

Report presented to Ordinary Council Meeting on the 25th June 2008

8. CX.1 COMMUNITY PROJECTS – PAYMENT OF FEES & CHARGES

Officer: Stephen Mahon, Manager Council & Customer Services

File Ref: 41/02/01

Attachment: Previous Policy

Synopsis:

This report addresses the Council's policy in respect to the payment of fees and charges associated with development works on Council owned or controlled / managed land when undertaken by community groups and organisations. It also addresses the issue of the payment of such fees and charges by charitable organisations for development works on other land Council's existing policy on this matter was developed in 1997 and circumstances since this time have changed both in terms of the structure of Council and the alternative options available for the funding of these fees and charges.

Officer Recommendation:

- 1. That Council adopt as policy the following;**
 - 1.1 That fees and charges associated with development works on Council owned or controlled / managed land be paid by the relevant Council Unit responsible for the land / asset provided the works proposed complement Council's Asset Management Program, and**
 - 1.2 Applications for the waiving of development works fees and charges on other land be considered by the relevant ward Councillors for funding through the Councillor Initiated Funding Scheme.**
- 2. That the ' Council Policy on Fee Rebates / Waivers to Charitable Organisations for Town Planning and Building Applications' adopted by Council in November 1997 be cancelled**

Background

The issue of fees and charges associated with development works undertaken by community groups on land owned and or controlled / managed by Council requires some discussion and policy direction. There have in recent times been a couple of instances where a fee / charge has been required and the applicant – either a Community

Group or possibly a contractor on behalf of a Community Group have reasonable believed that Council should either waive the fee / charge or pay it. For example;

- A local recreation reserve owned by Council or where Council is Committee of Management is undertaking or coordinating building works i.e. they are improving the Council asset.
- A community group is coordinating a parkland improvement program and various infrastructure and building permits and approvals are required

The existing policy on this matter was developed in 1997 and deals with fee rebates and waivers to charitable organisations for town planning and building applications.

A copy of the policy is provided as an attachment to this report.

Whilst no doubt appropriate for its time it is proposed that this policy be cancelled, and Council's policy position be restated based on the following principles;

1. It is appropriate that fees and charges for all development works on Council land or land controlled / managed by Council be levied and collected and offset against the costs incurred by Council in processing these applications.

Note 1.1 – a component of the building fees are a statutory requirement and are forwarded to the Building Commission.

2. It is appropriate that Council pay the fees and charges associated with development works on land it either owns or controls / manage subject to such works complement Council's Asset Management Program

Note 2.1 – Community and sporting groups regularly undertake improvement works on Council owned or controlled assets. Such projects are usually funded by grants from governments including the Council and from local fundraising. Council must approve and consent to such improvements and in all cases there should be close liaison with the relevant Council units.

Note 2.2 – Responsibility for these fees and charges would be borne by the Council Unit responsible for the particular asset.

3. Applications for waivers or rebates on development works fees and charges from charitable or not for profit organisations on other land should be considered by the relevant ward Councillors on a case by case basis for funding through the Councillor Initiated Funding Scheme.

Note 3.1 – Generally such circumstances will involve Churches and Charitable Organisations. It is proposed that government agencies / statutory organisations and bodies would not be deemed eligible for consideration.

Extract from Ordinary Council Minutes – 25th June 2009

It was moved by Cr Gyorffy seconded by Cr Letchford

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1.1 That fees and charges associated with development works on Council owned or controlled / managed land be paid by the relevant Council Unit responsible for the land / asset provided the works proposed complement Council's Asset Management Program, and

1.2 Applications for the waiving of development works fees and charges on other land be considered by the relevant ward Councillors for funding through the Councillor Initiated Funding Scheme.

2. That the ' Council Policy on Fee Rebates / Waivers to Charitable Organisations for Town Planning and Building Applications' adopted by Council in November 1997 be revoked.

CARRIED