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## CP010 – Waiver of Fees and Charges

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### 1. Intention

To provide clear guidelines for the equitable assessment of requests for the waiver of fees and charges relating to venue and facility bookings to ensure:

- Transparency and accountability to the community;
- An equitable assessment of each application or request received; and

A standard process for applicants to follow when requesting donations or waivers from Council.

### 2. Scope

This policy applies throughout the district.

### 3. Statement

All eligible waivers will be assessed at the discretion of Council or the Chief Executive Officer (under delegated authority).

A record of the decision relating to each request determined by the Chief Executive Officer shall be maintained as part of the Shire's Delegated Authority Register. Information regarding waivers of fees and charges approved under delegated authority will be prepared and circulated to Elected Members on a quarterly basis.

#### 3.1 Timeframe

Applications must be submitted on the official form and should be received with other appropriate documentation e.g. venue booking form, no less than four weeks prior to the event or activity. The Chief Executive Officer has the discretion to consider varying this requirement under extenuating circumstances.

#### 3.2 Criteria

The Shire does not generally accept applications or requests to waive hire fees. Many organisations undertake fundraising activities as part of their business, or in support of other charities or not for profit organisations. It is inappropriate for Council to support fee waivers for one organisation over another and therefore applications will not be considered solely due to fundraising. Waivers will be considered where the application relates to a free community activity and at least one of the following criteria is met:

1. The activity educates or strengthens communities or complements Council activities.
2. The purpose of the activity supports a service or activity that the local government considers it would have undertaken and is beneficial to the community.
3. The purpose of the activity supports the development of infrastructure or services that can be considered the responsibility of Council.
4. The application supports the activities of an incorporated club or group within the first 12 months of their operation.

5. Extenuating circumstances exist.

### 3.3 Conditions

Where a waiver is applied, it is considered a donation and the organisation will acknowledge the Council's support through the use of logo and other promotional activities. A waiver for an activity or event, is considered to be valid for only that activity and does not imply an automatic approval for future years. Each event will be considered each year in its own right.

### 3.4 Determination

If an application for a donation or sponsorship does not meet the evaluation criteria but is assessed by Shire Administration as a case warranting further consideration, it will be forwarded to Council for determination. Bonds will not be waived.

Waiver Value	Determination
Applications up to and including the value of \$500 from Shire of Waroona based organisations or individuals	Determined by Chief Executive Officer under delegated authority
Applications over the value of \$500 from Shire of Waroona based organisations or individuals	Council determination

All requests for the waiver of fees and charges are subject to the availability of the appropriate budget. Council reserves the right to decline a request based on insufficient / inappropriate budget available.

## 4. Other Matters

1. Local not-for-profit organisations that conduct "community markets", such as Lions Club of Waroona and Waroona Action Group, are exempt from the fees and charges relating to the hire of the Memorial Hall and associated facilities. The Chief Executive Officer has authority to approve or disapprove applications for Memorial Hall hire exemptions from organisations not specifically referred to.
2. All food stall holders (local and non-local) attending a local event that is run by a local not-for-profit / charity organisation be exempt from paying the daily food stall licence fee.
3. Only local not-for-profit / charity organisations attending other local events be exempt from paying the daily food stall licence fee.
4. The Chief Executive Officer has the authority to determine and approve or reject applications for exempt fee status from groups and organisations referred to in (3) and (4) above.
5. Notwithstanding (3) and (4) above, all food stall holders are required to complete and submit applications for approval by the Shire of Waroona.
6. The cost of the exemption shall be recorded as an expense to the appropriate expense account.

## 5. Legislative and Strategic Context

The *Local Government Act 1995* and the associated subsidiary legislation provide the broad framework within which this policy operates.

## 6. Review

This policy is to be reviewed as required.

## 7. Associated Documents

Nil.

<b>Division</b>	Community				
<b>Policy Number</b>	CP010				
<b>Contact Officer</b>	Chief Executive Officer				
<b>Related Legislation</b>	Local Government Act 1995 Food Act 2008				
<b>Related Shire Documents</b>	CMP007 – Waiver of Fees and Charges C7 – Waiver of Fees and Charges Application Form				
<b>Risk Rating</b>	Low	<b>Review Frequency</b>	As required	<b>Next Review</b>	When required
<b>Date Adopted</b>	28/03/2017				OCM17/03/027

Amendments		
Date	Details of Amendment	Reference
23/10/2018	Amended to include additional exemptions.	OCM18/10/100
22/06/2021	Updated as part of major review and reformatted.	OCM21/06/071
Previous Policies		
CORP019 – Exemption of Food Stall Licence Fees 3.28 – Exemption of Food Stall Licence Fees		