



Waiver of Building Permit Application Fees Policy

Version 2

Approval Date: 6 March 2023

Review Date: March 2027

DOCUMENT CONTROL

Responsible GM	Georgia Hills	
Division	Community Health and Wellbeing	
Last Updated (who & when)	Municipal Building Surveyor – Chris Watson	2023
DOCUMENT HISTORY		
Authority	Date	Description of change
Council	1 June 2018	Adopted by Council
Council	31 January 2023	Policy Reviewed and Reformatted
Council	6 March 2023	Adopted by Council
References	Refer to Section 8 and 9 of this policy	
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Responsible Division	Community Health and Wellbeing	Approved Date	6 March 2023	Review Date	March 2027
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1. Background

With a view to support community based infrastructure projects, Latrobe City Council may receive applications for Council issued building permits or refund of fees where not-for-profit clubs, organisations, community group or charitable organisations undertake building works on Council controlled land or facilities and have incurred fees charged by a private building surveyor.

2. Objectives

The purpose of this policy is to provide clear direction to Council Officers when managing applications from not-for-profit clubs, organisations, community group or charitable organisations who are undertaking building works on Council controlled land or facilities, to issue a building permit or reimburse fees charged by a private building surveyor.

3. Scope

The policy applies to fees relating to building permits lodged with Latrobe City Council pursuant to the Building Act 1993 (the Act) for approved projects on Council controlled land or facilities by not-for-profit clubs/organisations.

4. Principles of Management

Council will:

- Ensure that the decision making will be transparent, equitable and fair
- Have regard to its obligation under the *Competition and Consumer Act 2010* to ensure that no detriment is imposed to other service providers in the private sector
- Continue to charge statutory fees as required (see clause 8)

The following sets out the circumstances in which Council will exercise its discretion to reimburse building permit fees for approved projects on Council controlled land or facilities by not-for-profit clubs/organisations.

Eligibility Criteria

Council will exempt not-for-profit clubs, organisations, and community groups or charitable organisations from paying statutory and non-statutory charges when all of the following requirements are met:

- The approved project is on Council owned or Council controlled land
- The owner/applicant is a not-for-profit club, organisation, community group or charitable organisation and is in effective control of the subject land
- A request to reimburse building permit fees is made in writing to the Municipal Building Surveyor and sets out the community benefit that will be achieved from the development

Reimbursements of building permit fees

In order for an owner/applicant to be provided with a reimbursement in line with this policy, the owner/applicant is required to apply in writing to the Municipal Building Surveyor outlining their compliance with this policy. The request can be provided either with an application for a permit or within 3 months of the initial building permit issue date. If fees have already been paid, a receipt of payment must accompany the application or request to reimburse those fees. If the owner/applicant seeks to gain written advice in relation to the reimbursement of fees prior to an application being made to Council, the correspondence outlining the request sought must be accompanied by details of the proposed building permit the applicant intends to make.

The decision to reimburse fees will be made by Manager Safe Communities following a recommendation by the Municipal Building Surveyor and will be based on the project scope. The reimbursement of fees permitted by Council must be recorded in line with Council's records management practices.

Reimbursement will be made by EFT if payment has already been made. Should the reimbursement claim be submitted simultaneously to the building permit application or prior to the issue of the building permit, the reimbursement amount may be deducted from the total fees payable for the building permit service.

Services and reimbursement values

The Municipal Building Surveyor may issue building permits and waive all fees payable to Council. This service will only be offered to not-for-profit clubs, organisations, community group or charitable organisations who are undertaking building works on Council controlled land or facilities with a 'value of works' of up to \$10,000.

Reimburse building permit disbursements payable to Council, disregarding the 'value of works' and where a reasonable benefit to the community is demonstrated. The building permit may be issued by a private or municipal building surveyor but must be to not-for-profit clubs, organisations, community group or charitable organisations who are undertaking building works on Council controlled land or facilities.

