

 GLAMORGAN SPRING BAY COUNCIL	POLICY – PLANNING & BUILDING FEES	Policy 1.8	
		Version 2	Date 27/08/19
Minutes Dated: 27 th August 2019	Approved By : Council Decision No. 141/19	Review Date As required but no later than August 2023	

1. OBJECTIVE

- 1.1 To support community based organisations, providing services and activities for the community, by reducing the cost of local government regulatory permits: and
- 1.2 To incentivize and support new businesses, where the development increases the property rates by 20 times the minimum vacant land residential rate charge, by reducing the cost of local government regulatory permits.

2. SCOPE

The policy scope includes the waiving, reduction or refund of fees payable for applications under the *Land Use Planning and Approvals Act 1993* or for permits under the *Building Act 2016*.

3. BACKGROUND

Planning and building permits are issued under the *Land Use Planning and Approvals Act 1993* and the *Building Act 2016*.

Objective 1.1

In some instances, particularly on small scale projects, fees and charges associated with planning and building applications can form a significant component of project costs. The Council reply on community based non-for-profit organisations to provide services and activities to the community and particularly important to the under privileged in the community.

As an incentive to promote these developments and as a tangible sign to support these organisations, the Council consider it appropriate to abandon or reduce the payment of Council permit fees.

Objective 1.2

In the establishment of a major new business in the municipal area, it is frequent that the new business seeks consensus from the Council to incentivize these business decisions. In reality the cost of permit fees is an insignificant component to the overall cost but a reduction in fees is a sign of good will on behalf of the Council to welcome the establishment of the business in the area. The establishment of the business results in an ongoing increase in the annual rates charged against the property – hence any reduction in fees should be quickly offset by the increase in rates base. Accordingly this incentive basis should be only used in very large developments where the increase in the rates base is equivalent to 20 times the minimum vacant land residential charge (generally \$725 FY2019/20).

The purpose of this Policy is to establish a consistent, equitable and transparent approach for the consideration of requests for the waiving, reducing or refunding of planning applications or building permit fees and charges:

- From community based non-for-profit organisations for their projects;
- From new businesses to the Glamorgan Spring Bay Council area which increase the rate based equivalent to 20 times the minimum residential charge.

4. DEFINITIONS

In this Policy:

“Community based organisation” means a recognised not-for-profit group or organisation that carries out one or more of the following activities:

- Provides services to the community such as positive ageing, child care or health services, charity services or services of a similar type;
- Reinvests or applies revenue it receives predominately for public interest services or activities;
- Principally provides social or junior sporting or recreational activities;
- Supports public events or information of an historical, cultural or community arts focus.

A community based organisation does not include:

- Any religious or political organisation;
- A profit making organisation;
- Schools and tertiary institutions;
- State or Federal government agencies and departments;
- Any organisation where more than 50% of its income is derived from any State or Federal government programs or from other sources of funding.

5. POLICY

The General Manager and Mayor jointly and in agreement may waive, reduce or refund fees and charges applicable to planning permit applications and building permit fees/charges, excluding statutory fees and charges collected by Council on behalf of the State Government, in the following circumstances.

A. For Community based non-for-profit organisations where it is demonstrated that:

- A community benefit of the project or activity will arise that is consistent with Council's policies, strategies or activities; and
- There is a capacity to carry out the proposed project or activity; and
- The total cost of the project or activity is less than \$250,000

Then

- A 50% reduction where it is proposed at least 75% of services/activities resulting from the development are provided at no charge to the community (except for nominal subscriptions or membership charges) OR
- A 25% reduction where it is proposed at least 75% of services/activities resulting from the development are provided at cost recovery rate OR
- A 100% reduction where all services are entirely benevolent services to those in the community in need. Such services shall be at no or nominal cost.

B. For Businesses where it can be demonstrated that:

- The business is a new entity to the Glamorgan Spring Bay Council area; and
- The rate base, following completion of the development, increases the rate base by an equivalent 20 times the minimum vacant land residential charge for that particularly locality; and
- Reasonable proof proved that should the development be approved then the development shall substantial commence within 24 months of the issue of the building permit or 36 months of the issue of the planning permit – whichever is sooner. The Mayor and General Manager have discretion to refund fees (linked to a specific outcome) rather than waive fees if reasonable proof is not satisfactory.

Then

- A 25% reduction.

Where the General Manager and/or Mayor and/or applicant seek to vary conditions or advocate for a greater reduction or concessions as listed within this policy, then it is required that the matter be reported to the Council for decision.

6. EXCLUSIONS:

This policy does not apply to organisations or applicable due to:

- Circumstances of personal or financial hardship.
- Fees and charges collected by the Council on behalf of the state/federal government or related instrumentality or legislated obligation.
- Any organisations being a state or federal government department, GBE or owned by state or federal government.
- Over 75% of funds for the development are grants or subsidies provided by any form of government (including the Council).
- Planning Scheme amendments.
- Direct cost of advertising in newspapers (where applicable).

7. DELEGATION

Responsibility of this policy is delegated to the Mayor and the General Manager acting jointly.

8. RESPONSIBILITY

The responsibility to ensure this policy is enforced rests with the General Manager.

9. REPORTING

All successful and unsuccessful applications under the policy shall be reported to an open Council meeting as soon as practical at the end of each financial quarter.

The report shall include:

- Names of organisations
- Category justifying application of the policy
- The fees/charge that would apply before application of the policy
- The scale of any reduction (if any)
- Other relevant comments

10. STATUTORY REQUIREMENTS

Part 8 of the *Local Government Act 1993* provides for the reduction of fees and charges.

The *Land Use Planning and Approvals Act 1993* and the *Building Act 2016* require that all prescribed fees are paid prior to any application being deemed valid.

11. REFERENCES Nil.

12. ATTACHMENTS Nil.