



ORDINARY MEETING OF COUNCIL  
MINUTES

24 FEBRUARY 2026

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**CITY OF GREATER GERALDTON**  
**ORDINARY MEETING OF COUNCIL**  
**HELD ON TUESDAY, 24 FEBRUARY 2026 AT 5.00PM**  
**CHAMBERS, CATHEDRAL AVENUE**

**MINUTES**

**DISCLAIMER:**

The Presiding Member advises that the purpose of this Council Meeting is to discuss and, where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting. Persons should be aware that the provisions of the Local Government Act 1995 (Section 5.25(e)) and Council's Meeting Procedures Local Laws establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person. The City of Greater Geraldton expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a Member or Officer, or the content of any discussion occurring, during the course of the Council meeting.

**Livestreaming of meetings.**

Council Meetings are livestreamed with a recording available after the meeting on the City's website.

**1 DECLARATION OF OPENING**

The Presiding Member, Mayor J Clune, declared the meeting open at 5pm.

**2 ACKNOWLEDGEMENT OF COUNTRY**

I would like to respectfully acknowledge the Yamatji people who are the Traditional Owners and First People of the land on which we meet/stand. I would like to pay my respects to the Elders past, present and future for they hold the memories, the traditions, the culture and hopes of Yamatji people.

**3 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE**

Present:

Mayor J Clune  
Cr N Colliver  
Cr J Denton  
Cr P Fiorenza  
Cr S Giudice  
Cr S Keemink  
Cr T Milnes  
Cr S Van Styn

Officers:

R McKim, Chief Executive Officer  
P Radalj, Director of Corporate Services

C Lee, Director of Infrastructure Services  
F Norling, Director of Community and Culture  
T Free, Director of Development Services  
S Moulds, PA to the Chief Executive Officer – Minute Secretary  
L Pegler, Executive Support Secretary  
L Maldea, Manager Corporate Compliance  
N Jane, Chief Financial Officer  
J Bianchi, Manager Community and Cultural Development  
S Bishop, Manager ICT Services  
S McCaughey, Manager Customer and Business Engagement  
P Kingdon, Manager Communications and Vibrancy  
J Fowler, Senior ICT Support Officer

Others:

Members of Public: 5  
Members of Press: 1

Apologies:

Nil

Leave of Absence:

Cr K Parker

**4 DISCLOSURE OF INTERESTS**

CEO R McKim declared an Impartiality interest in Item No. DS089 Local Planning Policy Review as his residence is located in the Beachlands Heritage Area.

Cr N Colliver declared an Impartiality interest in Item No. DS091 Sublease – Regional Sounds Incorporated and Mullermind Creative as her employer Geraldton Universities Centre uses Mullermind Creative for Marketing and she has also personally used Mullermind Creative services in the past.

Cr P Fiorenza declared an Impartiality interest in Item No. DS089 Local Planning Policy Review as his residence is located in the Beachlands Heritage Area.

Mayor J Clune declared an Impartiality interest in Item No. CEO145 Confidential – Behaviour Complaint, as the subject of the complaint.

**5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

There were no questions from previous meetings.

**6 PUBLIC QUESTION TIME**

*Questions provided in writing prior to the meeting or at the meeting will receive a formal response. Please note that you cannot make statements in Public Question Time and such statements will not be recorded in the Minutes.*

*Our Local Laws and the Local Government Act 1995 require questions to be put to the presiding member and answered by the Council. No questions can be put to individual Councillors.*

*If you would like to ask a question, please complete the Public Question Time form on the City's website, linked below, which also provides the procedures for Public Question Time. [Questions From the Public » City of Greater Geraldton](#). Submit up to 3 questions by 12 noon the day prior to the meeting.*

*Public question time commenced at 5.02pm.*

**Beth Brady, 118 Gregory St, Beachlands**

Question

The City's Strategic Community Plan commits to inclusive, safe community spaces and investing in infrastructure that supports wellbeing. The Geraldton Women's Shed is exploring a permanent facility. Whilst this space is being established, can Council identify whether any suitable City-owned or City-managed assets (buildings, sheds, depots, workshops or underutilised community facilities) could be made available to support a women's shed - either as an interim base or a longer-term option - and what is the process and indicative timeline for assessing suitability?

*Ms Brady referenced a local school in her written question submitted prior to the meeting. The City's prepared response, provided at the meeting, included reference to the local school. It is noted that Ms Brady did not reference the local school when asking her question at the meeting. Accordingly, the verbal response relating to the school has been removed from the published Minutes for clarity and accuracy.*

Response

The City is pleased to learn that the Geraldton Women's Shed is in the process of exploring a permanent facility. At present, based on our ongoing discussions, the City does not have any underutilised indoor spaces that can be readily made available for the Women's Shed. The City has a large shed at Cape Burney that it has had out for a public expression of interest but note that the Women's Shed has not applied. The City has also offered a shipping container currently located at our Depot to the group.

The City can provide contact details for progress associations and community organisations that hold management agreements for the City's community halls that might be available to support the Women's Shed in holding activities or workshops.

Question

Women's sheds deliver measurable benefits in mental health, social connection, skill development and community safety — all priorities identified by the City. Beyond a physical space, what in-kind or programme-level support can Council provide to sustain women's shed programmes in Geraldton — for example, access to community grants, officer support, and partnership facilitation with local services, training providers or community organisations?

### Response

The City offers community grants every year to support the wide variety of amazing community groups in the region. Other organisations such as the Bendigo Bank, CBH and the Port Authority also offer community grants with similar intent. I understand that the Geraldton Women's Shed currently has an application in progress through the City's Community Grants Program. This application will be presented to the Community Grants Panel at the end of March for consideration and recommendation. Beyond this, the City's Community Grants stream remains an available avenue for program-based support. For broader funding opportunities, the Midwest Gascoyne RDA WA Funding and Grants Hub provides a comprehensive list of grants that may be suitable.

The City continues to be happy to share information on grants, local services and community organisations that may be interested in collaborating with the Women's Shed and facilitate on your behalf should that be helpful.

### Question

Councils across Australia are now actively supporting women's sheds as community wellbeing infrastructure - including council-enabled examples in WA and council-supported establishments led by elected members interstate. In the context of the National Preventive Health Strategy, which calls for investment in prevention, social connection and equitable access to wellbeing infrastructure, how will Council ensure equitable consideration and support for a women-led shed in Geraldton, comparable to the support historically provided to shed-based community facilities?

### Response

Council recognises the important role that women's sheds play in strengthening community wellbeing, social connection, and preventative health outcomes.

The Men's Shed was located in premises on Marine Terrace due to the generosity of a local building owner. They then moved to a site in Beachlands that was previously used by Ngala. These locations were not provided by the City. The Men's Shed did have a lease of Council land in Utaarra in 2024 for storage which they since surrendered.

The Men's Shed has successfully applied for small community grants from the City, as have many other eligible community organisations.

Council is committed to ensuring that any proposals for a women-led shed in Geraldton receive fair and equitable consideration and remains supportive of the concept.

**Reuben Ricciardi, 22 Portacello Circle, Wandina**Question

Council has previously approved multi-day, fenced and ticketed events at the foreshore that limit general public access for several days. Can you specify the material difference between those events and Revive Festival that justifies a different decision in this case?

Response

Council has not recently approved multi-day, fenced or ticketed events at Stow Gardens, which is the specific site under consideration in this application. While other foreshore locations have previously hosted multi-day events, each area of the foreshore has different characteristics. Stow Gardens is a high-use, centrally located public open space that functions as a key pedestrian thoroughfare, a visual gateway to the foreshore and an area with significant passive recreation value. Because of this, it was suggested that other locations be considered in other precincts where impacts on public movement, amenity and access are less pronounced. The material difference, therefore, is not the number of days or the ticketed nature of the event, but the location-specific impacts associated with Stow Gardens and the City's responsibility to maintain equitable public access to this particular space.

Question

Shore Leave has occupied approximately 2,560 square meters of foreshore space over five consecutive days, including April 23rd to 27th in 2025. Revive Festival proposes approximately 1,400 square meters. On what measurable or proportional basis is a significantly smaller footprint considered an unacceptable impact on public space?

Response

The comparison between the footprint of Shore Leave and the footprint proposed for Revive Festival does not form the basis of the City's assessment in this case. The determining factor is not the square metre area occupied, but the location of the proposed activation.

The Revive Festival application relates to Stow Gardens, a site with different constraints, higher passive use and a stronger expectation of continuous public access.

For these reasons, the City's assessment focuses on site suitability and public access considerations, rather than a proportional comparison of square metreage between different events held in different foreshore precincts.

Question

Can Council identify the specific written policy or objective criteria being relied upon to refuse or restrict this application, and demonstrate how those criteria have been applied consistently to other comparable foreshore events?

### Response

The City assesses all event applications using the same established framework, which includes the City’s Event Application Form (E001), the City’s Operational Policy 028 – Event Management and the applicable State Government Event Guidelines and legislation.

Operational Policy 028 outlines the requirement for events to comply with a wide range of statutory obligations, including but not limited to:

- Health (Public Buildings) Regulations 1992.
- Environmental Protection (Noise) Regulations 1997.
- AS 3745 – Planning for Emergencies in Facilities.
- AS 1428.1 – Design for Access and Mobility.
- Liquor Control Act 1988.
- Food Act 2008.
- Dangerous Goods Safety Act 2004.
- Road Traffic Act 1974.
- CGG Parking and Parking Facilities Local Law 2012.
- Department of Health “Guidelines for Concerts, Events and Organised Gatherings”.

These requirements apply consistently to all event organisers.

In addition to compliance with legislation, the City must also consider site suitability, public access, amenity impacts and alignment with the intended use of the space. These considerations are applied consistently across all foreshore events and form part of the City’s responsibility to balance event activation with the preservation of public open space for general community use. The approach taken with regard to this application reflects the application of these same criteria.

*Public question time concluded at 5.14pm.*

## **7 APPLICATIONS FOR LEAVE OF ABSENCE**

### **Existing Approved Leave**

<b>Councillor</b>	<b>From</b>	<b>To (inclusive)</b>	<b>Date Approved</b>
Cr K Parker	22 February 2026	13 March 2026	25/11/2025
Cr S Giudice	6 April 2026	14 April 2026	27/1/2026

*\*Note: If Elected Members’ application for leave of absence is for the meeting that the request is submitted, they will be noted as an apology until Council consider the request. The granting of the leave, or refusal to grant the leave and reasons for that refusal, will be recorded in the minutes of the meeting.*

*If an Elected Member on Approved Leave subsequently attends the meeting, this will be noted in the Minutes at ‘Record of Attendance’.*

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority pursuant to Section 2.25 of the Local Government Act 1995 RESOLVES to:

1. APPROVE Leave of Absence for:
  - a. Cr T Milnes for the period 16 May to 6 June 2026.

**COUNCIL DECISION****MOVED CR KEEMINK, SECONDED CR DENTON**

That Council by Simple Majority pursuant to Section 2.25 of the Local Government Act 1995 RESOLVES to:

1. APPROVE Leave of Absence for:
  - a. Cr T Milnes for the period 16 May to 6 June 2026.

**CARRIED 8/0**

*In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law 2011 as amended, the motion was passed unopposed.*

**8 PETITIONS, DEPUTATIONS**

There were none.

**9 CONFIRMATION OF MINUTES**

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 27 January 2026, as previously circulated, be adopted as a true and correct record of proceedings.

**COUNCIL DECISION****MOVED CR COLLIVER, SECONDED CR KEEMINK**

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 27 January 2026, as previously circulated, be adopted as a true and correct record of proceedings.

**CARRIED 8/0**

*In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law 2011 as amended, the motion was passed unopposed.*

**10 ANNOUNCEMENTS BY THE CHAIR AND PRESENTATIONS***Events attended by the Mayor or designated representative*

<b>DATE</b>	<b>FUNCTION</b>	<b>REPRESENTATIVE</b>
21 January 2026	Filming for Promotion of Australia Day Seniors Concert - Di Gilleland	Mayor Jerry Clune
26 January 2026	2026 Mullewa Australia Day Celebrations	Mayor Jerry Clune
26 January 2026	2026 Australia Day Citizenship Ceremony and Community Citizens of the Year Awards	
26 January 2026	Rotary Club of Geraldton Seniors' Afternoon Tea and Concert	Mayor Jerry Clune
27 January 2026	CEO / Mayor / Deputy Mayor Catch Up	Mayor Jerry Clune
27 January 2026	Marketing & Media Regular Catch Up	Mayor Jerry Clune
27 January 2026	Meeting with Beam – Neuron – via electronic means	Mayor Jerry Clune
27 January 2026	Annual Meeting of Electors	Mayor Jerry Clune
27 January 2026	Ordinary Meeting of Council	Mayor Jerry Clune
27 January 2026	Interview Post Press Conference – Geraldton Guardian, GWN7, ABC Midwest	Mayor Jerry Clune
28 January 2026	ABC Interview - Hire eRideables	Mayor Jerry Clune
28 January 2026	Triple M Interview - Outcomes of Council Meeting 2026	Mayor Jerry Clune
28 January 2026	Filming for the Outcome of Council Meeting Videos with the theme "What's your day job?" with Cr Shane Van Styn	Mayor Jerry Clune
28 January 2026	ABC Interview - Council Meeting Outcomes - Point Moore Cottage and Allanooka Springs Road widening	Mayor Jerry Clune
29 January 2026	Photo for Media Release - Community Nursery Upgrade	Mayor Jerry Clune
29 January 2026	Queens Park Theatre (QPT) Tour	Mayor Jerry Clune
2 February 2026	CEO / Mayor / Deputy Mayor Catch Up	Mayor Jerry Clune
2 February 2026	Marketing & Media Regular Catch Up	Mayor Jerry Clune
3 February 2026	Regular meeting with Local Member Kirrilee Warr MLA and City of Greater Geraldton – Local Matters	Mayor Jerry Clune
3 February 2026	Concept Forum	Mayor Jerry Clune
4 February 2026	Mid West Development Commission (MWDC) / Fenix Stakeholder Engagement	Mayor Jerry Clune
5 February 2026	WALGA CEO Performance Review Training – Mingenew	Mayor Jerry Clune
5 February 2026	Geraldton Regional Art Gallery Exhibition Opening - Clay on Country/ Janet Holmes à Court Collection	Deputy Mayor Cr Natasha Colliver
9 February 2026	CEO / Mayor / Deputy Mayor Catch Up	Mayor Jerry Clune
9 February 2026	Marketing & Media Regular Catch Up	Mayor Jerry Clune
9 February 2026	Australian Vanadium - Project Update	Mayor Jerry Clune
9 February 2026	ABC Interview - Mahomets Flats housing announcement	Mayor Jerry Clune
11 February 2026	Geraldton Radio Interview – Council Matters	Mayor Jerry Clune

11 February 2026	GWN7 Interview - Mahomets Housing Funding	Mayor Jerry Clune
15 February 2026	Lunar New Year Community Celebration – Rocks Laneway	Mayor Jerry Clune
16 February 2026	CEO / Mayor / Deputy Mayor Catch Up	Mayor Jerry Clune
16 February 2026	Marketing & Media Regular Catch Up	Mayor Jerry Clune
16 February 2026	Mullewa Monthly Catch Up	Mayor Jerry Clune
17 February 2026	Regional Capitals Australia (RCA) Board Meeting – via electronic means	Mayor Jerry Clune
17 February 2026	Agenda Forum	Mayor Jerry Clune
18 February 2026	Radio Geraldton Interview - Homelessness, Truck Bays and Olive Street	Mayor Jerry Clune
18 February 2026	Geraldton Sailors and Soldiers' Memorial Institute- AGM	Mayor Jerry Clune
19 February 2026	MWDC Regional Economic Development (REDS) Grants Meeting	Mayor Jerry Clune
20 February 2026	Batavia Local Emergency Management Committee Meeting	Mayor Jerry Clune
20 February 2026	Introductory Meeting - City of Greater Geraldton / Hudson Shipping	Mayor Jerry Clune
20 February 2026	Regional Sounds Series Showcase	Mayor Jerry Clune
23 February 2026	CEO / Mayor / Deputy Mayor Catch Up	Mayor Jerry Clune
23 February 2026	Marketing & Media Regular Catch Up	Mayor Jerry Clune
23 February 2026	Northern Country Zone Meeting - February – via electronic means	Mayor Jerry Clune
24 February 2026	7Regional Interview - Waste management in Geraldton	Mayor Jerry Clune
24 February 2026	Audit, Risk and Improvement Committee (ARIC) Meeting - February 2026	Mayor Jerry Clune
24 February 2026	Ordinary Meeting of Council 2026	Mayor Jerry Clune

*Note: Whilst it is noted that Council Members may have also been in attendance at the above events, this is a record of attendance by the Mayor, or where a Council Member has been asked to represent the Mayor.*

**11 UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS**

There is none.

**11A. CHANGE TO ORDER OF BUSINESS BY DECISION OF COUNCIL**

*A decision of Council is required to change the Order of Business.*

*Cr T Milnes requested to move a procedural motion to bring forward Item No. NM41 Foreshore Event - Potter's House Christian Church.*

**PROCEDURAL MOTION****MOVED CR MILNES, SECONDED CR VAN STYN**

That Council by Simple Majority **RESOLVES** to **CHANGE** the Order of Business in accordance with section 4.2 of the Meeting Procedures Local Law 2011, to the effect that 13. Motions by Members of which previous notice has been given, Item No. *NM41 Foreshore Event - Potter's House Christian Church* be heard by Council prior to 12. Reports of Committees and Officers.

**CARRIED 8/0**

Time: 5:18 PM

Not Voted: 1

No Votes: 0

Yes Votes: 8

<b>Name</b>	<b>Vote</b>
<b>Mayor Clune</b>	<b>YES</b>
<b>Cr. Colliver</b>	<b>YES</b>
<b>Cr. Denton</b>	<b>YES</b>
<b>Cr. Fiorenza</b>	<b>YES</b>
<b>Cr. Giudice</b>	<b>YES</b>
<b>Cr. Keemink</b>	<b>YES</b>
<b>Cr. Milnes</b>	<b>YES</b>
<b>Cr. Parker</b>	<b>NOT PRESENT</b>
<b>Cr. Van Styn</b>	<b>YES</b>

**NM41 FORESHORE EVENT - POTTER'S HOUSE CHRISTIAN CHURCH**

<b>AGENDA REFERENCE:</b>	<b>D-26-021173</b>
<b>AUTHOR:</b>	<b>Cr Tim Milnes</b>
<b>EXECUTIVE:</b>	<b>F Norling, Director Community and Culture</b>
<b>DATE OF REPORT:</b>	<b>19 February 2026</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0008</b>
<b>APPLICANT / PROPONENT:</b>	<b>Council</b>
<b>ATTACHMENTS:</b>	<b>No</b>

**COUNCIL MEMBER COMMENT**

Potter's House Christian Church ("Potter's House") is a longstanding and respected community organisation in Geraldton with a demonstrated track record of delivering compliant, safe and community-focused events. Potter's House has applied to hold a three-day community event titled "Revive" at Stow Gardens on the Geraldton Foreshore on 16, 17 and 18 April 2026. The event is a concert-style celebration of hope, community and faith, open to the public and free of charge. Two of the three event nights fall on weeknights, when casual use of Stow Gardens is typically minimal.

Potter's House submitted a function application in October 2025, which was **approved in writing by the City**. In reliance on that written approval, Potter's House has made considerable plans, engaged local businesses and vendors, arranged speakers and musicians, and incurred significant expense in preparation for the event. The City has now, at short notice, sought to restrict the event to a single night at Stow Gardens (Saturday 18 April only), suggesting the remaining two nights be relocated to an alternative venue such as Maitland Park.

I bring this motion because I believe the City's approach in this matter is inconsistent with its own policies, unsupported by the applicable guidelines, procedurally unfair, and risks exposing the City to legal challenge. This motion seeks to ensure Potter's House is treated fairly and in accordance with the policy framework that applies equally to all event organisers.

**Failure to Provide Written Reasons**

A matter of particular concern is that, despite repeated requests from Pastor Ricciardi, the City has failed to provide clear written reasons for its decision to restrict the event from three days to one day at Stow Gardens. In correspondence dated 13 February 2026, Pastor Ricciardi specifically requested:

- The specific policy basis for declining a three-day event in this precinct;
- How that policy has been applied consistently given other approved multi-day events in the same location; and
- Whether any aspect of the event's initiative influenced the decision.

To date, none of these questions have been addressed in writing by the City. Instead, the City's response (from the Manager Community and Cultural Development on 13 February 2026) was to offer a meeting to discuss "operational requirements and logistics associated with holding a one day event

at Stow Gardens on Saturday 18 April” – effectively treating the restriction as a fait accompli without engaging with the substantive concerns raised. As Pastor Ricciardi rightly observed, this response was dismissive of the issues he had formally raised.

Under the City’s own Local Law 9.4, the City is required to provide written reasons for adverse decisions and advise of review rights. The failure to provide transparent written reasons for this decision is a significant procedural deficiency that exposes the City to challenge.

### **Good Faith Reliance on City Approval**

Potter’s House submitted its application in October 2025 – well in advance of the April 2026 event dates – and received **written approval** from the City. On the strength of that approval, the organisation has committed resources, engaged local businesses and vendors, arranged speakers and musicians, and promoted the event to the community. It is a fundamental principle of good administration that where a government body grants an approval in writing, and a party acts in reliance on that approval to their detriment, the approval should not be arbitrarily withdrawn or materially altered without clear and lawful justification.

I note that the City’s own Operational Policy 028 (Event Management) requires event applications to be submitted at least eight weeks prior to the event. Potter’s House complied with this requirement by a margin of approximately five months. To now impose conditions that fundamentally alter the nature and logistics of an approved event at short notice is unreasonable and exposes the City to claims of detrimental reliance.

### **Legal and Administrative Law Risk to the City**

The City’s handling of this matter gives rise to several administrative law risks that Council should be aware of:

- **Procedural fairness:** The event organiser was given written approval and has not been provided with written reasons for the subsequent restriction, nor afforded a proper opportunity to be heard before the adverse decision was made.
- **Reasonableness:** The reasons identified to date for restricting the event are: (a) that more people might attend than initially planned; (b) that the Council logo was planned to be used (which has since been corrected); and (c) that others might wish to use the space during the event. None of these reasons, individually or collectively, constitute a reasonable basis for materially altering an approved event. Two of the three event nights are weeknights when casual use of Stow Gardens is minimal, and the Foreshore provides ample space for other users even during the event.
- **Delegated authority:** It is unclear whether the officer who made the decision to restrict the event to a single night acted within their properly delegated authority, or whether the decision exceeds the scope of the delegation granted under Local Law 10.2.
- **Legitimate expectation:** Having received written approval, the event organiser had a legitimate expectation that the event would proceed as

planned. The withdrawal of that expectation without proper process or justification is a recognised ground for administrative review.

The Director Community and Culture has herself acknowledged in correspondence to Councillors (16 February 2026) that it is “a likely possibility” that Pastor Ricciardi will lodge an objection to any conditional approval, and that such an objection could be submitted directly to the State Administrative Tribunal (SAT). I do not believe the reasons advanced for the restriction would withstand scrutiny before the SAT. The onus would be on the City to demonstrate that it followed fair and lawful process in withdrawing or materially altering permission that was granted in writing with short notice. The City’s position on this matter is, in my view, untenable.

Beyond SAT review, the City also faces exposure to civil litigation for detrimental reliance and potential reputational damage – both to Potter’s House and to the City itself.

### **No Policy Basis for Restricting Multi-Day Events at Stow Gardens**

I have carefully reviewed the City’s Operational Policy 028 (Event Management), the City’s Event Guidelines documentation, and the State Government’s *Guidelines for Concerts, Events and Organised Gatherings 2022*. None of these documents contain any provision that restricts, limits, or discourages multi-day events at Stow Gardens or the Geraldton Foreshore. To the contrary:

- Operational Policy 028 at clause 1.4 specifically identifies the Geraldton Foreshore (including Stow Gardens) as a **recommended** venue for events, noting it has “in-built utilities, facilities and/or structures that are suitable for events.”
- The State Guidelines specifically contemplate and plan for multi-day events, including separate medical resource ratios for single-day and multi-day events. Multi-day events are a recognised and anticipated category of event within the regulatory framework.
- Neither Policy 028 nor the State Guidelines impose any maximum duration for events at any particular venue, nor do they contain any mechanism for Officers to direct event organisers to alternative venues on the basis of “extended duration” alone.
- The purpose of the stage and associated infrastructure at Stow Gardens is precisely to facilitate events of this nature. A community concert over three evenings is entirely consistent with the intended use of this public asset.

The Officers’ suggestion that “proposed events requiring multiple dates have commonly been referred to locations such as Maitland Park” does not identify any policy basis for doing so. The Director’s correspondence to Councillors refers to this as “historically the common practice” of “liaising with event organisers.” An informal administrative practice that has never been formalised in policy does not constitute a lawful ground for refusing or materially altering an approved event application. The fact that other event organisers may have agreed to venue changes in the past does not mean those organisers were

required to do so, nor does it justify imposing such a requirement on Potter's House.

I further note the Director's expressed concern about "setting precedent" by approving a multi-day event at Stow Gardens. This concern is misplaced. The precedent that should concern Council is one in which the City imposes undocumented restrictions on community organisations that have no basis in published policy, fails to provide written reasons, and risks discrimination. That is the precedent we should be seeking to avoid.

### **Event Risk Classification**

I acknowledge that the event has grown from the originally proposed 70 attendees to approximately 300, and now includes amplified music, food facilities, and prize giveaways. This means the event is properly classified as an event rather than a function, and should be processed through the event approval pathway. Potter's House has indicated its willingness to comply with the event approval requirements.

However, it is important to note that under Operational Policy 028, an event of approximately 300 people **does not even reach the threshold for a "low risk" event**, which is defined as attracting between 500 and 1,000 patrons. The proposed event is modest in scale. The additional features – a PA system for music, food sales, and use of the existing stage – are standard elements readily accommodated at Stow Gardens, which is purpose-built for exactly this type of community activation.

The appropriate response from Officers should have been to assist the event organiser in transitioning from a function approval to an event approval, ensuring the necessary plans and documentation were in place – not to use the reclassification as an opportunity to impose venue restrictions that have no basis in policy.

### **Inappropriate Comparison with Circus and Carnival Events**

The Executive Comment draws a comparison between the Potter's House event and circus and sideshow carnival events that have been redirected to Maitland Park. This comparison is inapt. Circus and carnival events involve heavy commercial infrastructure – large rides, animal enclosures, extensive vehicle movements, semi-trailers, heavy generators, and significant ground impact over extended setup and packdown periods. These are fundamentally different from a community concert utilising existing stage infrastructure with a modest audience of approximately 300 people on evening occasions only.

The Potter's House event proposes to use the Foreshore stage for its intended purpose: community performance and gathering. Redirecting this event to Maitland Park would be akin to telling a local sporting club they cannot use the town oval because a visiting football carnival was once held at an alternative venue.

### **Discrimination and Viewpoint Neutrality**

The fact that Potter's House is a community of faith raises additional legal considerations that Council must take seriously. Pastor Ricciardi has directly

asked the City whether any aspect of the event's initiative influenced the decision. This question has not been answered.

The City must be able to justify its decision with regard to any discrimination or perceived discrimination. If the City allows other community groups to use the Foreshore stage for multi-day events but restricts access for a faith-based organisation, this raises a serious legal issue regardless of the City's stated intentions. Even if the City asserts neutrality, the relevant question becomes whether religion or the religious character of the event was a material factor in the decision, whether explicitly or implicitly. The principle of viewpoint neutrality requires that Council facilities be made available on the same terms to all community groups regardless of the viewpoint or message expressed at their events.

I am not suggesting that Officers have acted with discriminatory intent. However, the absence of any clear policy basis for the restriction, combined with the failure to provide written reasons, creates a situation in which the perception of unequal treatment is entirely reasonable. As Pastor Ricciardi observed in his correspondence, without a clear and transparent explanation, it is difficult to view this as consistent application of Council policy. The City must be alive to this risk and act to address it.

### **Community Benefit and Foreshore Activation**

The City's own Operational Policy 028 opens with the recognition that "events are a drawcard for tourists, driving increased visitation from other areas of the State, interstate and overseas, leading to a boost in revenue for the town and local business." The policy also acknowledges the importance of events in "creating a sense of culture, wellbeing and belonging within the Community."

The Revive event directly serves these objectives. It is a free, family-friendly, open-to-the-public celebration that will activate the Foreshore precinct over three evenings in April, bringing together members of the Geraldton community in a positive and inclusive setting. Potter's House has a demonstrated history of running compliant, safe, community-focused events in Geraldton. The organisation has engaged local businesses and vendors in good faith on the basis of the written approval it received. Geraldton benefits enormously from community-led events that bring people together, and Council should be encouraging – not obstructing – these initiatives.

### **Transparency, Consistency and Process**

The Executive Comment acknowledges that "there may be benefit in making this clearer by embedding specific pertinent information in relevant documentation" and that "there is merit in reviewing the current Policy." This is a candid acknowledgment that the current policy framework does not support the restriction being imposed. Any future policy changes should be developed transparently through proper consultation and should not be applied retrospectively to disadvantage an event organiser who has already received approval.

If there is a legitimate concern regarding the management of multi-day events at high-profile locations, the appropriate course is to develop a clear policy

through the normal policy review process (the next review of Policy 028 is scheduled for 2027). It is not appropriate to develop that policy “on the run” by imposing ad hoc conditions on a community organisation that has already been approved.

Alternatively, if Council considers that the current policy framework would benefit from earlier clarification regarding multi-day event management at Foreshore venues, that review can be initiated through the proper process – but it cannot and should not affect the Potter’s House application, which was made and approved under the current framework.

### **Conclusion**

In summary, the Potter’s House Revive event should be approved as originally proposed for the following reasons:

1. The event was applied for in good faith and approved in writing by the City. Potter’s House has relied on that written approval to its detriment, incurring significant expense and engaging local businesses and vendors.
2. There is no provision in the City’s Operational Policy 028 or the State Guidelines that restricts multi-day events at Stow Gardens or the Geraldton Foreshore.
3. The Foreshore is specifically identified in Policy 028 as a recommended event venue with suitable infrastructure.
4. At approximately 300 attendees, the event is modest in scale and does not even reach the “low risk” threshold of 500 patrons under the policy.
5. The event organiser has not been provided with clear written reasons for the restriction, despite repeated requests, in breach of the principles of procedural fairness and the City’s own Local Law 9.4.
6. The reasons that have been informally identified – increased attendance, council logo use, and potential use of the space by others – are individually and collectively insufficient to justify the restriction, particularly given two of the three nights are weeknights.
7. The City faces material legal risk including SAT review, claims of procedural unfairness, detrimental reliance, and potential discrimination if it proceeds with the restriction.
8. The event will deliver meaningful community benefit through positive Foreshore activation, consistent with the objectives of the City’s own event policy.
9. Any future policy development regarding multi-day events should be progressed through the proper policy review process with appropriate community consultation and should not be applied retrospectively.

### **EXECUTIVE COMMENT:**

Officers received an application by Potter’s House in October 2025 seeking approval to hold a function over three days in April 2026 at Stow Gardens indicating approximately 70 people would attend with no amusement devices, structures, food sales or use of utilities. This was subsequently approved in accordance with the Department of Health’s Event Guidelines published on the City’s website and the City’s function application form, which clearly defines a function as:

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*“a small gathering of people who are using a public open space for an organised activity or the intent that it is built. No infrastructure, selling of food or beverages or further approvals (traffic or risk management plans) are required.”*

Functions provide organisers with non-exclusive use of City owned or managed public open space and commonly relate to gatherings such as birthday parties and weddings. On becoming aware that the proposed activity included elements that defined it as an event rather than a function, Officers contacted the event organiser to advise of the need to submit an event approval application. The published definition of an event in accordance with the City’s documentation and guidelines is:

*“An event is an organised recreational, cultural, commercial, or social gathering of people. It is prearranged and not business as usual.”*

The State Government’s *Guidelines for Concerts, Events and Organised Gatherings 2022*, is the guiding document for local government in considering event applications. Officers also apply the Event Management Operational Policy, which is applicable to this event application due to identified aspects including use of power, PA, music, selling of food and stage/infrastructure.

Information available on the City’s website and forms to assist event organisers includes encouraging them to consult the *Guidelines for Concerts, Events and Organised Gatherings 2022* for their proposed event and for more information, as well as the option to contact the City’s Events Team if any further assistance is required in completing the form.

In liaising with the event organiser, advice was provided by Officers that an alternative venue would be more suitable for the proposed event due to its extended duration. It is standard practice by Officers in processing an event approval application to liaise with the organiser regarding specific event requirements and details, including site suitability. Proposed events requiring multiple dates have commonly been referred to locations such as Maitland Park in consideration of balancing broader community access to popular high profile locations such as Stow Gardens. Other examples of this include the Circus and Sideshow Carnivals, which has seen amicable agreement reached between the City and event organisers in regard to venue finalisation.

