

9.3 New and Amended Fees and Charges 2022/23

REPORT BY THE FINANCIAL PLANNING COORDINATOR
 TO 14 DECEMBER 2022 ORDINARY MEETING
 GOV400098, FIN300117

RECOMMENDATION

That Council:

1. receive the report by the Financial Planning Coordinator on the New and Amended Fees and Charges 2022/23;
2. 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	Concurrence of a public / statutory authority to a Development Application as required under the EPA Act or an environmental planning instrument	\$320 per concurrence authority plus \$140 administration fee	\$374 per concurrence authority plus \$164 administration fee
Development Consent Modifications Review of Determination under Division 8.2 of the Environmental Planning and Assessment Act	Advertising of Division 8.2 [Previously known as 82A(1)]	\$620	\$725
Development Consent Modifications Review of Determination under Division 8.2 of the Environmental Planning and Assessment Act	Review of rejection of development application – If estimated cost less than \$100,000	\$55	\$64
	Review of rejection of development application – If estimated cost is more than \$100,000 and less than \$1,000,000	\$150	\$175
	Review of rejection of development application – If estimated cost is more than \$1,000,000	\$250	\$292

	Review of a Modified consent decisions d8.2 [Previously known as s96(AB)]	50% of original fee	50% of fee that was payable for the application the subject of appeal
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3. remove the following fee amounts, as written, and place on public exhibition for 28 days;

<i>Service Type</i>	<i>Fee to remove</i>	<i>Fee amount (\$)</i>
Development Consent Modifications Modifications involving minor error, misdescription or miscalculation	Modification of consent under s4.55 (1) Environmental Planning & Assessment Act – typographical error on notice of determination	No charge
Subdivision Applications Subdivision Certificates	Registration of privately issued Subdivision Certificate	\$36

4. amend the following fee amounts, as written, to come into effect 1st January 2023; and

<i>Service Type</i>	<i>Amended Fee</i>	<i>Current Fee amount (\$) effective until 31 December 2022</i>	<i>Amended fee amount (\$) effective from 1 January 2023</i>
Subdivision Applications Other Subdivision Applications & Inspections	Long Service Levy	Refer to Section 34 of the Building and Construction Industry Long Service Payments Act 1986. The current levy rate is 0.35% of the value of building and construction work where the cost of building is \$25,000 or more (inclusive of GST)	Refer to Section 34 of the Building and Construction Industry Long Service Payments Act 1986. The current levy rate is 0.25% of the value of building and construction work where the cost of building is \$250,000 or more (inclusive of GST)

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

Amended Fees

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

Fee Name	Reason for change
Concurrence of a public / statutory authority to a Development Application as required under the EPA Act or an environmental planning instrument	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 3.2
Advertising of Division 8.2 [Previously known as 82A(1)]	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 7.7
Review of rejection of development application – If estimated cost less than \$100,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 7.4
Review of rejection of development application – If estimated cost is more than \$100,000 and less than \$1,000,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 7.4
Review of rejection of development application – If estimated cost is more than \$1,000,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 7.4
Review of a Modified consent decisions d8.2 [Previously known as s96(AB)]	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 7.5
Long Service Levy	Updated changes per the Building and Construction Industry Long Service Payments Regulation 2022

Removed Fees

The following table provides information about the reason for the removal of existing fees.

Fee Name	Reason for removal
Development Consent Modifications Modifications involving minor error, misdescription or miscalculation	This fee is of no charge and is not a Statutory fee
Subdivision Applications Subdivision Certificates	This is not a fee charged by the 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 1 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:

- (a) a new service is provided, or the nature or extent of an existing service is changed; or
- (b) 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

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

25 November 2022

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER