WITHDRAWAL OF DEVELOPMENT & OTHER APPLICATIONS – REFUND OF FEES POLICY

POL401.V1

ADOPTED: 17 April 2018
1. INTRODUCTION

1.1 Murray River Council (the ‘Council’) receives a number of development and other applications for consideration and there are instances where the applicant withdraws a Development Application (DA) or similar.

1.2 Legislation permits Council to refund a percentage of the application fees paid.

1.3 This Policy will assist Council’s staff in determining the amount of fees to be refunded, if applicable, in these circumstances.

2. POLICY OBJECTIVES

2.1 The objective of this Policy is to set a scale upon which refunds are based when a DA and/or other application (eg. Construction Certificate (CC), Complying Development Certificate (CDC), Local Approval) are withdrawn.

3. REQUIREMENTS

3.1 The following scale is to be followed when considering refunds of fees paid when applications are withdrawn:

(a) **Applications withdrawn where initial assessment identifies that the proposal is not permissible** – up to 75% refund of the fee paid, less an amount to cover administration/processing charge.

(b) **Applications withdrawn where the application file has been created but the application has not been assessed** – up to 75% refund of the fee paid, less an amount to cover administration/processing charge.

(c) **Applications withdrawn where initial processing completed as far as possible but pending further details from the application** – up to 50% refund of the fee paid, less an amount to cover administration/processing charge.

(d) **Applications withdrawn where processing is incomplete** – up to 25% refund of the fee paid, less an amount to cover administration/processing charge.

(e) **Applications withdrawn where processing has been completed (ie. assessed but not determined)** – no refund given.

3.2 The amount to be retained as an administration/processing charge shall be 10% of the application fee.
3.3 Other fees associated with an application (eg. inspections, water meters, Occupation Certificate, etc) will be fully refunded if an application has been withdrawn and the service has not been provided.

3.4 The refund of fees does not extend to any other fees collected by Council on behalf of other agencies or Government departments.

4. EVALUATION AND REVIEW

7.1 It is the responsibility of the Manager Development Services (East) to monitor the adequacy of this Policy and recommend appropriate changes.

7.2 This Policy will be formally reviewed every five (5) years or as needed, whichever comes first.

5. ASSOCIATED DOCUMENTS

- Murray River Council Delegations of Authority (General Manager to Staff) Policy (POL107)

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**DOCUMENT CONTROL**

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<thead>
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<th>Version No.</th>
<th>Details</th>
<th>Date</th>
<th>Resolution No.</th>
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<tbody>
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<td>1</td>
<td>Initial Issue – On 12 May 2016, the Premier of NSW, The Hon Mike Baird MP, made the Local Government (Council Amalgamations) Proclamation 2016 under the Local Government Act 1993, whereby Murray Shire Council and Wakool Shire Council were amalgamated to constitute the new area to be known as Murray River Council, effective immediately.</td>
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Council reserves the right to review, vary or revoke this policy at any time
This Policy is scheduled for review in April 2023