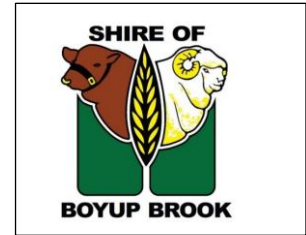


Date: 21 August 2026

To: Shire President
Deputy Shire President
Councillors
Community



Minutes of Special Council Meeting

Minutes of Special Council Meeting of the Shire of Boyup Brook held in the Council Chambers on 20 August 2026 at 4:00pm.

A handwritten signature in black ink, appearing to read "Long", is written in a cursive style.

Leonard Long
Chief Executive Officer

Shire of Boyup Brook Corporate Values



Proactive

Embrace creativity, adaptability and continuous improvement seeking new ideas and solutions to address challenges and seize opportunities to ensure sustainability.



Leadership & Teamwork

Lead through collaboration, promote diversity, have pride in our work and partner with the community to achieve shared visions and aspirations.



Accountability & Integrity

Demonstrate respect, transparency, honesty and inclusivity in all interactions with the community.



Commitment

Build and share knowledge, act professionally and develop relationships that make a positive contribution to our community.



Engaging Community

Show respect, understanding and compassion for others and work collaboratively with community for better outcomes.



Contents

1. Declaration of Opening	4
2. Record of Attendance	4
2.1 Attendance	4
2.2 Apologies	5
2.3 Approved Leave of Absence	5
2.4 Request Leave of Absence	5
3. Deputations, Petitions and Presentations	5
3.1 Deputations	5
3.2 Petitions	5
3.3 Presentations	5
4. Public Question Time	5
4.1 Response to Previous Public Questions Taken on Notice	5
4.2 Public Question Time	5
5. Declarations of Interest	5
5.1 Financial and / or Proximity Interest	5
5.2 Disclosures of Impartiality Interest that may cause Conflict	5
6. Reports of Officers	6
6.1 Corporate Services	6
6.1.1 Adoption of the 2026-2027 Annual Budget	6
6.1.2 Valuations and General Rates for 2026-2027 Annual Budget	10
6.1.3 Minimum Rate Payment for 2026-2027 Annual Budget	14
6.1.4 Payment of Rates Options and Interest Charges for 2026-2027 Annual Budget	18
6.1.5 Waste Collection Rate for 2026-2027 Annual Budget	23
6.1.6 Waste Collection Rate for 2026-2027 Annual Budget Imposition of Fees and Charges, and Rubbish Removal Charges for 2026-2027 Annual Budget	28
7. Closure	32

Agenda

1. Declaration of Opening

The Presiding Member declared the meeting open at 4:00pm.

Welcome to all Councillors, staff and members of the public in attendance.

Acknowledgement of Traditional Custodians

We acknowledge the Kaniyang people as the Traditional Custodians of the land on which we meet.

We pay our respects to Elders past, present and emerging.

Please ensure that mobile phones are switched off or placed on silent for the duration of the meeting.

This meeting will be audio recorded and made available for public access on the Shire website.

Members of the public are reminded that no other visual or audio recording of this meeting is allowed without the permission of the Presiding Member.

Councillors are reminded to declare any conflict of interest as they arise in accordance with the *Local Government Act 1995*.

2. Record of Attendance

2.1 Attendance

Councillors

Shire President	Cr Helen O'Connell
Deputy Shire President	Cr Darren King
Councillors	Cr Michael Wright
	Cr Philip Moore
	Cr Helen Hack
	Cr John Matthews

Council Officers

Chief Executive Officer	Leonard Long
Executive Officer	Magdalena Le Grange
Executive Manager Operational Services	Jason Forsyth
Executive Manager Corporate Services	Carolyn Mallett
Executive Manager Governance & Community	Gordon MacMile

Observers / Public Members

There were 7 members of the public in attendance.

2.2 Apologies

Councillor

Cr David Inglis

Manager Financial Services
Manager Community Services

Malcolm Armstrong
Nicola Jones

2.3 Approved Leave of Absence

Nil

2.4 Request Leave of Absence

Nil

3. Deputations, Petitions and Presentations

3.1 Deputations

Nil

3.2 Petitions

Nil

3.3 Presentations

Nil

4. Public Question Time

4.1 Response to Previous Public Questions Taken on Notice

Nil

4.2 Public Question Time

Nil

5. Declarations of Interest

5.1 Financial and / or Proximity Interest

Nil

5.2 Disclosures of Impartiality Interest that may cause Conflict

Nil

6. Reports of Officers

6.1 Corporate Services

6.1.1 Adoption of the 2026-2027 Annual Budget	
File Ref:	Finance\Budget\2026-2027 Budget
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Darren Long, Financial Consultant Malcolm Armstrong, Manager Financial Services Carolyn Mallet, Executive Manager Corporate Services
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Attachment Number:	6.1.1A Proposed 2026-2027 Annual Budget

