

Fees and Charges Policy

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| Policy Author | General Manager – Strategy and Corporate |
| Date of next review | March 2022 |

1. Statement of Intent

The purpose of this policy is to:

- Establish the principles for the setting, waiving or amending of all fees and charges
- Ensure a consistent standard and equitable approach to setting of fees and charges
- Consider the ability of the Community to pay the fees and charges set by Council.

1.1 Setting of Fees and Charges

Section 188 of the *Local Government Act 1999* empowers Council to impose fees and charges.

The key principles by which fees and charges are set include:

- the cost of providing the goods or service
- the collective users' ability to pay for the service.
- the demand for the goods or service by the community.
- comparative market pricing with other like enterprises performing similar services, including Competitive Neutrality principles if they are relevant to the good or service being provided.
- the environmental and social benefit of the goods or services provided.
- the requirements of any Act or Regulations.

These principles will be applied consistently across the organisation to enhance accountability and provide transparency in the setting, waiving or amending of all fees and charges.

GST will be applied where appropriate in the schedule of fees and charges.

1.4 Waiving or Reducing Fees and Charges

The Council may waive or refund the whole, or any part of any fee or charge if it is satisfied that there are exceptional circumstances that justify such a waiver or refund.

Any waiver (in part or in full) of fees and charges must be applied:

- in line with the *Local Government Act 1999* and
- In accordance with the appropriate delegations in the Delegations register and
- in consideration of the desired outcomes of the Council and
- taking into consideration the user pays principle as outlined in the associated procedures.

2. Scope

This Policy and the associated Fees and Charges Procedure apply to all workers with delegated authority within the Organisation who are responsible for setting, waiving or amending a fee or charge. This applies to all functions delegated or sub-delegated in accordance with the delegations register

This Policy applies to all Fees and Charges listed on Council's Fees and Charges Schedule over which Council is empowered to impose under Section 188 of the *Local Government Act 1999*.

3. Legislation and References

This Fees and Charges Policy should be read in conjunction with the Fees and Charges Procedure.

- Hardship Policy
- Food Inspection Fee Procedure
- City of Playford Global Glossary
- Delegations and Sub-Delegation Registers
- Government of South Australia Policy on Competitive Neutrality
- *Local Government Act 1999*
 - S44 - Delegations
 - S188 - Fees and charges
 - Chapt 12, Part 1 - By-Laws
- *Local Government (General) Regulations 2013*
 - S19 - Certificates of liabilities—fee
 - S20 - Fees and charges
- *A New Tax System (Goods and Services Tax) Act 1999* (Cth)
- *Fines Enforcement and Debt Recovery Act 2017*
 - S5 – Delegations
- *Road Traffic (Miscellaneous) Regulations 2014*
 - Part 7
- *Development Regulations 2008*
 - S96 – Fees
- *Dog and Cat Management Act 1995*
 - S41 – Applications and Fees
- *Environment Protection Act 1993*
 - Part 6, Division 4 & Part 6A
- *Expiation of Offences Regulations 2011*
 - S5 & S6
- *Fire and Emergency Services Act 2005*
 - S143 – Fees
- *Food Act 2001*
 - Part 2
- *Freedom of Information Act 1991*
 - S53 – Fees and Charges
- *Land and Business (Sales and Conveyancing Regulations) 2010*
 - Part 3
- *Local Nuisance & Litter Control Act 2016*
 - Part 4
- *Public Health (Wastewater) Regulations 2013*
 - Part 2 & Part 3

- *Public Health (Legionella) Regulations 2013*
 - S21 – Fees relating to high risk manufactured water systems
- South Australia Road Rules
 - Division 7
- *Private Parking Areas Act 1986*
 - S6 – Offences

This Policy should not be considered as the only document that may relate to fees and charges, other tiers of government, agencies or organisations may have legislation or policies that also apply.

4. Application

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| Council | Annual consideration of schedule of Fees and Charges for approval |
| Chief Executive Officer | Ensure accurate and accessible information is available regarding all fees and charges |
| Managers | Responsible for notifying Finance of any new or changes to existing fees and charges as they occur |
| Finance | Responsible for assisting Managers with the calculation and review of fees and charges |

5. Relevance to Risk Appetite Statement

Financial Sustainability

The City of Playford has a **LOW** appetite for short-term financial risk that adversely impacts the Council's income. The Fees and Charges Policy enables charges to be correctly set, applied and updated.

Reputation

The City of Playford has a **LOW** appetite for negative perceptions that compromise its credibility and reputation. The Policy enables the council to apply a consistent and transparent approach to the setting and application of Fees and Charges.

Regulatory Compliance

The City of Playford has **ZERO TOLERANCE** for non-compliance with applicable legislation including the legislation listed within this policy

6. Feedback

Your feedback on this policy is invited and can be directed to the Manager Governance via email to governance@playford.sa.gov.au or by calling the Customer Contact Team on 8256 0333.

Administration use only

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| Resolution no. | 4618 |
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Version history

| Version no. | Approval date | Approval by | Change |
|-------------|---------------|--------------------------------|--|
| 1 | May 2002 | Council | |
| 2 | June 2019 | Council | As per Fees & Charges Summary of Changes – June 2019 |
| 3 | 25 May 2021 | Council Resolution No. 4618 | Updated in new template. Policy and procedure content separated into two separate documents. |