Further liaison by Officers in order to reach agreement with the event organiser led to a suggestion for one day to be held at Stow Gardens, with the remaining two dates at an alternative location. The event organiser’s response has been to persist in their preference to hold the event in its entirety over three consecutive dates in April at Stow Gardens.

As outlined above, Officers have consistently applied the *Event Guidelines* and Event Management Operational Policy in their approach to manage and consider event applications, which includes site suitability. It is acknowledged that there may be benefit in making this clearer by embedding specific pertinent

information in relevant documentation. As a result of the current issue, it has been identified that there is merit in reviewing the current Policy to potentially incorporate additional detail and provide greater clarification. The review will also consider potential development of a City policy to further formalise the City's approach in managing and considering event approval applications.

**PROPONENT:**

The proponent is Cr Tim Milnes

**INTEGRATED PLANNING LINKS:**

<b>Strategic Theme: Connected</b>	<b>An engaged and diverse community where everyone feels included and safe.</b>
Goal 3	Support and celebrate the City's diverse community through programs, initiatives and events, that build social connections.
Goal 4	Be an inclusive City by promoting and celebrating the full diversity of our community, including cultures, identities, backgrounds and abilities.
<b>Strategic Theme: Leading</b>	<b>A progressive City where informed decisions, strong advocacy and an enabling culture drives sustainable regional growth.</b>
Goal 5	Provide the community with clear and accessible information about the City's programs, services and decisions.
Goal 6	Ensure high quality governance activities enabling transparency and accountability.

**COUNCIL MEMBER MOTION:**

That Council by the proposed Simple Majority pursuant to Section 5.20 of the *Local Government Act 1995* RESOLVES to:

1. APPROVE the event application as originally proposed by Potter's House Christian Church for their *Revive* event proposed to be held at Stow Gardens 16,17 & 18 April 2026 and advise the event organiser accordingly;
2. SEEK Officers to confirm approval of the event application in writing to Potter's House Christian Church as soon as possible; and
3. MAKES the determination because the proposed event will add vibrancy and positive activation to the City and the Foreshore.

*Cr Milnes moved the motion with a minor amendment, to remove the words "as originally proposed", under item 1.*

### **COUNCIL DECISION**

#### **MOVED CR MILNES, SECONDED CR VAN STYN**

**That Council by the proposed Simple Majority pursuant to Section 5.20 of the Local Government Act 1995 RESOLVES to:**

- 1. APPROVE the event application by Potter's House Christian Church for their Revive event proposed to be held at Stow Gardens 16,17 & 18 April 2026 and advise the event organiser accordingly;**
- 2. SEEK Officers to confirm approval of the event application in writing to Potter's House Christian Church as soon as possible; and**
- 3. MAKES the determination because the proposed event will add vibrancy and positive activation to the City and the Foreshore.**

#### **CARRIED 5/3**

Time: 5:51 PM

Not Voted: 1

No Votes: 3

Yes Votes: 5

<b>Name</b>	<b>Vote</b>
<b>Mayor Clune</b>	<b>NO</b>
<b>Cr. Colliver</b>	<b>NO</b>
<b>Cr. Denton</b>	<b>YES</b>
<b>Cr. Fiorenza</b>	<b>NO</b>
<b>Cr. Giudice</b>	<b>YES</b>
<b>Cr. Keemink</b>	<b>YES</b>
<b>Cr. Milnes</b>	<b>YES</b>
<b>Cr. Parker</b>	<b>NOT PRESENT</b>
<b>Cr. Van Styn</b>	<b>YES</b>

**REASON FOR VARIATION TO THE COUNCIL MEMBER MOTION:** That Council take out the words "as originally proposed", under item 1. This may alleviate any unintended slight to the executive, and/or remove any misunderstanding around "function" and "event" for staff purposes, alleviating any concerns around this.

## 12 REPORTS OF COMMITTEES AND OFFICERS

### 12.1 REPORTS OF DEVELOPMENT SERVICES

DS089	LOCAL PLANNING POLICY REVIEW
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<b>AGENDA REFERENCE:</b>	<b>D-26-014389</b>
<b>AUTHOR:</b>	<b>H Martin, Manager City Growth</b>
<b>EXECUTIVE:</b>	<b>T Free, Director Development Services</b>
<b>DATE OF REPORT:</b>	<b>20 January 2026</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0029-003</b>
<b>ATTACHMENTS:</b>	<b>Yes (x3)</b>
	<b>A. Local Planning Policy Review Status</b>
	<b>B. Proposed Local Planning Policies</b>
	<b>C. Local Planning Policy Comparison Table</b>

#### EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to commence the statutory process to amend a further five (5) policies and consolidate two (2) into one (1).

The City has been undertaking a review of its 52 Local Planning Policies (LPPs). To date 25 policies have been revoked and Council has resolved to commence the statutory processes to amend five (5) policies and consolidate three (3) into one (1).

The proposed changes will improve clarity, consistency and usability, while retaining the existing policy intent, ensuring development outcomes that reflect best practice and meet the needs of the local community.

#### EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2, Part 2 cl.3(1) and cl.3(4) RESOLVES to:

1. AMEND the following Local Planning Policies so as to take the form as identified in Attachment No. DS089B:
  - a. Geraldton / Beachland Heritage Area;
  - b. Heritage Conservation and Development;
  - c. Mobile Trading;
  - d. Parking of Commercial Vehicles in Residential and Rural Residential Areas;
  - e. Repurposed Dwellings;
2. MAKE a new Local Planning Policy, titled Home Based Business and Non-Residential Development in the Residential Zone Local Planning Policy, in the form identified in Attachment No. DS089B, which will replace the following existing policies:
  - a. Home Based Business;
  - b. Non-Residential Development in the Residential Zone;

3. MAKE the draft policies available for community and stakeholder review and comment; and
4. REFER the matter back to Council for final consideration following the completion of community and stakeholder consultation.

**PROPONENT:**

The proponent is the City of Greater Geraldton (the City).

**BACKGROUND:**

The *Planning and Development (Local Planning Schemes) Regulations 2015* provide Council with the ability to prepare a LPP to provide guidance on matters relevant to the assessment of development applications.

The City has 27 LPPs. Most of those policies were prepared between 2007 and 2014 and the balance were prepared between 2016 and 2019. As previously reported to Council (27 August 2024 - Item No. DS045, 17 December 2024 - Item No. DS052, 29 April 2025 - Item No. DS062 and 28 October 2025 – Item No. DS082) a review of the policies has commenced.

The intent of the review is to:

1. Reduce the number of LPPs so that they are manageable to maintain and administer;
2. Ensure the content is current, clear and provides certainty;
3. Ensure consistency with best practice;
4. Reflect the City of Greater Geraldton's values and strategic direction; and
5. Reduce 'red-tape' and the cost of doing development.

Consultants, Element Advisory, have been engaged to deliver the review. The consultants have been considering small batches of four or five policies each month, in consultation with City Officers.

Once a policy is reviewed, Council has three options under the relevant legislation:

1. Retain the policy without change;
2. Retain the policy with modifications; or
3. Revoke the policy.

The *Planning and Development (Local Planning Schemes) Regulations 2015* identifies the steps that must be taken to implement those decision options. Those steps include undertaking community consultation where a policy is proposed to be created or modified.

The original 52 policies have now been reviewed with 25 having already been revoked by Council, leaving 27 still to be finalised. Of those 27, 22 policies are recommended for retention with modifications and five (5) are to be consolidated into two new policies. The full list of policies and recommended treatment is included as Attachment No. DS0089A - LPP Review Status.

This report considers five (5) of the policies proposed to be retained with modifications and two (2) proposed to be consolidated into one (1), being:

Policies being retained with modifications:

- Geraldton / Beachland Heritage Area;
- Heritage Conservation and Development;
- Mobile Trading;
- Parking of Commercial Vehicles in Residential and Rural Residential Areas; and
- Repurposed Dwellings.

Policies being consolidated into the new Home Based Business and Non-Residential Development in the Residential Zone Local Planning Policy:

- Home Based Business; and
- Non-Residential Development in the Residential Zone

Attachment No. DS089B – Proposed Local Planning Policies, includes copies of the five (5) revised policies and the new policy.

Attachment No. DS089C – Local Planning Policy Comparison Table outlines the intent of each existing and proposed policy, along with a description of the changes being recommended.

The Mobile Trading LPP was presented to Council at the October 2025 Ordinary Meeting of Council (Item No. DS082 – Local Planning Policy Review) with a recommendation that the policy be amended. Council members expressed that some of the wording in the proposed policy did not provide sufficient certainty. That policy has been revised to address those concerns with the following changes made:

1. The word ‘generally’ has been removed from clause 5.2.2 and 5.3.1; and
2. Clause 5.2.3, which stated “There is a general presumption against trading in road reserves unless the site has a formal parking area” has been removed. The amended policy only relates to mobile trading on private land so this statement is no longer relevant.

The proposed amendments to the LPPs are intended to modernise, consolidate and clarify the City’s planning framework. Each policy has been reviewed and restructured to align with current statutory requirements and contemporary planning practice. The changes aim to strengthen amenity protections, introduce clearer and more prescriptive development standards, and enhance guidance for applicants by updating terminology, expanding definitions and providing more explicit assessment criteria. Collectively, these revisions will improve clarity, consistency and usability, while retaining the existing policy intent, ensuring development outcomes that reflect best practice and meet the needs of the local community.

It is recommended that Council formally resolve to commence the statutory process to amend the five (5) existing policies and consolidate two (2) into a single new policy. The first step will be to invite community feedback on the proposed changes. All submissions will be presented to Council, along with recommendations on whether to adopt the policies as proposed or make further modifications based on the feedback received.

The remaining policies will continue to be brought to Council for consideration in batches over the coming months.

### **CONNECTED, LIVEABLE, THRIVING, LEADING – ISSUES AND OPPORTUNITIES:**

#### **Connected:**

LPPs form part of the City's broader planning framework, guiding development decisions from a local perspective. The 'Connected' theme within the Strategic Community Plan supports a local community that is inclusive and safe. LPPs identify the risks associated with development and the ways those risks should be addressed to ensure the community is safe.

#### **Liveable:**

The planning framework shapes how we live, work and move through our city, with a focus on supporting community health and wellbeing. The 'Liveable' theme of the Strategic Community Plan focuses on creating healthy, inclusive places to live. Each of the proposed LPPs contains requirements to ensure future development does not have a detrimental impact on community health and wellbeing.

#### **Thriving:**

Three of the LPPs being considered seek to support business activities within the City of Greater Geraldton. Those policies are:

- Mobile Trading;
- Parking of Commercial Vehicles in Residential and Rural Residential; and
- Home Based Business and Non-Residential Development within the Residential Zone.

#### **Leading:**

The City is demonstrating leadership by providing clear guidance through the proposed LPPs on how development should address planning matters.

The process for modifying existing and creating new LPPs will include stakeholder consultation, ensuring that Council members are fully informed when deciding whether they should be adopted.

#### ***Disclosure of Interest:***

No Officer involved in the preparation of this report has a declarable interest in this matter.

**RELEVANT PRECEDENTS:**

Council has previously made decisions in relation to the creation, amendment and revocation of LPPs, the most recent being the amendment of four LPPs on 28 October 2025 (Item No. DS082 - Local Planning Policy Review).

**COMMUNITY/COUNCIL MEMBER CONSULTATION:**

Council Members have been kept informed about the progress of the LPP Review via briefings throughout the process.

The next step in reviewing the policies is to seek community feedback, with all comments to be reported to Council at the end of the consultation period.

**LEGISLATIVE/POLICY IMPLICATIONS:**

The process for amending and making LPPs is set down in the *Planning and Development (Local Planning Scheme) Regulations 2015*. The review process ensures that all legislative requirements will be met.

LPPs identify Council's policy position on planning related matters to ensure that related decisions are consistent with Council's intent.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

The Planning Policy Review aims to improve efficiency within the planning system and optimise the use of Council resources in its administration. Those efficiencies will translate into improved application assessment timeframes and cost savings to anyone seeking to undertake development.

**INTEGRATED PLANNING LINKS:**

<b>Strategic Theme:</b> <b>Thriving</b>	<b>An economically diverse and prosperous City, driving sustainable growth while preserving our local spirit.</b>
Goal 1	Support existing businesses and attract new investment, contributing to a vibrant CBD and other key activity centres.
Goal 3	Plan for the sustainable growth of the City, balancing the needs of current and future populations.
<b>Strategic Theme:</b> <b>Leading</b>	<b>A progressive City where informed decisions, strong advocacy and an enabling culture drives sustainable regional growth.</b>
Goal 1	Engage with the community to enhance decision-making.
Goal 6	Ensure high quality governance activities enabling transparency and accountability.

**REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

**RISK MANAGEMENT:**

LPPs guide decision making in relation to development matters.

If these policies are not amended, the planning system may remain unnecessarily complex and inefficient, raising development and administration costs and potentially discouraging investment.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

Retaining the policies in their existing form was considered as an alternative however, doing so would be inconsistent with the intent of the review to:

1. Reduce the number of LPPs so that they are manageable to maintain and administer;
2. Ensure the content is current, clear and provides certainty;
3. Ensure consistency with best practice;
4. Reflect the City of Greater Geraldton's values and strategic direction; and
5. Reduce 'red-tape' and the cost of doing development.

*Cr P Fiorenza declared an Impartiality interest in Item No. DS089 Local Planning Policy Review as his residence is located in the Beachands Heritage Area. Cr Fiorenza remained in Chambers during the debate.*

*CEO R McKim declared an Impartiality interest in Item No. DS089 Local Planning Policy Review as his residence is located in the Beachands Heritage Area. R McKim remained in Chambers during the debate.*

**COUNCIL DECISION**

**MOVED CR COLLIVER, SECONDED CR KEEMINK**

**That Council by Simple Majority pursuant to *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2, Part 2 cl.3(1) and cl.3(4) RESOLVES to:**

1. **AMEND** the following Local Planning Policies so as to take the form as identified in Attachment No. DS089B:
  - a. Geraldton / Beachland Heritage Area;
  - b. Heritage Conservation and Development;
  - c. Mobile Trading;
  - d. Parking of Commercial Vehicles in Residential and Rural Residential Areas;
  - e. Repurposed Dwellings;
2. **MAKE** a new Local Planning Policy, titled Home Based Business and Non-Residential Development in the Residential Zone Local Planning Policy, in the form identified in Attachment No. DS089B, which will replace the following existing policies:
  - a. Home Based Business;
  - b. Non-Residential Development in the Residential Zone;
3. **MAKE** the draft policies available for community and stakeholder review and comment; and
4. **REFER** the matter back to Council for final consideration following the completion of community and stakeholder consultation.

**CARRIED 8/0**

Time: 5:58 PM

Not Voted: 1

No Votes: 0

Yes Votes: 8

<b>Name</b>	<b>Vote</b>
<b>Mayor Clune</b>	<b>YES</b>
<b>Cr. Colliver</b>	<b>YES</b>
<b>Cr. Denton</b>	<b>YES</b>
<b>Cr. Fiorenza</b>	<b>YES</b>
<b>Cr. Giudice</b>	<b>YES</b>
<b>Cr. Keemink</b>	<b>YES</b>
<b>Cr. Milnes</b>	<b>YES</b>
<b>Cr. Parker</b>	<b>NOT PRESENT</b>
<b>Cr. Van Styn</b>	<b>YES</b>

DS090	COUNCIL POLICY 4.28	MANAGING UNREASONABLE CUSTOMER CONDUCT
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<b>AGENDA REFERENCE:</b>	<b>D-26-014393</b>
<b>AUTHOR:</b>	<b>S McCaughey, Manager Customer and Business Engagement</b>
<b>EXECUTIVE:</b>	<b>T Free, Director Development Services</b>
<b>DATE OF REPORT:</b>	<b>3 February 2026</b>
<b>FILE REFERENCE:</b>	<b>GO/19/0008</b>
<b>ATTACHMENTS:</b>	<b>Yes (x2)</b>
	<b>A. Draft Council Policy 4.28 Managing Unreasonable Customer Conduct (v4)</b>
	<b>B. Comparison Table 4.28 Managing Unreasonable Customer Conduct</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council approval for Council Policy 4.28 Managing Unreasonable Customer Conduct, version 4. The policy has undergone its biennial review with no significant changes proposed.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority pursuant to Section 2.7 of the *Local Government Act 1995* RESOLVES to:

1. APPROVE Council Policy 4.28 Managing Unreasonable Customer Conduct, version 4.

**PROPONENT:**

The proponent is the City of Greater Geraldton (the City).

