



**STRATHBOGIE SHIRE COUNCIL
PLANNING COMMITTEE**

TUESDAY 22 MAY 2018

LATE REPORT

Steve Crawcour
CHIEF EXECUTIVE OFFICER

17 May 2018

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7. OTHER BUSINESS

**7.2 Waiver of Planning Application Fees
- Future Planning Permit Application, Euroa Men's Shed**

Author and Department

Manager, Planning and Investment / Innovation and Performance Directorate

Disclosure of Conflicts of Interest in relation to advice provided in this report

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the *Local Government Act 1989*.

Summary

This report is presented to Council for decision in relation to the waiver of fees for a planning permit application should the applicant be successful in securing funding to complete the works. This request has been made due to the applicant being a not for profit community group. Depending on the development proposal the fees could be to a maximum of \$1,102.10.

In considering a request to waive fees for an application lodged under Section 47 of the *Planning and Environment Act 1987*, a fee can only be waived in the following circumstances pursuant to Section 20 of the Planning and Environment Regulations (Fees) 2016:

- (a) *an application is withdrawn and a new application is submitted in its place; or*
- (b) *in the opinion of the responsible authority or the Minister the payment of the fee is not warranted because—*
 - (i) *of the minor nature of the consideration of the matter decided or to be decided; or*
 - (ii) *the requested service imposes on the responsible authority or the Minister (as the case may be) no appreciable burden or a lesser burden than usual for supplying that service; or*
- (c) *in the opinion of the responsible authority or the Minister (as the case may be) the application or determination assists—*
 - (i) *the proper development of the State, region or municipal district; or*
 - (ii) *the proper development of part of the State, region or municipal district; or*
 - (iii) *the preservation of buildings or places in the State, region or municipal district which are of historical or environmental interest; or*
- (d) *the application relates to land used exclusively for charitable purposes.*

Officers consider that the circumstances highlighted in Section 20(d) of the regulations are applicable in this instance. That is, the 'use' of the Euroa Men's Shed is for charitable purposes and is a 'not for profit' community group.

7.2 Waiver of Planning Application Fees
- Future Planning Permit Application, Euroa Men's Shed (cont.)

RECOMMENDATION

For Decision.

Background

A letter has been received from the Euroa Men's Shed for in principal support of their project to extend the existing Euroa Men's Shed to assist with their application to secure funding.

Should the Euroa Men's Shed be successful in raising the funds required to complete the works, they have requested a waiving of fees for the potential future Planning Permit Application.

Risk Management

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation.

Strategic Links – policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan.

Best Value / National Competition Policy (NCP) / Competition and Consumer Act 2010 (CCA) implications

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Competition and Consumer Act requirements

Financial / Budgetary Implications

The author of this report considers that the request, other than the immediate cost of the application fee of up to \$1102.10 in fees which would not be received has no significant financial/budgetary implications for Council or the broader community in the long term.

Economic Implications

The author of this report considers that the recommendation has no significant economic implications for Council or the broader community.

Environmental / Amenity Implications

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

Community Implications

Men's Sheds are considered an important part of rural communities and have proven benefits to individuals and targeted groups.

7.2 Waiver of Planning Application Fees
- Future Planning Permit Application, Euroa Men's Shed (cont.)

Victorian Charter of Human Rights and Responsibilities Act 2006

The author of this report considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal / Statutory Implications

The waiver consideration is governed by the *Planning & Environment Act 1987*.

Attachments

Nil – letter previously circulated to Councillors