

SUMMARY

For Council to consider a petition from the community requesting the improvement of pedestrian safety and parking along Drake Street, Beechboro Road South to Burnside Street, Bayswater.

COUNCIL RESOLUTION
(OFFICER'S RECOMMENDATION)

That Council:

- 1. Notes the petition received in relation to pedestrian and parking on Drake Street between Beechboro Road South to Burnside Street, Bayswater.**
- 2. Requests the Chief Executive Officer to arrange for the installation of two sets of temporary rubber speed cushions in suitable locations along this section of Drake Street, subject to consultation with directly affected residents.**

Cr Cale Black Moved, Cr Steven Ostaszewskyj Seconded

CARRIED UNANIMOUSLY: 9/0

For: *Mayor Filomena Piffaretti, Cr Calla Loiacono, Cr Steven Ostaszewskyj, Cr Anthony Pittaway, Cr Michelle Sutherland, Cr Nat Latter, Cr Elli Petersen-Pik - Deputy Mayor, Cr Cale Black and Cr Donovan MacDonald.*

Against: *Nil.*

BACKGROUND

A petition containing 31 signatures was tabled at the Ordinary Council Meeting held 26 June 2026. The petition requested consideration for the improvement of pedestrian safety and parking along Drake Street, Beechboro Road South to Burnside Street, in Bayswater. The petition requested that the City:

"Deliver safer pedestrian access and parking on Drake Street (between Beechboro Rd and Burnside St), including a wombat crossing, improved access to Halliday Park and improved parking."

The subject section of Drake Street is adjacent to Halliday Park and the Bayswater Hotel. On the northeastern verge, a separated pedestrian footpath and recently installed bike path runs from Beechboro Road South to Burnside Street and beyond. On the southwestern verge, a footpath runs from Beechboro Road to the edge of Halliday Park, but not beyond. Parking exists on the south side only, with angle and parallel embayed parking up to the northern end of Halliday Park.

Drake Street is classified as a local distributor road with a capacity of up to 6,000 vehicles per day (vpd) and a default speed limit of 50 km/h. Recent traffic counts have shown that the 85th percentile speed is 53 km/h with a volume of 2,400 vpd.

A review of the crash statistics for the road segment shows only one accident in the past five years, to 1 December 2025. It was a rear-end accident, associated with the angled parking near the entry to the Bayswater Hotel carpark, with a major panel-damage severity rating.

The City has made several changes to the road environment in addition to the recent construction of the cycle path, including a slight reduction in road pavement width, installation of traffic calming treatments and implementation of a no on-road parking restriction along the northeastern kerb line. Note that the parking restriction was originally installed temporarily during the cycle path works and has now remained by request of the local residents.

Local residents have raised concerns regarding traffic and safety with City officers previously. City officers have reviewed these concerns but had not reached a solution prior to receiving the petition.

EXTERNAL CONSULTATION

A total of 31 responses were received supporting the petition, with:

- 35% (11) living on Drake Street,
- 23% (7) living within two blocks of Drake Street and/or Halliday Park, and
- 45% (13) living further afield.

A subsequent site meeting was held on 15 July 2026, where City officers and Ward Councillors met with two representatives of the petition. Note that this section of Drake Street is on the boundary of Central Ward and West Ward. The meeting involved discussion on the speeding issue and possible solutions.

Should Council support the officer's recommendation, then City officers will consult further with residents directly affected by the proposed traffic treatments.

OFFICER'S COMMENTS

The petition is seeking the installation of a Wombat crossing along this section of Drake Street. A wombat crossing is a zebra crossing (pedestrian priority crossing) on a raised platform. The raised platform reduces vehicle speeds, improves the visibility of pedestrians, and provides a footpath-level crossing, making it more accessible for people using wheelchairs, prams and mobility aids. Main Roads WA (MRWA) approval is required for such treatments.

City officers have examined the suitability of this option along this section of Drake Street. Due to the absence of significant pedestrian traffic generators, the installation of a mid-block Wombat or similar pedestrian crossing will not be supported by MRWA, as their warrant criteria will not be met. Further, the installation of any mid-block crossing will result in the loss of at least two existing car bays. Standard pram-ramp crossings are currently installed at the Beechboro Road South and Burnside Street ends of Drake Street.

City officers have also examined the pedestrian pathways on this section of Drake Street. Due to the need for retaining walls and there being a line of verge trees, it is not possible to install a pedestrian path directly adjacent to Halliday Park on the southwestern side of Drake Street. Footpath access exists from the south-east but not from the north-east of the park.

A missing section of verge hardstand has been identified adjacent to the hotel carpark, which is sandy and impacts pedestrian usage. The concreting of this section of the verge has been arranged.

The City is also currently undertaking a Low-Cost Urban Road Safety (LCURS) project for this area. Public consultation has been completed, and the design has been finalised and has been recently approved by Main Roads WA for funding and to proceed with the expectation of completion for the area by June 2027. The LCURS process did not identify any further treatments for this section of Drake Street. The installation of three plateaus further north along Drake Street, including at Burnside Street were funded as part of the recent installation of the bike path but were in line with the LCURS design for the area.

The City has committed to monitoring traffic volumes and speeds, as part of the LCURS grant process, for the next 12 months (to mid-2027) post-installation. It is expected, after the LCURS program review, that the City will be able to apply to MRWA for creating a blanket 40 km/h zoning through this area. It is anticipated that this will lower speeds and improve safety.

