

# *Council Policy*

## Development Application Fee Waiver



# COUNCIL POLICY



## DEVELOPMENT APPLICATION FEE WAIVER

<b>Policy Number:</b>	DEV-05
<b>Responsible Department(s):</b>	Development Services
<b>Relevant Delegations:</b>	As per the delegations schedule and as included in this Policy
<b>Other Relevant Policies:</b>	None
<b>Relevant Procedure(s):</b>	None
<b>Relevant Legislation:</b>	Development Act 1993 Development Regulations 2008 Schedule 6 Planning Development & Infrastructure Act 2016 Planning Development & Infrastructure (Fees, Charges & Contributions) Regulations 2019 Section 4 & 7, Schedule 1 Part 2
<b>Policies and Procedures Superseded by this policy on its Adoption:</b>	9 May 2017 Item 12.2, SP13/17 25 September 2018, Item
<b>Adoption Authority:</b>	Council
<b>Date of Adoption:</b>	27 October 2020
<b>Effective From:</b>	10 November 2020
<b>Minute Reference for Adoption:</b>	27 October 2020 Item 12.13 249/20
<b>Next Review:</b>	No later than September 2023 or as required by legislation or changed circumstances

[illegible]

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## DEVELOPMENT APPLICATION FEE WAIVER POLICY

### 1. INTRODUCTION

Section 39(4)(c) of the *Development Act 1993* and Section 119(9)(c) of the *Planning Development and Infrastructure Act 2016* (the PDI Act) and Regulation 7(a) of *Planning Development and Infrastructure (Fees, Charges & Contributions) Regulations 2019* (PDI Regulation) allows a relevant authority to waive payment of whole or part of the application fee payable to that relevant authority for the assessment of a development application.

### 2. OBJECTIVES

To detail the circumstances under which the waiver of development application fees will be permitted by Council and the level of fee waiver.

### 3. DEFINITIONS

#### 3.1. ***Registered not-for-profit community organisation***

An organisation listed on the Australian Securities and Investments Commission (ASIC) Register as not for profit.

### 4. POLICY STATEMENT

#### Eligible Applicants

- Sporting groups and sporting clubs
- Hall committees
- Community groups
- Neighbourhood associations
- Scouts SA
- Religious institutions
- Rotary/Lions Club
- SA Ambulance Service & St John's Ambulance Service
- Not for Profit Community Organisations

#### Circumstances When Fees Can Be Waived

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

Such developments will vary and include, but not be limited to, sheds, painting and restoration works, additions or alterations to existing buildings to enhance the services/facilities and new buildings.

Fees to be waived

The following fees shall be waived for eligible applicants for development in the Council area:

<b>Fee Type</b> <b>Development Act 1993</b>	<b>Fee Type</b> <b>Planning Development &amp; Infrastructure Act 2016</b>	
Basic lodgement Fee Additional Lodgement Fee <b>Development with a construction value up to \$250,000 – 100% of fee waived</b> <b>Development with a construction value between &gt;\$250,00 and \$500,000 - 50% of the fee waived</b> <b>Development with a construction value exceeding \$500,000 - Nil fee waiver</b>	Not applicable	Not received by Council
Planning Assessment Fee <b>Development with a construction value up to \$250,000 – 100% of fee waived</b> <b>Development with a construction value between &gt;\$250,00 and \$500,000 - 50% of the fee waived</b> <b>Development with a construction value exceeding \$500,000 - Nil fee waiver</b>	Deemed to Satisfy Planning Fee <b>Development with a construction value up to \$250,000 – 100% of fee waived</b> <b>Development with a construction value between &gt;\$250,00 and \$500,000 - 50% of the fee waived</b> <b>Development with a construction value exceeding \$500,000 - Nil fee waiver</b>	
	Performance Assessed Planning Fee <b>Development with a construction value up to \$250,000 – 100% of fee waived</b> <b>Development with a construction value between &gt;\$250,00 and \$500,000 - 50% of the fee waived</b> <b>Development with a construction value exceeding \$500,000 - Nil fee waiver</b>	
Staged Consent <b>Development with a construction value up to \$250,000 – 100% of fee waived</b> <b>Development with a construction value between &gt;\$250,00 and \$500,000 - 50% of the fee waived</b> <b>Development with a construction value exceeding \$500,000 - Nil fee waiver</b>	Not applicable	
Building Assessment fee <b>Development with a construction value up to \$250,000 – First \$100 of fee waived</b>	Building Assessment Fee <b>Development with a construction value up to \$250,000 - First \$300 of fee waived</b>	

<b><i>Fee Type</i></b> <b><i>Development Act 1993</i></b>	<b><i>Fee Type</i></b> <b><i>Planning Development &amp; Infrastructure Act 2016</i></b>
<b>Development with a construction value between &gt;\$250,00 and \$500,00 - 50% of the above fee waived</b>  <b>Development with a construction value exceeding \$500,00 - Nil fee waiver</b>	<b>Development with a construction value between &gt;\$250,00 and \$500,00 - 50% of the above fee waived</b>  <b>Development with a construction value exceeding \$500,00 - Nil fee waiver</b>
Application for Minor Variation - Not applicable	Application for Minor Variation  <b>Development with a construction value up to \$250,00 – 100% of fee waived</b>  <b>Development with a construction value between &gt;\$250,00 and \$500,00 - 50% of the fee waived</b>  <b>Development with a construction value exceeding \$500,00 - Nil fee waiver</b>
Application to Extend Consent  <b>Development with a construction value up to \$250,00 – 100% of fee waived</b>  <b>Development with a construction value between &gt;\$250,00 and \$500,00 - 50% of the fee waived</b>  <b>Development with a construction value exceeding \$500,00 - Nil fee waiver</b>	Application to Extend Consent  <b>Development with a construction value up to \$250,00 – 100% of fee waived</b>  <b>Development with a construction value between &gt;\$250,00 and \$500,00 - 50% of the fee waived</b>  <b>Development with a construction value exceeding \$500,00 - Nil fee waiver</b>

Where the development construction cost exceeds \$500,000, no waiver of development application fees is applied.

## 5. DELEGATION

- 5.1. The Assessment Manager or his/her nominee is delegated the authority to waive development application fees in accordance with this Policy.
- 5.2. The Chief Executive Officer has the delegation to:
  - 5.2.1. Approve, amend and review any procedures that shall be consistent with this Policy, and
  - 5.2.2. 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](http://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.