**BACKGROUND:**

Council Policy 4.28 – Managing Unreasonable Customer Conduct was last reviewed by Council on 30 January 2024 (Item No. CS091) and is now due for its biennial review. As part of this review, the policy has been updated with minor administrative and legislative alignment amendments only, with no change to the intent or application of the policy.

This policy supports a safe and respectful working environment for the City of Greater Geraldton by providing clear principles for managing unreasonable customer conduct. It enables the City to comply with work health and safety requirements and duty of care obligations associated with managing the impacts of unreasonable conduct on staff health, safety and security, while upholding fair access to services through consistent, transparent and proportionate responses.

Council Policy 4.28 Managing Unreasonable Customer Conduct is further supported by Operational Policy 030 Unreasonable Customer Conduct, which provides the processes and templates by which the City achieves a consistent approach to managing unreasonable customer conduct.

In summary, the proposed administrative changes include:

- Reframed the policy statement to better reflect the intent and principles already contained within the policy, without altering its scope, application or effect.
- Updated committee name to Audit, Risk and Improvement Committee (ARIC) to reflect the formally adopted title.
- Clarified CEO and Executive Management Team responsibilities by restating existing responsibilities in the Roles and Responsibilities section, already included under the Policy Details section.
- Added a reference to the WHS Act under Workplace Information to ensure consistency with legislative references in the Policy Details.
- Updated the Policy Administration section to accurately reflect current directorate responsibility and position title within Development Services.

### **CONNECTED, LIVEABLE, THRIVING, LEADING – ISSUES AND OPPORTUNITIES:**

#### **Connected:**

This policy ensures that customer interactions with the City are safe, respectful and fair for all. It protects staff from conduct that falls outside acceptable norms, while preserving equitable access to services and creating an environment where constructive engagement can occur. In doing so, it strengthens our commitment to building an inclusive, connected and respectful community.

#### **Liveable:**

There are no adverse impacts.

#### **Thriving:**

By ensuring unreasonable conduct is managed early and effectively, this policy helps protect the City's capacity to deliver high-quality services, maintain operational efficiency and support a productive workforce. In doing so, it underpins a strong local economy by ensuring resources are used wisely, staff can perform at their best and the community benefits from efficient, reliable and business-friendly service delivery.

#### **Leading:**

A contemporary policy provides clear guidance for managing unreasonable conduct, supports staff wellbeing, promotes fair and consistent decision-making, and ensures Council resources are applied equitably in the interests of the broader community. Regular review of Council policies also ensures they remain current, effective and aligned with principles of good governance.

#### ***Disclosure of Interest:***

No Officer involved in the preparation of this report has a declarable interest in this matter.

### **RELEVANT PRECEDENTS:**

Council policies are reviewed and endorsed by Council on a regular basis. Council Policy 4.28 – Managing Unreasonable Customer Conduct, version 1, was originally adopted by Council on 24 September 2019 (Item No. CCS443)

and has since been subject to biennial reviews. This policy was most recently approved by Council on 30 January 2024 as part of the biennial review process (Item No. CS091).

**COMMUNITY/COUNCIL MEMBER CONSULTATION:**

There are no significant changes to the intent of the policy proposed and any amendments are administrative in nature, therefore Council consideration is sought via this item.

**LEGISLATIVE/POLICY IMPLICATIONS:**

Pursuant to section 2.7 of the *Local Government Act 1995*, the role of Council includes determination of council policies:

**2.7. Role of council**

- (1) *The council governs the local government's affairs and, as the local government's governing body, is responsible for the performance of the local government's functions.*
- (2) *The council's governing role includes the following —*  
...  
*(b) determining the local government's policies;*

**FINANCIAL AND RESOURCE IMPLICATIONS:**

There are no financial or resource implications.

**INTEGRATED PLANNING LINKS:**

<b>Strategic Theme:</b> <b>Connected</b>	<b>An engaged and diverse community where everyone feels included and safe.</b>
Goal 1	Provide safe and inviting public spaces for people to enjoy.
Goal 4	Be an inclusive City by promoting and celebrating the full diversity of our community, including cultures, identities, backgrounds and abilities.
<b>Strategic Theme:</b> <b>Leading</b>	<b>A progressive City where informed decisions, strong advocacy and an enabling culture drives sustainable regional growth.</b>
Goal 2	Efficiently and effectively deliver community services and projects, through optimal use of our resources.
Goal 5	Provide the community with clear and accessible information about the City's programs, services and decisions.
Goal 6	Ensure high quality governance activities enabling transparency and accountability.

**REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

**RISK MANAGEMENT:**

Ensuring that the Council Policy Register is current and comprehensive supports the role of Council in the good government of the City of Greater Geraldton.

Council Policy 4.28 and its associated processes is wholly associated with mitigating the risk to City employees and the users or attendees at City facilities.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

Council may choose to consider alternative amendments to the policy; this is a matter for the Council.

No alternative options were considered by City Officers.

**COUNCIL DECISION**

**MOVED CR COLLIVER, SECONDED CR KEEMINK**

**That Council by Simple Majority pursuant to Section 2.7 of the *Local Government Act 1995* RESOLVES to:**

- 1. APPROVE Council Policy 4.28 Managing Unreasonable Customer Conduct, version 4.**

**CARRIED 8/0**

*In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law 2011 as amended, the motion was passed unopposed.*

DS091	SUBLEASE – REGIONAL SOUNDS INCORPORATED AND MULLERMIND CREATIVE
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<b>AGENDA REFERENCE:</b>	<b>D-26-014398</b>
<b>AUTHOR:</b>	<b>S Pratt-King, Coordinator Land and Leasing</b>
<b>EXECUTIVE:</b>	<b>T Free, Director Development Services</b>
<b>DATE OF REPORT:</b>	<b>23 January 2026</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0029-003</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1) Sublease Area Plan – Mullermind Creative</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is for Council to consider a proposed sublease agreement between Regional Sounds Incorporated and Mullermind Creative for a 28.98m<sup>2</sup> portion of Crown Reserve 52016, Lot 2842 (246) Marine Terrace, Geraldton, as per Attachment No. DS091 - Sublease Area Plan – Mullermind Creative.

*Cr N Colliver declared an Impartiality interest in Item No. DS091 Sublease – Regional Sounds Incorporated and Mullermind Creative as her employer Geraldton Universities Centre uses Mullermind Creative for Marketing and she has also personally used Mullermind Creative services in the past.*

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority pursuant to Section 3.58 of the *Local Government Act 1995* RESOLVES to:

1. APPROVE a sublease agreement between Regional Sounds Incorporated and Mullermind Creative for a 28.98m<sup>2</sup> portion of Crown Reserve 52016, Lot 2842 (246) Marine Terrace, Geraldton;
2. SET the proposed conditions as:
  - a. Term of one (1) year commencing on the date of execution;
  - b. Two (2) further term options of two (2) years each;
  - c. Set the commencing lease fee at \$6,750 (excluding GST) per annum, payable to Regional Sounds Incorporated;
  - d. Adjust the lease fee at the start of each further term option based on a market rent assessment;
  - e. An annual contribution comprising 50% of rates and \$1,800 (excluding GST) in operating expenses, payable to Regional Sounds Incorporated;
3. MAKE the determination subject to:
  - a. An advertising notice period of 14 days, inviting public submissions;
  - b. Consent from the Minister for Lands;
  - c. All regulatory approvals being obtained;
4. ADVISE Regional Sounds Incorporated that they are responsible for all costs associated with:
  - a. The preparation, execution, and registration of the sublease;
  - b. All advertising, valuation, survey and sublease administration charges; and

5. REFER the matter back to Council for further consideration should any opposing submissions be received.

**PROPONENT:**

The proponents are Regional Sounds Incorporated (Regional Sounds) and Mullermind Creative.

**BACKGROUND:**

Crown Reserve 52016, comprising Lot 2842 (No. 246) Marine Terrace, Geraldton, is managed by the City of Greater Geraldton under Management Order O531540. The reserve is designated for heritage, community and for purposes ancillary or beneficial to the designated purpose, including the power to lease.



***Crown Reserve 52016***

Regional Sounds, a not-for-profit organisation in Geraldton that supports the development of regional musicians through skills focused programs, has occupied the original Railway Station building on Reserve 52016 since January 2022. On 26 November 2024, Council approved a further 10-year lease with Regional Sounds (Item No. DS051) to support its ongoing work in the local music industry. This lease is due to expire in November 2035.

Mullermind Creative, a Geraldton based digital content agency has been occupying the unused office space at the rear of the building since late 2025. Regional Sounds now seeks to formalise this arrangement through a sublease, requiring retrospective consent from the City and the Minister for Lands under the terms of its head lease.

The Proponents have negotiated preferred sublease terms, which are reflected in the Executive Recommendation. Under these terms, Mullermind Creative (Mullermind) would be responsible for contributing to utilities and rates and providing in kind specialist photography and video service valued at \$5,000 (including GST) per annum with Regional Sounds receiving the sublease income to support program delivery and meet operational costs under the lease

such as preventative maintenance and utility expenses estimated to be \$15,000 per year.

**CONNECTED, LIVEABLE, THRIVING, LEADING –  
ISSUES AND OPPORTUNITIES:**

**Connected:**

The sublease strengthens community connection by enabling creative programs and partnerships within the Railway Station precinct, contributing to a diverse and inclusive community where people feel engaged and supported.

**Liveable:**

By activating under-utilised community infrastructure, the sublease enhances access to services and supports the creation of vibrant, well-used spaces that contribute to community wellbeing.

**Thriving:**

Formalising the sublease supports local economic activity by enabling a creative industry business to operate sustainably, contributing to a diverse regional economy and supporting local employment opportunities.

**Leading:**

The sublease demonstrates responsible asset management and strong governance by ensuring transparent, compliant leasing practices while maximising community benefit from City managed facilities.

*Disclosure of Interest:*

No Officer involved in the preparation of this report has a declarable interest in this matter.

**RELEVANT PRECEDENTS:**

On 29 April 2025 Council resolved (Item No. DS063) to dispose of an 80m<sup>2</sup> portion of Crown Reserve 52016, Lot 2842 (246) Marine Terrace, Geraldton by way of sublease to Regional Sounds Incorporated and Remi French Street Food.

**COMMUNITY/COUNCIL MEMBER CONSULTATION:**

Should Council approve the proposed sublease, a public notice will be advertised for 14 days, inviting public submissions under section 3.58(3) of the *Local Government Act 1995*.

**LEGISLATIVE/POLICY IMPLICATIONS:**

Section 3.58 of the *Local Government Act 1995* details the process for disposing of property (in this case, leasing).

Section 18 of the *Land Administration Act 1997* details the requirement to seek consent from the Minister for Lands for all Crown land transactions.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

All administration costs will be recovered from Regional Sounds, ensuring no financial burden on the City and keeping the City's budget cost neutral.

Income from the sub-lease will assist Regional Sounds in covering operational costs associated with leasing the building.

**INTEGRATED PLANNING LINKS:**

<b>Strategic Theme: Connected</b>	<b>An engaged and diverse community where everyone feels included and safe.</b>
Goal 2	Foster collaborative partnerships to improve community safety, security and social cohesion.
<b>Strategic Theme: Thriving</b>	<b>An economically diverse and prosperous City, driving sustainable growth while preserving our local spirit.</b>
Goal 1	Support existing businesses and attract new investment, contributing to a vibrant CBD and other key activity centres.
<b>Strategic Theme: Leading</b>	<b>A progressive City where informed decisions, strong advocacy and an enabling culture drives sustainable regional growth.</b>
Goal 6	Ensure high quality governance activities enabling transparency and accountability.

**REGIONAL OUTCOMES:**

There are no adverse impacts on regional outcomes.

**RISK MANAGEMENT:**

Prior to executing the proposed sublease agreement, the Proponent must provide evidence of appropriate insurance.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

The following options were considered by City Officers:

1. Not proceed with the proposed sublease. City Officers do not recommend this option as it does not support small businesses, activation of community spaces or promote innovation within community groups.
2. Charge an annual sublease fee to Regional Sounds. It is acknowledged that community groups have experienced a significant rise in operating expenses; these rising costs have placed considerable financial pressure on their ability to deliver low-cost community initiatives, making it increasingly difficult for them to sustain their operations and services. Regional Sounds proposal presents an innovative approach to addressing these financial challenges. For this reason, City Officers do not recommend supporting this option.
3. Undertake an open market Expression of Interest (EOI) process for the sublease. While an EOI could provide broader opportunities for interested parties, City Officers do not recommend this option. The preference is to support businesses and community organisations that proactively seek to diversify their activities and establish networks that create sustainable opportunities. Regional Sounds has demonstrated a commitment to this, aligning with the City's objectives to foster local enterprise and activate community spaces. An open EOI may delay activation efforts and introduce uncertainty, potentially discouraging organisations that form partnerships that benefit the local community.

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*Cr N Colliver declared an Impartiality interest in Item No. DS091 Sublease – Regional Sounds Incorporated and Mullermind Creative as her employer Geraldton Universities Centre uses Mullermind Creative for Marketing and she has also personally used Mullermind Creative services in the past. Cr Colliver remained in Chambers during the debate.*

**COUNCIL DECISION**

**MOVED CR DENTON, SECONDED CR GIUDICE**

**That Council by Simple Majority pursuant to Section 3.58 of the *Local Government Act 1995* RESOLVES to:**

- 1. APPROVE a sublease agreement between Regional Sounds Incorporated and Mullermind Creative for a 28.98m<sup>2</sup> portion of Crown Reserve 52016, Lot 2842 (246) Marine Terrace, Geraldton;**
- 2. SET the proposed conditions as:**
  - a. Term of one (1) year commencing on the date of execution;**
  - b. Two (2) further term options of two (2) years each;**
  - c. Set the commencing lease fee at \$6,750 (excluding GST) per annum, payable to Regional Sounds Incorporated;**
  - d. Adjust the lease fee at the start of each further term option based on a market rent assessment;**
  - e. An annual contribution comprising 50% of rates and \$1,800 (excluding GST) in operating expenses, payable to Regional Sounds Incorporated;**
- 3. MAKE the determination subject to:**
  - a. An advertising notice period of 14 days, inviting public submissions;**
  - b. Consent from the Minister for Lands;**
  - c. All regulatory approvals being obtained;**
- 4. ADVISE Regional Sounds Incorporated that they are responsible for all costs associated with:**
  - a. The preparation, execution, and registration of the sublease;**
  - b. All advertising, valuation, survey and sublease administration charges; and**
- 5. REFER the matter back to Council for further consideration should any opposing submissions be received.**

**CARRIED 8/0**

*In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law 2011 as amended, the motion was passed unopposed.*

**12.2 REPORTS OF COMMUNITY AND CULTURE - NIL**

There were none.

### 12.3 REPORTS OF CORPORATE SERVICES

CS280	CORPORATE REPORTING – Q2 (OCTOBER – DECEMBER) 2025-26
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<b>AGENDA REFERENCE:</b>	<b>D-26-015068</b>
<b>AUTHOR:</b>	<b>N Jane, Chief Financial Officer</b>
<b>EXECUTIVE:</b>	<b>P Radalj, Director Corporate Services</b>
<b>DATE OF REPORT:</b>	<b>5 February 2026</b>
<b>FILE REFERENCE:</b>	<b>GO/13/0013</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>
	<b>Corporate Reporting for Q2 2025-26</b>

#### EXECUTIVE SUMMARY:

The purpose of this report is for Council to receive the Corporate Reporting for Q2 (October to December) 2025-26.

#### EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 5.20 of the *Local Government Act 1995* RESOLVES to:

1. RECEIVE the Corporate Reporting for Q2 (October to December) 2025-26.

#### PROPONENT:

The proponent is the City of Greater Geraldton (the City).

#### BACKGROUND:

In June 2025, Council adopted the Strategic Community Plan 2025-2035 and Corporate Business Plan 2025-2029. The Corporate Business Plan describes the core services provided by the City, along with a list of key actions to be delivered against each of the strategic themes. The Corporate Business Plan is the four-year action plan that demonstrates how the City will implement the community's vision for the future including the key projects and initiatives that will deliver on the community's priorities.

This report provides a quarterly update on progress against the key actions identified for delivery in Year 1 of the Corporate Business Plan, 2025-26.

