

### 1. Purpose

This policy deals only with the reduction, waiver or refund of Council fees and charges associated with the use of Council facilities and seeks to ensure:

- A standard process for applicants to follow;
- Equitable assessment of each request received;
- Transparency and accountability to the community; and
- Effective reporting mechanisms.

### 2. Scope

This policy applies to the General Manager, Chief Financial Officer, Directors of Council and any Delegated Officers dealing with the management of waivers of Council fees and charges.

### 3. Associated Policies, Legislation and Documents

<b>ASSOCIATED POLICIES</b>	<ul style="list-style-type: none"> <li>• Debt Recovery and Financial Hardship Policy</li> <li>• Donations Policy</li> <li>• Rating Policy</li> </ul>
<b>ASSOCIATED LEGISLATION</b>	<ul style="list-style-type: none"> <li>• <i>Environmental Planning and Assessment Act 1979 (NSW)</i></li> <li>• <i>Environmental Planning and Assessment Regulation 2000 (NSW)</i></li> <li>• <i>Environmental Planning and Assessment Regulation 2021 (NSW)</i></li> <li>• <i>Local Government Act 1993 (NSW)</i></li> <li>• <i>Local Government (General) Regulation 2021 (NSW)</i></li> <li>• <i>Local Government and Planning Legislation Amendment (Political Donations) Bill 2008 (NSW)</i></li> <li>• <i>Privacy and Personal Information Protection Act 1998 (NSW)</i></li> </ul>
<b>ASSOCIATED DOCUMENTS</b>	<ul style="list-style-type: none"> <li>• Fees and Charges</li> <li>• Guidelines and Application for Fee Waiver form</li> </ul>

### 4. Definitions

<b>Term</b>	<b>Definition</b>
Charity	A group with charitable purposes that is operating for the public benefit and is registered with the Australian Charities and Not-for-profits Commission (ACNC)
Council	Warrumbungle Shire Council (WSC)
Fee waiver	A fee waiver is the full or partial removal of fees associated with the use of Council facilities and/or receiving of Council goods and services. This may result in the refund of monies.
Financial hardship	A state of affairs where a person or organisation is unable to pay for services or debts.



# Reduction, Waiver or Refund of Council Fees and Charges Policy

## Strategic

Not for profit	A non-government group or organisation that is not operating for the profit or gain of its individual members, whether these gains would be direct or indirect.
Recurrent request	A booking request where a single organisation/individual uses one booking form to make multiple bookings throughout a period (up to one financial year) for the same event, eg weekly choir practice. That request will be taken to be a single event. A single organisation/individual booking different types of meetings and/or events throughout a period of time (up to one financial year) is not considered a recurrent request.

### 5. Policy Statement

This policy provides the framework for the consistent and equitable assessment of requests for the reduction, waiver or refund of Council fees and charges for the use of Council facilities, including halls, sporting facilities, ovals and grounds, provided by Council.

Waiving of fees and charges associated with the hire of these Council-owned and/or managed facilities shall be at the General Manager's discretion up to a maximum of \$1,000.00 per event. Requests for waivers greater than \$1,000.00 will require a decision of Council, either via the Annual Donation requests received, Council's Community Financial Assistance Program or by Council resolution. Waivers will not be considered for more than one of these categories for an event.

Waivers provided will be accounted for separately in Council's accounts as an expense, and the income generated will be assigned as normal to the hire received for Council facilities, to show the full cost recovery for the hire.

#### 5.1 Recurrent Events

**5.1.1** Recurrent requests to waive Council fees and charges will be assessed as per the criteria outlined in this policy.

**5.1.2** Any approval given for the waiver of fees and charges for any organisation/individual will only be applied to a single event. Any future or ongoing (annual) events will require further applications to be submitted for consideration.

#### 5.2 Bonds

The Bond associated with the use of Council facilities will not be waived (ie, only the waiver of fees for an activity, event or function will be considered). **Note:** schools, progress associations and development groups are permitted to pay a single annual bond for use at any or all Council facilities.

#### 5.3 Assessment Criteria

**5.3.1** Council has an obligation to participate in community activities and promote the wellbeing of the community. Assisting community groups to provide activities, events and programs satisfies this obligation.

**5.3.2** Council is also obliged to effectively, efficiently and financially manage its facilities to provide service to the community.

**5.3.3** Council has a further obligation to raise funds by the imposition of rates, fees and charges for its facilities and services, with these monies being allocated to assist in the provision of services to the community (which includes requirements for any upgrades), and implementation of this policy will affect this function.

**5.3.4** Council will use the following general criteria when considering requests for financial assistance:

- Activities that address gaps in service or community development;
- Activities that promote community development in a multicultural context and seek to address issues of access and equity;
- Involvement from volunteers and self-help initiatives which build upon Council's contribution;
- Consumer/user participation in management of services/activities;
- Innovative and creative approaches to identified needs; and
- Activities that use Council funding to attract further resources.

**5.3.5** Council will give low priority to the following types of requests for financial assistance:

- Organisers that do not attempt to become self-supporting where the potential exists through fees or other feasible income-producing activities.
- Events of a purely social nature, that do not address the needs of disadvantaged groups.
- Organisers that are eligible for or receive support by means of grant funding, subsidies or contributions for events.
- Events that are deemed to be a purely profit-making event.
- Where tickets are being sold or entry fees charged for an event.

#### **5.4 Budgeting Implications**

A loss of income will be incurred as a result of implementing this policy and needs to be considered when determining any application.

The total annual budget allocation for the waiving of fees and charges is to be determined by Council.

#### **5.5 Assessment**

**5.5.1** All applications to waive or reduce Council fees and charges must be made in writing to the General Manager. Applications should address the assessment and eligibility criteria.

**5.5.2** Where relevant and/or requested, applicants must also provide evidence of financial hardship.

**5.5.3** The applicant may be asked to:

- Demonstrate a substantial degree of community support and representation.
- Explain the nature of the event or activity, and the perceived benefit of the event or activity to the local community.
- Detail alternative funding sources available to and accessed by the organisation.

- Detail other funding assistance provided by Council.
- Detail information regarding the organisation including:
  - Organisation's profile;
  - Membership information;
  - Funding profile and non-profit status (eg, submission of Australian Taxation Office documentation confirming non-profit status); and
  - Marketing intentions and acknowledgement of Council's contribution.

**5.5.4** A written response to the application will be provided by the General Manager.

### **5.6 Eligibility**

**5.6.1** To be eligible for a waiver or reduction of Council fees and charges, the applicant must be in at least one of the following categories:

- a) Charitable organisations;
- b) Not-for-profit organisations;
- c) Community groups;
- d) Pensioner groups;
- e) Demonstrate special circumstances as determined by the General Manager; or
- f) School groups.

**5.7** Council will not consider applications to waive fees and charges for:

- Any profit-making ventures for commercial activities.
- Any activity, event or program that contravenes Council's existing policies.
- The Bond associated with the use of Council facilities.
- The Casual Hirers Insurance fee associated with the use of Council facilities and payable if the hirer does not hold their own current Public Liability Insurance.
- Any organisation receiving financial assistance funding from Council (ie, Community Financial Assistance Donation or Annual Donation) for the activity, event or program for which the fee waiver is being sought.
- Any organisation/individual that has already been approved six fee waivers for other events within the current financial year. (Note: organisers for more than six annual events should apply for waivers under alternative Council programs.)
- Activities being run by itinerant traders.
- Any organisation that has an outstanding debt to Council.
- Any person, organisation or entity that has made reportable political donations and gifts to any local councillor or Council staff member within three years of the application for reduction or waiver.

## **6. Getting Help**

The staff members who can assist with enquiries about this Policy are:

Position/s: Director Corporate and Community Services

Department: Finance



## Reduction, Waiver or Refund of Council Fees and Charges Policy

Strategic

### 7. Version Control

Review Date: By September 2025

Staff Member responsible for Review: Chief Financial Officer

Policy Name	Version	Resolution No.	Date
Fee Waiving Policy	Draft		

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