

9.3 New and Amended Fees and Charges 2022/23

REPORT BY THE FINANCIAL PLANNING COORDINATOR AND PLANNING COORDINATOR
TO 19 OCTOBER 2022 ORDINARY MEETING
GOV400098, FIN300117

RECOMMENDATION

That Council:

1. receive the report by the Financial Planning Coordinator and Planning Coordinator on the New and Amended Fees and Charges 2022/23;
2. add the following new fees, as written, and place on public exhibition for 28 days;

<i>Service Type</i>	<i>New Fee</i>	<i>Fee (Inclusive of GST)</i>	<i>GST.</i>	<i>Price Policy</i>
Construction Certificate & Complying Development Certificates – Building – All Classes	For development in respect of which Council does not employ staff that are registered to the extent required to determine a construction certificate or complying development certificate application	MWRC Construction Certificate / Complying Development Certificate Fee relevant to the development + Direct costs of all third parties engaged by Council to process the application	Yes	Direct Cost Recovery

3. amend the following fee amounts, as written;

<i>Service Type</i>	<i>Amended Fee</i>	<i>Current Fee amount (\$)</i>	<i>Amended fee amount (\$)</i>
Development Applications Based on Estimated Cost of Development	All development valued up to \$5,000	\$110	\$129
	All development valued between \$5,001 and \$50,000 excluding Class 1 dwelling with value d" \$100,000	\$170 plus \$3.00 for each \$1,000 (or part of \$1,000) of the estimated cost	\$198 plus \$3.00 for each \$1,000 (or part of \$1,000) of the estimated cost
	All development valued \$50,001 to \$250,000	\$352 plus \$3.64 for each \$1,000 or part thereof over \$50,000	\$412 plus \$3.64 for each \$1,000 or part thereof over \$50,000
	All development valued \$250,001 to \$500,000	\$1,160 plus \$2.34 for each \$1,000 or part thereof over \$250,000	\$1,356 plus \$2.34 for each \$1,000 or part

			thereof over \$250,000
	All development valued \$500,001 to \$1,000,000	\$1,745 plus \$1.64 for each \$1,000 or part thereof over \$500,000	\$2,041 plus \$1.64 for each \$1,000 or part thereof over \$500,000
	All development valued \$1,000,001 to \$10,000,000	\$2,615 plus \$1.44 for each \$1,000 or part thereof over \$1,000,000	\$3,058 plus \$1.44 for each \$1,000 or part thereof over \$1,000,000
	All development valued over \$10,000,000	\$15,875 plus \$1.19 for each \$1,000 or part thereof over \$10,000,000	\$18,565 plus \$1.19 for each \$1,000 or part thereof over \$10,000,000

Service Type	Amended Fee	Current Fee amount (\$)	Amended fee amount (\$)
Development Applications Based on Estimated Cost of Development	No building, carrying out of work, subdivision or demolition	\$285	\$333
	Application for Designated Development	\$920 plus Development. Application fee will be calculated on the estimated cost of development using the above table	\$1,076 plus Development. Application fee will be calculated on the estimated cost of development using the above table
Development Applications for Advertisements	Advertisements	\$285 plus \$93 for each additional advertisement	\$333 plus \$93 for each additional advertisement
Development Applications	Class 1 dwelling valued up to \$100,000	\$455	\$532
	Integrated Development – Fees when an application for development requires approval of a public / statutory authority under the integrated approvals of the EPA Act	\$320 Per approval authority plus \$140 administration fee	\$374 Per approval authority plus \$164 administration fee
Subdivision Applications - Subdivision Development application under	Subdivision involving opening of a public road	\$665.00 Plus \$65 per additional lot	\$777 Plus \$65 per additional lot
	Subdivision not involving opening of a public road	\$330 Plus \$53 per additional lot	\$386 Plus \$53 per additional lot

Environmental Planning & Assessment Act	Strata Subdivision	\$330 Plus \$53 per additional lot	\$386 Plus \$53 per additional lot
Public Notification (Advertising) - Statutory Advertising	Designated Development	\$2,220	\$2,596
	Nominated integrated development, threatened species development or Class 1 aquaculture development	\$1,105	\$1,292
	Prohibited Development	\$1,105	\$1,292
	Community Participation Plan Requirement	\$1,105	\$1,292
Development Consent Modifications - Modifications involving minor error, misdescription or miscalculation	Modification of consent under s4.55 (1) Environmental Planning & Assessment Act – minor error by applicant, miscalculation, incorrect description	\$71	\$83

<i>Service Type</i>	<i>Amended Fee</i>	<i>Current Fee amount (\$)</i>	<i>Amended fee amount (\$)</i>
Development Consent Modifications - Modification of Consent under 4.55 (1A) or under 4.56 (1) of Environmental Planning & Assessment Act 1979	Modification of Consent under s4.55 (1A) or under s4.56(1)(Consent originally approved by court) of the Environmental Planning and Assessment Act, if the modification is of minimal environmental impact	\$645 or 50% of original fee or whichever is the lesser	\$754 or 50% of original fee or whichever is the lesser
Development Consent Modifications If the modification is not of minimal environmental impact under Section 4.55(2) or 4.56(1) of Environmental Planning & Assessment Act 1979	Original fee was for the erection of dwelling house with estimated cost ≤ \$100,000	\$190	\$222
	Estimated cost of development up to \$5,000	\$55	\$64
	Estimated cost of development \$5,001 – \$250,000	\$85 plus \$1.50 for each \$1,000 or part thereof of the estimated cost, plus S101 Advertising if required	\$99 plus \$1.50 for each \$1,000 or part thereof of the estimated cost, plus S101 Advertising if required

	Estimated cost of development \$250,001 – \$500,000	\$500 plus \$0.85 for each \$1,000 or part thereof over \$250,000, plus S101 Advertising if required	\$585 plus \$0.85 for each \$1,000 or part thereof over \$250,000, plus S101 Advertising if required
	Estimated cost of development \$500,001 – \$1,000,000	\$712 plus \$0.50 for each \$1,000 or part thereof over \$500,000, plus S101 Advertising if required	\$833 plus \$0.50 for each \$1,000 or part thereof over \$500,000, plus S101 Advertising if required
	Estimated cost of development \$1,000,001 – \$10,000,000	\$987 plus \$0.40 for each \$1,000 or part thereof over \$1,000,000, plus S101 Advertising if required	\$1,154 plus \$0.40 for each \$1,000 or part thereof over \$1,000,000, plus S101 Advertising if required
	Estimated cost of development more than \$10,000,001	\$4,737 plus \$0.27 for each \$1,000 or part thereof over \$10,000,000, plus S101 Advertising if required	\$5,540 plus \$0.27 for each \$1,000 or part thereof over \$10,000,000, plus S101 Advertising if required
Fees of reviews and appeals under Division 8.2 of the Environmental Planning & Assessment Act 1979	Review under the Act, section 8.3 that relates to a development application not involving the erection of a building, the carrying out of a work or the demolition of a work or building	50% fee for original development application	50% fee for original development application
	Original fee was for the erection of dwelling house with estimated cost ≤ \$100,000	\$190	\$222
	Estimated cost of development up to \$5,000	\$55	\$64
	Estimated cost of development \$5,001 – \$250,000	\$85 plus \$1.50 for each \$1,000 or part thereof of the estimated cost, plus S101 Advertising if required	\$100 plus \$1.50 for each \$1,000 or part thereof of the estimated cost, plus S101

			Advertising if required
	Estimated cost of development \$250,001 – \$500,000	\$500 plus \$0.85 for each \$1,000 or part thereof over \$250,000, plus S101 Advertising if required	\$585 plus \$0.85 for each \$1,000 or part thereof over \$250,000, plus S101 Advertising if required
	Estimated cost of development \$500,001 – \$1,000,000	\$712 plus \$0.50 for each \$1,000 or part thereof over \$500,000, plus S101 Advertising if required	\$833 plus \$0.50 for each \$1,000 or part thereof over \$500,000, plus S101 Advertising if required
	Estimated cost of development \$1,000,001 – \$10,000,000	\$987 plus \$0.40 for each \$1,000 or part thereof over \$1,000,000, plus S101 Advertising if required	\$1,154 plus \$0.40 for each \$1,000 or part thereof over \$1,000,000, plus S101 Advertising if required
	Estimated cost of development more than \$10,000,001	\$4,737 plus \$0.27 for each \$1,000 or part thereof over \$10,000,000, plus S101 Advertising if required	\$5,540 plus \$0.27 for each \$1,000 or part thereof over \$10,000,000, plus S101 Advertising if required
Planning Enquiries & Documents - Section 10.7 Certificates	Section 10.7 (2) Certificate	\$53	\$62
	Section 10.7 (2) Certificate with Section 10.7 (5) Advice	\$133	\$156
Planning Enquiries & Documents - Maps & Documents	Certified copy of a plan or document	\$53	\$62

4. amend the following fee amounts, as written, and place on public exhibition for 28 days; and

Service Type	Amended Fee	Current Fee amount (\$)	Amended fee amount (\$)
Other Building Approvals & Certificates - Application and Inspection	Residential Dwellings	\$312	\$580
	Dual Occupancies	\$312	\$580
	Units	\$312	\$580
	Alterations and garages	\$312	\$580

Fees for Plumbing & Drainage			
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5. **endorse the new and amended fees following the 28 day public exhibition period if no submissions are received.**

Executive summary

This report recommends the introduction of a number of amended fees and charges for Planning and Development. Any new or amended fees that are not legislated are required to be placed on public exhibition to provide the public with opportunity for submission.

All recommended changes are shown below under the detailed report section.

Disclosure of Interest

Nil

Detailed report

New Fees

The following table provides information about the reason for introduction of new fees.

Fee Name	Reason for new fee
For development in respect of which Council does not employ staff that are registered to the extent required to determine a construction certificate or complying development certificate application	Direct cost recovery of all third parties engaged by Council to process the application.

