

2.60 Refund of Application Fees

POLICY TITLE: REFUND OF DEVELOPMENT-RELATED FEES

FILE REF: SC299, SC24, SC67

EXPIRY DATE: SEPTEMBER 2026

LEGISLATIVE CONTEXT

Pursuant to clause 52 (3) of the Environmental Planning and Assessment Regulation 2000 a consent authority may (but is not required to) refund to the applicant the whole or any part of any application fee paid in connection with an application that has been withdrawn.

Pursuant to Section 356 of the Local Government Act 1993 Council may, by resolution, provide financial assistance to others.

POLICY STATEMENT

1. Council will refund development related application fees to the applicant in the following circumstances:
 - a) The applicant's advice that the application is withdrawn and request to receive a refund of application fees paid must be in writing.
 - b) Refunds will only be made where the applicant's written advice is received prior to the completion of the draft assessment by Council.
 - c) Subject to a) and b) above, refund of 50% of the application fees paid to Council will be made for the following applications:
 - Development application
 - Construction Certificate
 - Installation of solid fuel heaters
 - Installation of plumbing and drainage
 - Occupation Certificate
2. Council is mindful of the contribution made to the community by community-based, not-for-profit organisations. Council will therefore refund by way of equal donation any fees listed in Council's adopted Fees and Charges which would otherwise be retained by Council with respect to development related applications lodged by or on behalf of community-based not-for-profit organisations in Lockhart Shire.
3. The types of eligible organisations to which this policy applies will include Council's Section 355 Committees, service clubs, show societies, community-based sporting clubs, progress associations and community-based pre-school kindergartens.
4. Any refund of development related application fees paid to Council will be met from Council's Section 356 Contributions budget allocation.

Adopted by Council – 18 September 2023
Refer Minute No. 170/23