# Development Application Fee Refunds Policy

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| Strategic Reference | **Leadership**<br>*Priority Area 3: Streamlined Processes*<br>Action 5.3.2 – Undertake a review of Council-controlled administrative processes to enhance efficiency, streamline event permit pathways and strengthen coordination of collaborative initiatives. |
| File reference | AR26/14371 |
| Responsibility | Community & Corporate Department |
| Revision Number | 1 |
| Effective date | October 2026 |
| Last revised date | -- |
| Minutes reference | 305/26 |
| Next review date | October 2029 |
| Applicable Legislation | Planning, Development and Infrastructure Act 2016<br>Planning, Development and Infrastructure Regulations 2019 |
| Related Policies | Development Application Fee Waiver Policy |
| Related Documents | N/A |

## 1. Purpose

This policy provides guidance to Council administration and development applicants on the potential amount in which a development application fee refund may be payable to an applicant.

## 2. Objectives

This policy will provide a guide for the calculation of development application fee refunds to an applicant in the event the application is withdrawn, or fees are not utilised or raised in error. In all other instances, fees will be retained by Council, a Referral Agency or Planning Land Use Services (State Government) as relevant.

## 3. Definitions

For the purposes of this policy the following definitions apply:

***"Assessment Manager"*** means the person or body responsible for managing and coordinating the assessment of a development application under the *Planning, Development and Infrastructure Act 2016* and associated regulations.

***"Development"*** means:

(a) a change in the use of land; or

(b) building work; or

(c) the division of an allotment; or

(d) the construction or alteration (except by the Crown, Council or other public authority) of a road, street or thoroughfare on land (including excavation or other preliminary or associated work); or

(e) in relation to a State heritage place—the demolition, removal, conversion, alteration or painting of, or addition to, the place, or any other work that could materially affect the heritage value of the place; or

(f) in relation to a local heritage place—any work (including painting) that could materially affect the heritage value of the place (including, in the case of a tree, any tree-damaging activity) specified by the Planning and Design Code; or

(g) the external painting of a building within an area specified by the Planning and Design Code; or

(h) in relation to a regulated tree—any tree-damaging activity; or

(i) the creation of fortifications; or

(j) prescribed mining operations on land; or

(k) prescribed earthworks; or

(l) an act of activity in relation to land declared by or under State planning regulations to constitute development

***"Development approval"*** means an approval granted under the *Planning, Development and Infrastructure Act 2016 (SA)* authorising development to be undertaken, subject to any conditions, limitations or requirements attached to that approval.

***"Essential Safety Provision"*** mean safety systems and equipment required in a building to protect occupants and people during an emergency.

***"Public notification"*** means the formal process of informing the community and adjacent landowners about specific proposed developments.

***"Referral Agency"*** means an external authority or body that must be consulted on specific development applications due to their recognised, specialised interest in a proposal.

## 4. Policy Statement

4.1 The Assessment Manager for the Coorong District Council will be responsible for determining if a refund is to be paid to an applicant and the amount of the refund. Council is only permitted to refund fees that a payable to Council as part of the development application process.

4.2 For development applications lodged from 31 July 2020, all fees are managed through the PlanSA Development Application Processing (DAP) System Portal. The development lodgement fee and referral fee(s) are not received by Council, but are paid to Plan SA or the State referral agency respectively through the PlanSA Development Application Processing System. Any refunds of these fees is at the discretion of the State Government and are excluded from this policy.

4.3 A refund of fees received by Council may be due where an application is withdrawn prior to a consent being granted or refused, the fee was not utilised, or, where an administrative error has occurred during the assessment process.

4.4 If an applicant withdraws their application after paying the appropriate fees, a refund (if any) will be based upon the stage of the assessment process as follows:

| **Stage of Assessment** | **Planning, Land Division & Building Fees** |
|---|---|
| Application lodged and only preliminary assessment undertaken | Council processing fee (ie. lodged over the counter or via email to Council) – *no refund*<br><br>Assessment fees – *50% refund*<br><br>Public notification fee – *full refund*<br><br>Sign/advert fee – *full refund*<br><br>Essential Safety Provision fees – *full refund*<br><br>Compliance fee – *full refund*<br><br>Certificate of Occupancy fee – *full refund*<br><br>Land Division Statement of Requirements – *full refund* |
| Assessment of the application has commenced but an assessment report is not substantially completed | Council process fee (ie. lodged over the counter or via email to Council) – *no refund*<br><br>Assessment fees – *25% refund*<br><br>Public notification fee – *full refund if notification process not commenced*<br><br>Sign/advert fee – *full refund if notification process not commenced* |

| Stage of Assessment | Planning, Land Division & Building Fees |
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| | Essential Safety Provision fees – *full refund*<br><br>Compliance fee – *full refund*<br><br>Certificate of Occupancy fee – *full refund*<br><br>Land Division Statement of Requirements – *no refund* |
| Assessment completed or application listed on Coorong Assessment Panel agenda as an item of business | Council process fee (ie. lodged over the counter or via email to Council) – *no refund*<br><br>Assessment fees – *no refund*<br><br>Public notification fee – *no refund*<br><br>Sign/advert fee – *no refund*<br><br>Essential Safety Provision fees – *full refund*<br><br>Compliance fee – *full refund*<br><br>Certificate of Occupancy fee – *full refund*<br><br>Land Division Statement of Requirements – *no refund* |
| Consent granted or refused or lapsed | *No refund applied* |

The above table does not apply where it is demonstrated that fee(s) have been duplicated or applied in error, or the application has been lodged with Council in error. In these circumstances, a full refund of the Council received fees will be applied.

Where a refund of less than $20 is calculated, no refund will be made.

## 5. Delegation

5.1 The Chief Executive Officer has the delegation to:

- Approve, amend and review any procedures that shall be consistent with this policy; and
- Make any formatting, nomenclature or other minor changes to the policy during the period of its currency.

## 6. Availability/Accessibility

This Policy is available for inspection at Council's offices during normal business hours and Council's website and will be emailed to interested parties on request (please lodge request in writing via email to council@coorong.sa.gov.au).

## 7. Document History

This Policy will be reviewed at least every three (3) years or more frequently if legislation or Council requires.

| Version | Adopted | Minute No | Description of change(s) |
|---|---|---|---|
| 1 | 20 October 2026 | 305/26 | New policy (adjunct of former *Development Assessment Fee Waiver and Refund Policy* – refer minute 305/26) |