



Fee Exemptions and Reductions Policy

Policy No:	1.17
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Minute No:	C130/8-2025
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Version:	3.0
Responsible Officer:	Director Governance, Recreation & Property Services
Strategic Plan Reference:	2.4 The organisation has a corporate culture that delivers quality customer service, encourages

1. POLICY STATEMENTS

- 1.1 Council's fees and charges are set annually by Council in accordance with the provisions outlined in Division 7 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".
- 1.2 This policy defines the conditions under which Council may consider refunding, exempting or reducing fees and charges on a case-by-case basis.

2. DEFINITIONS

- 2.1 Financial delegation – a delegation allowing an employee to authorise/approve the expenditure or reimbursement of funds from within an approved budget.
- 2.2 Fees and Charges – Council fees and charges contained within the schedules adopted annually in accordance with the *Local Government Act 1993*.

3. DEFINITIONS

- 3.1 To ensure a consistent and equitable approach to the management of the refund, exemption or reduction of Council's adopted fees and charges.

4. SCOPE

- 4.1 This policy ONLY applies to fees and charges set by Council in accordance with Section 205 of the *Local Government Act 1993* and as detailed in the annual approved schedule published on Council's website.
- 4.2 It does not apply to the remission of rates or cancellation of fines associated with infringement notices.
- 4.3 It does not apply to contributions required in association with development applications (for example, in relation to public open space or in lieu of carparking).
- 4.4 It does not apply to fees levied by Council on behalf of another level of Government.

5. PROCEDURE (POLICY DETAIL)

- 5.1 Applications for fee exemptions or reductions shall be made in writing setting out the basis upon which the request is made.
- 5.2 The application shall be referred to the relevant departmental manager with financial delegation to waive or reduce the fee.
- 5.3 The assessment of requests for the waiver or reduction of fees shall be undertaken in accordance with the following principles:
 - 5.3.1 Compliance with relevant legislation;
 - 5.3.2 Fairness, consistency and equity; and
 - 5.3.3 Transparency.
- 5.4 Department managers shall have delegation to waive or reduce fees relevant to their function areas to a maximum value of \$500.
- 5.5 Any request involving a reduction in fees totalling more than \$500 shall be referred to the Chief Financial Officer or Finance Manager for consideration.
- 5.6 Amounts over \$1,500 shall be referred to the General Manager for determination.
- 5.7 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.

- 5.8 Appeals in relation to the decision of officers regarding fee exemptions or reductions shall be made to the General Manager, or in the case of decisions made by the latter, a report will be prepared for the consideration by the Council.
- 5.9 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.

6. GUIDELINES

- 6.1 Council may consider refunding, exempting or reducing fees and charges on a case-by-case basis, in the following instances:
- 6.1.1 The fee or charge has been incorrectly applied by Council;
 - 6.1.2 The fee has been overpaid by a customer;
 - 6.1.3 Legislative or administrative processes have changed that make the fee no longer relevant;
 - 6.1.4 The fee has been paid to Council to perform a specific action that has not subsequently been carried out; or
 - 6.1.5 The fee relates to the activities of an organisation based within the Kingborough Municipal Area that can demonstrate a community benefit associated with the request to waive or reduce fees.
- 6.2 Council will not waive, reduce or refund fees that relate to the following:
- 6.2.1 Fees relating to the provision of a service for which Council has already incurred a direct or indirect cost.
- 6.3 This Policy will not be applied to:
- 6.2.1 General rates and charges applied in accordance with Council Policy 3.14 (except for Council approved remissions);
 - 6.2.2 Levies collected by Council on behalf of the State Government (e.g. Fire and building levies);
 - 6.2.3 Contributions required under other policies in support of a development applications or vegetation removal; and
 - 6.2.4 Fines and infringement notices.

7. COMMUNICATION

- 7.1 Authorised Officers.
- 7.2 Councillors.
- 7.3 Staff.

8. LEGISLATION

- 8.1 Relevant legislation includes, but is not limited to the following:
- *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*

9. RELATED DOCUMENTS

- 9.1 Council Policy 1.1 – Delegated Authority
- 9.2 Council Policy 1.1A – Delegated Authority *Land Use Planning and Approvals Act 1993*
- 9.3 Council Policy 3.14 – Rates and Charges
- 9.4 Council’s Annual Plan – Schedule of Fees and Charges
- 9.5 Council’s Annual Report – Table of waived or reduced fees and charges

10. AUDIENCE

- 10.1 Public
- 10.2 Council Officers.