Amended Fees

The following table provides information about the reason for amendments proposed to existing fees.

Fee Name	Reason for change
All development valued up to \$5,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.1
All development valued between \$5,001 and \$50,000 excluding Class 1 dwelling with value d" \$100,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.1
All development valued \$50,001 to \$250,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.1
All development valued \$250,001 to \$500,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.1
All development valued \$500,001 to \$1,000,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.1
All development valued \$1,000,001 to \$10,000,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.1

Fee Name	Reason for change
All development valued over \$10,000,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.1
No building, carrying out of work, subdivision or demolition	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.7
Application for Designated Development	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 3.3
Advertisements	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.2
Class 1 dwelling valued up to \$100,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.3
Integrated Development – Fees when an application for development requires approval of a public / statutory authority under the integrated approvals of the EPA Act	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 3.1
Subdivision involving opening of a public road	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.4
Subdivision not involving opening of a public road	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.5
Strata Subdivision	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.6
Designated Development	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 3.5
Nominated integrated development, threatened species development or Class 1 aquaculture development	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 3.6
Prohibited Development	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 3.7
Community Participation Plan Requirement	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 3.8
Modification of consent under s4.55 (1) Environmental Planning & Assessment Act – minor error by applicant, miscalculation, incorrect description	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 4.1
Modification of Consent under s4.55 (1A) or under s4.56(1)(Consent originally approved by court) of the Environmental Planning and Assessment Act, if the modification is of minimal environmental impact	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 4.2
Original fee was for the erection of dwelling house with estimated cost ≤ \$100,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 4.4

Fee Name	Reason for change
Estimated cost of development up to \$5,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 4.5
Estimated cost of development \$5,001 – \$250,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.1
Estimated cost of development \$250,001 – \$500,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.1
Estimated cost of development \$500,001 – \$1,000,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.1
Estimated cost of development \$1,000,001 – \$10,000,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.1
Estimated cost of development more than \$10,000,001	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.1
Fees of reviews and appeals under Division 8.2 of the Environmental Planning & Assessment Act 1979	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 7.1, 7.2 and 7.3
Original fee was for the erection of dwelling house with estimated cost ≤ \$100,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 7.2
Estimated cost of development up to \$5,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 7.3
Estimated cost of development \$5,001 – \$250,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 7.3
Estimated cost of development \$250,001 – \$500,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 7.3
Estimated cost of development \$500,001 – \$1,000,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 7.3
Estimated cost of development \$1,000,001 – \$10,000,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 7.3
Estimated cost of development more than \$10,000,001	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 7.3
Section 10.7 (2) Certificate	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 9.7
Section 10.7 (2) Certificate with Section 10.7 (5) Advice	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 9.7 and 9.8
Certified copy of a plan or document	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 9.9

Fee Name	Reason for change
Application and Inspection Fees for Plumbing & Drainage - Residential Dwellings	Cost recovery for the increase in number of plumbing and drainage inspections carried out by Council
Application and Inspection Fees for Plumbing & Drainage - Dual Occupancies	Cost recovery for the increase in number of plumbing and drainage inspections carried out by Council
Application and Inspection Fees for Plumbing & Drainage - Units	Cost recovery for the increase in number of plumbing and drainage inspections carried out by Council
Application and Inspection Fees for Plumbing & Drainage - Alterations and garages	Cost recovery for the increase in number of plumbing and drainage inspections carried out by Council.

The reason that the Environmental Planning and Assessment Regulation fees require updating is that fees and charges were checked against Part 15 of the Environmental Planning and Assessment Regulation 2000 as part of the 2022/23 budget process. After these fees were set in the draft Operational Plan the new Environmental Planning and Assessment Regulation 2021 commenced on the 1st March 2022.

Community Plan implications

Theme	Good Government
Goal	Good communications and engagement
Strategy	Improve communications between Council and the community and create awareness of Council's roles and responsibilities

Strategic implications

Council Strategies

If the recommendation is approved and no submissions are received the 2022/23 Fees and Charges will be amended.

Council Policies

Not Applicable

Legislation

In accordance with Section 608 of the Local Government Act, Council may charge and recover an approved fee for any service it provides other than an annual charge made under section 496 or 501.

Section 610F (1) of the Local Government Act states that a Council must not determine the amount of a fee until it has given public notice of the fee in accordance with this section and has considered any submissions duly made to it during the period of public notice.

These fees must be set with the Operational Plan and can only be amended after the date, if:

- (1) a new service is provided, or the nature or extent of an existing service is changed; or
- (2) the regulations in accordance with which the fee is determined are amended.

Financial implications

This report recommends that the fees and charges within the 2022/23 Operational Plan be amended. Revenue associated with these changes is not anticipated to have a material impact on the 2022/23 Operational Plan or future years.

Associated Risks

Not Applicable

AMANDA COVER
FINANCIAL PLANNING COORDINATOR

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

27 September 2022

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER