



# FEES REFUND AND REMISSION POLICY

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<b>TITLE:</b>	<b>Fees Refund and Remission</b>
<b>RESPONSIBLE OFFICER:</b>	<b>Manager Engineering and Regulatory Services</b>
<b>APPROVED BY COUNCIL:</b>	<b>October 2005</b>
<b>RESOLUTION NO:</b>	<b>184/2005</b>
<b>AMENDED ON:</b>	<b>06/2019</b>
<b>RESOLUTION NUMBER:</b>	<b>84/2019</b>
<b>REVIEW DATE:</b>	<b>June 2022</b>

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## APPLICATION OF POLICY

This policy applies to fees charged for Council services including application fees for Planning, Plumbing, Building, Environmental Health, Engineering and Council By-Laws.

## INTRODUCTION

This policy includes requests for application fee refunds and remission of fees where Section 77 of the Local Government Act 1993 applies.

## OBJECTIVE

To provide guidance on the circumstances when Council will remit or refund fees.

## POLICY

This includes criteria in Part A that Council will use to assess requests for fee refunds and fee remissions in Part B in exercising its powers pursuant to Section 207 of the Local Government Act 1993.

#### A. Refund of Council Fees

A person may apply in writing and outline reasons why fees should be refunded. The amount of refund will depend on how far the assessment of the application, licence or registration has progressed. In determining the appropriate refund the following factors will apply:

1. Annual registration fees will not be proportionately refunded unless the requirement for the licence or registration is no longer applicable;
2. Assessment fees will only be refunded if the assessment hasn't been undertaken (regardless of whether the permit was issued);
3. If assessments have commenced but not completed, a proportion of assessment fees may be refunded;
4. Inspections fees and fees associated with the completion of works will be refunded if the permit hasn't been issued; and
5. Applications fees for advertising are not refunded if the advertisement has been sent to the newspaper.

#### B. Remission of Council Fees

A person other than a Councillor may apply to Council for a grant or benefit requesting that Council remit a fee for a service of Council.

Not-for-profit community based organisations may request in writing that fees for applications for Planning, Building, Plumbing, Environmental Health or Engineering Services be remitted. The request must outline reasons and sufficient information to enable Council to determine eligibility.

Levies or other fees collected by Council on behalf of other agencies are not eligible for remission including the Building Administration and Industry Training Levies.

An eligible not-for-profit community organisation includes:

- Churches, sporting clubs, hall committees, Landcare/Coastcare groups or other community organisations that the General Manager considers demonstrate a community benefit.

### **ASSESSMENT AND DETERMINATION**

The General Manager or his delegate (Manager Regulatory Services) will consider any request for a refund or remission in accordance with this policy (consistent with financial delegations and statutory powers) and determine if the request will be granted or not.

**Robert Higgins**  
**GENERAL MANAGER**