Moved: Cr. King

Seconded: Cr. Hack

Council Decision CM 26/08/168

That Council:

1. Pursuant to Section 6.2 of the *Local Government Act 1995* and the Local Government (Financial Management) Regulations Part 3, Regulations 22 to 33, adopt the 2026-2027 Annual Budget (as contained in Attachment 6.1.1A) for the Shire of Boyup Brook, including the following-
 - (a) Budget Statement of Comprehensive Income by Nature/Type for the year ending 30 June 2027 showing a net result of (\$1,838,211);
 - (b) Budget Statement of Cash Flows for the year ending 30 June 2027;
 - (c) Budget Statement of Financial Activity for the year ending 30 June 2027;
 - (d) Basis of preparation;
 - (e) Rates and Service Charges;
 - (f) Net Current Assets;
 - (g) Reconciliation of cash;
 - (h) Property, Plant and Equipment;
 - (i) Depreciation;
 - (j) Borrowings;
 - (k) Reserve Accounts;
 - (l) Other Information;
 - (m) Council Members Remuneration;
 - (n) Revenue and Expenditure;
 - (o) Program Information;
 - (p) Fees & Charges;

(q) Schedule of Fees and Charges for 2026-2027.

- 2. Pursuant to Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*, adopts the following as the materiality threshold for 2026-2027:**

- (a) \$10,000 and 10%, for the purposes of reporting material variances.**

CARRIED BY ABSOLUTE MAJORITY 6/0

**For: Cr. O'Connell, Cr. Moore, Cr. Hack, Cr. Matthews, Cr. King,
Cr. Wright
Against: Nil**

Summary

The purpose of this report is for Council to consider and adopt the 2026-2027 Annual Budget.

Background

The following draft Annual Budget is presented to Council, as a balanced budget, for consideration and adoption.

The 2026-2027 Annual Budget has been prepared in accordance with Section 6.2 of the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations Part 3, Regulations 22 to 33*.

Report Detail

The 2026-2027 Annual Budget comprises the following information-

1. Budget Statement of Comprehensive Income By Nature/Type for the Year Ending 30 June 2027.
2. Budget Statement of Cash Flows for the Year Ending 30 June 2027.
3. Budget Statement of Financial Activity/Rate Setting Statement for the Year Ending 30 June 2027.
4. Notes to the Budget.

Materiality Threshold for reporting purposes

Each year the Council is required to adopt a percentage or value for the purposes of reporting material variances in the monthly Statement of Financial Activity.

This value or percentage is then used throughout the financial year to identify potential areas in Council's actual revenues and expenditures that vary significantly from Council's budget estimates. The early identification

of these potential variances and their cause can assist in better budget management and increased utilisation and allocation of Council funds and resources.

Council has previously used a value of (+) or (-) \$10,000 and a percentage of (+) or (-) 10% for each of the revenue and expenditure nature/type categories listed on the Statement of Financial Activity.

Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Governance and Organisation
	Objective	Demonstrate effective leadership, advocacy and governance.
	Outcome	Provide transparent decision making that meets our legal and regulatory obligations, reflects the level of associated risk, and is adequately explained to the community.

Other Strategic Links

Nil

Statutory Environment

Local Government Act (1995) s.6.2. (1) states that each Local Government is to prepare an annual budget prior to 31 August, unless an extension from the Minister is granted.

Sustainability and Risk Consideration

Economic – (Impact on the Economy of the Shire and Region)

Nil

Social – (Quality of life to community and / or affected landowners)

Nil

Policy Implications

Nil

Risk Management Implications

Shire of Boyup Brook's commitment to the identification and management of risk that may impact on the achievement of its business objectives.

Risk Level	Comment
High	It is a statutory requirement for a local authority to adopt an annual budget prior to 31 August. Council will be non-compliant with the <i>Local Government Act 1995</i> .

Consultation

Internal – Senior Executives
Councillors
Financial Consultant – Darren Long, DL Consulting.

Resource Implications

Financial

The 2026-2027 budget is presented as a balanced budget.

Workforce

Nil

End

6.1.2 Valuations and General Rates for 2026-2027 Annual Budget	
File Ref:	Finance\Budget\2026-2027 Budget
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Darren Long, Financial Consultant Malcolm Armstrong, Manager Financial Services Carolyn Mallet, Executive Manager Corporate Services
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Attachment Number:	6.1.1A Proposed 2026-2027 Annual Budget

Moved: Cr. Hack**Seconded: Cr. Wright****Council Decision CM 26/08/169****That Council:**

- 1. Adopt the valuations, as supplied by the Valuer General's Office and recorded in the Rate Book, for the 2026-2027 year-**

Gross Rental Valuations	\$ 5,825,481
Unimproved Valuations	\$797,113,313

- 2. Pursuant to Section 6.32 of the *Local Government Act 1995*, impose the following rate in the dollar general rate for 2026-2027-**

GRV properties	\$0.124970
UV properties	\$0.004335

CARRIED BY ABSOLUTE MAJORITY 6/0

**For: Cr. O'Connell, Cr. Moore, Cr. Hack, Cr. Matthews, Cr. King,
Cr. Wright
Against: Nil**

Summary

The purpose of this report is for Council to give consideration to the adoption of applicable valuations and the imposition of general rates on rateable property for the 2026-2027 rating year.

