

## **WAIVING AND REFUNDING OF APPLICATION FEES**

**POLICY NO: Town Planning 5.2**

**DEPARTMENT: ENVIRONMENTAL SERVICES**

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### **OBJECTIVE:**

To ensure fair notice and choice is given to applicants in relation to refunding and waiving of fees associated with applications for building and development which include development applications (DA's), construction certificates (CC's), section 68 applications (S68's) and complying development certificates (CDC's).

To ensure that the community is aware of the types of fees associated with DA's, DA/CC's, S68's, CC's and CDC's that can be waived or refunded.

### **POLICY:**

#### **Refunding of application fees**

Application fees can be refunded in the following circumstances:

- Withdrawal of the application in writing prior to the site inspection – 80% of the application fee can be refunded, and
- Withdrawal of the application in writing prior to determination of the application – 50% of the application fee can be refunded.

When refusal of an application is recommended by staff the applicant is to be notified and given the opportunity to formally withdraw their application prior to the report going to Council. Fees are not refunded where an application has been determined.

Third party fees cannot be refunded by Council. The applicant will need to apply directly to a government agency for the refund of fees. Fees for the advertising of an application will only be refunded if the advertisement has not been submitted for inclusion in the next edition of the local newspaper.

#### **In what circumstances can application fees be waived?**

The General Manager has delegation (GM017) to waive development application, complying development certificate fees, construction certificate fees, section 68 application fees and other fees associated with building and development (eg inspection fees) that are charged by Council as a statutory fee or fee for service (but are not third party fees) up to \$1,000 for non-profit organisations. Any request outside of this delegation must be reported to Council.

### **Types of fees that cannot be refunded or waived**

The following fees (considered to be third party fees) cannot be waived or refunded under the General Manager's delegation GM017 (as they either relate to a third party cost (ie advertising of the DA in the local media), the applicant has to make a direct payment to the agency via Council (eg integrated development fees) or Council is the collection agency for the fee (eg long service levy and planning reform fund fees)):

- Concurrence and integrated development fees to other government agencies;
- Advertising;
- Planning reform fund fees, and/or
- Long service levy.

Waiving of these fees will need to be met by Council's donation budget and in accordance with Finance Policy 3.2 – Donations/Subsidies, Financial Assistance by Council.

<p><b>RELATED POLICIES/DOCUMENTS:</b>          Environmental Services Procedure ES 4 – Waiving and Refunding of Development Application Fees (internal use only)</p> <p>Finance Policy 3.2 – Donations/Subsidies/Financial Assistance by Council</p> <p>Delegation GM017</p>
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<b>Date Approved</b>	<b>Revision No.</b>	<b>By Whom</b>
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