



Minutes of Special Council Meeting

Held on 6 August 2025 and commenced at 5:00pm

Held at the Council Chambers in Donnybrook

(1 Bentley Street, Donnybrook)

Authorised:

A handwritten signature in black ink, appearing to read "Nick O'Connor".

Nick O'Connor, Chief Executive Officer

Prepared:

11 August 2025

TABLE 2: MEASURES OF CONSEQUENCE

Rating	Insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)
Health & Safety	First aid injuries	Medical treatment	Lost time injury of > 5 days	Notifiable incident	Fatality, permanent disability
Financial	Less than \$2,000	\$2,000 - \$20,000 Or < 5% variance in cost of project	\$20,001 - \$100,000 Or > 5% variance in cost of project	\$100,001 - \$1M	More than \$1M
Service Interruption	No material service interruption	Temporary interruption to an activity – backlog cleared with existing resources	Interruption to Service Unit/(s) deliverables – backlog cleared by additional resources	Prolonged interruption of Service Unit core service deliverables – additional resources; performance affected	Indeterminate prolonged interruption of Service Unit core service deliverables
Compliance/ Legal	No noticeable regulatory or statutory impact	Some temporary non compliances	Short term non-compliance but with significant regulatory requirements imposed	Non-compliance results in termination of services or imposed penalties	Non-compliance results in criminal charges or significant damages or penalties
Reputation	Unsubstantiated , localised low impact on community trust, low profile or no media item	Substantiated, localised impact on community trust or low media item	Substantiated, public embarrassment, moderate impact on community trust or moderate media profile	Substantiated, public embarrassment, widespread high impact on community trust, high media profile, third party actions	Substantiated, public embarrassment, widespread loss of community trust, high widespread multiple media profile, third party actions
Community	No noticeable effect on constituents, community, organisations, businesses, services, etc.	Limited effect on constituents, community, organisations, businesses, services, etc.	Moderate and manageable effect on constituents, community, organisations, businesses, services, etc.	Substantial effect on constituents, community, organisations, businesses, services, etc.	Devastating effect on constituents, community, organisations, businesses, services, etc.
Property	Inconsequential or no damage.	Localised damage rectified by routine internal procedures	Localised damage requiring external resources to rectify	Significant damage requiring internal & external resources to rectify	Extensive damage requiring prolonged period of restitution. Complete loss of plant, equipment & building
Environment	Contained, reversible impact managed by on site response	Contained, reversible impact managed by internal response	Contained, reversible impact managed by external agencies	Uncontained, reversible impact managed by a coordinated response from external agencies	Uncontained, irreversible impact

TABLE 3: MEASURES OF LIKELIHOOD

Rating	Description	Frequency
Almost Certain (5)	The event is expected to occur in most circumstances	More than once per year
Likely (4)	The event will probably occur in most circumstances	At least once per year
Possible (3)	The event should occur at some time	At least once in 3 years
Unlikely (2)	The event could occur at some time	At least once in 10 years
Rare (1)	The event may only occur in exceptional circumstances	Less than once in 15 years

TABLE 4: RISK MATRIX

		Consequence				
		Insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)
Likelihood	Almost Certain (5)	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
	Likely (4)	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
	Possible (3)	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
	Unlikely (2)	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
	Rare (1)	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

TABLE 5: RISK TOLERANCE CRITERIA

Risk Rank	Description	Criteria For Risk Tolerance	Responsibility
Low	Tolerated	Risk tolerated with adequate controls, managed by routine procedures and subject to annual monitoring	Operational Manager
Moderate	Monitor	Risk tolerated with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Operational Manager
High	Urgent Attention Required	Risk tolerated with effective controls, managed by senior management / executive and subject to monthly monitoring	Director / CEO
Extreme	Unacceptable	Risk only tolerated with effective controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring	CEO / Council

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1. Declaration of Opening / Announcement of Visitors

Acknowledgement of Country:

The Presiding Member acknowledged the continuing connection of Aboriginal people to Country, culture and community, including traditional custodians of this land, the Wardandi and Kaneang People of the Noongar Nation, paying respects to Elders, past and present.

The Presiding Member declared the meeting open at 5:00pm and welcomed the public gallery.

The Presiding Member advised that the meeting is being live streamed and recorded in accordance with Council Policy EM/CP-2. The President further stated the following:

"This meeting is being livestreamed and digitally recorded in accordance with Council Policy. Members of the public are reminded that no other visual or audio recording of this meeting by any other means is allowed without the permission of the chairperson. Whilst every endeavour has been made to only record those who are actively participating in the meeting, loud comments or noises from the gallery may be picked up on the recording."

2. Attendance

Councillors Present:

Cr Vivienne MacCarthy

Cr Lisa Glover

Cr Alexis Davy

Cr Peter Gubler

Cr Anita Lindemann

Cr Anne Mitchell

Cr Grant Patrick

Staff Present:

Nick O'Connor, Chief Executive Officer

Loren Clifford, Acting Director Finance and Corporate

Ross Marshall, Director Operations

Stuart Eaton, Finance Projects Manager

Meta Hazeldine, Manager Financial Services

Samantha Farquhar, Administration Officer Corporate Services

Public Gallery: No members of the public were in attendance.

2.1. Apologies

Cr John Bailey

2.2. Approved Leave of Absence

Nil.

2.3. Application for Leave of Absence

Nil.

3. Announcements from the Presiding Member

It is with great sadness that we announce the resignation of Councillor Shand from Council. Councillor Shand was elected in the 2023 local government elections as one of nine Council Members and she had previously indicated her intention to retire at the conclusion of her two year term. However, a change in personal circumstances has led to her stepping down slightly earlier than planned. On behalf of Council, I extend our sincere thanks to Councillor Shand for her service over the past 22 months. She has been an advocate for the Shire of Donnybrook Balingup community, particularly for the residents of the Preston Valley and Yabberup communities. Councillor Shand is widely respected for her thorough research on development applications and for her willingness to speak up on matters that she feels strongly about. Her presence will be missed at our final two Ordinary Council Meetings leading into the 2025 election. I would also like to thank Councillor Shand for her support during my time as President. We all wish her the very best as she embarks on her next chapter.

4. Declarations of Interest

Division 6: Sub-Division 1 of the *Local Government Act 1995*. Care should be taken by all Councillors to ensure that a financial/impartiality interest is declared and that they refrain from voting on any matter, which is considered to come within the ambit of the Act.

Nil.

5. Public Question Time

5.1. Responses to previous public questions that were taken on notice

Nil.

5.2. Public Question Time

Nil.

6. Presentations

6.1. Petitions

Nil.

6.2. Presentations

Nil.

6.3. Deputations

Nil.

6.4. Delegates' Reports

Nil.

7. Reports of Committees

Nil.

8. Reports of Officers

8.1.1 Adoption of 2025/26 Annual Budget

Report Details:

Prepared by: Manager Finance Projects

Manager: Nick O'Connor, Chief Executive Officer

File Reference: MONARCH-244880980-3 **Voting Requirement:** Absolute Majority

Attachment(s):

8.1.1(1) 2025/26 Annual Budget

8.1.1(2) Budget Paper No.1 – 2025/26 Management Budget

8.1.1(3) Budget Paper No.2 – 2025/26 Budget Overview

Executive Recommendation

That Council:

1. Pursuant to the provisions of section 6.2 of the *Local Government Act 1995* and Part 3 of the *Local Government (Financial Management) Regulations 1996*, adopts the 2025/26 Annual Budget as per Attachment 8.1.1(1).
2. For the purpose of yielding rates revenue in the 2025/26 Annual Budget pursuant to sections 6.32, 6.34 and 6.35 of the *Local Government Act 1995*, impose the following general and minimum rates on ratable properties valued on Gross Rental Value and Unimproved Value.

Description	Rate in the \$	Minimum Payment (\$)
Gross Rental Value (GRV)	\$0.099379	\$1,800.00
Unimproved Value (UV)	\$0.004877	\$1,800.00

3. Adopt the rate instalment options in accordance regulation 64(2) of the *Local Government (Financial Management) Regulations 1996* and instalment charge in accordance with section 6.45(3) of the *Local Government Act 1995*, as follows:

Instalment Options	Date due	Instalment Plan Charge (\$)
Option one (1)		
Single payment in full	26 September 2025	Nil
Option two (2)		
First instalment	26 September 2025	Nil
Second instalment	25 November 2025	\$13.65 / Instalment
Third instalment	30 January 2026	\$13.65 / Instalment
Fourth instalment	31 March 2026	\$13.65 / Instalment

4. Adopts a per annum interest rate of 5.50% on rates paid by instalments in accordance with section 6.45 (3) of the *Local Government Act 1995*.