The *Local Government Amendment Act 2023* was passed by Parliament in May 2023. It introduced several key reforms including the requirement for local government CEO's performance criteria and performance reviews to be published. Regulations are currently being developed (*Local Government Regulations Amendment Regulations 2024*) which will implement these reforms.

In relation to CEO KPIs the paper states:

*The CEO holds an important operational and financial role in the local government as the head of the administration. Allowing the community to view progress against CEO KPIs is another measure of confidence to track how a local government is performing overall.*

Whilst the Regulations have not yet been enacted, the attached report incorporates an update on progress for the CEO KPIs in conjunction with the quarterly reporting on Corporate Business Plan actions.

## **CONNECTED, LIVEABLE, THRIVING, LEADING – ISSUES AND OPPORTUNITIES:**

### **Connected:**

This report provides information on key projects and initiatives being delivered to implement the community's vision for the future as contained in the Strategic Community Plan. The Connected theme has the objective to deliver an engaged and diverse community where everyone feels included and safe. Goals include providing safe and inviting public spaces for people to enjoy; fostering collaborative partnerships to improve community safety, security and social cohesion; supporting and celebrating the City's diverse community through programs, initiatives and events; and being an inclusive City by promoting and celebrating the full diversity of our community, including cultures, identities, backgrounds and abilities.

### **Liveable:**

The Liveable theme has the objective to deliver a protected and enhanced natural environment with facilities and services to support community health and wellbeing. Goals include prioritising greening of the City's streetscapes and public spaces, with a focus on pathways and open space areas; managing and protecting the City's natural environment and identifying strategies to mitigate climate change and improving waste management to support a sustainable future.

### **Thriving:**

The Thriving theme has the objective to deliver an economically diverse and prosperous City, driving sustainable growth whilst preserving our local spirit. Goals include supporting existing businesses and attracting new investment, contributing to a vibrant CBD and other key activity centres and supporting and championing our diverse mix of industries, encouraging innovation and local employment opportunities.

### **Leading:**

The Leading theme has the objective to demonstrate a progressive City where informed decisions, strong advocacy and an enabling culture drives sustainable regional growth. Goals include engaging with the community to enhance decision-making; efficiently and effectively delivering community services and projects through optimal use of our resources, financial sustainability, actively seeking and leveraging external funding to deliver for the community; continued focus on strong advocacy to ensure that Federal and State projects, programs and funding are aligned with our community's priorities; providing the community with clear and accessible information about the City's programs, services and decisions; and ensuring high quality governance activities enabling transparency and accountability.

### ***Disclosure of Interest:***

No Officer involved in the preparation of this report has a declarable interest in this matter.

**RELEVANT PRECEDENTS:**

Reports on progress against the Corporate Business Plan are provided to Council for each quarter. The annual report provides an update for the year.

- Item No. CS271 – 2025-26 Corporate Reporting – Quarter One Reporting received on 16 December 2025.
- Item No. CS269 – 2024-25 Annual Report received on 16 December 2025.
- Item No. CS215 – 2024-25 Corporate Business Plan – Quarter Three Reporting received on 27 May 2025.
- Item No. CS191 – 2024-25 Corporate Business Plan – Quarter Two Reporting received on 25 February 2025.

**COMMUNITY/COUNCIL MEMBER CONSULTATION:**

There has been no community/Council Member consultation; however, this report provides an update to the Community and Council Members on progress against the Corporate Business Plan 2025-2029 and CEO KPI's.

**LEGISLATIVE/POLICY IMPLICATIONS:**

There are no legislative or policy implications.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

The Long-Term Financial Plan maps out the resourcing needs of the Strategic Community Plan over a 10-year period, and the annual budget adopted by Council supports delivery against the community's priorities as captured in the Strategic Community Plan and Corporate Business Plan.

**INTEGRATED PLANNING LINKS:**

This report responds to all the Integrated Planning themes.

<b>Strategic Theme: Connected</b>	<b>An engaged and diverse community where everyone feels included and safe.</b>
<b>Strategic Theme: Liveable</b>	<b>A protected and enhanced natural environment with facilities and services to support community health and wellbeing.</b>
<b>Strategic Theme: Thriving</b>	<b>An economically diverse and prosperous City, driving sustainable growth while preserving our local spirit.</b>
<b>Strategic Theme: Leading</b>	<b>A progressive City where informed decisions, strong advocacy and an enabling culture drives sustainable regional growth.</b>

**REGIONAL OUTCOMES:**

As the main regional centre for the Mid West, the City has a great opportunity to support, facilitate and leverage state projects in the region. The City continues to support and advocate for initiatives that build a better future for our community and the region.

**RISK MANAGEMENT:**

No specific risks associated with this report.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

No alternative options were considered by City Officers.

**COUNCIL DECISION****MOVED CR COLLIVER, SECONDED CR KEEMINK**

That Council by Simple Majority pursuant to Section 5.20 of the *Local Government Act 1995* RESOLVES to:

1. **RECEIVE** the Corporate Reporting for Q2 (October to December) 2025-26.

**CARRIED 8/0**

*In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law 2011 as amended, the motion was passed unopposed.*

CS281	MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDED 31 JANUARY 2026
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<b>AGENDA REFERENCE:</b>	<b>D-26-015019</b>
<b>AUTHOR:</b>	<b>N Jane, Chief Financial Officer</b>
<b>EXECUTIVE:</b>	<b>P Radalj, Director Corporate Services</b>
<b>DATE OF REPORT:</b>	<b>4 February 2026</b>
<b>FILE REFERENCE:</b>	<b>FM/17/0017</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b> <b>Monthly Financial Report for period ended 31 January 2026</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to provide Council with a comprehensive report on the City's finances to 31 January 2026.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority pursuant to Regulation 34 and 35 of the *Local Government (Financial Management) Regulations 1996* RESOLVES to:

1. RECEIVE the Monthly Financial Report for the period ended 31 January 2026, incorporating the Statement of Financial Activity and Statement of Financial Position.

**PROPONENT:**

The proponent is the City of Greater Geraldton (the City).

**BACKGROUND:**

This report provides Council with a comprehensive overview of the City's financial performance and position. It includes key performance indicators across Connected, Liveable, Thriving and Leading themes, along with the Statement of Financial Activity, Statement of Financial Position, Explanation of Material Variances, Net Current Funding Position and Monthly Investment Report.

In accordance with the Financial Management Regulations, a Statement of Financial Activity and a Statement of Financial Position must be presented monthly, accompanied by relevant supporting information. Beyond regulatory compliance, the purpose of regular financial reporting is to enable Council Members to monitor the allocation of financial and other resources against the approved budget. This ongoing reporting demonstrates sound financial management and the effectiveness of the City's systems. The monthly report also provides a snapshot of the organisation's liquidity and its status as a going concern.

**CONNECTED, LIVEABLE, THRIVING, LEADING – ISSUES AND OPPORTUNITIES:****Connected:**

This report outlines the financial allocations and expenditures for programs and activities that support the City's commitment to building an engaged and diverse community. The City invests in programs and infrastructure that promote safety, inclusion, and social cohesion.

**Liveable:**

This report outlines financial activity related to the City's efforts to create a greener, healthier, and more sustainable environment. The City is committed to enhancing liveability through strategic investments in green infrastructure, sustainable practices, and community wellbeing.

**Thriving:**

This report outlines financial activity related to programs and projects that contribute to a thriving local economy. The City continues to invest in initiatives that foster economic vitality and supports local businesses.

**Leading:**

This report demonstrates the City's commitment to efficient service delivery, financial sustainability, and leadership that is transparent and accountable.

***Disclosure of Interest:***

No Officer involved in the preparation of this report has a declarable interest in this matter.

**RELEVANT PRECEDENTS:**

Council is provided with financial reports each month.

**COMMUNITY/COUNCIL MEMBER CONSULTATION:**

There has been no community/Council Member consultation.

**LEGISLATIVE/POLICY IMPLICATIONS:**

Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996* require the local government to prepare a statement of financial activity each month, reporting on the revenue and expenditure as set out in the adopted annual budget. The statement is to be accompanied by documents containing an explanation of material variances and such other supporting information as is considered relevant by the local government.

Each financial year, a local government is to adopt a percentage or value to be used in statements of financial activity for reporting material variances. The materiality threshold adopted by Council are variances that are greater than 10% of the current budget or a value greater than \$50,000.

Regulation 35 of the *Local Government (Financial Management) Regulations 1996* also requires the local government to prepare a statement of financial position as at the last day of the previous month.

A statement of financial activity, statement of financial position and any accompanying documents are to be presented at an Ordinary Meeting of the Council within two months after the end of the month to which the statements relate.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

As detailed in this item and attached report.

**INTEGRATED PLANNING LINKS:**

<b>Strategic Theme: Leading</b>	<b>A progressive City where informed decisions, strong advocacy and an enabling culture drives sustainable regional growth.</b>
Goal 1	Engage with the community to enhance decision-making.
Goal 2	Efficiently and effectively deliver community services and projects, through optimal use of our resources.
Goal 3	Financial sustainability, actively seeking and leveraging external funding to deliver for the community.
Goal 5	Provide the community with clear and accessible information about the City's programs, services and decisions.
Goal 6	Ensure high quality governance activities enabling transparency and accountability.

**REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

**RISK MANAGEMENT:**

The provision of monthly financial reports to Council fulfills the relevant statutory requirements and is consistent with good financial governance.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

No alternative options were considered by City Officers.

**COUNCIL DECISION****MOVED CR VAN STYN, SECONDED CR COLLIVER**

That Council by Simple Majority pursuant to Regulation 34 and 35 of the *Local Government (Financial Management) Regulations 1996* **RESOLVES** to:

- 1. RECEIVE the Monthly Financial Report for the period ended 31 January 2026, incorporating the Statement of Financial Activity and Statement of Financial Position.**

**CARRIED 8/0**

*In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law 2011 as amended, the motion was passed unopposed.*

**12.4 REPORTS OF INFRASTRUCTURE SERVICES**

*Refer to item listed under '2. Meeting Closed to Public'.*

**12.5 REPORTS OF OFFICE THE CEO****CEO144 FORMER FIRE STATION – LOT 2398 DURLACHER STREET,  
GERALDTON**

<b>AGENDA REFERENCE:</b>	<b>D-26-015625</b>
<b>AUTHOR:</b>	<b>R McKim, Chief Executive Officer</b>
<b>EXECUTIVE:</b>	<b>R McKim, Chief Executive Officer</b>
<b>DATE OF REPORT:</b>	<b>8 February 2026</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0029-003</b>
<b>ATTACHMENTS:</b>	<b>Yes (x3) Confidential</b>
	<b>A. Confidential - Old Fire Station - Durlacher Street – Briefing Note</b>
	<b>B. Confidential - Letter from Premier Regarding the Old Fire Station to Ian Blayney then MLA</b>
	<b>C. Confidential - Former Fire Station Site, Durlacher St, Geraldton - Proposal to Construct an Off-street Car Park</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council direction on the former Durlacher St Fire Station (Lot 2398 Durlacher Street, Geraldton). The site is currently being used informally for car parking. It is untidy and presents safety and amenity concerns. The land is owned by the State Government.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority pursuant to Section 5.20 of the *Local Government Act 1995* RESOLVES to:

1. DIRECT the Chief Executive Officer to write to the State Government seeking permission to undertake PFAS (Per and Polyfluoroalkyl Substances) testing on Lot 2398 Durlacher Street at the city's expense with the results to be provided to the City and the State;
2. DIRECT the Chief Executive Officer to write to the State Government requesting a management order over Lot 2398 Durlacher Street, Geraldton for municipal purposes and car park; and
3. ADVISE the State Government that the City would design and construct the proposed car park at its expense subject to the PFAS testing and granting of requested management order.

**PROPONENT:**

The proponent is the City of Greater Geraldton (the City).

**BACKGROUND:**

The subject property is a Regional Centre zoned lot located on the corner of Durlacher Street and Anzac Terrace with a land area of 3,225sqm. The structures (now removed) were constructed circa 1970. The lot is owned by the State as a Crown Grant in Trust and the title has an encumbrance with a Memorial (N890197) under the Contaminated Sites Act 2003 REGISTERED on the 7/5/2018 noting "possibly contaminated – investigation required".

Between 2019 and 2021, various approaches to the State to obtain the property for car parking purposes were unsuccessful. The State advised that it would not consider the City's offers until the State undertook PFAS (Per and Polyfluoroalkyl Substances) tests. In the six years since receiving this advice, the site has remained untidy and underutilised and has become a visual and safety concern within a prominent part of the City centre. The significant tree on the site is now without water and is dying. The City has begun watering the tree to try and keep it alive.

The importance of the site is expected to increase significantly when Lot 601 (the gravel car park on the sea side of the City's library between Foreshore Drive and Marine Terrace) is developed. This development will increase demand for accessible, centrally located parking to support nearby commercial, community and civic uses. Without additional parking provision, there is a risk that future development outcomes will be constrained and that parking pressures will negatively impact the CBD experience.

The requested management order would enable the City to address these issues in a timely and cost effective manner by delivering a car park solution, while preserving the State's underlying ownership of the land. Officers would prefer to obtain freehold title, as the City provided the state with their current site on North West Coastal Highway for free, but this appears too difficult for the State system to navigate and hence the management order option.

### **CONNECTED, LIVEABLE, THRIVING, LEADING – ISSUES AND OPPORTUNITIES:**

#### **Connected:**

Utilising this land as a public car park will assist in further activating the City Centre and in future public parking provision when Lot 601, Marine Terrace is developed. Improved parking availability will support access to the CBD, local businesses, services and community facilities.

#### **Liveable:**

Removing an untidy and unsafe site and replacing it with a well designed car park will improve public safety, presentation and overall amenity within the City centre.

The Department of Water and Environmental Regulation (DWER) has confirmed firefighting foam containing PFAS (Per and Polyfluoroalkyl Substances) was used on the site for approximately 47 years, from 1969 to 2016. As the extent of the contamination is not yet realised, sealing the site with asphalt may be an alternative to mitigate potential contact with soil on the site (it effectively means there will not be any ground disturbance once sealed). Officers have obtained a quote from a local provider to undertake the required PFAS testing of the site. The tests can be completed for approximately \$10,000.

**Thriving:**

Additional parking capacity will support economic activity and future development, particularly in association with the development of Lot 601. Using the adjacent city car park across from the site as a guide, a formal car park would provide approximately 80 parking places.

**Leading:**

Proactively seeking a management order demonstrates responsible stewardship, collaboration with the State Government and a pragmatic approach to improving underutilised land.

***Disclosure of Interest:***

No Officer involved in the preparation of this report has a declarable interest in this matter.

**RELEVANT PRECEDENTS:**

At the Ordinary Meeting of Council held on 26 November 2019 Council considered Item No. DCS430 Former Fire Station – Lot 2398 Durlacher Street, Geraldton). Council resolved the following:

1. *DIRECT the CEO to negotiate with the Department of Planning, Lands and Heritage Approval for:*
  - a. *the acquisition of Lot 2398 Durlacher Street, Geraldton via either freehold purchase or a Management Order for Municipal Purposes and Car parking;*
  - b. *subject to point a. above, prepare cost estimates for consideration by Council, for demolition of all structures on site, environmental assessment / approval and construction of a car park and possible toilets on Lot 2398 Durlacher Street, Geraldton; and*
2. *PRESENT, subject to 1 above, a report back to Council on the outcome of the negotiations and possible costings thereto for final determination.*

By March 2020, the City had not received a formal response on either proposal. Hence a further motion was considered on 24 March 2020 (Item No. DCS444 Acquisition of Former Fire Station – Lot 2398 Durlacher Street, Geraldton):

*That Council by Absolute Majority pursuant to Section 3.59 (1) and Section 6.8 (1a) of the Local Government Act 1995 RESOLVES to:*

1. *DELEGATE authority to the Chief Executive Officer to acquire Lot 2398 Durlacher Street, Geraldton subject to the following conditions:*
  - a. *Presentation of a formal offer to the Department of Planning, Lands & Heritage to purchase Lot 2398 Durlacher Street, Geraldton for the sum of \$1.00 inclusive of GST that includes:*
    - i. *City contribution of half of the total demolition costs of buildings; and*
    - ii. *subject to the results of the testing of the suspected PFAS contamination permits the use and development of the site for car parking and associated ground disturbing activities.*

Council determined to defer this decision for consideration with upcoming budget deliberations. The State subsequently demolished the buildings on the

site but advised they would not discuss the future of the land until they completed PFAS testing.

