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8	Drafted to title (Not surveyed)	13/07/2023
7	Lots Reduced	15/03/2023
6	Adjustments	22/06/2022
5	Adjustments (Lot 1&2)	20/06/2022
4	Adjustments	16/06/2022
3	Amended Plan	24/05/2022
2	Amended Plan	23/05/2022
Ver	Revision Description	Date

Designed G.O'Shea Jul 2023	Checked P.Bowe Jul 2023
Approved	

Notes/Legend  
 \* All dimensions and boundary locations shown are approximate only and subject to final survey & design.

**TERRACO**  
 Civil Engineers  
 Project Managers  
 Development Consultants

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 E: info@terraco.com.au  
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 All lengths are in metres  
 and all levels are to Australian Height Datum  
 (Original Sheet Size is A3)

Drawing file:	LTO Ref:
16185 Layout Plan V8.dwg	----

Mount Alexander Shire Council - Chewton					
Jackson McEwen					
28 Dinah Road, Chewton					
Layout Plan with Aerial					
Council Ref:	Water Auth. Ref:	Terraco Ref:	Version	Sheet	
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\*  Building Envelope

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# Fee Waiver Policy

<b>Document Type:</b>	Council Policy	TRIM reference:	DOC/23/16228
<b>Document Status:</b>	Under Review		
<b>Policy Owner (position):</b>	Executive Manager Corporate Services		
<b>Internal endorsement required:</b>	Audit & Risk Advisory Committee		
<b>Final Approval by:</b>	Council		
<b>Date approved:</b>	Click here to enter a date.		
<b>Evidence of approval:</b>	Council – Ordinary Meeting of Council 15 August 2023		
<b>Version Number:</b>	2	Frequency of Review:	3 years
<b>Review Date:</b>	1/05/2023		
<b>Date rescinded:</b>	Click here to enter a date. OR <input checked="" type="checkbox"/> Not applicable		
<b>Related legislation:</b>	Local Government Act 2020 Local Laws 1- 6 of 2010 General Local Laws 2020 Planning and Environment (Fees) Regulation 2016 Building Regulations 2018		
<b>Related strategic documents, policies, or procedures:</b>	<ul style="list-style-type: none"> <li>• Pricing Policy 2023</li> <li>• Council Grants Policy 2015</li> <li>• Special Grant Program Guidelines 2016</li> <li>• Property Leasing and Licensing Policy 2011</li> <li>• Hardship Policy 2022</li> <li>• Revenue and Debt Collection Policy 2023</li> <li>• Events Grant Program 2018</li> <li>• Dog and Cat Registration Fee Reduction Policy 2017</li> </ul>		

Date	Version Number	Details of Version	Modified by
01/05/2023	2	Review, update and re-adoption	Management Accountant
31/05/2020	1	Adoption	Management Accountant

## 1. Purpose

This Policy establishes Council's position in relation to requests to partially or fully waive various types of fees and charges. Its purpose is to manage these requests in a consistent, transparent and equitable manner that is aligned with Council's goals and priorities.

## 2. Scope

This Policy applies to Council-set discretionary fees and charges as defined in the Fees and Charges Schedule of the Annual Budget, and should be read in conjunction with that document. It is for use by staff of Mount Alexander Shire Council.

### 2.1. Exclusions to the Policy

Exclusions to the scope of this Policy include:

- Statutory fees, which should only be waived, fully or partially, pursuant to relevant legislation.
- Circumstances in which another Council policy that includes a fee waiver component is more applicable, e.g., an event covered by Council's Events Program.
- Fines and penalties, which should be referred to existing appeal mechanisms.
- Insurance fees.
- Venue hire bonds.
- Bad debts write off.
- Reversal of incorrectly charged fees.
- Council rates and property charges.

## 3. Policy

### 3.1. Eligibility Framework

General

The overarching principles for setting fees and charges are that the waiver of fees and charges:

- Should only be required infrequently.
- Should have a negligible impact on revenue forecasts in the adopted Council budget.
- Will not be considered on fees or charges above \$1,000.
- Will be capped at a cumulative threshold of \$1,000 per applicant per financial year.

- Should be requested before the fee or charge is incurred or paid. This is considered more efficient for all parties than the fee being paid at the time of application and rebated at a later date.

## Eligibility Principles

A fee waiver will not be considered where:

- The activity is a program, service, function or event that:
  - Is part of Council (for example, where the activities of one business unit are regulated by a permit issued by another business unit).
  - Is undertaken by a contractor engaged by, and conducting works on behalf of, Council.
  - Is contrary to, or inconsistent with, another Council Policy.
  - Is already supported by Council via a financial or in-kind contribution.
  - Is subject to an existing agreement, including but not limited to Memorandums of Understanding.
  - Is a primary or core service of State or Federal Governments.
  - Duplicates existing Council programs or activities.
- It is reasonably likely to result in a disproportionate increase in the number of requests from the benefiting organisation(s) or from similar organisations.

