



WAIVER OF PLANNING FEES POLICY

POLICY NUMBER: LPP12

STATUTORY BACKGROUND

This policy is adopted under Part 2 of Schedule 2, of the Planning and Development (Local Planning Schemes) Regulations 2015 which enables the City of Kalgoorlie-Boulder (the City) to prepare local planning policies for any matter related to the planning and development of the Scheme area. This policy may be cited as Local Planning Policy Waiver of Planning Fees.

PURPOSE

To provide clarity on the circumstances in which the City may consider a request for the waiver of planning fees.

OBJECTIVES

The objective of this policy is to:

1. Ensure that there is a clear policy position relating to the waiver of refund of fees for planning applications.
2. Ensure the waiving or refunding of fees is applied in a consistent and justifiable manner.
3. Guide officers in waiving or refunding fees under delegation from Council.

RELATIONSHIP TO OTHER DOCUMENTS

This Local Planning Policy forms part of the City's local planning policy framework. Where this policy is inconsistent with the City's local planning scheme, the Local Planning Scheme prevails. Where this policy is inconsistent with an adopted local development plan, activity centre plan or structure plan, the adopted local development plan, activity centre plan or structure plan prevails.

This local planning policy is not part of the local planning scheme and does not bind the Council in respect of any application for development approval. However, the Council shall have due regard to the provisions of the policy and the objectives which the policy is designed to achieve before making its determination.

DEFINITIONS



CEO means the Chief Executive Officer of the City.

City means the City of Kalgoorlie-Boulder.

APPLICATION OF POLICY

This Policy supports the strategic direction of the City of Kalgoorlie-Boulder in the improvement of the City's town centres.

POLICY PROVISIONS

An application for partial or full waiver of planning fees will be considered under the following circumstances where:

1. An application relates to the development of a property listed on the City's Municipal Heritage Inventory (The Heritage List), including:
 - a. The appearance of the building through modifications or adaptation will enhance the heritage significance, by:
 - i. minor improvements, such as painting of the façade.
 - ii. appropriate upgrading and improving of a shopfront.
 - b. Works to restore or conserve heritage attributes of a significant building and/or site;
 - c. The proposal consists solely of the demolition of non-original fabric which has no adverse impact on the heritage significance associated with the place;
 - d. The proposal incentives a change of use of a heritage-listed place that does not involve any significant physical construction;
 - e. Alterations and additions, and/or partial demolition is proposed which has no adverse effect on the heritage significance associated with the heritage listed place.
2. An application relates to a development by a not-for-profit organisation and:
 - a. The development is for community and/or charitable purposes; or
 - b. The site is either owned or under Crown Reserve for the exclusive use of the not-for profit organisation.
3. A development application has been withdrawn prior to a determination being issued:
 - a. where no assessment has been undertaken and the application is subsequently withdrawn in writing within seven (7) days of the date of application – 100% fee will be refunded.
 - b. Where assessment work has commenced, but no referral or consultation commenced or further information request sent, and the application is subsequently requested withdrawn in writing within fourteen (14) days of the date of application – consideration of a refund of up to 50% of the fee.



- c. The assessment is complete or public consultation has been undertaken – No refund.
4. Applications relating to a council approved program.

CRITERIA FOR WAIVING PLANNING FEES

The Council or Chief Executive Officer (where delegated) may waive the Planning Application fees in accordance with the above provisions.

DOCUMENT CONTROL		
Responsible department	Development and Growth	
Date adopted by Council	18 December 2023	Resolution number: 15.2.2
Date of last review	18 December 2023	Policy reviewed and amended
Date of next review	18 December 2025	Revision Number: 1