An aerial photo of the site at the time follows:



The site as it appears currently:



**COMMUNITY/COUNCIL MEMBER CONSULTATION:**

Councillor consultation and discussions have been ongoing. This report is the latest to seek Council direction.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

The financial implications associated with the construction and ongoing maintenance of a car park would be subject to separate budget consideration should a management order be granted. Officers estimate that the design cost of the proposed car park would be in the order of \$70,000. There would be additional costs incurred in the administrative processes required to obtain a management order. Officers have not obtained a recent valuation on the property, however, an extract from a previous council report follows:

*'We are aware the City of Greater Geraldton has presented an offer for the site for \$1. There are no directly comparable sales and our valuation approaches require non-standard assumptions. Our explicit assumptions for this valuation increase the level of subjectivity. Our methodologies indicate values of \$11,000 and \$25,000 respectively. The \$1 offer presented appears reasonable noting the comments above. After our adjustments and consideration of the relevant evidence and assumptions, we have adopted a subject value range of between \$1 and \$25,000 and adopted a value of \$12,500 being the mid-point of our value range'.*

A rough estimate of the car park construction cost at the time of writing this report is \$1.2 million.

#### **INTEGRATED PLANNING LINKS:**

<b>Strategic Theme: Connected</b>	<b>An engaged and diverse community where everyone feels included and safe.</b>
Goal 1	Provide safe and inviting public spaces for people to enjoy.
<b>Strategic Theme: Liveable</b>	<b>A protected and enhanced natural environment with facilities and services to support community health and wellbeing.</b>
Goal 2	Improve maintenance and connectivity of the City's transport network, including expanded active transport opportunities.
<b>Strategic Theme: Thriving</b>	<b>An economically diverse and prosperous City, driving sustainable growth while preserving our local spirit.</b>
Goal 1	Support existing businesses and attract new investment, contributing to a vibrant CBD and other key activity centres.
Goal 3	Plan for the sustainable growth of the City, balancing the needs of current and future populations.

#### **REGIONAL OUTCOMES:**

In the future, parking in the CBD will be at a premium. Access to this site would enable the City to expand public parking as demand grows.

#### **RISK MANAGEMENT:**

The primary risk associated with this property is the management of PFAS.

PFAS stands for Per and Polyfluoroalkyl Substances. They are a large group of manmade chemicals that have been used since the 1950s in products such as firefighting foams, non-stick cookware, Stain and water resistant fabrics, and some industrial coatings and food packaging. PFAS are often referred to as "forever chemicals" because they do not break down easily in the environment, can accumulate in soil, groundwater and the human body over time.

To mitigate PFAS risk on an old fire station site, the City could first conduct targeted environmental testing to determine the extent of PFAS contamination, pending State approval for access to the land. Based on the results, interim measures such as covering contaminated areas with impermeable materials

like gravel, asphalt, or concrete can help minimise site disturbance and reduce potential exposure risks. Ongoing monitoring, clear signage, and restricting access to highly affected areas further support risk management until a comprehensive remediation plan is developed in line with regulatory guidance. The State have vacated the site and not installed any warning signage or fencing or undertaken any testing to allow the extent of the risk to be known.

There is risk from rate payers that the City is again funding what could be seen as a State Government responsibility. If the City obtained the management order, the city would then be responsible for construction costs, maintenance costs and operational costs.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

There are a variety of options available to the city. Some of these include:

1. Take no action:  
The site is the State Government's responsibility. The State has other untidy sites in Geraldton (e.g. the former Western Power Site on Durlacher St near the QEII centre) and it is their job to address them.
2. Undertake PFAS testing prior to any further decisions being made:  
Direct the CEO to seek permission from the State to undertake PFAS testing at the City's expense and decide future actions once the test results are received.
3. Direct the CEO to seek the land as Freehold.
4. Direct the CEO to seek the management order without undertaking PFAS testing.

**COUNCIL DECISION**

**MOVED CR FIORENZA, SECONDED CR COLLIVER**

**That Council by Simple Majority pursuant to Section 5.20 of the *Local Government Act 1995* RESOLVES to:**

1. **DIRECT** the Chief Executive Officer to write to the State Government seeking permission to undertake PFAS (Per and Polyfluoroalkyl Substances) testing on Lot 2398 Durlacher Street at the City's expense with the results to be provided to the City and the State;
2. **DIRECT** the Chief Executive Officer to write to the State Government requesting a management order over Lot 2398 Durlacher Street, Geraldton for municipal purposes and car park; and
3. **ADVISE** the State Government that the City would design and construct the proposed car park at its expense subject to the PFAS testing and granting of requested management order.

**CARRIED 8/0**

*In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law 2011 as amended, the motion was passed unopposed.*

**12.6 REPORTS TO BE RECEIVED****RR80 REPORTS TO BE RECEIVED - JANUARY**

<b>AGENDA REFERENCE:</b>	<b>D-26-017526</b>
<b>AUTHOR:</b>	<b>R McKim, Chief Executive Officer</b>
<b>EXECUTIVE:</b>	<b>R McKim, Chief Executive Officer</b>
<b>DATE OF REPORT:</b>	<b>13 February 2026</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0029</b>
<b>ATTACHMENTS:</b>	<b>Yes (x3)</b>
	<b>A. DSDD040 - Delegated Determinations and Subdivision Applications for Planning Approval</b>
	<b>B. CS282 – List of Accounts Paid Under Delegation – January 2026</b>
	<b>C. CS283 - List of Payments by Employees via Purchasing Cards – January 2026</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to receive the Reports of the City of Greater Geraldton.

**EXECUTIVE RECOMMENDATION:**PART A

That Council by Simple Majority pursuant to Section 5.20 of the *Local Government Act 1995* RESOLVES to:

1. RECEIVE the following appended reports:
  - a. Reports – Development Services:
    - i. DSDD040 - Delegated Determinations and Subdivision Applications for Planning Approval.

PART B

That Council by Simple Majority, pursuant to Regulation 13 and 13A of the *Local Government (Financial Management) Regulations 1996* RESOLVES to:

1. RECEIVE the following appended reports:
  - a. Reports – Corporate Services:
    - i. CS282 – List of Accounts Paid Under Delegation – January 2026; and
    - ii. CS283 - List of Payments by Employees via Purchasing Cards – January 2026.

**PROPONENT:**

The proponent is the City of Greater Geraldton (the City).

**BACKGROUND:**

Information and items for noting or receiving (i.e. periodic reports, minutes of other meetings) are to be included in an appendix attached to the Council agenda.

Any reports received under this Agenda are considered received only. Any recommendations or proposals contained within the ‘Reports (including Minutes) to be Received’ are not approved or endorsed by Council in any way. Any outcomes or recommendations requiring Council approval must be presented separately to Council as a Report for consideration at an Ordinary Meeting of Council.

**CONNECTED, LIVEABLE, THRIVING, LEADING – ISSUES AND OPPORTUNITIES:**

**Connected:**

By receiving these reports, Council is providing additional information to the community, keeping them connected to Council information and decisions.

**Liveable:**

There are no adverse impacts.

**Thriving:**

There are no adverse impacts.

**Leading:**

This report demonstrates the City’s commitment to high-quality governance that upholds transparency and accountability.

*Disclosure of Interest:*

No Officer involved in the preparation of this report has a declarable interest in this matter.

**RELEVANT PRECEDENTS:**

Reports to be received by Council at each Ordinary Meeting of Council.

**COMMUNITY/COUNCIL MEMBER CONSULTATION:**

There has been no community/Council Member consultation.

**LEGISLATIVE/POLICY IMPLICATIONS:**

There are no legislative or policy implications.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

There are no financial or resource implications.

**INTEGRATED PLANNING LINKS:**

<b>Strategic Theme: Leading</b>	<b>A progressive City where informed decisions, strong advocacy and an enabling culture drives sustainable regional growth.</b>
Goal 6	Ensure high quality governance activities enabling transparency and accountability.

**REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

**RISK MANAGEMENT:**

There are no risks to be considered.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

No alternative options were considered by City Officers.

**COUNCIL DECISION****MOVED CR COLLIVER, SECONDED CR KEEMINK****PART A**

That Council by Simple Majority pursuant to Section 5.20 of the *Local Government Act 1995* RESOLVES to:

1. RECEIVE the following appended reports:
  - a. Reports – Development Services:
    - i. DSDD040 - Delegated Determinations and Subdivision Applications for Planning Approval.

**PART B**

That Council by Simple Majority, pursuant to Regulation 13 and 13A of the *Local Government (Financial Management) Regulations 1996* RESOLVES to:

1. RECEIVE the following appended reports:
  - a. Reports – Corporate Services:
    - i. CS282 – List of Accounts Paid Under Delegation – January 2026; and
    - ii. CS283 - List of Payments by Employees via Purchasing Cards – January 2026.

**CARRIED 8/0**

*In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law 2011 as amended, the motion was passed unopposed.*

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**13 MOTIONS BY MEMBERS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

NM41	FORESHORE EVENT - POTTER'S HOUSE CHRISTIAN CHURCH – See 11A
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<b>AGENDA REFERENCE:</b>	<b>D-26-021173</b>
<b>AUTHOR:</b>	<b>Cr Tim Milnes</b>
<b>EXECUTIVE:</b>	<b>F Norling, Director Community and Culture</b>
<b>DATE OF REPORT:</b>	<b>19 February 2026</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0008</b>
<b>APPLICANT / PROPONENT:</b>	<b>Council</b>
<b>ATTACHMENTS:</b>	<b>No</b>

***Note: This Notice of Motion was brought forward - refer to '11A. Change to Order of Business by Decision of Council'.***

**14 QUESTIONS FROM MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

There were no questions.

**15 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING**

There was no urgent business.

## 16 MEETING CLOSED TO PUBLIC

Pursuant to Section 5.2 of the Meeting Procedures Local Law 2011, please note this part of the meeting *may* need to be closed to the public, *if* confidential discussion is required.

*Confidential discussion was not required for Item Nos. CS285, CS286 and IS331.*

CS285	RFT 2526 02 PAVEMENT MARKING AND SPECIALISED BOLLARD SERVICES
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<b>AGENDA REFERENCE:</b>	<b>D-26-014688</b>
<b>AUTHOR:</b>	<b>C Bryant, Coordinator Procurement, L Maldea, Manager Corporate Compliance P Radalj, Director Corporate Services</b>
<b>EXECUTIVE:</b>	<b>P Radalj, Director Corporate Services</b>
<b>DATE OF REPORT:</b>	<b>19 January 2026</b>
<b>FILE REFERENCE:</b>	<b>FM/25/0345</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1) Confidential Confidential – RFT 2526 02 Evaluation Report</b>

### EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to award tender RFT 2526 02 Pavement Marking and Specialised Bollard Services to the recommended tenderer.

The contract is proposed to run for a period of two years for the delivery of budgeted pavement marking and specialised bollard services.

The initial contract term proposed is 12 March 2026 to 11 March 2028 with the option of a one-year extension exercisable at the discretion of the City.

### EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Sections 3.57 of the *Local Government Act 1995* and Regulation 18(4) of the *Local Government (Functions and General) Regulations 1996* RESOLVES to:

*NOTE - Council to insert successful tender name when moving the motion*

1. ACCEPT the tender submission for Tender No. RFT 2526 02 Pavement Marking and Specialised Bollard Services, received from \_\_\_\_\_, named as Tenderer 1 in the Evaluation Panel Report recommendation detailed in Confidential Attachment No. CS285 as the most advantageous, for the estimated annual contract value of \$191,454 excluding GST.

### PROPONENT:

The proponent is the City of Greater Geraldton (the City).

**BACKGROUND:**

Tender RFT 2526 02 Pavement Marking and Specialised Bollard Services (RFT) was advertised in The West Australian on 25 October 2025, in The Geraldton Guardian on 28 October 2025, and the City's TenderLink e-Tendering Portal. The RFT closed on 28 November 2025.

Fourteen interested parties registered to receive copies of the tender, and one tender submission was received. The tender assessment was undertaken by a panel of five Officers with three voting and two non-voting.

The RFT has a two-year duration commencing from 12 March 2026 and has an additional one-year extension option at the absolute discretion of the City. The City has adopted a two-year supply contract period for a variety of goods and services used in its operational and maintenance programs.

There has previously been a two-year contract for Pavement Marking & Specialised Bollard Services RFT 2223 04 (Item No. CS018).

**CONNECTED, LIVEABLE, THRIVING, LEADING – ISSUES AND OPPORTUNITIES:****Connected:**

Well maintained pavement marking and specialised bollards contribute to safe, welcoming public spaces by reducing the risk of accidents and injuries. They enhance community safety and encourage greater use of open spaces by making them more accessible and enjoyable for everyone.

**Liveable:**

Undertaking the proposed works will improve the maintenance and connectivity of the City's active transport opportunities, thereby supporting community health and wellbeing.

**Thriving:**

Awarding this tender will strengthen the local economy by supporting businesses and creating employment opportunities for community members, including labourers, truck drivers, and traffic controllers. It will also generate demand for locally sourced materials, ensuring that City funds are reinvested into the community through both workforce engagement and supply chain partnerships.

**Leading:**

The services delivered through this tender process demonstrate strong leadership in resource management and service delivery with works monitored by the City through Key Performance Indicator (KPI) checklists and safety management audits. By ensuring the efficient and effective use of public funds, the tender supports the timely and high-quality delivery of community services and projects. The process also upholds principles of transparency, accountability, and good governance, reinforcing the City's commitment to ethical and responsible leadership.

***Disclosure of Interest:***

No Officer involved in the preparation of this report has a declarable interest in this matter.

**RELEVANT PRECEDENTS:**

Council awarded a two-year supply contract RFT 2223 04 Pavement Marking & Specialised Bollard Services on 31 January 2023, Item No. CS018. The initial contract term was from 12 March 2023 to 11 March 2025, with an extension to contract approved 3 December 2024 to extend the contract until 11 March 2026.

Prior to RFT 2223 04 Pavement Marking & Specialised Bollard Services, the City awarded a two-year supply contract RFT 20 1920 Pavement Marking Services on 24 February 2020. The initial contract term was from 12 March 2020 to 11 March 2022, with an extension to contract approved 29 March 2022 to extend the contract until 11 March 2023.

**COMMUNITY/COUNCIL MEMBER CONSULTATION:**

Community and Council Member consultation is not undertaken for the award of two-year supply contracts for essential services. Engagement on these services occurs as part of Council's annual budget approval process.

**LEGISLATIVE/POLICY IMPLICATIONS:**

The *Local Government Act 1995* and Council Policy 4.9 Procurement of Goods and Services were observed when preparing and recommending the award of this tender. Safe work methods and environmental management in line with legislative requirements will be observed as part of the delivery of the contract.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

The annual expenditure for Pavement Marking and Specialised Bollard Services is approximately \$191,454 (excluding GST), including traffic management. If all extension options are exercised, the total estimated contract value over three years is \$574,360 (excluding GST).

Funding is primarily sourced from the Maintenance Operations and Project Delivery and Engineering budgets. Any cost variations will be reflected in future Annual Budgets and the Long-Term Financial Plan (LTFP).

**INTEGRATED PLANNING LINKS:**

<b>Strategic Theme: Connected</b>	<b>An engaged and diverse community where everyone feels included and safe.</b>
Goal 1	Provide safe and inviting public spaces for people to enjoy.
<b>Strategic Theme: Liveable</b>	<b>A protected and enhanced natural environment with facilities and services to support community health and wellbeing.</b>
Goal 2	Improve maintenance and connectivity of the City's transport network, including expanded active transport opportunities.
<b>Strategic Theme: Thriving</b>	<b>An economically diverse and prosperous City, driving sustainable growth while preserving our local spirit.</b>
Goal 1	Support existing businesses and attract new investment, contributing to a vibrant CBD and other key activity centres.

**REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

**RISK MANAGEMENT:**

The successful tenderer will have documented management plans in place to ensure the safety and protection of workers and the community in relation to this service.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

This RFT was called to ensure compliance with the legislative procurement requirements of the *Local Government Act 1995*. The following alternatives were considered in the procurement planning phase prior to calling this tender:

1. Call for individual quotations and tenders for specific pavement marking and specialised bollard services. This option is not supported and was discounted due to the volume of administrative effort required, and the potential to have higher costs through multiple small purchases.

**NOTE - Council inserted the successful tender name when moving the motion.**

**COUNCIL DECISION****MOVED CR COLLIVER, SECONDED CR DENTON**

That Council by Simple Majority pursuant to Sections 3.57 of the *Local Government Act 1995* and Regulation 18(4) of the *Local Government (Functions and General) Regulations 1996* RESOLVES to:

1. **ACCEPT** the tender submission for Tender No. RFT 2526 02 Pavement Marking and Specialised Bollard Services, received from Westline Contracting, named as Tenderer 1 in the Evaluation Panel Report recommendation detailed in Confidential Attachment No. CS285 as the most advantageous, for the estimated annual contract value of \$191,454 excluding GST.