As part of the ongoing development of the Bayswater Town Centre around the Rail Station, the City expects a significant increase in activity and population density. Any further traffic management installations considered will affect these users in the future.

The installation of further traffic calming along this section of Drake Street does not currently meet the City's warrant criteria. However, should Council wish to pursue a treatment, consideration could be given to a temporary solution that can be readily removed or modified as development occurs and traffic conditions evolve.

Given the anticipated increase in traffic associated with the redevelopment of the Bayswater Town Centre, the City could consider the temporary installation of traffic management treatments until a proposed area-wide 40 km/h speed zone is implemented. The City has previously used rubber speed cushions that are bolted to the pavement and can be removed with minimal impact when no longer required.

To address the concerns raised by the petition, the City proposes to install temporary speed cushions at two locations along this stretch of Drake Street, subject to consultation with affected residents.

It is also reasonable to expect that portions of Drake Street will ultimately be upgraded in future to a more urban, town-centre streetscape standard, incorporating higher-quality public realm outcomes and contemporary street design treatments. Such upgrades would likely coincide with the future renewal of road and pedestrian infrastructure as the area continues to develop.

On this basis, it is recommended that Council note the petition and supports the installation of speed cushions on this section of Drake Street subject to further consultation with affected residents.

LEGISLATIVE COMPLIANCE

Nil.

RISK MANAGEMENT CONSIDERATION

The table below shows the level of risk for each impact category, if the officer's recommendation is not adopted by the Council.

Impact Category	Appetite	Risk Rating
Workplace, Health and Safety	Low	Low
Financial	Medium	Low

Reputation Stakeholders	and	Medium	Medium
Service Delivery		Medium	Low
Environment		Low	Low
Governance and Compliance		Low	Low
Strategic Risk		SR02 – Failure to strategically plan, deliver and maintain infrastructure and assets.	

FINANCIAL IMPLICATIONS

The installation of two sets of speed cushions has minimal cost and bolting them to the road surface can be managed internally by the City's maintenance crews under the general road maintenance account.

STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Council Plan 2025 – 2035, the following applies:

Key Result Area: Social
 Outcome 1.2: A Safe and Resilient Community
 Objective 1.2.1: Facilitate a safe environment

Key Result Area: Built
 Outcome 2.1 A Connected and Accessible City
 Objective 2.1.1 Plan for connected accessible and safe roads, pathways and places.

CONCLUSION

The intent of the petition to improve pedestrian safety and parking on Drake Street is acknowledged, the specific measures requested face constraints that limit their immediate feasibility:

- A mid-block pedestrian crossing does not meet Main Roads WA warrant criteria due to insufficient pedestrian activity generators and would additionally result in the loss of at least two car parking bays.
- Extension of the footpath along Halliday Park is constrained by verge trees, steep verge levels and fencing. Extending it to Burnside Street would affect existing resident verge treatments.
- The City considers the installation of two temporary speed cushions along this stretch of Drake Street to be a suitable option, subject to consultation with affected residents.
- With the development of the area, the City expects traffic speeds will decrease due to increased activity in the local area.
- It is the intention of the City, once LCURS is installed, to monitor the area and generate data to then approach MRWA for a blanket 40 km/h zoning. This will then improve safety in the area, including Drake Street.
- If the City is to install any potential traffic management treatments it will seek approval from directly affected residents.

10.3.2 Verge Tree Removal Request - Elstead Way, Morley

Responsible Branch:	Parks and Environment
Responsible Directorate:	Infrastructure and Assets
Authority/Discretion:	Executive/Strategic
Voting Requirement:	Simple Majority Required.
Attachments:	1. 2 Elstead Way, Morley - Tree Report [10.3.2.1 - 5 pages]
Refer:	Nil.
Officer Declaration:	<i>The officers involved in drafting and reviewing this report do not have any interests to disclose in the item.</i>

CR STEVEN OSTASZEWSKYJ DECLARED AN IMPARTIAL INTEREST

In accordance with regulation 22 of the Local Government (Model Code of Conduct) Regulations 2021, Cr Steven Ostaszewskyj declared an impartial interest in this item as the Depute, Mr Furina is known to him personally and through his role as a Councillor.

Cr Steven Ostaszewskyj remained in the Council Chambers and voted on this item.

CR MICHELLE SUTHERLAND DECLARED AN IMPARTIAL INTEREST

In accordance with regulation 22 of the Local Government (Model Code of Conduct) Regulations 2021, Cr Michelle Sutherland declared an impartial interest in this item as she knows the applicant requesting the tree removal.

Cr Michelle Sutherland remained in the Council Chambers and voted on this item.

This item does not contain any information that is considered confidential in accordance with Section 5.23 of the Local Government Act 1995.

SUMMARY

A request has been received from a resident at 6 Elstead Way seeking the removal of a City-owned Liquidambar street tree located on the verge adjacent to 2 Elstead Way, Morley. The request is primarily based on concerns relating to seasonal leaf litter and associated maintenance impacts. The tree has been assessed by City officers and determined not to meet the removal criteria contained within the City's *Urban Tree Planting and Maintenance Policy*. Officers therefore recommend the tree be retained.

COUNCIL RESOLUTION**(OFFICER'S RECOMMENDATION)**

That Council retains the Liquidambar verge tree adjacent to 2 Elstead Way, Morley.

Cr Michelle Sutherland Moved, Cr Anthony Pittaway Seconded

CARRIED UNANIMOUSLY: 9/0

For: Mayor Filomena Piffaretti, Cr Calla Loiacono, Cr Steven Ostaszewskyj, Cr Anthony Pittaway, Cr Michelle Sutherland, Cr Nat Latter, Cr Elli Petersen-Pik - Deputy Mayor, Cr Cale Black and Cr Donovan MacDonald.

Against: Nil.

BACKGROUND

On 11 June 2026, the City received a request from the owner of 6 Elstead Way, Morley seeking removal of a City-owned Liquidambar street tree located on the verge adjacent to 2 Elstead Way, Morley. The request cited seasonal leaf litter and associated maintenance impacts as the primary concerns.

The tree did not meet the criteria for removal as per the City's *Urban Tree Planting and Maintenance Policy* and so routine maintenance works were undertaken including canopy lifting over the verge and the removal of epicormic growth and basal suckers. Officers also advised the applicant that the tree did not satisfy the City's policy criteria for removal and that the appropriate recommendation would be for retention of the tree. In addition, the subject tree is not located on the verge adjacent to the applicant's property and any request for removal would require the support of the resident / owner of the property adjacent to the verge where the tree is located. The applicant was not satisfied with this outcome and requested further consideration.

EXTERNAL CONSULTATION

External consultation is not considered necessary for this matter. The subject tree is of relatively small stature, has been assessed as presenting a broadly acceptable level of risk, and is not causing damage to private property or public infrastructure. The assessment was undertaken by suitably qualified City officers holding Diploma-level arboricultural qualifications and working in technical arborist roles. No arboricultural, safety or infrastructure-related issues were identified that would warrant removal of the tree.

Accordingly, the matter can be appropriately assessed and managed in accordance with the City's *Urban Tree Planting and Maintenance Policy* and established operational practices.

OFFICER'S COMMENTS

The subject tree is a semi-mature Liquidambar located within the City road reserve adjacent to 2 Elstead Way, Morley. Following receipt of the removal request, the City's Technical Arborists inspected and assessed the tree.

The technical assessment found the tree to be in fair health and structural condition, with healthy foliage, acceptable structure and no evidence of significant decline, disease, infrastructure damage or unacceptable risk. The tree has a remaining useful life expectancy of up to 100 years and has been assessed as presenting a broadly acceptable level of risk. Recommended management following inspection was routine maintenance only, with no requirement for removal.

Following the inspection, maintenance works were undertaken in accordance with AS 4373-2007 *Pruning of Amenity Trees*, including canopy lifting over the verge and the removal of epicormic growth and basal suckers. These works addressed the maintenance issues identified at the time of inspection and no further arboricultural intervention was considered necessary.

Figure 1: Subject tree prior to maintenance works, with indicative level of seasonal leaf litter.



Figure 2: Subject tree following maintenance works



The applicant resides at 6 Elstead Way, Morley, while the subject tree is located on the verge adjacent to 2 Elstead Way, Morley. The request therefore relates to a tree located approximately two properties, or 50 metres, from the applicant's residence.

The owner and occupier of 2 Elstead Way subsequently advised the City that they did not object to Council considering the request for removal. However, no concerns were raised regarding the tree's health, structure, safety, or impacts on their property. Correspondence received from the property owner indicated their primary interest was achieving a resolution to the ongoing matter rather than addressing any arboricultural, safety, or infrastructure-related issue associated with the tree.

The primary basis of the request relates to seasonal leaf litter and associated maintenance impacts. The applicant has advised that leaves from the tree during the autumn fall period are carried by wind onto the street and nearby properties. This includes impacting both front and back yards on a daily basis. They have also stated that the City's drainage is regularly blocked by leaves requiring maintenance. The City has responded by providing additional road sweeping and attending to drains when reported. This service will continue in future if the tree is retained.

Figure 3: Various photos indicative leaf litter between 2 and 6 Elstead Way



While these concerns are acknowledged, leaf drop is a normal and expected characteristic of healthy deciduous trees and does not constitute grounds for removal under the City's *Urban Tree Planting and Maintenance Policy*. The assessment determined that the tree does not satisfy any of the Policy's removal criteria, including decline, unacceptable risk, significant infrastructure damage, disease, or safety concerns.

Figure 4: Location of subject tree and applicant's property



In addition to its amenity value, the subject tree contributes to the City's urban forest canopy and provides supplementary foraging opportunities for local fauna. Liquidambar fruit and seed are known to be utilised by endangered Carnaby's Black Cockatoos (*Zanda latirostris*) and vulnerable Forest Red-tailed Black Cockatoos (*Calyptorhynchus banksii naso*), particularly during periods when preferred native food sources are limited. While not a primary food source species, retention of established canopy trees that provide supplementary foraging resources contribute to the ecological value of the urban forest and support broader biodiversity outcomes.

Removal of a healthy and structurally sound street tree based solely on seasonal amenity impacts would be inconsistent with the intent of the City's *Urban Tree Planting and Maintenance Policy* and may establish an undesirable precedent for future requests seeking removal of healthy public trees for similar reasons. Officers therefore recommend that the tree be retained.

