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| <b>Jurisdiction:</b>       | <i>Local Government Act 1995</i>                                                                                         |
| <b>Application:</b>        | Referral of a question of general interest relating to a rate or service charge being imposed in accordance with the Act |
| <b>Parties:</b>            | <b>CITY OF KALAMUNDA</b> (Applicant)<br><b>No Respondent</b> (Respondent)                                                |
| <b>Matter Number:</b>      | DR 151/2026                                                                                                              |
| <b>Application Lodged:</b> | 5 October 2026                                                                                                           |
| <b>Date of Decision:</b>   | 7 October 2026                                                                                                           |
| <b>Decision of:</b>        | Senior Member Stephen Willey                                                                                             |

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Having regard to the Applicant's Statement of Issues, Facts and Contentions (dated 6 October 2026), and the contents of the affidavit of Gary Ticehurst (sworn on 23 September 2026), the Tribunal is satisfied that the differential rates adopted by the Council of the City, at its Ordinary Council Meeting (OCM) on 23 June 2026, do not comply with s 6.33(3) of the Local Government Act 1995 (WA) (LG Act), by reason that the highest differential rate adopted was more than twice the lowest differential general rate imposed, in circumstances where the approval of the Minister had not been obtained. Accordingly, the general rates that have been imposed by the resolution of the Council at its OCM on 23 June 2026, are contrary to the requirements of the LG Act.

The Tribunal orders:

1. Pursuant to s 6.82 of the Local Government Act 1995 (WA) (LG Act), the rates imposed by the Council for the City of Kalamunda by resolution at the ordinary council meeting of 23 June 2026, for the 2026/2027 financial year, pursuant to ss 6.2(2), 6.32(1) and 6.34 of the LG Act, are hereby quashed.
2. The directions hearing listed for 11.00 am on 30 October 2026 is vacated.