Background

Section 6.32 of the *Local Government Act 1995* states:

6.32. Rates and service charges-

(1) When adopting the annual budget, a local government

- (a) *in order to make up the budget deficiency, is to impose* a general rate on rateable land within its district, which rate may be imposed either:*
 - (i) *uniformly; or*
 - (ii) *differentially; and*
 - (b) *may impose* on rateable land within its district*
 - (i) *a specified area rate; or*
 - (ii) *a minimum payment; and*
 - (c) *may impose* a service charge on land within its district.*
- * Absolute majority required.*
- (2) *Where a local government resolves to impose a rate it is required to:*
- (a) *set a rate which is expressed as a rate in the dollar of the gross rental value of rateable land within its district to be rated on gross rental value; and*
 - (b) *set a rate which is expressed as a rate in the dollar of the unimproved value of rateable land within its district to be rated on unimproved value.*

Report Detail

Following the draft budget workshops held with Council, the following general rates are presented for Councils consideration.

The deficiency of expenditure over income for the purpose of striking the rate for the 2026-2027 financial year amounts to \$4,429,704.

The \$4,429,704 to be raised by way of rates will impact as follows-

- (a) Rates levied will result in \$276,997 additional revenue when compared to the rates levied in the 2025-2026 financial year.

Every year, the unimproved value (UV) of each property is reassessed by the State's Valuer Generals Office. The gross rental valuation (GRV) of each property for country local governments is reassessed by the State's Valuer Generals Office every five (5) years. The Shire's UV properties were revalued effective 1 July 2026.

The following valuations are currently recorded in Council's 2026-2027 rate book-

- (a) Unimproved Valuations (UV) - \$797,113,313, of which \$88,309,313 are minimum values;
- (b) Gross Rental Valuations (GRV) - \$5,825,481, of which \$199,560 are minimum values.

The Shire bases the determination of annual property rates payable upon the unimproved values (UV) for rural properties and the gross rental values

(GRV) for non-rural properties; with the values set by the Valuer General. The Shire applies a rate in the dollar charge for each valuation category, which is multiplied against a property's valuation.

The rate in the dollar adopted for the 2025-2026 financial year was, for UV properties at 0.4313 cents, and for GRV properties at 11.3911 cents. This becomes the base rate in the dollar when determining the following year's rate in the dollar. When properties are revalued, the previous year's rate in the dollar is adjusted in consideration of the whether the valuation has increased or decreased. This allows for a revised base rate that would have generated the same amount of revenue using the new property valuations. The increase in UV valuations of 10.76% has necessitated an adjustment to the UV rate in the dollar as follows:

1. UV – decrease from 0.4313 cents to 0.3985 cents to account for the valuation increment.

The rates in the dollar proposed in the draft budget are as follows-

- (a) The GRV rate in the dollar for 2026-2027 will increase from 11.3911 cents to 12.4970 cents, equating to a 9.71% increase; and
- (b) UV rate in the dollar for 2026-2027 will increase from 0.3985 cents to 0.4335 cents, equating to a 8.78% increase.

Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Governance and Organisation
	Outcome	Effectively communicate and engage the community.
	Objective	Work with groups from across the community to address concerns regarding facilities and services.

Other Strategic Links

Nil

Statutory Environment

Local Government Act (1995) s.6.2. (1) states that each Local Government is to prepare an annual budget prior to 31 August, unless an extension from the Minister is granted.

Local Government Act 1995 s.6.32.

Sustainability and Risk Consideration

Economic – (Impact on the Economy of the Shire and Region)

Nil

Social – (Quality of life to community and / or affected landowners)
Nil

Policy Implications
Nil

Risk Management Implications

Shire of Boyup Brook's commitment to the identification and management of risk that may impact on the achievement of its business objectives.

Risk Level	Comment
High	It is a statutory requirement for a local authority to adopt an annual budget prior to 31 August. Council will be non-compliant with the <i>Local Government Act 1995</i> .

Consultation

Internal – Senior Executives
Councillors
Financial Consultant – Darren Long, DL Consulting.

Resource Implications

Financial

The 2026-2027 budget is presented as a balanced budget.

