


Council Policy

Development Application Fee Refunds



COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	DEVELOPMENT APPLICATION FEE REFUNDS
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Policy Number:	DEV-07
Responsible Department(s):	Development Services
Other Relevant Policies:	None
Relevant Procedure(s):	None
Relevant Legislation:	Development Act 1993 Development Regulations 2008
Policies and Procedures Superseded by this policy on its Adoption:	New policies will not have any unless superseding a previously adopted policy. Policies that are being reviewed will have this updated if a new version is adopted.
Adoption Authority:	Council
Date of Adoption:	25 September 2018
Effective From:	9 October 2018
Minute Reference for Adoption:	244/18
Next Review:	No later than September 2020 or as required by legislation or changed circumstances

DEVELOPMENT APPLICATION FEE REFUNDS POLICY

1. INTRODUCTION

The policy provides guidance to the Council administration and development applicants on the amount of development application fee refund an applicant will be entitled to.

2. OBJECTIVES

To provide a guide for the calculation of development application fee refunds to an applicant in the event the application is withdrawn or fees are not utilised. In all other instances all application fees are to be retained by Council.

3. DEFINITIONS

As defined in the Development Act 1993 and the Development Regulations 2008

4. POLICY STATEMENT

In cases of withdrawal of a development application, and upon written request from the applicant, the maximum fee that may be refunded shall be calculated in accordance with the following:-

1. Lodgement Fee	No refund
2. Planning Fee <ul style="list-style-type: none"> • Where no assessment or consideration has been given to the application by planning staff • Where assessment has commenced but has not been substantially completed • Where assessment is substantially complete 	Minimum planning fee retained (i.e. the fee for development up to \$10,000 in construction value) First \$500 retained No refund
3. Non Complying Fees	No refund
4. Referral, public notification and advertising fees	Unused fees to be refunded
5. Land Division Fee	No refund
6. Building Fee <ul style="list-style-type: none"> • Where no assessment or consideration has been given to the application by building staff • Where assessment has commenced but has not been substantially completed, and no building surveyor's report has been sought • Where assessment is substantially complete 	Minimum fee retained 70% of fee retained

	or a building surveyor's report has been requested	No refund
7.	Where the refund is calculated to be less than \$20	No refund
8.	Where the value of a Council Officer's time devoted to a particular proposal is estimated to be greater than the fees retained by Council, the Director Planning & Development Services may reduce the refund accordingly	
9.	Where it is demonstrated that a development application was submitted to Adelaide Hills Council in error a full refund of fees will be applied	

5. DELEGATION

5.1 The Chief Executive Officer has the delegation to:

- Approve, amend and review any procedures that shall be consistent with this Policy; and
- Make any formatting, nomenclature or other minor changes to the Policy during the period of its currency.

6. AVAILABILITY OF THE POLICY

6.1 This Policy will be available for inspection at the Council's Offices during ordinary business hours and via the Council's website www.ahc.sa.gov.au. Copies will also be provided to the public upon request, and upon payment of a fee in accordance with the Council's Schedule of Fees and Charges.