Fees and Charges Policy

This policy is set by Council for use by the community and council administration

ECM Document Set No.: 3518842

Version No.: 2

Date of Current Version 25 June 2019

Responsible Team Finance

Other Key Internal Stakeholders Regulatory Services, Roads and Stormwater, Library Services, Customer Care, Libraries and Civic Venues, Community Services, Records Management, Analytics and Information Solutions, Engineering Services, Planning Services, Health and Immunisation, Sport and Property, Asset Operations, Marketing, Communication and the Arts, Parks Verges, Stretton Centre

Initial Date of Adoption May 2002

Last Reviewed 25 June 2019

Authorised By Council

Resolution No.: 3616

Legal Requirement Local Government Act 1999

Date of Next Review May 2020

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1. Purpose

The purpose of this policy is to:
- Establish clear guidelines for the setting, waiving or amending of all fees and charges
- Ensure a consistent and equitable approach to setting of fees and charges as required under relevant legislation
- Ensure a transparent and accountable approach is taken advising the public of the fees and charges
- Recognise the ability of residents, ratepayers and the general public to pay the fees and charges set by Council
- This policy is to be read in conjunction with the Fees and Charges Guidelines.

2. Scope

This Policy and the associated Guideline applies to any employee within the Organisation who is responsible for charging a fee or charge, whether this is internal or external.

3. Legislation and References

- A New Tax System (Goods and Services Tax) Act 1999 (Cth)
- Building Upgrade Finance Policy
- Government of South Australia Policy on Competitive Neutrality
- Instrument of Delegation under the Fines Enforcement and Debt Recovery Act 2017
- Instrument of Sub-Delegation Register
- Local Government Act 1999 By-Law Section
- Local Government (General) Regulations 2013 of the Local Government (Certificate of Liabilities - Fee)
- South Australia Road Traffic (Miscellaneous) Regulations 2014
- South Australia Development Regulations 2008
- South Australia Dog and Cat Management Act 1995
- South Australia Environment Protection Act 1993
- South Australia Expiation of Offences Regulations 2011
- South Australia Fire and Emergency Services Act 2005
- South Australia Food Act 2001
- South Australia Freedom of Information Act 1991
- South Australia Land and Business (Sales and Conveyancing Regulations) 2010
- South Australia Local Government Act 1999 (as amended)
- South Australia Local Nuisance & Litter Control Act 2016
- South Australia Public Health (Wastewater) Regulations 2013
- South Australia Public Health (Legionella) Regulations 2013
- South Australia Road Rules
- South Australia Private Parking Areas Act 1986

4. Definitions

**Average Weekly Earnings (AWE)** represents the average gross weekly wages for an employee for a 52 week period.
**Charge** is a recovery of a cost or expense incurred.

**Competitive Neutrality** is where significant government businesses compete with, or there is potential competition with the private sector.

**Consumer Price Index (CPI)** is a measure that examines the weighted average prices of consumer goods and services.

**Employee** a person employed by the Organisation on an ongoing or fixed term full-time or part-time basis, or employed on a casual basis.

**Fee** is a payment for supply of a requested commodity or article.

**Fee Type** is a category of fees or charges that fall under a similar category, for example Development Fees.

**General Index (GI)** is the average of the Consumer Price Index (CPI) and Average Weekly Earnings (AWE) issued by the Australian Bureau of Statistics.

**Organisation** is the body corporate known as the City of Playford which includes the Employing Authority.

**Statutory Fees** are fees from regulatory services.

**User Pays Principle** describes the method Council uses to determine what level of fees and charges should be subsidised by Council.

5. **Policy**

Section 188(1) of the *Local Government Act 1999* allows Council to impose fees and charges for;

- The use of any property or facility owned, controlled, managed or maintained by Council
- Services supplied at a person’s request
- Carrying out work at a person’s request
- Providing information or materials, or copies of, or extracts from, Council records
- Any application to Council
- Any authorisation, license or permit granted by Council
- Any matter for which another Act provides that a fee under this Act is to be payable
- Any other prescribed matter

The fees and charges will be reviewed and updated annually at a minimum, however changes can be made at other times during the year if required.

Fees and charges will be set taking into consideration competitive neutrality, the user pays principle and the requirements of any Act or Regulations. Any waiver (in part or in full) of fees and charges must be applied in line with S44(j) and S188 of the *Local Government Act 1999* as well the appropriate delegations in the Delegations register. A decision to waiver must be made in consideration of the desired outcomes of the City of Playford and also taking into consideration the User Pays Principle.

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Section 188(6) of the *Local Government Act 1999* requires Council to keep a list of its fees and charges on public display during ordinary office hours at the principal office. Council is also required to take reasonable steps to bring the fee or charge, or the variation of the fee or charge, to the notice of people who may be affected.

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

6. Responsibilities

Finance are responsible for the annual review of fees and charges. Managers are responsible for notifying Finance of any new or changes to existing fees and charges as they occur.

7. Accessibility

The Fees and Charges Policy, associated Fees and Charges Guidelines and the Fees and Charges Schedule will be available on the City of Playford website as well as on Click.

8. Feedback

We invite your feedback on this policy which can be directed to Senior Manager Finance via playford@playford.sa.gov.au.

9. Approval and Change History

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<td>Council</td>
<td>As per Fees &amp; Charges Summary of Changes – June 2019</td>
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*Minor administrative changes made on 04/07/2019*