LEGISLATIVE COMPLIANCE

The City's *Urban Tree Planting and Maintenance Policy* establishes the criteria under which a City-managed tree may be approved for removal. The Policy provides that tree removal will generally only be supported where:

- the tree is dead;
- the tree presents an unacceptable level of risk that cannot be mitigated through remedial works;
- the tree is affected by disease that cannot be effectively managed;
- the tree is causing significant damage to infrastructure and alternative solutions are impractical;
- there is an imminent safety risk to people, property or infrastructure;
- removal is approved as part of a City crossover approval; or
- removal is approved as part of a subdivision approval issued by the Western Australian Planning Commission.

RISK MANAGEMENT CONSIDERATION

The table below shows the level of risk for each impact category, if the officer's recommendation is not adopted by the Council.

Impact Category	Appetite	Risk Rating
Workplace, Health and Safety	Low	Low
Financial	Medium	Low
Reputation and Stakeholders	Medium	High
Service Delivery	Medium	Low
Environment	Low	Medium
Governance and Compliance	Low	Medium
Strategic Risk	SR01 - Inability to plan, provide and support socially connected, healthy and safe neighbourhoods. SR02 – Failure to strategically plan, deliver and maintain infrastructure and assets. SR03 - Council plans, decision making process and/or activities fail to invest in the management, protection and improvement of its natural environment.	

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Council Plan 2025 – 2035, the following applies:

Key Result Area: Built
Outcome 2.2 Built Infrastructure that Meets Current and Future Community Needs
Objective 2.2.1 Improve the amenity of our public spaces and streetscapes.

Key Result Area: Natural
Outcome 3.1 A Climate Resilient City
Objective 3.1.1 Reduce the impacts of the changing environment.

Key Result Area: Natural
Outcome 3.1 Sustainable Natural Green Spaces
Objective 3.2.2 Increase tree canopy to shade our pathways and cool our suburbs.

CONCLUSION

The request to remove the Liquidambar verge tree adjacent to 2 Elstead Way, Morley has been assessed against the City's Urban Tree Planting and Maintenance Policy. The assessment considered arboricultural matters, risk, operational impacts, and the information provided by the applicant and adjoining property owner.

The tree has been inspected by suitably qualified City officers and found to be in fair health and structural condition, with no evidence of significant decline, disease, unacceptable risk or damage to infrastructure. Maintenance works have already been undertaken to address identified management issues, and the tree has been assessed as presenting a broadly acceptable level of risk.

Whilst the concerns relating to seasonal leaf litter are acknowledged, these impacts are considered a normal characteristic of a healthy deciduous street tree and do not satisfy the City's criteria for removal. There are no identified financial, operational, arboricultural or risk-based factors that support removal of the tree. Conversely, the tree continues to provide canopy, amenity and biodiversity benefits within the City's urban forest.

On balance, retention of the tree is consistent with the City's policy framework, urban forest objectives and risk management approach. Officers therefore recommend that Council retains the Liquidambar verge tree adjacent to 2 Elstead Way, Morley.

Attachment_10.3.2.1

Attachment_10.3.2.1 page 2

Attachment_10.3.2.1 page 3

Attachment_10.3.2.1 page 4

Attachment_10.3.2.1 page 5

10.3.3 Request For Tender 09-2026 - Brickworks Lake Biofilter

Responsible Branch:	Project Services
Responsible Directorate:	Infrastructure and Assets
Authority/Discretion:	Executive/Strategic
Voting Requirement:	Simple Majority Required.
Attachments:	1. CONFIDENTIAL REDACTED - Price Schedule [10.3.3.1 - 2 pages] 2. CONFIDENTIAL REDACTED - Opportunities for savings and redirection of costs [10.3.3.2 - 5 pages]
Refer:	Item 13.1 OCM 22.07.2025 Item 10.2.1 OCM 1.07.2025 Item: 10.3.2 OCM: 29.04.2025
Officer Declaration:	<i>The officers involved in drafting and reviewing this report do not have any interests to disclose in the item.</i>

This item contains one or more confidential attachments that may be dealt with behind closed doors, in accordance with Section 5.23(4) of the *Local Government Act 1995*, sub-section:

- (c) *information contained in a tender received by the local government for a contract to the extent that the information –*
- (i) *is a tendered price; or*
 - (ii) *a tendered methodology for calculating a price;*

SUMMARY

For Council to consider and award a contract for Tender 9-2026 for Brickworks Lake Biofilter Construction, Maylands in accordance with the *Local Government (Functions and General) Regulations 1996*.

The value of the contract exceeds the Chief Executive Officer's delegated authority limit as prescribed in delegation FM-D02 – Acceptance of Quotations, Tenders and Expressions of Interest in the City of Bayswater Delegated Authority Register. The matter is therefore referred to Council for determination.

The recommended tender is above the value apportioned to the Biofilter Construction within the budget for Phase 1 of the Maylands Lakes Environmental Restoration Concept Plan. It is recommended that Council endorse the evaluation panel's assessment deeming the tender from BOS Civil Pty Ltd as acceptable and authorise the CEO to negotiate a minor variation to the terms and conditions of that tender to finalise a lump sum price that better aligns with budget expectations.

Approval by Council will enable the procurement process to proceed and allow the project to progress in accordance with the planned schedule.