Workforce
Nil

End

6.1.3 Minimum Rate Payment for 2026-2027 Annual Budget	
File Ref:	Finance\Budget\2026-2027 Budget
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Darren Long, Financial Consultant Malcolm Armstrong, Manager Financial Services Carolyn Mallet, Executive Manager Corporate Services
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Attachment Number:	6.1.1A Proposed 2026-2027 Annual Budget

Moved: Cr. Moore	Seconded: Cr. Matthews
Council Decision CM 26/08/170	
That Council:	
1. Pursuant to Sections 6.32 and 6.35 of the <i>Local Government Act 1995</i>, impose the following Minimum Payments on rateable property for 2026-2027-	
GRV properties	\$1,450 per rateable assessment
UV properties	\$1,375 per rateable assessment
CARRIED BY ABSOLUTE MAJORITY 6/0	
For: Cr. O'Connell, Cr. Moore, Cr. Hack, Cr. Matthews, Cr. King, Cr. Wright	
Against: Nil	

Summary

The purpose of this report is for Council to give consideration to the adoption and imposition of the Minimum Payment on rateable property for 2026-2027.

Background

Section 6.35 of the *Local Government Act 1995* states:

- (1) *Subject to this section, a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.*
- (2) *A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.*

- (3) *In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than —*
 - (a) *50% of the total number of separately rated properties in the district; or*
 - (b) *50% of the number of properties in each category referred to in subsection (6),*
on which a minimum payment is imposed.
- (4) *A minimum payment is not to be imposed on more than the prescribed percentage of —*
 - (a) *the number of separately rated properties in the district; or*
 - (b) *the number of properties in each category referred to in subsection (6),*
unless the general minimum does not exceed the prescribed amount.
- (5) *If a local government imposes a differential general rate on any land on the basis that the land is vacant land it may, with the approval of the Minister, impose a minimum payment in a manner that does not comply with subsections (2), (3) and (4) for that land.*
- (6) *For the purposes of this section a minimum payment is to be applied separately, in accordance with the principles set forth in subsections (2), (3) and (4) in respect of each of the following categories —*
 - (a) *to land rated on gross rental value; and*
 - (b) *to land rated on unimproved value; and*
 - (c) *to each differential rating category where a differential general rate is imposed.*

Report Detail

The following minimum payments are presented for Councils consideration.

The Minimum Payment for UV properties is proposed to increase by 12.50%, from \$1,222 to \$1,375.

The Minimum Payment for GRV properties is proposed to increase by 7.40%, from \$1,350 to \$1,450.

The proposed 2026-2027 UV Minimum Payment will be imposed on 433 UV property assessments, being 44.96% of the total UV property assessments. Council will have to monitor future increases in this minimum rate to ensure the number of properties subject to the minimum rate does not exceed 50%, as per the requirements of S6.35(3) of the *Local Government Act 1995*.

The proposed 2026-2027 GRV Minimum Payment will be imposed on 42 GRV property assessments, being 11.83% of the total GRV property assessments.

Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Governance and Organisation
	Objective	Demonstrate effective leadership, advocacy and governance.
	Outcome	Provide transparent decision making that meets our legal and regulatory obligations, reflects the level of associated risk, and is adequately explained to the community.

Other Strategic Links

Nil

Statutory Environment

Local Government Act 1995 s.6.35.

The imposition of the proposed Minimum Payment complies with the percentage requirements of subclause (3) of Section 6.35.

Sustainability and Risk Consideration

Economic – (Impact on the Economy of the Shire and Region)

Nil

Social – (Quality of life to community and / or affected landowners)

Nil

Policy Implications

Nil

Risk Management Implications

Shire of Boyup Brook's commitment to the identification and management of risk that may impact on the achievement of its business objectives.

Risk Level	Comment
High	It is a statutory requirement for a local authority to adopt an annual budget prior to 31 August. Council will be non-compliant with the <i>Local Government Act 1995</i> .

Consultation

Internal – Senior Executives

Councillors

Financial Consultant – Darren Long, DL Consulting.

Resource Implications

Financial

The 2026-2027 budget is presented as a balanced budget.

Workforce

Nil

End

6.1.4 Payment of Rates Options and Interest Charges for 2026-2027 Annual Budget	
File Ref:	Finance\Budget\2026-2027 Budget
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Darren Long, Financial Consultant Malcolm Armstrong, Manager Financial Services Carolyn Mallet, Executive Manager Corporate Services
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Attachment Number:	6.1.1A Proposed 2026-2027 Annual Budget

Moved: Cr. Hack

Seconded: Cr. Moore

Council Decision CM 26/08/171

That Council:

- 1. Pursuant to Section 6.45 of the *Local Government Act 1995*, offer two payment options for rates and service charges for the 2026-2027 financial year, being-**
 - (a.) Option 1 – Payment in full by a single instalment by the due date, being 35 days from the date of issue of the rate notice;**
 - (b.) Option 2 - Payment in four equal instalments, being**
 - (i) Instalment 1 - 25% of the rates and service charges within 35 days of date of issue of the rate notice;**
 - (ii) Instalment 2 - 25% of the rates and service charges within 2 months of (i);**
 - (iii) Instalment 3 - 25% of the rates and service charges within 2 months of (ii); and**
 - (iv) Instalment 4 - 25% of the rates and service charges within 2 months of (iii).**
- 2. Pursuant to Section 6.45 of the *Local Government Act 1995*, that an administration fee of \$5.50 (GST Free) apply to Instalment 2, 3 and 4 under payment option 2.**
- 3. Pursuant to Section 6.45 of the *Local Government Act 1995*, impose an instalment interest charge of 5.5%, which is to apply to Instalments 2, 3 and 4 under payment option 2.**
- 4. Pursuant to Section 6.51 of the *Local Government Act 1995*, impose a 11.0% rate of penalty interest on overdue rates and service charges that remain unpaid after the due date.**

CARRIED BY ABSOLUTE MAJORITY 6/0
For: Cr. O'Connell, Cr. Moore, Cr. Hack, Cr. Matthews, Cr. King,
Cr. Wright
Against: Nil

Summary

The purpose of this report is for Council to give consideration to the-

1. Setting of options for the payment of rates and service charges for the 2026-2027 financial year;
2. Imposition of an administration fee and instalment interest charge for payments made by instalments for the 2026-2027 financial year; and
3. Imposition of a rate of interest on overdue rates and service charges for the 2026-2027 financial year.

Background

Section 6.45 requires a local government to set the options for the payment of rates or service charges; as well as the ability to impose an administration fee and an instalment interest charge applicable to those payment options.

Section 6.45 of the *Local Government Act 1995* states-

6.45. Options for payment of rates or service charges

- (1) *A rate or service charge is ordinarily payable to a local government by a single payment but the person liable for the payment of a rate or service charge may elect to make that payment to a local government, subject to subsection (3), by —*
 - (a) *4 equal or nearly equal instalments; or*
 - (b) *such other method of payment by instalments as is set forth in the local government's annual budget.*
- (2) *Where, during a financial year, a rate notice is given after a reassessment of rates under section 6.40 the person to whom the notice is given may pay the rate or service charge —*
 - (a) *by a single payment; or*
 - (b) *by such instalments as are remaining under subsection (1)(a) or (b) for the remainder of that financial year.*
- (3) *A local government may impose an additional charge (including an amount by way of interest) where payment of a rate or service charge is made by instalments and that additional charge is, for the purpose of its recovery, taken to be a rate or service charge, as the case requires, that is due and payable.*
- (4) *Regulations may —*
 - (a) *provide for the manner of making an election to pay by instalments under subsection (1) or (2); and*
 - (b) *prescribe circumstances in which payments may or may not be made by instalments; and*

- (c) *prohibit or regulate any matters relating to payments by instalments; and*
- (d) *provide for the time when, and manner in which, instalments are to be paid; and*
- (e) *prescribe the maximum amount (including the maximum interest component) which may be imposed under subsection (3) by way of an additional charge; and*
- (f) *provide for any other matter relating to the payment of rates or service charges.*

Section 6.51 provides for a local government to impose an interest charge on a rate of service charge that remains unpaid after becoming due and payable.

6.51. Accrual of interest on overdue rates or service charges

- (1) *A local government may at the time of imposing a rate or service charge resolve* to impose interest (at the rate set in its annual budget) on —*
 - (a) *a rate or service charge (or any instalment of a rate or service charge); and*
 - (b) *any costs of proceedings to recover any such charge, that remains unpaid after becoming due and payable.*

*** Absolute majority required.**

Report Detail

Payment options

The Shire has traditionally offered two payment options-

Option 1 Payment in full by the due date.

Option 2 Payment in four equal instalments, being-

- (a) Instalment 1 - 25% of the rates and service charges within 35 days of date of issue;
- (b) Instalment 2 - 25% of the rates and service charges within 2 months of (a);
- (c) Instalment 3 - 25% of the rates and service charges within 2 months of (b); and
- (d) Instalment 4 - 25% of the rates and service charges within 2 months of (c).

It is suggested that these payment options continue.

Administration fee and instalment interest charge

Section 6.45 of the Act permits Council to impose an administration charge where a payment of rate or service charge is made by instalments.

Regulations 67 and 68 of the *Local Government (Financial Management) Regulations 1996* limit how much can be imposed as an administration charge and as an instalment interest charge.

Council offers two payment options:

Option 1 – Payment in full

Option 2 – Payment in four equal instalments

In 2025-26 the Shire imposed an administration fee of \$5.30 on the second, third and fourth instalment payments under Option 2.

It is suggested that a \$5.50 administration fee apply to the second, third and fourth instalment payments, under Option 2 for 2026-2027.

The maximum instalment interest rate that can be imposed under Regulation 68 is 5.5%.

The Shire has also previously imposed an instalment interest charge of 5.5% when option 2 is selected by ratepayers.

It is suggested that Council continue to impose an instalment interest charge of 5.5%.

Accrual of interest on overdue rates or service charges

Section 6.51 of the Act permits Council to impose an interest charge on overdue rates or service charges.

Local governments are able to impose a maximum late payment penalty interest rate of 11% under Regulation 70.

It is suggested that Council impose a late payment interest charge of 11% on overdue rates or service charges not paid by the due date.

Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Governance and Organisation
	Objective	Demonstrate effective leadership, advocacy and governance.
	Outcome	Provide transparent decision making that meets our legal and regulatory obligations, reflects the level of associated risk, and is adequately explained to the community.

Other Strategic Links

Nil

Statutory Environment

Local Government Act 1995 s.6.45, 6.50, 6.51.

Local Government (Financial Management) Regulations 1996, Regulations 67, 68, 70 and 71.

Sustainability and Risk Consideration

Economic – (Impact on the Economy of the Shire and Region)

Nil

Social – (Quality of life to community and / or affected landowners)

Nil

Policy Implications

Nil

Risk Management Implications

Shire of Boyup Brook's commitment to the identification and management of risk that may impact on the achievement of its business objectives.

Risk Level	Comment
High	It is a statutory requirement for a local authority to adopt an annual budget prior to 31 August. Council will be non-compliant with the <i>Local Government Act 1995</i> .

Consultation

Internal – Senior Executives

Councillors

Financial Consultant – Darren Long, DL Consulting.

Resource Implications

Financial

The 2026-2027 budget is presented as a balanced budget.

Workforce

Nil

End

6.1.5 Waste Collection Rate for 2026-2027 Annual Budget	
File Ref:	Finance\Budget\2026-2027 Budget
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Darren Long, Financial Consultant Malcolm Armstrong, Manager Financial Services Carolyn Mallet, Executive Manager Corporate Services
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Attachment Number:	6.1.1A Proposed 2026-2027 Annual Budget

Moved: Cr. Moore

Seconded: Cr. Wright

Council Decision CM 26/08/172

That Council:

- Pursuant to Section 66 of the *Waste Avoidance and Resource Recovery Act 2007*, and Section 6.35 of the *Local Government Act 1995*, impose a Waste Collection Rate for 2026-2027 on rateable land as follows-**

GRV general properties \$0.000006 Rate in the Dollar
UV Rural properties \$0.000006 Rate in the Dollar

GRV properties \$55 minimum payment per rateable assessment.
UV Rural properties \$55 minimum payment per rateable assessment.

CARRIED BY ABSOLUTE MAJORITY 6/0
For: Cr. O'Connell, Cr. Moore, Cr. Hack, Cr. Matthews, Cr. King,
Cr. Wright
Against: Nil

Summary

The purpose of this report is for Council to give consideration to the imposition of a Waste Collection Rate for 2026-2027 under the *Waste Avoidance and Resource Recovery Act 2007*.

Background

Section 66 of the *Waste Avoidance and Resource Recovery Act 2007* permits a local government to impose an annual rate on rateable land for the purposes of providing for the performance of waste services.

Section 66 *Waste Avoidance and Resource Recovery Act 2007* states-

66 Local government may impose waste collection rate

- (1) *A local government may impose on rateable land within its district, and cause to be collected, an annual rate for the purpose of providing for the proper performance of all or any of the waste services it provides.*
- (2) *The annual rate must not exceed —*
 - (a) *12 cents in the dollar on the gross rental value; or*
 - (b) *where the system of valuation on the basis of the unimproved value is adopted, 3 cents in the dollar on the unimproved value of the land in fee simple.*
- (3) *The provisions of the Local Government Act 1995 relating to the making, payment and recovery of general rates apply with respect to rates referred to in subsection (1).*

Section 66(3) of the *Waste Avoidance and Resource Recovery Act 2007* requires that a local government comply with the provisions of the *Local Government Act 1995* that relate to the making, payment and recovery of general rates.

This means that all of the relevant provisions within Division 6 of Part 6 of the *Local Government Act 1995* that relate to the making, payment and recovery of general rates, apply to a waste collection rate imposed under the *Waste Avoidance and Resource Recovery Act 2007*. As the Waste Collection Rate is imposed as a Minimum Payment of \$200 per assessment, Section 6.35 of the Act applies.

Section 6.35 of the *Local Government Act 1995* states-

6.35. Minimum payment

- (1) *Subject to this section, a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.*
- (2) *A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.*
- (3) *In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than —*
 - (a) *50% of the total number of separately rated properties in the district; or*

- (b) *50% of the number of properties in each category referred to in subsection (6),
on which a minimum payment is imposed.*
- (4) *A minimum payment is not to be imposed on more than the prescribed percentage of —*
 - (a) *the number of separately rated properties in the district; or*
 - (b) *the number of properties in each category referred to in subsection (6),
unless the general minimum does not exceed the prescribed amount.*
- (5) *If a local government imposes a differential general rate on any land on the basis that the land is vacant land it may, with the approval of the Minister, impose a minimum payment in a manner that does not comply with subsections (2), (3) and (4) for that land.*
- (6) *For the purposes of this section a minimum payment is to be applied separately, in accordance with the principles set forth in subsections (2), (3) and (4) in respect of each of the following categories —*
 - (a) *to land rated on gross rental value; and*
 - (b) *to land rated on unimproved value; and*
 - (c) *to each differential rating category where a differential general rate is imposed.*

This also triggers the application of Regulations 52 and 53 of the *Local Government (Financial Management) Regulations 1996*.