**CARRIED 8/0**

Time: 6:12 PM

Not Voted: 1

No Votes: 0

Yes Votes: 8

<b>Name</b>	<b>Vote</b>
<b>Mayor Clune</b>	<b>YES</b>
<b>Cr. Colliver</b>	<b>YES</b>
<b>Cr. Denton</b>	<b>YES</b>
<b>Cr. Fiorenza</b>	<b>YES</b>
<b>Cr. Giudice</b>	<b>YES</b>
<b>Cr. Keemink</b>	<b>YES</b>
<b>Cr. Milnes</b>	<b>YES</b>
<b>Cr. Parker</b>	<b>NOT PRESENT</b>
<b>Cr. Van Styn</b>	<b>YES</b>

CS286	RFT 2526 03 TRAFFIC MANAGEMENT SERVICES
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<b>AGENDA REFERENCE:</b>	<b>D-26-014686</b>
<b>AUTHOR:</b>	<b>C Bryant, Coordinator Procurement, L Maldea, Manager Corporate Compliance P Radalj, Director Corporate Services</b>
<b>EXECUTIVE:</b>	<b>P Radalj, Director Corporate Services</b>
<b>DATE OF REPORT:</b>	<b>28 January 2026</b>
<b>FILE REFERENCE:</b>	<b>FM/25/0346</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1) Confidential Confidential – RFT 2526 03 Evaluation Report</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council approval to award tender RFT 2526 03 Traffic Management Services to the recommended tenderer.

The contract is proposed to run for a period of two years for the delivery of budgeted traffic management services.

The initial contract term proposed is 6 April 2026 to 5 April 2028 with the option of a one-year extension exercisable at the discretion of the City.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority pursuant to Sections 3.57 of the *Local Government Act 1995* and Regulation 18(4) of the *Local Government (Functions and General) Regulations 1996* RESOLVES to:

*NOTE - Council to insert successful tender name when moving the motion*

1. ACCEPT the tender submission for Tender No. RFT 2526 03 Traffic Management Services, received from \_\_\_\_\_, named as Tenderer 3 in the Evaluation Panel Report recommendation detailed in Confidential Attachment No. CS286 as the most advantageous, for the estimated annual contract value of \$ \_\_\_\_\_ excluding GST.

**PROPONENT:**

The proponent is the City of Greater Geraldton (the City).

**BACKGROUND:**

Tender RFT 2526 03 Traffic Management Services (RFT) was advertised in The Geraldton Guardian on 14 November 2025, in The West Australian on 15 November 2025, and the City's TenderLink e-Tendering Portal. The RFT closed on 5 December 2025.

Nine interested parties registered to receive copies of the tender and four tender submissions were received. The tender assessment was undertaken by a panel of five Officers with three voting and two non-voting.

The RFT has a two-year duration commencing from 6 April 2026 and has an additional one-year extension option at the absolute discretion of the City. The

City has adopted a two-year supply contract period for a variety of goods and services used in its operational and maintenance programs. There has previously been a two-year contract for Traffic Management Services RFT 2122 13 (Item No. CS026).

**CONNECTED, LIVEABLE, THRIVING, LEADING –  
ISSUES AND OPPORTUNITIES:**

**Connected:**

Quality traffic management supports the community by providing a safe environment for all users of City assets including road users, pedestrians, cyclists, and workers.

**Liveable:**

Quality traffic management supports the maintenance and connectivity of the City's active transport opportunities, thereby supporting community health and wellbeing.

**Thriving:**

Awarding this tender will strengthen the local economy by supporting businesses and creating employment opportunities for community members, including office workers and traffic controllers. It will also generate demand for locally sourced traffic management equipment, ensuring that City funds are reinvested into the community through both workforce engagement and supply chain partnerships.

**Leading:**

The services delivered through this tender process demonstrate strong leadership in resource management and service delivery with works monitored by the City through Key Performance Indicator (KPI) checklists and safety management audits. By ensuring the efficient and effective use of public funds, the tender supports the timely and high-quality delivery of community services and projects. The process also upholds principles of transparency, accountability, and good governance, reinforcing the City's commitment to ethical and responsible leadership.

*Disclosure of Interest:*

No Officer involved in the preparation of this report has a declarable interest in this matter.

**RELEVANT PRECEDENTS:**

Council awarded a two-year supply contract RFT 2122 13 Traffic Management Services on 28 February 2023, Item No. CS026. The initial contract term was from 6 April 2023 to 5 April 2025, with an extension to contract approved 7 March 2025 to extend the contract until 5 April 2026.

Prior to RFT 2122 13 Traffic Management Services, Council awarded a two-year services contract RFT 16 1920 Traffic Management Services, Item No. IS208 on 24 March 2020. The initial contract term was from 6 April 2020 to 5 April 2022, with an extension to contract approved 29 March 2022 to extend the contract until 5 April 2023.

**COMMUNITY/COUNCIL MEMBER CONSULTATION:**

Community and Council Member consultation is not undertaken for the award of two-year supply contracts for essential services. Engagement on these services occurs as part of Council's annual budget approval process.

**LEGISLATIVE/POLICY IMPLICATIONS:**

The *Local Government Act 1995* and Council Policy 4.9 Procurement of Goods and Services were observed when preparing and recommending the award of this tender. Safe work methods and environmental management in line with legislative requirements will be observed as part of the delivery of the contract.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

The annual expenditure for Traffic Management Services is approximately \$1,308,535 (excluding GST). If all extension options are exercised, the total estimated contract value over three years is \$3,925,605 (excluding GST).

Funding is primarily sourced from the Maintenance Operations and Project Delivery and Engineering budgets. Any cost variations will be reflected in future Annual Budgets and the Long-Term Financial Plan (LTFP).

**INTEGRATED PLANNING LINKS:**

<b>Strategic Theme:</b> <b>Connected</b>	<b>An engaged and diverse community where everyone feels included and safe.</b>
Goal 1	Provide safe and inviting public spaces for people to enjoy.
<b>Strategic Theme:</b> <b>Liveable</b>	<b>A protected and enhanced natural environment with facilities and services to support community health and wellbeing.</b>
Goal 2	Improve maintenance and connectivity of the City's transport network, including expanded active transport opportunities.
<b>Strategic Theme:</b> <b>Thriving</b>	<b>An economically diverse and prosperous City, driving sustainable growth while preserving our local spirit.</b>
Goal 1	Support existing businesses and attract new investment, contributing to a vibrant CBD and other key activity centres.

**REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

**RISK MANAGEMENT:**

The successful tenderer will have documented management plans in place to ensure the safety and protection of workers and the community in relation to this service.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

This RFT was called to ensure compliance with the legislative procurement requirements of the *Local Government Act 1995*. The following alternatives were considered in the procurement planning phase prior to calling this tender:

1. Call for individual quotations and tenders for specific traffic management services. This option is not supported and was discounted due to the volume of administrative effort required, and the potential to have higher costs through multiple small purchases.

**NOTE - Council inserted the successful tender name when moving the motion.**

### **COUNCIL DECISION**

#### **MOVED CR COLLIVER, SECONDED CR KEEMINK**

**That Council by Simple Majority pursuant to Sections 3.57 of the *Local Government Act 1995* and Regulation 18(4) of the *Local Government (Functions and General) Regulations 1996* RESOLVES to:**

1. **ACCEPT the tender submission for Tender No. RFT 2526 03 Traffic Management Services, received from Oaks Civil Construction Pty Ltd, named as Tenderer 3 in the Evaluation Panel Report recommendation detailed in Confidential Attachment No. CS286 as the most advantageous, for the estimated annual contract value of \$1,308,535 excluding GST.**

**CARRIED 8/0**

Time: 6:13 PM

Not Voted: 1

No Votes: 0

Yes Votes: 8

<b>Name</b>	<b>Vote</b>
<b>Mayor Clune</b>	<b>YES</b>
<b>Cr. Colliver</b>	<b>YES</b>
<b>Cr. Denton</b>	<b>YES</b>
<b>Cr. Fiorenza</b>	<b>YES</b>
<b>Cr. Giudice</b>	<b>YES</b>
<b>Cr. Keemink</b>	<b>YES</b>
<b>Cr. Milnes</b>	<b>YES</b>
<b>Cr. Parker</b>	<b>NOT PRESENT</b>
<b>Cr. Van Styn</b>	<b>YES</b>

IS331	RFQ VP486482 SUPPLY OF TWO PRIME MOVERS
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<b>AGENDA REFERENCE:</b>	<b>D-26-007727</b>
<b>AUTHOR:</b>	<b>B McLean, Manager Fleet Services</b>
<b>EXECUTIVE:</b>	<b>C Lee, Director Infrastructure Services</b>
<b>DATE OF REPORT:</b>	<b>19 January 2026</b>
<b>FILE REFERENCE:</b>	<b>PS/1/0003-006</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1) Confidential Confidential – RFQ VP486482 Supplier Evaluation Report</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council approval to award Request for Quotation (RFQ) VP486482 FLE164308 and FLE164306 Supply of Two (2) Prime Movers, to the preferred supplier.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority pursuant to Section 3.57 of the *Local Government Act 1995* and Regulation 18(4) of the *Local Government (Functions and General) Regulations 1996* RESOLVES to:

*NOTE - Council to insert successful supplier name when moving the motion*

1. ACCEPT the supplier submission for RFQ VP486482 FLE164308 and FLE164306 Supply of Two Prime Movers received from \_\_\_\_\_, named as Supplier 1 in the Evaluation Panel Report recommendation detailed in Confidential Attachment No. IS331 as the most advantageous, for the contract value of \$\_\_\_\_\_, excluding GST.

**PROPONENT:**

The proponent is the City of Greater Geraldton (the City).

**BACKGROUND:**

RFQ VP486482 FLE164308 and FLE164306 Supply of Two (2) Prime Movers was posted for e-Quote via Vendor Panel on 5 November 2025 and closed on 3 December 2025. Eight (8) WALGA preferred suppliers were notified of the request in accordance with Council Policy 4.9 Procurement of Goods and Services, Clause 3.8.2.

Two (2) submissions were received from the following suppliers:

1. Volvo Group Australia Pty Ltd – Truck Centre; and
2. Daimler Truck Australia Pacific PTY LTD.

All submissions were deemed compliant and progressed for evaluation.

All quoted companies operate local offices in Geraldton and can provide service and parts support

E-Quote documents provided to suppliers:

- a. A copy of the e-Quote via WALGA Request for Quotation Reference Number VP486482;
- b. A copy of the detailed specification for the replacement of the Prime Movers was supplied; and
- c. Fleet Services evaluation criteria for the purchase of plant and equipment.

The RFQ assessment was undertaken by a panel of five (5) officers with four (4) voting and one (1) non-voting.

The City currently operates prime movers similar to the model proposed and therefore has a very good understanding of cost and performance over time. The prime movers being replaced through this RFQ process is a UD GW470 model which is 15 years old and has done over 200,000km of service and a Freightliner CL112 which is also 15 years old and has done over 310,000kms of service.

### **CONNECTED, LIVEABLE, THRIVING, LEADING – ISSUES AND OPPORTUNITIES:**

#### **Connected:**

There are no adverse impacts.

#### **Liveable:**

The prime movers are to be used in conjunction with semi-trailers hauling road base and other materials used in the construction and maintenance of the City's road network. The ongoing road maintenance renewal program helps deliver community and transport connectivity.

The quoted trucks meet Euro 6 emissions standards and contribute to the City's commitment to becoming Net Zero by 2030.

#### **Thriving:**

The vehicles will be used in the maintenance of the City's road network which will, in turn, support existing businesses, particularly the local agriculture sector.

#### **Leading:**

The vehicles will be used to continue to efficiently deliver community projects.

#### ***Disclosure of Interest:***

No Officer involved in the preparation of this report has a declarable interest in this matter.

### **RELEVANT PRECEDENTS:**

On 30 May 2023, Council awarded supplier Item No. IS286 RFQ VP345630 Supply of Motor Grader 20T, to the preferred supplier.

### **COMMUNITY/COUNCIL MEMBER CONSULTATION:**

Community and Council Member consultation does not occur with the award of the procurement e-Quotes. Consultation relating to these activities takes place when Council confirms the annual budget for the Plant Replacement Program.

**LEGISLATIVE/POLICY IMPLICATIONS:**

The *Local Government Act 1995* and the City's Council Policy 4.9 Procurement of Goods and Services were observed when preparing and recommending the award of this RFQ. Safe work methods and environmental management in line with legislative requirements will be observed as part of the road maintenance program.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

The current 2025-26 budget includes provision of \$540,000 for the replacement of these two (2) items. The existing trucks will be disposed in accordance with Operational Policy OP038 Disposal of Surplus Assets and auctioned accordingly.

**INTEGRATED PLANNING LINKS:**

<b>Strategic Theme: Liveable</b>	<b>A protected and enhanced natural environment with facilities and services to support community health and wellbeing.</b>
Goal 2	Improve maintenance and connectivity of the City's transport network, including expanded active transport opportunities.
<b>Strategic Theme: Thriving</b>	<b>An economically diverse and prosperous City, driving sustainable growth while preserving our local spirit.</b>
Goal 3	Plan for the sustainable growth of the City, balancing the needs of current and future populations.

**REGIONAL OUTCOMES:**

To assist with the provision of a well maintained and fit-for-purpose road network, that supports the transport requirements of the region.

**RISK MANAGEMENT:**

The maintenance of the City's road network in a safe condition for the transport of people, goods and services is enhanced through the renewal of Plant and Equipment for the purpose of maintaining the network. A plant risk assessment and safe operating procedures are implemented with the operation of these prime mover trucks.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

No alternative options were considered by City Officers.

**NOTE - Council inserted the successful supplier name when moving the motion.**

**COUNCIL DECISION**

**MOVED CR KEEMINK, SECONDED CR VAN STYN**

**That Council by Simple Majority pursuant to Section 3.57 of the *Local Government Act 1995* and Regulation 18(4) of the *Local Government (Functions and General) Regulations 1996* RESOLVES to:**

- 1. ACCEPT the supplier submission for RFQ VP486482 FLE164308 and FLE164306 Supply of Two Prime Movers received from Volvo Group Australia Pty Ltd named as Supplier 1 in the Evaluation Panel Report recommendation detailed in Confidential Attachment No. IS331 as the most advantageous, for the contract value of \$524,090, excluding GST.**

**CARRIED 8/0**

Time: 6:15 PM

Not Voted: 1

No Votes: 0

Yes Votes: 8

<b>Name</b>	<b>Vote</b>
<b>Mayor Clune</b>	<b>YES</b>
<b>Cr. Colliver</b>	<b>YES</b>
<b>Cr. Denton</b>	<b>YES</b>
<b>Cr. Fiorenza</b>	<b>YES</b>
<b>Cr. Giudice</b>	<b>YES</b>
<b>Cr. Keemink</b>	<b>YES</b>
<b>Cr. Milnes</b>	<b>YES</b>
<b>Cr. Parker</b>	<b>NOT PRESENT</b>
<b>Cr. Van Styn</b>	<b>YES</b>

Pursuant to Section 5.2 of the Meeting Procedures Local Law 2011, please note this part of the meeting was closed to the public, as confidential discussion was required.

**PROCEDURAL MOTION**

**MOVED CR COLLIVER, SECONDED CR KEEMINK**

That Council by Simple Majority **RESOLVES** to **MOVE** behind Closed doors In accordance with section 5.23(4) of the Local Government Act 1995 and section 5.2(1) of Meeting Procedures Local Law 2011, as the following item and supporting attachments are confidential as they contain information relating to a contract entered into, or may be entered into by the local government and legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.