5. Adopts a per annum interest rate of 11.00% on all outstanding rate balances in accordance with section 6.51 (1) of the *Local Government Act 1995*.
6. Adopts the following annual waste receptacle charges for the 2025/26 financial year in accordance with section 67 (1) of the *Waste Avoidance and Resource Recovery Act 2007*.

Receptacle Service Charge	\$
Bin Service - 3 Bin Service	\$408.00
Bin Service - 2 Bin Service	\$435.00
Optional Bin - Rubbish `(Fortnightly)	\$173.00
Optional Bin - Rubbish (Weekly)	\$342.00
Optional Bin - Recycling	\$94.00
Optional Bin - Organics	\$142.00
Aged Care Shared Bin Service - 3 Bin Service	\$136.00
Aged Care Shared Bin Service - Optional Organics	\$48.00

7. Pursuant to section 6.16 (3) of the *Local Government Act 1995*, adopts the Schedule of Fees and Charges for the 2025/26 financial year as appended to the 2025/26 Annual Budget document.
8. Pursuant to regulation 34 (5) of the *Local Government (Financial Management) Regulations 1996*, the Council adopts a material variance reporting threshold for the 2025/2026 financial year as follows:
 - 8.1. Variances equal to or greater than 10% of the year to date budget amounts detailed in the Statement of Financial Activity, however variances due to timing differences are to be reported only if not to do so would present an incomplete picture of the financial performance for a particular period; and
 - 8.2. Reporting of variances only applies for amounts greater than \$25,000.
9. Pursuant to section 6.47 of the *Local Government Act 1995* grant an annual concession of 58% on Rates on A1394, Lot 8314 Greenbushes Grimwade Road, North Greenbushes due to:
 - 9.1. The single lot being bisected by the Shire of Donnybrook Balingup and Shire of Bridgetown Greenbushes district boundary.
 - 9.2. 58% of the lot is located in the Shire of Bridgetown Greenbushes.

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

- Outcome:** 11 - Strong, visionary leadership.
- Objective:** 11.1 - Provide strategically focused, open and accountable governance.
- Item:** 11.1.1 - Provide an annual review of key informing strategies to the Integrated Planning and Reporting Framework to inform the Annual Budget.

Executive Summary

This report requests Council to formally consider the attached budget papers to adopt the 2025/26 Annual Budget.

Background

Pursuant to section 6.2 of the *Local Government Act 1995* (the Act), a local government is to prepare and adopt an annual budget between 1 June and 31 August each year, or such extended time as the Minister allows.

The executive recommendation will formally adopt the 2025/26 Annual Budget.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Almost Certain	Moderate	High (15)
Risk Description:	Deferring adoption of the Annual Budget will delay raising rates and will adversely affect cash flow, project delivery and interest revenue estimates.		
Mitigation:	Adoption of the 2025/26 Annual Budget		

Financial Implications

Adoption of the 2025/26 Annual Budget will approve the financial operations of the Shire for the 2025/26 financial year.

Policy Compliance

Nil.

Statutory Compliance

Pursuant to section 6.2 of the *Local Government Act 1995* (the Act), a local government is to prepare and adopt an annual budget between 1 June and 31 August each year.

In accordance with Section 6.45(3) and Section 6.51(1) of the *Local Government Act 1995*, and Clauses 64, 67, 68, and 70 of the *Local Government (Financial Management) Regulations 1996*, each financial year the local government must set the due dates for the payment of rates, determine the instalment plan administration charges and applicable interest rates for outstanding and late payments. Additionally, the local government is required to adopt a percentage or value, calculated in accordance

with the Australian Accounting Standards, to be used in statements of financial activity for reporting material variances, ensuring transparency and accountability in financial reporting.