Regulation 52 states-

52. Percentage prescribed for minimum payment (Act s. 6.35(4))

The percentage prescribed for the purposes of section 6.35(4) is 50%.

Regulation 53 states-

53. Amount prescribed for minimum payment (Act s. 6.35(4))

The amount prescribed for the purposes of section 6.35(4) is \$200.

Report Detail

Section 66(3) of the *Waste Avoidance and Resource Recovery Act 2007* requires that a local government comply with the provisions of the *Local Government Act 1995* that relate to the making, payment and recovery of general rates. This means that all of the relevant provisions within Division 6 of Part 6 of the *Local Government Act 1995* that relate to the making, payment and recovery of general rates, apply to a waste collection rate imposed under the *Waste Avoidance and Resource Recovery Act 2007*.

The Waste Collection Rate for 2025-2026 was set with a Rate in the Dollar of \$0.000006, and a Minimum Payment of \$50.00 per assessment.

The Waste Collection Rate for 2025-2026 resulted in 1,361 properties being levied with a minimum rate of \$50.00.

It is suggested that the Waste Collection Rate for 2026-2027 be imposed with a Rate in the Dollar of \$0.000006, and a minimum payment of \$55.00. The rate will be imposed on 1,322 properties, providing a yield of \$72,710.

Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Governance and Organisation
	Objective	Demonstrate effective leadership, advocacy and governance.
	Outcome	Provide transparent decision making that meets our legal and regulatory obligations, reflects the level of associated risk, and is adequately explained to the community.

Other Strategic Links

Nil

Statutory Environment

Waste Avoidance and Resource Recovery Act 2007.

Local Government Act 1995

Local Government (Financial Management) Regulations 1996.

Sustainability and Risk Consideration

Economic – (Impact on the Economy of the Shire and Region)

Nil

Social – (Quality of life to community and / or affected landowners)

Nil

Policy Implications

Nil

Risk Management Implications

Shire of Boyup Brook's commitment to the identification and management of risk that may impact on the achievement of its business objectives.

Risk Level	Comment
High	It is a statutory requirement for a local authority to adopt an annual budget prior to 31 August. Council will be non-compliant with the <i>Local Government Act 1995</i> .

Consultation

Internal – Senior Executives

Councillors

Financial Consultant – Darren Long, DL Consulting.

Resource Implications

Financial

The 2026-2027 budget is presented as a balanced budget.

Workforce

Nil

End

6.1.6 Waste Collection Rate for 2026-2027 Annual Budget Imposition of Fees and Charges, and Rubbish Removal Charges for 2026-2027 Annual Budget	
File Ref:	Finance\Budget\2026-2027 Budget
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Darren Long, Financial Consultant Malcolm Armstrong, Manager Financial Services Carolyn Mallet, Executive Manager Corporate Services
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Attachment Number:	6.1.1A Proposed 2026-2027 Annual Budget

Moved: Cr. Matthews**Seconded: Cr. Wright****Council Decision CM 26/08/173****That Council:**

- 1. Pursuant to Sections 6.16 of the *Local Government Act 1995*, adopts the fees and charges, as listed in the Schedule of Fees and Charges for 2026-2027, and incorporates the Schedule of Fees and Charges into its 2026-2027 annual budget.**

CARRIED BY ABSOLUTE MAJORITY 6/0

**For: Cr. O'Connell, Cr. Moore, Cr. Hack, Cr. Matthews, Cr. King,
Cr. Wright
Against: Nil**

Summary

The purpose of this report is for Council to give consideration to the imposition of -

1. Fees and charges for the 2026-2027 financial year;
2. Rubbish removal charges and recycling removal charges for the 2026-2027 financial year.

Background

Sections 6.16 to 6.19 of the *Local Government Act 1995* govern how a local government may impose fee and charges for the provision of goods or services.