For properties owned or managed by Latrobe City Council where the project has been professionally design and documented by registered building practitioners, construction supervised by Council employees and the permit issued by the Municipal Building Surveyor, a discount of 50% of the scheduled building permit fee.

The General Manager – Community Health and Wellbeing.
may determine the appropriate amount to be reimbursed for major construction projects with a 'value of works' exceeding \$1 million. The permit must be issued by the Municipal Building Surveyor to not-for-profit clubs,

Responsible Division	Community Health and Wellbeing	Approved Date	6 March 2023	Review Date	March 2027
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organisations, community groups or charitable organisations who are undertaking building works on Council controlled land or facilities and a significant benefit to the community is demonstrated.

5. Accountability and Responsibility

Accountability and responsibility for this policy is outlined below.

5.1. Council

- Responsibility to ensure this Policy is consistent with Latrobe City Council Strategic Direction and other Latrobe City Council Policy
- Responsibility for the decision to approve this Policy by Council Resolution

5.2. Chief Executive Officer

- Overall responsibility for compliance with this policy
- Overall responsibility for enforcing accountability
- Overall responsibility for providing resources
- Overall responsibility for performance monitoring

5.3. General Manager

- Responsibility for compliance with this policy
- Responsibility for enforcing accountability
- Responsibility for providing resources
- Responsibility for performance monitoring

5.4. Manager

- Develop frameworks and procedures in compliance with this policy
- Enforce responsibilities to achieve compliance with frameworks and procedures
- Provide appropriate resources for the execution of the frameworks and procedures

5.5. Employees, Contractors and Volunteers

- Participate where required in the development of frameworks and procedures in compliance with this policy.
- Comply with frameworks and procedures developed to achieve compliance with this policy.

6. Evaluation and Review

This policy will be reviewed on request of Council, in the event of significant changes to legislation applicable to the subject matter of the policy or, in any other case, during each Council term (generally four years). However, a review will be undertaken within one year of implementation of this policy to determine its cost to Council and its effectiveness in relation to the offset of costs with the reimbursement of building permit fees.

7. Administrative Updates

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Council department, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be by resolution of Council.

8. Definitions

Building permit fees – Fees are calculated on commercial rates to deliver the service of assessing the application, issuing the building permit, carrying out of mandatory inspections, completing any necessary enforcement and issuing the certificate of final inspection and are inclusive of GST. Fees vary depending on the complexity of the project, quality of documentation and proven capacity to construct the works. A schedule of fees must be determined by the Council in accordance with the *Local Government Act 1989 for permits issued by the municipal building surveyor*.

Building Permit Disbursements – Statutory fees that are payable in addition to the building permit fee to various authorities including Council. These include but are not limited to:

- Building permit levy, Victorian Building Authority (VBA) calculated at 0.128/value of building work. It should be noted that the actual 'cost of works' for community groups is significantly less than the 'value of works' as portions of free labour and donated materials provide significant savings for the club
- Statutory lodgement fee (Council) currently \$125.80 for all projects
- Property information fee (Council) currently \$48.75
- Consent and report – demolition fee (Council) currently \$87.90
- Consent and report – siting fees (Council) currently \$300.00
- Consent and report – stormwater drainage fee (Council) currently \$87.90

Not-for-profit organisation, community group or charitable organisation – an incorporated body, cooperative or association that provides a service to the

Responsible Division	Community Health and Wellbeing	Approved Date	6 March 2023	Review Date	March 2027
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community and does not operate to make a profit and furthermore, does not include clubs with gaming machines on their premises.

Council controlled land – Land that is owned or managed by Council for the benefit of the community.

Value of works – The total commercial value of labour and materials determined in accordance with Section 205I of the Building Act 1993. This includes the full value of any volunteer labour and donated or subsidised materials.

9. Related Documents

Nil.

10. Reference Resources

Building Act 1993

Building Regulations 2018

Local Government Act 1989

Competition and Consumer Act 2010