Waste Avoidance and Resource Recovery Act 2007

In accordance with Section 67(1), a local government must determine and impose a waste collection charge each financial year as part of its budget adoption process.

Consultation

The 2025/26 Annual Budget has been informed by discussions with Elected Members and direction from strategic documents such as the Council Plan, Long-Term Financial Plan and Asset Management Plans and other financial informing plans.

Description	Meeting/Workshop Date
Asset Management Plans	23 April 2025
Reserve Fund Plan	23 April 2025
Borrowings Plan	23 April 2025
Fees & Charges	28 May 2025
Fees & Charges	25 June 2025
Rate percentage setting	28 May 2025
Long Term Financial Plan	28 May 2025
Workforce Plan	28 May 2025
Road Capital Works Program	28 May 2025
Elected Member Allowances	28 May 2025
Community Grants & Donations	28 May 2025
2025/26 Budget Workshop	2 July 2025

The 2025/26 Annual Budget reflects the agreed outcomes from these reports and workshops.

Once adopted the Annual Budget will be available on the Shire's website.

Officer Comment

The 2025/26 Annual Budget document is provided under at [Attachment 8.1.1\(1\)](#). It meets the statutory budget reporting requirements under the Act and *Local Government (Financial Management) Regulation 1996*.

The 2025/26 Schedule of Fees & charges is appended at the end of the 2025/26 Annual Budget document at [Attachment 8.1.1\(1\)](#).

Changes to the fees and charges are as follows:

- **Kerbside Waste Collection Service**
Following the assessment of the regional tender for organic processing, updated rates have now been applied.
- **Venue Hire**
 - **Cancellation Policy**

A standard cancellation policy now applies to all venue bookings made through the online platform. Booking cancellations up until 14 days before the event are eligible for a full refund. For cancellations made with 14 days' notice or less, a fee applies.

- **Donnybrook & Balingup Hall - Kitchen Hire**
Reduced rate for kitchen hire applicable to community groups / not for profit organisations.
- **Donnybrook Hall – Phase-In Period Rate**
Phase-In Period “all day” Rate calculated in accordance with the existing hall hire rate structure.
- **VC Mitchell Park – Pavillion 1**
Fee should be applied for the hire of the bar meeting area when a serviced bar is included.
- **Library Room Hire – (*Seminar Room*)**
The venue is now available for hire via the online booking platform. To streamline processing and enhance efficiency, rounding has been applied to the listed fees. The wording around standard and concessional rates has been updated to be uniform with other venues.
- **Cemeteries**
Amendment to the treatment of GST has been made to the Transfer of Grant of Right of Burial and the Renewal of Grant of Right of Burial.

Significant additional interpretive information is provided under further separate covers:

Budget Paper No.1 – 2025/26 Management Budget ([Attachment 8.1.1\(2\)](#))

Budget Paper No.2 – 2025/26 Budget Overview ([Attachment 8.1.1\(3\)](#))

COUNCIL RESOLUTION:	145/08-25		
MOVED BY:	Cr Vivienne MacCarthy	SECONDED BY:	Cr Anita Lindemann

That Council:

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9.1 The single lot being bisected by the Shire of Donnybrook Balingup and Shire of Bridgetown Greenbushes district boundary.

9.2 58% of the lot is located in the Shire of Bridgetown Greenbushes.

For: Cr MacCarthy, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick, Cr Glover
Against: Nil.
Carried: 7/0 by absolute majority vote

9. Elected Member Motions of which previous notice has been given
Nil.

10. New Business of an urgent nature introduced by Decision of the Meeting
Nil.

11. Meetings Closed to the Public
11.1. Matters for which the Meeting may be closed
Nil.

11.2. Public reading of Resolutions that may be made public
Nil.

12. Closure
The Presiding member to advised that the next Agenda Briefing Session will be held on 20 August 2025 at 5:00pm, in the Shire of Donnybrook Balingup Council Chamber.

The Presiding member declared the meeting closed at 5:21pm.

These minutes were confirmed as a true and accurate record at the Ordinary Council Meeting held 27 August 2025.

A handwritten signature in black ink, appearing to read 'V MacCarthy', with a long horizontal line extending from the end of the signature.

Vivienne MacCarthy

President – Shire of Donnybrook Balingup