

FEES AND CHARGES – WAIVER OR REDUCTION POLICY

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INTERNAL COMMITTEE
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RELATED STRATEGIC
DOCUMENTS, POLICIES OR
PROCEDURES: Fees and Charges Schedule
Community Support Policy

RELATED LEGISLATION: Local Government Act 2020

EVIDENCE OF APPROVAL:



Signed by Chief Executive Officer

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and charges - waiver or reduction v2.docx

Policy documents are amended from time to time, therefore you should not rely on a printed copy being the current version. Please consult the policies on the Loddon Shire website (Council Policies) or Intranet (Organisational Policies) to ensure that the version you are using is up to date.

This document is available in alternative formats (e.g. larger font) if requested.

1 PURPOSE

This policy provides guidance for requests to waive or refund various types of fees and charges.

This policy should be read in conjunction with Council's Fees and Charges Schedule (the Schedule) in order to be fully informed of governance frameworks applicable to fees and charges procedures.

2 SCOPE

The policy applies to any not for profit organisation, incorporated association or unincorporated community group which provides a community benefit to the residents of the Shire and wishes to apply to have a fee and/or charge waived or reduced.

This policy does not apply to Council rates and rebates. Please see Council's relevant rating policies for guidelines concerning rates and relief for ratepayers.

3 POLICY

Council regularly receives requests from community groups to provide funding support in the form of fee waivers or reductions for a large range of programs, projects, events or initiatives.

This policy ensures that responses to fee waivers and reductions are managed consistently. It ensures that responses consider community need within Council's strategic priorities and community benefit.

3.1 Categories

Fees and charges are categorised into two key components. The process for allowing a fee waiver or reduction is reliant upon whether the charge is statutory or discretionary in nature.

3.1.1 Statutory fees and charges

Statutory fees and charges are those that are set and regulated by legislation. These fees are non-discretionary and must align with the relevant statute or current Ministerial advice. This fee type cannot be waived or reduced.

3.1.2 Discretionary fees and charges

Discretionary fees and charges are not regulated by legislation and are set by Council through the adoption of the Schedule annually.

3.2 Fee types

3.2.1 General fees

General fees, such as photocopying and faxing charges are set by Council as part of its annual budget process.

Under section 77 of the Local Government Act 2020, Council or a delegated officer has the power to reduce, waive or refund in whole or in part of the fees.

For eligible applicants, a reduced fee is recommended to be set at the cost to Council of providing the service/product.

3.2.2 Local laws fees

The permit fees under Council's Local Laws are set by Council as part of its annual budget process.

Each of these Laws contain a clause which states that *Council may waive, reduce or alter a fee or charge with or without conditions.*

Requests can be made to waive the permit fee for fundraising activities provided that the applicant is an eligible organisation or group and the activity will result in a community benefit.

3.2.3 Building permit fees

Building permit fees are set by Council as part of its annual budget process. Council is also required to charge building permit applicants a levy which is set by the State Government and passed on to them.

Requests can be made to waive or reduce building permit fees for projects undertaken by community groups. It may also be beneficial where the works are grant funded and the group is trying to maximise the dollars spent on physical works. While the building permit fee is discretionary and may be waived or reduced for eligible organisations or groups, the levy is set by the State Government therefore cannot be waived or reduced.

3.2.4 Planning permit fees

Planning permit fees are set in the Planning and Environment (Fees) Regulations 2000. Section 13(1) of the Regulations outlines the circumstances in which Council, as the Responsible Authority, may waive or rebate planning permit fees, and states that the reasons for doing so must be recorded in writing.

Requests can be made to waive planning permit fees for projects undertaken, provided that the applicant for the planning permit is an eligible organisation or group, and the activity will result in a community benefit.

3.2.5 Waste management fees

Waste management fees for the disposal of waste at Council landfills and transfer stations are set by Council as part of its annual budget process.

Requests can be made by community groups wanting free waste or green waste disposal after activities such as clean up days or community group working bees. These activities are reliant on volunteers and do not provide any income for the group involved. Provided that the group can demonstrate it is an eligible organisation or group, and the activity will result in a community benefit, the waste disposal fee may be reduced or waived.

3.3 **Application and assessment**

Request must be made via the Fee Waiver/Reduction Application Form.

Each application will be assessed by the relevant departmental manager or director. All authorisations must comply with the relevant instruments of delegation levels.

FEES AND CHARGES – WAIVER OR REDUCTION POLICY

Applications with a cost to Council at or under \$200 are reviewed and can be approved by the relevant departmental manager.

Applications between \$200 and \$500 are reviewed and can be approved by the relevant Director.

Applications between \$500 and \$1,000 are reviewed and can be approved by the Chief Executive Officer.

Applications over \$1,000 are reviewed by the Chief Executive Officer and submitted to Council for approval via a formal resolution.

It is considered more efficient for all parties if a fee can be waived at the time of lodgement of the permit application, rather than it being paid and rebated after lodgement.

4 CONFLICT OF INTEREST

If a staff member involved in the process has a conflict of interest, whether it be actual, potential or perceived, they are required to declare the conflict and remove themselves from the process. Another staff member at a similar or higher delegation level will be required to assess and approve the application in the absence of the conflicted staff member.

5 DEFINITIONS OF TERMS OR ABBREVIATIONS USED

Term	Definition
Organisation or group	A not-for-profit, incorporated association or community group that is based in Loddon Shire or has demonstrated links to communities in the Shire.
Community benefit	A demonstrated community need in the Loddon Shire which aligns with Council's strategic priorities.

6 HUMAN RIGHTS STATEMENT

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights Act. Loddon Shire Council is committed to consultation and cooperation between management and employees. The Council will formally involve elected employee Health and Safety Representatives in any workplace change that may affect the health and safety of any of its employees.

7 REVIEW

The Manager Financial Services will review this policy for any necessary amendments no later than 4 years after adoption of this current version.

8 ATTACHMENTS

Fee Waiver / Reduction Application Form

FEES AND CHARGES – WAIVER OR REDUCTION POLICY



FEE WAIVER / REDUCTION APPLICATION

This form is to be used by any organisation or group which provides a community benefit to the Shire to apply for a fee or charge to be waived or reduced. This does not apply to Council rates and rebates.

The group must confirm that is a non-for-profit, incorporated association or community group that is based in the Shire or has a demonstrated link to communities in the Shire. The community benefit is a demonstrated community need in the Shire that aligns with Council's strategic priorities.

Organisation requesting fee waiver

Postal address (if new or update required)

Street address or PO Box

Town

State

Postcode

Type of fee (select all relevant items)	Dollar amount of requested waiver / reduction	
	Scheduled fee	Requested fee
General		
Local laws		
Building permit		
Planning permit		
Waste management		

Details

Activity to be undertaken:

Benefit of activity to community:

Location of activity:

Person submitting request

Signature:

Date:

Print name:

Position:

OFFICE USE ONLY

Date received:

Reviewed by:

Conflict of interest exists: Y / N

If yes, conflict reason:

Approval granted:

Amount to be charged:

Loddon Shire Council
41 High Street, Wedderburn, Victoria
PO Box 21, Wedderburn, Vic 3518
Telephone: (03) 5494 1200
Email: loddon@loddon.vic.gov.au
Web: www.loddon.vic.gov.au

Privacy statement
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