

# Development Assessment Fee Waiver and Refund Policy

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Review Frequency	4 yearly or as required
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Last Reviewed	
Next Review Due	March 2025
File Number	18.63.001 / PL2021107 (admin update – PL2023152)
Responsible Division	Growth
Related Documents	
Applicable Legislation	<i>Planning, Development and Infrastructure Act 2016</i> <i>Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019</i>

## 1. Introduction

Section 119(9)(c) of the Planning, Development and Infrastructure Act 2016 (PDI Act) and Regulation 7 of the Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 (PDI Fee Regulations) allow a relevant authority to waive or refund payment of whole or part of the application fee payable to that relevant authority.

## 2. Purpose

To detail the circumstances under which the waiver and/or refund of development application fees will be permitted by Council.

## 3. Scope

This Policy applies to all development applications lodged with Alexandrina Council.

This Policy does not apply to statutory fees and charges collected by Council on behalf of the State Government.

## 4. Circumstances in which Fees will be Waived or Refunded

Development Application fees will be waived and/or refunded for eligible applicants as defined in this Policy for development on land within the Council area where Council is the decision authority or where the Assessment Manager or the Fleurieu Regional Assessment Panel is the planning decision authority under the Planning, Development and Infrastructure Act 2016.

## 5. Delegations

The decision to waive or refund a fee is delegated to the Assessment Manager of the Fleurieu Regional Assessment Panel; the Manager Development Assessment (if different); and the Manager Strategic Development.

## 6. Applications for a Fee Waiver

Applicants should address their written request for a fee waiver and refund to:

The Assessment Manager  
Fleurieu Regional Assessment Panel  
C/- Alexandrina Council  
PO Box 21  
GOOLWA SA 5214

Or by email at: [alex@alexandrina.sa.gov.au](mailto:alex@alexandrina.sa.gov.au)

And detail the reasons for the requested fee waiver.

It should be noted that the Council can only consider the waiver of fees that are disbursed to Council. Any waiver of PlanSA lodgement fees, or State Agency referral fees will need to be sought from those Agencies.

Upon written request from the applicant the maximum amount of fees that will be waived or refunded will be calculated according to the following table:

<b><u>Fee Type</u></b>	<b><u>Fee Waiver/ Refund Amount</u></b>
<u>Deemed to Satisfy Planning Fee</u>	<ul style="list-style-type: none"><li>• 75% refund of planning assessment fees where assessment by planning staff has not yet commenced.</li><li>• Where assessment by planning staff has commenced, 50% of assessment fees.</li><li>• Where assessment has been completed and/or decision issued – No refund.</li></ul>
<u>Performance Assessed Planning Fee (without public notification)</u>	<ul style="list-style-type: none"><li>• 75% refund of planning assessment fees where assessment by planning staff has not yet commenced.</li><li>• Where assessment by planning staff has commenced, 50% of assessment fees.</li><li>• Where assessment has been completed and/or decision issued – No refund.</li></ul>
<u>Public Notification Fees</u>	<ul style="list-style-type: none"><li>• full refund of unused public notification fees*</li><li>• no refund where the notification has been commenced.</li></ul>
<u>Statutory Referral Fees</u>	<ul style="list-style-type: none"><li>• If withdrawn prior to referral being sent, full refund.</li></ul>

	<ul style="list-style-type: none"> <li>If withdrawn after referral sent, no refund.</li> </ul>
<u>Building Assessment Fee</u>	<ul style="list-style-type: none"> <li>Where no assessment or consideration has been given to the application by building staff - 75% of Building assessment fees paid.</li> <li>Where assessment has commenced but has not been substantially completed, and no building surveyor's report has been sought 50% of Building assessment fees paid.</li> <li>Where assessment is substantially complete – No refund.</li> </ul>
<u>Compliance fee</u> <u>(to be paid per element of development)</u>	<ul style="list-style-type: none"> <li>If an element of development is removed by way of a variation, the Compliance fee for that element may be waived or refunded.</li> </ul>
<u>Review of Assessment Manager's Decision</u>	<ul style="list-style-type: none"> <li>If the request for withdrawal is received prior to the preparation of the FRAP agenda 75% refund/waiver.</li> <li>If the request for withdrawal is received after the preparation of the FRAP agenda – no refund.</li> </ul>
<u>Certificate of Title Search Fee</u>	<ul style="list-style-type: none"> <li>100% of fee waived for Council owned land only</li> </ul>
<b>Other Exemptions to Fees</b>	
Community organisations who are recognised by the Australian Securities and Investments Commission (ASIC) as a not for profit organisation will have all relevant <u>Council</u> fees for developments with a construction value of \$100,000 or less waived in full.	
Owners of State or Local Heritage listed properties, where a development application would not be required if the property were not listed (e.g. fences, painting or general repairs) will not be required to pay the above listed <u>Council</u> fees.	
For those applications lodged under the <i>Development Act 1993</i> , a refund request will be determined wholly at the discretion of the Manager Development Assessment based on the time devoted to the proposal in question.	

\* Where letters have been sent out and sign procured and/or erected on the land.

**7. Availability of Policy**

This Policy will be available for inspection on the Council's website  
[www.alexandrina.sa.gov.au](http://www.alexandrina.sa.gov.au).

**8. Appeal Rights**

In the event that any dispute arises from the content of this policy, written justification of why a fee waiver or refund should be granted, shall be provided to the Manager Development Assessment. The Manager Development Assessment or their delegate will then present the request for a fee waiver or refund to Council for a decision.