



**GLAMORGAN
SPRING BAY
COUNCIL**

Glamorgan Spring Bay Council

Fee Exemption and Reduction Policy

Version [1.0]

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1 Introduction

1.1 Purpose

The purpose of this policy is to:

- a) To ensure a consistent and equitable approach to the management of the refund, exemption or reduction for Council's adopted fees and charges; and
- b) To support community-based organisations, providing services and activities for the community, by reducing the cost of local government fees and charges.

1.2 Scope

This policy applies to fees and charges set by Council in accordance with Section 205 of the Local Government Act 1993. It does not apply to the remission of rates or cancellation of fines associated with infringement notices.

1.3 Definitions

Council	is Glamorgan Spring Bay Council
Fees and Charges	Council fees and charges contained within the schedules adopted annually in accordance with the Local Government Act 1993.

1.4 Objective

- a) Council's fees and charges are set annually by Council in accordance with the provisions of the Local Government Act 1993. Section 207 of this Act states that "A council may remit all or part of any fee or charge paid or payable under this Division". This policy will aim to define the conditions under which Council may consider refunding, exempting or reducing fees and charges on a case-by-case basis.

1.5 Related Policies and Legislation

This policy relates to and depends on other Council policies, as well as legislation, including:

- *Local Government Act 1993*
- *Building Act 2016*
- *Dog Control Act 2000*
- *Environmental Management and Pollution Control Act 1994*
- *Food Act 2003*
- *Land Use Planning and Approvals Act 1993*
- *Urban Drainage Act 2013*
- *Local Government (Highways) Act 1982*
- *Public Health Act 1997*

1.6 Policy Review and Update Cycle

This policy is to be reviewed every four years.

2 Policy

2.1 Policy Detail

- 2.1.1 Applications for fee exemptions, reductions or refunds shall be made in writing setting out the basis upon which the request is made.
- 2.1.2 The assessment of requests for the waiver or reduction of fees shall be undertaken in accordance with the following principles:
- Compliance with relevant legislation;
 - Fairness, consistency and equity; and
 - Transparency
- 2.1.3 All requests will be referred to the General Manager for determination.
- 2.1.4 A response to the application will be provided in writing, detailing the basis upon which the request is approved or denied and shall be recorded within Council's record management system.
- 2.1.5 A report will be prepared for the consideration by the Council in relation to any appeals of the decision of the General Manager, or for requests over the value or \$2,500.00.
- 2.1.6 A register will be maintained of all fees and charges either waived or reduced throughout the year and a table with these details will be included within Council's Annual Report.

2.2 Policy Guidance

- 2.2.1 Council may consider refunding, exempting or reducing fees and charges on a case by case basis, in the following instances:
- The fee or charge has been incorrectly applied by Council;
 - The fee has been overpaid by a customer;
 - Legislative or administrative processes have changed that make the fee no longer relevant;
 - The fee has been paid to Council to perform a specific action that has not subsequently been carried out; or
 - The fee relates to the activities of an organisation based within the Glamorgan Spring Bay Municipal Area that can demonstrate a community benefit associated with the request to waive or reduce fees.
- 2.2.2 Council will not waive, reduce or refund fees that relate to the following:
- Levies collected by Council on behalf of the State Government (e.g. Fire and building levies);
 - Charges incurred directly by Council associated with the provision of a service (e.g. advertising fees for development applications); or
 - Fees relating to the provision of a service for which Council has already incurred a direct or indirect cost.

3 Implementation

Implementation of this Policy rests with the General Manager.

4 Attachments

Nil.