## 3.2. Application, Decision Making and Authorisation Framework

### General

Requests must be made by submitting the Fee Waiver Request Application Form. Each application will be assessed by the relevant department's manager or coordinator, in accordance with the financial delegations stated in the Responsibilities section of this Policy.

Managers and coordinators should ensure that fee waiver requests are considered fairly, equitably and transparently. All staff are to ensure policies, processes, procedures and application forms, as appropriate, transparently reflect and promote accessibility of fee waivers.

When considering a request to waive fees or charges, the decision must have regard to the merits of the application as well as the following:

- The activity to which the fee or charge applies demonstrates specific benefits to the Mount Alexander Shire community.
- The activity supports Council's vision and goals as defined in the Council Plan.
- The nature of the applicant, e.g., is the applicant a not-for-profit organisation or recognised by the Australian Charities and Not for Profit Commission?
- The applicant performing the activity is based in Mount Alexander Shire.

# Fee Waiver Policy

- The applicant performing the activity provides services/benefits to residents or the wider Mount Alexander Shire community.
- The scope for waiving the particular fee or charge within the context of departmental budgets, policies, and the broader business activity/market.

In order to encourage fairness and equity, user groups should be made aware that an application may be unsuccessful where they:

- Increase demand from certain groups relative to others.
- Result in inequitable access to Council facilities or services as a result of subsidising certain users/groups.

## Amount of reduction

It is preferable when considering fee waiver requests, that Council officers apply a 50% reduction rather than a full waiver. This reduces the financial impact to Council and covers the administration costs involved in processing the fee waiver or discount.

Statutory fees may only be waived or reduced in exceptional circumstances, and in accordance with the relevant legislation.

Further, all fees of \$100 or greater that are waived or refunded are to be recognised in the financial statements as both income and expenditure to ensure that the total level and effect can be monitored. For fee waivers of less than \$100, each unit Manager is responsible for recording the relevant details in a register.

## 4. Responsibilities

Position	Responsibility
<b>Co-ordinators</b>	<ul style="list-style-type: none"><li>• Administering fees and charges as contained in the Fees and Charges Schedule of the adopted Council budget.</li><li>• Ensuring that requests to waive or reduce fees and charges, and the decisions made upon those requests, are appropriately documented in accordance with organisational requirements, including advising Finance staff the details of all approved fee waivers valued at \$100 or greater for recognition in the financial statements.</li><li>• Recording on the request form and register if a Conflict of Interest exists and, if so, details of the conflict.</li><li>• Assessing and approving or declining fee waivers relevant to their business unit, less than \$500 per fee or charge.</li></ul>
<b>Managers</b>	<ul style="list-style-type: none"><li>• Ensuring their staff are aware of this Policy.</li><li>• Developing processes and procedures within their business unit for handling requests to waive or reduce fees and charges in line with this Policy.</li></ul>

- Ensuring that requests to waive or reduce fees and charges, and the decisions made upon those requests, are appropriately documented in accordance with organisational requirements, including advising Finance staff the details of all approved fee waivers valued at \$100 or greater for recognition in the financial statements, and recording the details of any approved fee waivers under that value in a designated register.
- Recording on the request form and register if a Conflict of Interest exists and, if so, details of the conflict.
- Assessing and approving or declining fee waivers relevant to their business unit, from \$500 up to \$1,000 per fee or charge.
- Assessing and approving or declining the waiving of statutory fees and charges in exceptional circumstances, in accordance with the relevant legislation.

## 5. Definitions of Abbreviations Used

A table of terms and their definitions as they relate to the Policy.

Term	Definition
Charity	An entity determined by the Australian Charities and Not-for-profits Commission (ACNC) to be a charity.
Community benefit	A demonstrated community need within the Mount Alexander Shire which aligns with Council's strategic priorities.
Fee waiver	The reduction of a fee or charge, either partially or in full.
MOU	A Memorandum of Understanding (MOU) is an agreement between two or more parties outlined in a formal document. It is not legally binding but contains certain information that the parties agree to, such as the project or reason for the MOU, the time period and the duties or responsibilities of each party.
Not for profit	As defined in section 126(1) of Local Government Act 2020, it means a body that: <ol style="list-style-type: none"> <li>Operates exclusively for charitable, civil or other social purposes; and</li> <li>Does not share or allocate the funds or profits of the body or organisation with the owners, shareholders or executives of the body or organisation.</li> </ol> <p>This is deemed to include, but is not limited to, sporting clubs, arts societies, and special interest groups.</p>



TRIM	TRIM is Council's document management system for all records management.
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## 6. Human Rights Statement

### Human Rights Statement

It is considered that this Policy does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act (2006).

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