COUNCIL RESOLUTION
(OFFICER'S RECOMMENDATION)

That Council:

1. **Endorses the outcome of the evaluation panel's assessment of Tender 9-2026 for Brickworks Lake Biofilter Construction, Maylands, and notes that the tender submitted by BOS Civil Pty Ltd, dated 28 July 2026, is acceptable.**

2. Notes that Confidential Attachment 2 identifies work items that present opportunities for potential cost savings and/or redirection of costs.
3. Authorises the Chief Executive Officer, on a one-off basis, to negotiate with BOS Civil Pty Ltd in respect of the work items identified in Confidential Attachment 2, for the purpose of achieving potential cost savings and/or redirection of costs, and to finalise the resulting lump-sum contract price and associated contract documentation.
4. Authorises the Chief Executive Officer to award the contract to BOS Civil Pty Ltd only if the negotiated contract terms, including the final lump-sum price, are considered advantageous to the City.
5. Notes that:
 - (a) If mutually acceptable contract terms cannot be reached, the contract will not be awarded under this authorisation, and
 - (b) Any budget shortfall arising from the awarded contract will be considered as part of the City's mid-year budget review.
6. Authorises the Chief Executive Officer to publicly release the agreed contract price and schedule of works once the contract has been awarded in accordance with Limb 4 above.

Cr Donovan MacDonald Moved, Cr Elli Petersen-Pik - Deputy Mayor Seconded

CARRIED UNANIMOUSLY BY EXCEPTION (EN-BLOC): 9/0

For: Mayor Filomena Piffaretti, Cr Calla Loiacono, Cr Steven Ostaszewskyj, Cr Anthony Pittaway, Cr Michelle Sutherland, Cr Nat Latter, Cr Elli Petersen-Pik - Deputy Mayor, Cr Cale Black and Cr Donovan MacDonald.

Against: Nil.

BACKGROUND

At the Ordinary Meeting held on 29 April 2025, Council approved the Maylands Lakes Environmental Restoration Concept Report (Masterplan). The Masterplan lists 28 actions in three prioritised implementation phases, with the 14 Phase 1 projects, being those more likely to have immediate impact on the lakes. Phase 1 implementation, including supporting works was estimated at the time to cost \$2.4M.

At the Ordinary Council Meeting held on 1 July 2025, Council adopted the 2025/26 Annual Budget, which included an allocation of \$2.4 million (excluding GST) to undertake the required detailed design and delivery of the 14 Phase 1 projects.

Phase 1 includes Action 11 of the Masterplan, recommending the establishment of a treatment wetland at top end of Brickworks Lake for the purpose of treating the inflows before they reach Lake Bungana, thereby reducing nutrient loads and improving water quality across the entire lake system. The projects included in Phase 1 of the Masterplan are shown in the table below:

PHASE 1 - EARLY WORKS AND TARGETING INPUTS	12A	Establish a water pumping system for recirculation of Lake Brearley	Water balance
	36	Review literature for likely predator macroinvertebrates needed and whether existing aquatic fauna (eg. <i>Gambusia</i> spp.) and lack of habitats are limiting their growth. To be used as an input to landscape redesign.	Ecosystem balance
	05	Review and update midge management plan	Ecosystem balance
	28	Revegetate islands in Lakes Bungana and Brearley	Nutrient inputs
	35	Resurvey lake bathymetry to provide high quality baseline for detailed design	Water balance
	AA1	Possible additional action – Ground survey of key areas	
	11	Establish treatment biofilter at top end of Brickworks Lake	Nutrient inputs
	32	Add phoslock to system at regular intervals (at least once per year in Oct/Nov)	Water column conditions
	47	Reduce fertiliser use in catchment through education program for community and updating Council practices where required.	Nutrient inputs
	20	Add alum to existing blooms to allow for flocculation of blooms	Water column conditions
	38	Undertake landscape redesign as part of the Masterplan	Amenity and safety
	04	Planting plan that includes weed removal and planting mix as part of the overall landscape redesign	Amenity and safety
	42	Audit existing landscape infrastructure to evaluate what should be retained, restored, replaced or removed.	Amenity and safety
	Total cost - \$2,420,000	AA2	Additional action - Develop Monitoring, Evaluation, Reporting and Improvement (MERI) plan

The site is to be transformed into a biological filter by converting the existing man-made pond into a vegetated wetland, while still retaining features of open water through a bypass channel, and will be integrated into the existing surrounds.

The design has been completed to provide treatment of phosphorus and nitrogen coming into Maylands Lakes from the constant groundwater seepage that enters through the northern stormwater outlet. The phosphorus and nitrogen in this flow fuels algal blooms in the downstream Lakes Bungana and Brearley (amongst other sources) and so this biofilter will become an important part of the overall strategy to reduce inputs into the lakes.

The design work has also highlighted that existing channels flowing into Brickworks would benefit from maintenance to restore their flow functions and provide an opportunity to incorporate “living streams” principles to also assist in improving function.

EXTERNAL CONSULTATION

The City engaged the community and stakeholders through late 2024 and early 2025 in the development of the Maylands Lakes Environmental Restoration Concept Report (Masterplan).

A Request for Tender was advertised in The West Australian and Perth Now Central newspapers, on the City's website, and on noticeboards at the City's libraries and Civic Centre on 1 July 2026 for a period of 28 days, closing on 28 July 2026.

OFFICER'S COMMENTS

At the close of the tender open period, one conforming submission was received from BOS Civil Pty Ltd. The following City officers formed the tender evaluation panel:

- Manager Infrastructure Projects
- Environment Manager
- Project Manager, Maylands Lakes
- Coordinator Contracts and Procurement

A representative from Alluvium Consulting provided technical assistance to the panel.

The evaluation panel members have declared that they do not have any conflict of interest with the submissions provided. While one panel member disclosed a prior professional association with the tenderer, it was determined that this association would not affect their impartiality in evaluating this submission. The tenderer has also indicated that they do not have any conflicts of interest in the performance of their obligations under the contract.

Following the receipt of a low number of tender submissions, the City sought feedback from contractors who elected not to submit a tender. The feedback indicated that the limited response was primarily due to individual tenderer business circumstances and the current high level of construction activity across the industry, which has created strong demand for contractors and limited the capacity of some businesses to tender for additional projects.

Some of the reasons provided by the contractors included that the project did not align with their skillset to bid, their business model was limited to their design-and-construct projects, insufficient time to prepare a competitive submission after becoming aware of the opportunity late in the tender period, and the downloading of tender documents solely to monitor upcoming works and market activity. Overall, the responses suggest that the low number of submissions was influenced by contractor availability, capability and procurement timing.

The submission was evaluated in accordance with the qualitative and quantitative criteria detailed below.

Qualitative Criteria

The qualitative criteria for this tender are as follows:

Description of Qualitative Criteria	Weighting
Relevant Company Experience	20%
Key personnel and capacity including subcontractors	15%
Demonstrated Understanding	15%
Management Plan Examples	10%
Sustainability	5%

Quantitative Criteria

This criterion required applicants to submit prices for the goods and services as outlined in the request for tender documentation. The price schedule was structured as a lump sum table (**Confidential Attachment 1**).

Quantitative Criteria	Weighting %
Price - Total value proposition to the City	35%

Assessment

Tender submissions were evaluated against the qualitative and quantitative criteria as shown in rank order in the tables below:

Tenderer	Qualitative Criteria					Quantitative Criteria	Total	
	Relevant Company Experience (20%)	Key personnel and capacity including subcontractors (15%)	Demonstrated Understanding (15%)	Management Plan Examples (10%)	Sustainability (5%)	Price (35%)	Total	Ranking
BOS Civil Pty Ltd	12.00%	10.50%	10.50%	7.00%	0.00%	35.00%	75.00%	1

The total lump sum price that has been submitted is \$1,989,862.37.

Considering the qualitative and quantitative criteria in the table above, the submission from BOS Civil Pty Ltd has been evaluated by the panel as an acceptable tender. The submission provided the panel with confidence that the contractor has the required skills, relevant experience and method to complete the project to the required standards and within project timelines. It is noted that the sustainability score is 0% which is reflective of the traditional approach to the works by the contractor (e.g. use of standard diesel equipment etc). Many contractors currently rely on conventional machinery and equipment powered by diesel, as electric alternatives are not yet widely available or practical for many contracting applications.

BOS Civil Pty Ltd has proposed a project completion date by late March 2027, subject to commencement in late August. Project mobilisation on site is expected to occur in mid-October.

The City has contacted referees supplied within the BOS Civil Pty Ltd tender submission and received positive feedback regarding meeting project delivery timeframes, delivery within allocated budget and quality of work on previous projects of a similar nature.

Regarding cost, BOS Civil Pty Ltd has submitted a tender price greater than the allocated budget, which has implications for project delivery. The options available for Council's consideration are as follows:

Option	Description	Comment / Risk
1	Not accept the tender submission and cancel the project.	Not adhering to the adopted Masterplan and commitment to the community Brickworks Lake is a contributor of nutrients to the overall lakes system. The State Government has indicated that they want to see the results of a completed Phase 1 of the Masterplan before considering funding for Phase 2.
2	Not accept the tender submission and recall tenders again at a later date, with the objective of obtaining more submissions and a less expensive bid.	No guarantee that a less expensive bid is received that meets the qualitative criteria. No guarantee that prices will stabilise. Climate conditions restrict the construction window, meaning that the project could not be recommenced until Spring 2027.
3	Review the design, modify the scope to reduce cost and recall tenders.	Could potentially reduce the design integrity of the project. Climate conditions restrict the construction window meaning that the project could not be commenced until Spring 2027.
4	Select the tender submission as the preferred tenderer and authorise the CEO to negotiate with the tenderer to vary the	Subject to a satisfactory negotiation outcome, the project can proceed as per current timeline.

	services provided as per Regulation 20 of the <i>Local Government (Functions and General) Regulations 1996</i> .	Additional funding (if required) could be considered via the mid-year budget review process.
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It is recommended that Council proceeds with Option 4.

As part of the evaluation process, it has been identified that several cost items included in the price schedule may present opportunities for cost reduction and/or value engineering. This will be subject to confirmation of the design requirements and suitability of the proposed materials.

It is therefore proposed that the City, together with its appointed consultant, Alluvium, undertake clarification discussions with BOS Civil Pty Ltd regarding the technical considerations and pricing methodology underpinning its price schedule to achieve an acceptable price, while ensuring that the required scope, quality, functionality, performance and design outcomes are not compromised.

The items proposed for further clarification, negotiation and redirection of costs are detailed in **(Confidential Attachment 2)**.

Regulation 20 of the *Local Government (Functions and General) Regulations 1996* provides for a local government to negotiate with a successful tenderer to make a minor variation to the tendered goods or services prior to entering into the contract. The relevant provisions of Regulation 20 are outlined below.

It is important to note that negotiations associated with the Brickwork Lakes Biofilter tender will not affect delivery of the water pumping system for recirculation in Lake Brearley (Action 12A), which is being procured separately.

LEGISLATIVE COMPLIANCE

The tender process has met the requirements of Section 3.57 of the *Local Government Act 1995* and regulations 14 – 16 of the *Local Government (Functions and General) Regulations 1996*.

Regulation 20 of the *Local Government (Functions and General) Regulations 1996* - Variation of requirements before entry into contract.

- (1) *If, after it has invited tenders for the supply of goods or services and chosen a successful tenderer but before it has entered into a contract for the supply of goods or services required, the local government wishes to make a minor variation in the goods or services required, it may, without again inviting tenders, enter into a contract with the chosen tenderer for the supply of the varied requirement subject to such variations in the tender as may be agreed with the tenderer.*
- (2) *If -*
 - (a) *the chosen tenderer is unable or unwilling to enter into a contract to supply the varied requirement; or*
 - (b) *the local government and the chosen tenderer cannot agree on any other variation to be included in the contract as a result of the varied requirement,*

that tenderer ceases to be the chosen tenderer and the local government may, instead of again inviting tenders, choose the tenderer, if any, who tender the local government considered it would be the next most advantageous to it to accept.
- (3) *In sub regulation (1) –*

minor variation means a variation that the local government is satisfied is minor having regard to the total goods and services that tenderers were invited to supply.

RISK MANAGEMENT CONSIDERATION

The table below shows the level of risk for each impact category, if the officer's recommendation is not adopted by the Council.

Impact Category	Appetite	Risk Rating
Workplace, Health and Safety	Low	Low
Financial	Medium	Low
Reputation and Stakeholders	Medium	High
Service Delivery	Medium	Medium
Environment	Low	High
Governance and Compliance	Low	Low
Strategic Risk	SR02 – Failure to strategically plan, deliver and maintain infrastructure and assets. SR03 - Council plans, decision making process and/or activities fail to invest in the management, protection and improvement of its natural environment. SR05 - Inability to manage stakeholder expectation through early and ongoing engagement.	

FINANCIAL IMPLICATIONS

The overall budget for Phase 1 implementation in accordance with the Maylands Lakes Masterplan, is \$2.4 million to undertake the required detailed design and delivery of 14 Phase 1 projects.

The budget allocation for the Brickworks Biofilter Construction project is \$1.45 million, which is less than the tender submission price.

The recommended approach is for Council to authorise the CEO to negotiate with the tenderer on the items detailed in **Confidential Attachment 2** to vary the goods and services provided with the aim to reduce the price.

If there are additional funding requirements following a successful outcome of this process, then the project is recommended to be referred to the mid-year budget review.

STRATEGIC IMPLICATIONS

The outcome of this tender will establish a new community asset, providing quality services and infrastructure into the future.

In accordance with the City of Bayswater Council Strategic Plan 2025-2035, the following applies:

Key Result Area: Social

Outcome 1.3: An Active and Healthy Community

Objective 1.3.2: Provide welcoming, quality recreational spaces and activities

Key Result Area: Built

Outcome 2.2 Built Infrastructure that Meets Current and Future Community Needs

Objective 2.2.1 Improve the amenity of our public spaces and streetscapes.

Key Result Area: Natural

Outcome 3.1 Sustainable Natural Green Spaces

Objective 3.2.1 Preserve and enhance our biodiversity and the health of our river, wetlands and bushland.

CONCLUSION

Brickworks Biofilter is a key project in the delivery of Phase 1 of the Maylands Lakes Masterplan implementation.

It is recommended that Council endorses the evaluation panel's assessment that BOS Civil Pty Ltd is an acceptable tenderer for Tender 9-2026 Brickworks Lake Biofilter Construction, Maylands and authorises the CEO to negotiate and agree final terms and conditions prior to awarding the contract for a finalised lump sum price.

If the CEO considers that negotiations have been successful however there remains a shortfall in price to implement this project following negotiations, then it is recommended that Council consider the additional funding requirement as part of the mid-year budget review.

If the CEO considers that negotiations have not been successful and the submission is not advantageous for the City, then the contract will not be awarded.

10.3.4 EMRC Ordinary Council Meeting Minutes - 25 June 2026

Responsible Branch	Parks and Environment
Responsible Directorate:	Infrastructure and Assets
Authority/Discretion:	Information Purposes
Voting Requirement:	Simple Majority Required
Attachments:	1. EMRC Cash and Investments Report - May 2026 [10.3.4.1 - 1 page]
Officer Declaration:	<i>The officers involved in drafting and reviewing this report do not have any interests to disclose in the item.</i>

This item does not contain any information that is considered confidential in accordance with Section 5.23 of the Local Government Act 1995.

SUMMARY

For Council to receive the Unconfirmed Minutes, Information Bulletin, and Cash and Investments Report for May 2026, from the Ordinary Council Meeting held on 25 June 2026 from the Eastern Metropolitan Regional Council (EMRC).

COUNCIL RESOLUTION**(OFFICER'S RECOMMENDATION)**

That Council receives the Unconfirmed Minutes, Information Bulletin, and Cash and Investments Report for May 2026, from the Eastern Metropolitan Regional Council's (EMRC) Ordinary Meeting held on 25 June 2026.

Cr Donovan MacDonald Moved, Cr Nat Latter Seconded

CARRIED UNANIMOUSLY BY EXCEPTION (EN-BLOC): 9/0

For: *Mayor Filomena Piffaretti, Cr Calla Loiacono, Cr Steven Ostaszewskyj, Cr Anthony Pittaway, Cr Michelle Sutherland, Cr Nat Latter, Cr Elli Petersen-Pik - Deputy Mayor, Cr Cale Black and Cr Donovan MacDonald.*

Against: *Nil.*

BACKGROUND

Members Mayor Filomena Piffaretti, and Cr Michelle Sutherland (deputising for Councillor Steven Ostaszewskyj) attended the EMRC Ordinary Council Meeting held on 25 June 2026.

EXTERNAL CONSULTATION

Not applicable.

OFFICER'S COMMENTS

The purpose of the report is to provide Council with information detailing the items with implications for the City of Bayswater from the subject EMRC Council Meeting.

The Information Bulletin and Minutes of the meeting can be viewed on the 'Council Minutes' tab on the [EMRC agenda and minutes](#) page.

The Cash and Investments Reports for May 2026 are included at **Attachment 1** to this report.

Items that may be of interest are as follows:

Ordinary Council Meeting – 25 June 2026

- List of Accounts Paid During the Month of May 2026 (page 5)

- Financial Report for Period Ended 31 May 2026 (page 19)
- Review of Council Policies (page 38)
- Appointment of Audit, Risk and Improvement Committee Independent Members (page 90)
- Audit, Risk and Improvement Committee Meeting held 4 June 2026 (page 104)

Confidential Items

- Interim FOGO Supply Agreement
- East Rockingham Waste to Energy Project Update

Information Bulletin

- Outstanding Council Resolutions Register (page 1)
- CEO Exercise of Delegated Powers and Duties (page 42)
- 2025/2026 Council Tonnage Comparisons as at 31 May 2026 (page 45)

LEGISLATIVE COMPLIANCE

Not applicable.

RISK MANAGEMENT CONSIDERATION

The table below shows the level of risk for each impact category, if the officer's recommendation is not adopted by the Council.

Impact Category	Appetite	Risk Rating
Workplace, Health and Safety	Low	Low
Financial	Medium	Low
Reputation and Stakeholders	Medium	Low
Service Delivery	Medium	Low
Environment	Low	Low
Governance and Compliance	Low	Low
Strategic Risk	SR04 - Inability to work collaboratively to engage and partner with the stakeholders to promote and advocate opportunities to live and invest.	

FINANCIAL IMPLICATIONS

As detailed in the EMRC Minutes.

STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Council Plan 2025 – 2035, the following applies:

Key Result Area:	Natural
Outcome 3.1	A Climate Resilient City
Objective 3.1.1	Reduce the impacts of the changing environment.
Objective 3.1.4	Support a circular economy through best practice waste management.
Key Result Area:	Leadership and Governance
Outcome 5.1	Good Governance
Objective 5.1.1	Provide ethical and accountable governance.

Objective 5.1.2 Ensure resource sustainability for future generations.

CONCLUSION

For Council to receive the following from the Eastern Metropolitan Regional Council (EMRC):

Unconfirmed Minutes, Information Bulletin, and Cash and Investments Report for May 2026 from the Ordinary Council Meeting held on 25 June 2026.

Attachment_10.3.4.1

10.4 Community Services Directorate Reports

Nil.

ADOPTION BY EXCEPTION

That the recommendations relating to items: 10.1.5, 10.2.2, 10.2.3, 10.3.2, 10.3.3, 10.3.4 and 10.3.5 contained in the agenda be adopted by exception as per section 5.5 of the *City of Bayswater Standing Orders Local Law 2021*.

Cr Donovan MacDonald Moved, Cr Nat Latter Seconded

CARRIED UNANIMOUSLY: 9/0

For: *Mayor Filomena Piffaretti, Cr Calla Loiacono, Cr Steven Ostaszewskyj, Cr Anthony Pittaway, Cr Michelle Sutherland, Cr Nat Latter, Cr Elli Petersen-Pik - Deputy Mayor, Cr Cale Black and Cr Donovan MacDonald.*

Against: *Nil.*

11 Motions of Which Previous Notice Has Been Given

Nil.

12 Questions From Members Without Notice**12.1 Responses to Questions From Members Without Notice**

Nil.

12.2 Question From Members Without Notice

Cr Cale Black

Question 1

Can I please get an update from the City on the progress of the recruitment of a Heritage Officer?

Response 1

Ryan Hall, Director Community Services advised that the Council resolution was to create the new role under the existing budget and FTE. The City has been reviewing existing work and exploring opportunities to fund the position from existing team resources. The City has also been in touch

with the President of the Maylands Historical Association to set up a meeting and discuss their needs, to support drafting of the position description for the role.

Work is still occurring in this area whilst recruitment takes place. The City is running heritage workshops in conjunction with the two heritage associations, and providing presentations at the City's Library's and Golf Course.

Question 2

The Director mentioned that the City is meeting with the President of the Maylands Historical Association, will that consultation also be taking place with the Bayswater Historical Society?

Response 2

Ryan Hall, Director Community Services confirmed that both associations will be consulted.

13 Closure

There being no further business to discuss, the Presiding Member, Mayor Filomena Piffaretti, declared the meeting closed at 7:47pm.