**CARRIED 8/0**

Time: 6:16 PM

Not Voted: 1

No Votes: 0

Yes Votes: 8

<b>Name</b>	<b>Vote</b>
<b>Mayor Clune</b>	<b>YES</b>
<b>Cr. Colliver</b>	<b>YES</b>
<b>Cr. Denton</b>	<b>YES</b>
<b>Cr. Fiorenza</b>	<b>YES</b>
<b>Cr. Giudice</b>	<b>YES</b>
<b>Cr. Keemink</b>	<b>YES</b>
<b>Cr. Milnes</b>	<b>YES</b>
<b>Cr. Parker</b>	<b>NOT PRESENT</b>
<b>Cr. Van Styn</b>	<b>YES</b>

*The public and City Officers left Chambers at 6.17pm.*

*Livestreaming was turned off at 6.17pm.*

**CS284 DISPOSAL OF LOT 1 DEEPDALE ROAD, MOONYOONOOKA**

<b>AGENDA REFERENCE:</b>	<b>D-26-014568</b>
<b>AUTHOR:</b>	<b>A Gartner, Airport Commercial and Compliance Supervisor</b>
<b>EXECUTIVE:</b>	<b>P Radalj, Director Corporate Services</b>
<b>DATE OF REPORT:</b>	<b>3 February 2026</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0029-003</b>
<b>ATTACHMENTS:</b>	<b>Yes (x3) Confidential</b>
	<b>A. Confidential – Valuation Various Airport Technology Park Lots</b>
	<b>B. Confidential – Market Research – Lot 1 Deepdale Road</b>
	<b>C. Confidential - Geraldton Airport Technology Park Map</b>

*This report to Council was listed as confidential, to deal with information at the meeting prescribed for section 5.23(4)(g) of the Local Government Act 1995.*

*Regulation 4A(a) of the Local Government (Administration) Regulations 1996 was applied as the matter if disclosed, at the meeting, would reveal information about the price, or potential price, for the sale of property by the City of Greater Geraldton and any information relating to the price or potential price. The report and information fell within the above scope, as the Council were to consider approving the sale of land and setting the sale price for said land, behind closed doors.*

*Note: Confidentiality has now been removed for Item No. CS284, the attachments remain confidential.*

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council approval to dispose of Lot 1 Deepdale Road, Moonyoonooka by private treaty to Thomas A Jakovich as trustee for the TTJ Family Trust TAJ Mechanical Pty Ltd.

**EXECUTIVE RECOMMENDATION:**PART A

That Council by Simple Majority pursuant to Section 3.58, 5.43(d) and 9.49A(4) of the *Local Government Act 1995* RESOLVES to:

1. APPROVE the sale of 31,829m<sup>2</sup> of land at the Geraldton Airport Technology Park described as Lot 1 Deepdale Road, Moonyoonooka by private treaty to Thomas A Jakovich as trustee for the TTJ Family Trust TAJ Mechanical Pty Ltd;
2. SET the proposed conditions of sale as:
  - a. Sale price of \$1,115,000 (ex GST), accepting that the market valuation is more than six months old and remains a true indication of the value of the proposed disposition;



**CONNECTED, LIVEABLE, THRIVING, LEADING –  
ISSUES AND OPPORTUNITIES:****Connected:**

There are no adverse impacts.

**Liveable:**

There are no adverse impacts.

**Thriving:**

The establishment of a vehicle, truck and equipment sales, servicing and hire facility contributes to industry diversity, stimulates local employment opportunities and aligns with the City's long-term planning for sustainable growth. The proposed development helps ensure the City continues to balance current needs with future population and industry demands.

**Leading:**

The proceeds from the proposed land sale will support the City's long-term financial sustainability and capacity to deliver priority projects. The process reflects strong governance practices, ensuring transparency, accountability and sound decision-making in the management of community assets.

***Disclosure of Interest:***

No Officer involved in the preparation of this report has a declarable interest in this matter.

**RELEVANT PRECEDENTS:**

The City disposes of freehold vacant land from time to time when economic and market conditions suit. At the Ordinary Meeting of Council held on 27 January 2026, Council considered Item No. CS275 – Disposal of Lot 2 Avro Drive, Moonyoonooka - Tesla Geraldton Pty Ltd. Council resolved the following:

**PART A**

1. *APPROVE the sale of 4,037m<sup>2</sup> of land at the Geraldton Airport Technology Park described as Lot 2 Avro Drive, Moonyoonooka to Tesla Geraldton Pty Ltd;*
2. *SET the proposed conditions of sale as:*
  - a. *Sale price of \$585,000 (ex GST), accepting that the market valuation is more than six months old and remains a true indication of the value of the proposed disposition;*
3. *MAKE the determination subject to a local public notice period of not less than 14 days inviting public submissions in accordance with requirements of section 3.58(3); and*
4. *AUTHORISE the Chief Executive Officer to execute a binding Contract for Sale of Land by Offer and Acceptance.*

**PART B**

1. *AUTHORISE the following amendments to the 2025-26 Annual Budget:*
  - a. *Increase Proceeds of Sale by \$585,000; and*
  - b. *Increase the Transfer to the Major Initiatives Reserve by \$585,000.*

**COMMUNITY/COUNCIL MEMBER CONSULTATION:**

Should Council approve the proposed disposition, the City must give local public notice for not less than 14 days inviting public submissions.

**LEGISLATIVE/POLICY IMPLICATIONS:**

Section 3.58(3) of the *Local Government Act 1995* (Act) details the process for disposing of property by methods other than by auction or public tender (the proposed disposal method is by private treaty).

Pursuant to Section 3.58(3)(a) of the Act, the City must give local public notice of the proposed disposition, and consider any submissions received.

Section 5.43(d) of the Act details the limits on delegations to the CEO. A local government cannot delegate to a CEO any of the following powers or duties –

- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government.

Pursuant to sections 3.58 and 5.43(d), the City's Delegations Register 2025 – 2026 1.2.20 provides the following delegation to the CEO to dispose of property:

- Authority to dispose of property by private treaty only in accordance with section 3.58(3) and prior to the disposal, to consider any submissions received following the giving of public notice [s3.58(3)].
- Disposal of land or building assets is limited to either matters specified in the Annual Budget or by Council resolution.
- Value of property that may be disposed under this delegation for any single project or where not part of a project, but part of a single transaction shall not exceed \$500,000 including plant and assets with a depreciated value not exceeding \$500,000, in accordance with the provisions of section 5.43(d) of the *Local Government Act 1995*.

Section 5.23 of the Act defines the requirements for Council meetings to be open to the public. Council may close the meeting to members of the public under specific, limited circumstances, to ensure information is dealt with on a confidential basis:

**5.23. Meetings generally open to public**

- ...
- (4) *Despite subsection (1), if any of the following information is to be dealt with at a meeting, the council or committee may close the meeting to members of the public to the extent necessary to ensure that the information is dealt with at the meeting on a confidential basis —*

- ...
- (g) *prescribed information;*

*Local Government (Administration) Regulations 1996:*

- 4A. Information that may be treated on confidential basis at meeting (Act s. 5.23(4)(g))**

*For the purposes of section 5.23(4)(g), the following information is prescribed —*

- (a) the price, or potential price, for the sale or purchase of property by the local government and any information relating to the price or potential price;*

### **FINANCIAL AND RESOURCE IMPLICATIONS:**

Pursuant to Section 3.58(4)(c)(i) and (ii) of the *Local Government Act 1995*, the market value must be ascertained by a valuation carried out not more than six (6) months before the proposed disposition; or; as declared by a resolution of the local government on the basis of a valuation carried out more than six (6) months before the proposed disposition that the local government believes to be a true indication of the value.

A market valuation was conducted on the 11 March 2025 (11 months prior to the proposed disposition), which determined the proposed and agreed sale price.

City Officers have completed market research (Confidential Attachment No. CS284B), confirming that industrial land values in Narngulu have remained steady since early 2025, with no indication of notable price escalation. Comparable properties currently listed in Narngulu are priced between \$32.30 and \$34 per m<sup>2</sup>, meaning Lot 1's assessed value equates to \$35 per m<sup>2</sup> which aligns comfortably with prevailing market conditions. Based on this analysis, there is no compelling market rationale to increase the sale price beyond the March 2025 valuation unless Council opts to obtain a refreshed formal valuation.

### **INTEGRATED PLANNING LINKS:**

<b>Strategic Theme:</b> <b>Thriving</b>	<b>An economically diverse and prosperous City, driving sustainable growth while preserving our local spirit.</b>
Goal 1	Support existing businesses and attract new investment, contributing to a vibrant CBD and other key activity centres.
Goal 2	Support and champion our diverse mix of industries, encouraging innovation and local employment opportunities.
Goal 3	Plan for the sustainable growth of the City, balancing the needs of current and future populations.

### **REGIONAL OUTCOMES:**

Selling the land to TAJ Mechanical would strengthen access to vehicle, truck and equipment servicing and hire for major sectors including mining, agriculture and logistics. The proposal would activate underutilised land and contribute to the local workforce through technical training and apprenticeship opportunities. It would also enhance the long term appeal of the Geraldton Airport Technology Park, supporting future investment and broader economic growth.

**RISK MANAGEMENT:**

The proposed disposal of Lot 1 Deepdale Road mitigates key risks for the City by reducing the risk of ongoing underutilisation of the Geraldton Airport Technology Park and improves service capacity for key industries that rely on timely mechanical support. The development also contributes to skills growth through training and apprenticeships, helping mitigate the long-term risk of labour shortages. Approving the sale carries minor risks, including perceptions of undervaluation due to the age of the market valuation however, these can be managed through valuation evidence.

Not approving the recommendation may expose the City to risks such as continued holding costs, lost economic opportunities, and reduced investor confidence in the Technology Park.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

An alternative option is for the City to retain Lot 1 Deepdale Road, however City Officers do not support this as ongoing land holding costs and lack of activation create uncertainty for long term investment in the Geraldton Airport Technology Park and may hinder its future development.

Council could also choose to approve the sale on the condition that an updated market valuation confirms the current price. City Officers do not support this option, as recent market research shows no significant increase in industrial land values. Obtaining a new valuation would delay the sale, add unnecessary cost, and may risk losing the prospective buyer.

*Item No. CS284 was considered and determined behind closed doors. The Item and Council Decision are available for the public record.*

**COUNCIL DECISION****MOVED CR VAN STYN, SECONDED CR DENTON****PART A**

**That Council by Simple Majority pursuant to Section 3.58, 5.43(d) and 9.49A(4) of the *Local Government Act 1995* RESOLVES to:**

- 1. APPROVE the sale of 31,829m<sup>2</sup> of land at the Geraldton Airport Technology Park described as Lot 1 Deepdale Road, Moonyoonooka by private treaty to Thomas A Jakovich as trustee for the TTJ Family Trust TAJ Mechanical Pty Ltd;**
- 2. SET the proposed conditions of sale as:**
  - a. Sale price of \$1,115,000 (ex GST), accepting that the market valuation is more than six months old and remains a true indication of the value of the proposed disposition;**
- 3. MAKE the determination subject to a local public notice period of not less than 14 days inviting public submissions in accordance with requirements of section 3.58(3); and**
- 4. AUTHORISE the Chief Executive Officer to execute a binding Contract for Sale of Land by Offer and Acceptance.**

**PART B**

That Council by Absolute Majority pursuant to Section 6.8 of the *Local Government Act 1995* RESOLVES to:

1. AUTHORISE the following amendments to the 2025-26 Annual Budget:
  - a. Increase Proceeds of Sale by \$1,115,000; and
  - b. Increase the Transfer to the Major Initiatives Reserve by \$1,115,000.

**CARRIED BY ABSOLUTE MAJORITY 8/0**

Time: 6:20 PM

Not Voted: 1

No Votes: 0

Yes Votes: 8

<b>Name</b>	<b>Vote</b>
<b>Mayor Clune</b>	<b>YES</b>
<b>Cr. Colliver</b>	<b>YES</b>
<b>Cr. Denton</b>	<b>YES</b>
<b>Cr. Fiorenza</b>	<b>YES</b>
<b>Cr. Giudice</b>	<b>YES</b>
<b>Cr. Keemink</b>	<b>YES</b>
<b>Cr. Milnes</b>	<b>YES</b>
<b>Cr. Parker</b>	<b>NOT PRESENT</b>
<b>Cr. Van Styn</b>	<b>YES</b>

**CEO145 CONFIDENTIAL - BEHAVIOUR MATTER (Public Version)**

<b>AGENDA REFERENCE:</b>	<b>D-26-015710</b>
<b>AUTHOR:</b>	<b>R McKim, Chief Executive Officer</b>
<b>EXECUTIVE:</b>	<b>R McKim, Chief Executive Officer</b>
<b>DATE OF REPORT:</b>	<b>8 February 2026</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0032</b>
<b>ATTACHMENTS:</b>	<b>Yes (x4) Confidential [For Council Members Only] A. Confidential - Original Complaint B. Confidential - Respondent Response C. Confidential - Summary of Independent Assessment D. Confidential - Independent Assessment</b>

*Item No. CEO154 was provided to Council under separate cover.*

*Item No. CEO154 remains confidential. It was considered and determined behind closed doors and the Council Decision only is available for the public record.*

*Note: Due to the strict confidentiality provisions surrounding complaints of the newly enacted section 8A.36 of the Local Government Act 1995, the City was advised that an impartiality interest be disclosed after the meeting was closed to the public. This was to ensure that no inadvertent breach of the confidentiality provisions occur. As such, in this case, the Impartiality Interest was not disclosed at the beginning of the meeting, as is usual practice, and was only announced after the meeting had closed.*

*Mayor J Clune declared an Impartiality interest in Item No. CEO145 Confidential – Behaviour Complaint as the subject of the complaint and left Chambers at 6.20pm.*

*The Deputy Mayor Cr N Colliver took the Chair.*

*The remaining City Officers left Chambers a 6.20pm.*

**COUNCIL DECISION****MOVED CR FIORENZA, SECONDED CR DENTON**

**That Council by Simple Majority pursuant to Council Policy 4.2 Code of Conduct for Council Members, Committee Members and Candidates adopted in accordance with Section 5.104 of the Local Government Act 1995 and Council Policy 4.30 Behaviour Complaints Management, RESOLVES to:**

- 1. RECEIVE the Investigation Report (Confidential Attachment No. CEO145C) as undertaken by an Independent Assessor;**
- 2. AGREE with the findings of the Investigation Report;**
- 3. ACKNOWLEDGE that no breaches were substantiated; and**

**4. ADVISE the Complainant and Respondent in writing of the outcome.**

**CARRIED 7/0**

Time: 6:41 PM

Not Voted: 2

No Votes: 0

Yes Votes: 7

<b>Name</b>	<b>Vote</b>
<b>Mayor Clune</b>	<b>NOT PRESENT</b>
<b>Cr. Colliver</b>	<b>YES</b>
<b>Cr. Denton</b>	<b>YES</b>
<b>Cr. Fiorenza</b>	<b>YES</b>
<b>Cr. Giudice</b>	<b>YES</b>
<b>Cr. Keemink</b>	<b>YES</b>
<b>Cr. Milnes</b>	<b>YES</b>
<b>Cr. Parker</b>	<b>NOT PRESENT</b>
<b>Cr. Van Styn</b>	<b>YES</b>

**REASON FOR VARIATION TO THE EXECUTIVE RECOMMENDATION: That Council remove point 5. 'MAINTAIN confidentiality relating to the complaint' as this point is legally ambiguous.**

*Item No. CEO145 remains confidential as it deals with a complaint that alleged a behavioural breach under the local government's adopted code of conduct and any information relating to the complaint, as prescribed under s.5.23(4)(g) of the Local Government Act 1995, Regulation 4A(b) of the Local Government (Administration) Regulations 1996 and section 5.2(1) of Meeting Procedures Local Law.*

**PROCEDURAL MOTION****MOVED CR KEEMINK, SECONDED CR DENTON**

That Council by Simple Majority **RESOLVES** to **MOVE** from behind closed doors.

**CARRIED 7/0**

Time: 6:41 PM

Not Voted: 2

No Votes: 0

Yes Votes: 7

<b>Name</b>	<b>Vote</b>
<b>Mayor Clune</b>	<b>NOT PRESENT</b>
<b>Cr. Colliver</b>	<b>YES</b>
<b>Cr. Denton</b>	<b>YES</b>
<b>Cr. Fiorenza</b>	<b>YES</b>
<b>Cr. Giudice</b>	<b>YES</b>
<b>Cr. Keemink</b>	<b>YES</b>
<b>Cr. Milnes</b>	<b>YES</b>
<b>Cr. Parker</b>	<b>NOT PRESENT</b>
<b>Cr. Van Styn</b>	<b>YES</b>

*The meeting was reopened to the public at 6.41pm.*

*Mayor J Clune resumed the Chair at 6.42pm.*

**17 CLOSURE**

There being no further business the Presiding Member closed the Council meeting at 6.42pm.

**APPENDIX 1 – ATTACHMENTS AND REPORTS TO BE RECEIVED**

Attachments and Reports to be Received are available on the City of Greater Geraldton website at: <https://www.cgg.wa.gov.au/council-meetings/>