Section 6.16 states:

6.16. Imposition of fees and charges

- (1) *A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.*

*** Absolute majority required.**

- (2) *A fee or charge may be imposed for the following —*
 - (a) *providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;*
 - (b) *supplying a service or carrying out work at the request of a person;*
 - (c) *subject to section 5.94, providing information from local government records;*
 - (d) *receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;*
 - (e) *supplying goods;*
 - (f) *such other service as may be prescribed.*
- (3) *Fees and charges are to be imposed when adopting the annual budget but may be —*
 - (a) *imposed* during a financial year; and*
 - (b) *amended* from time to time during a financial year.*

*** Absolute majority required.**

6.17. Setting level of fees and charges

- (1) *In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —*
 - (a) *the cost to the local government of providing the service or goods; and*
 - (b) *the importance of the service or goods to the community; and*
 - (c) *the price at which the service or goods could be provided by an alternative provider.*
- (2) *A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.*
- (3) *The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —*
 - (a) *under section 5.96; or*
 - (b) *under section 6.16(2)(d); or*
 - (c) *prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.*
- (4) *Regulations may —*
 - (a) *prohibit the imposition of a fee or charge in prescribed circumstances; or*
 - (b) *limit the amount of a fee or charge in prescribed circumstances.*

6.18. Effect of other written laws

- (1) *If the amount of a fee or charge for a service or for goods is determined under another written law a local government may not —*
 - (a) *determine an amount that is inconsistent with the amount determined under the other written law; or*
 - (b) *charge a fee or charge in addition to the amount determined by or under the other written law.*
- (2) *A local government is not to impose a fee or charge for a service or goods under this Act if the imposition of a fee or charge for the service or goods is prohibited under another written law.*

6.19. Local government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

- (a) *its intention to do so; and*
- (b) *the date from which it is proposed the fees or charges will be imposed.*

Sections 67 and 68 of the *Waste Avoidance and Resource Recovery Act 2007* also apply to the imposition of rubbish and recycling removal charges. Section 67 of the *Waste Avoidance and Resource Recovery Act 2007* states:

67. Local government may impose receptacle charge

- (1) *A local government may, in lieu of, or in addition to a rate under section 66, provide for the proper disposal of waste, whether within its district or not, by making an annual charge per waste receptacle, payable in one sum or by equal monthly or other instalments in advance, in respect of premises provided with a waste service by the local government.*
- (2) *The charge is to be imposed on the owner (as defined in section 64(1)) or occupier, as the local government may decide, of any premises provided with a waste service by the local government.*
- (3) *The provisions of the Local Government Act 1995 relating to the recovery of general rates apply with respect to a charge referred to in subsection (1).*
- (4) *In the case of premises being erected and becoming occupied during the year for which payment is to be made, the charge for the service provided is to be the sum that proportionately represents the period between the occupation of the premises and the end of the year for which payment is made.*
- (5) *Notice of any charge made under this section may be included in any notice of rates imposed under section 66 or the Local Government Act 1995, but the omission to give notice of a charge does not affect the validity of the charge or the power of the local government to recover the charge.*
- (6) *A charge may be limited to premises in a particular portion of the area under the control of the local government.*

- (7) *Charges under this section may be imposed in respect of and are to be payable for all premises in respect of which a waste service is provided, whether such premises are rateable or not.*
- (8) *A local government may make different charges for waste services rendered in different portions of its district.*

Section 68 of the *Waste Avoidance and Resource Recovery Act 2007* states:

68. Fees and charges fixed by local government

Nothing in this Part prevents or restricts a local government from imposing or recovering a fee or charge in respect of waste services under the Local Government Act 1995 section 6.16.

Report Detail

Incorporated into the Schedule of Fees and Charges are the following Rubbish Removal Charges relating to the 2026-2027 financial year:

Annual Fee GST Exclusive

Waste Collection 240lt bin – weekly service	\$279.00
Additional Waste Collection 240lt bin – weekly service	\$279.00
Recycling Removal 240lt bin – fortnightly service	\$139.00
Additional Recycling Removal 240lt bin – fortnightly service	\$139.00

Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Governance and Organisation
	Objective	Demonstrate effective leadership, advocacy and governance.
	Outcome	Provide transparent decision making that meets our legal and regulatory obligations, reflects the level of associated risk, and is adequately explained to the community.

Other Strategic Links

Nil

Statutory Environment

Local Government Act 1995 s.6.16 to s.6.19.

Waste Avoidance and Resource Recovery Act 2007, s67 and s68.

Sustainability and Risk Consideration

Economic – (Impact on the Economy of the Shire and Region)

Nil

Social – (Quality of life to community and / or affected landowners)
Nil

Policy Implications
Nil

Risk Management Implications

Shire of Boyup Brook's commitment to the identification and management of risk that may impact on the achievement of its business objectives.

Risk Level	Comment
High	It is a statutory requirement for a local authority to adopt an annual budget prior to 31 August. Council will be non-compliant with the <i>Local Government Act 1995</i> .

Consultation

Internal – Senior Executives
Councillors
Financial Consultant – Darren Long, DL Consulting.

Resource Implications

Financial

The 2026-2027 budget is presented as a balanced budget.

Workforce
Nil

End

7. Closure

There being no further business the meeting closed at 4:08pm.

Presiding Member

Date
