

POLICY NO

C4:5

**POLICY TITLE FINANCIAL ASSISTANCE TO NOT-FOR-PROFIT
ORGANISATIONS AND COUNCIL 355 COMMITTEES
WITH DEVELOPMENT APPLICATION FEES**

VERSION IV: Adopted 3 September 2018

OBJECTIVE

To provide financial assistance to not-for-profit organisations in relation to Development Application Fees as per Council's adopted fees and charges schedule.

COUNCIL STATEMENT

Dungog Shire Council recognises the unique nature and diversity of not-for-profit entities and the distinctive role that they play in the Dungog Local Government Area.

Not-for-profit entities promote a broad range of community, altruistic and philanthropic purposes. The not-for-profit sector and their committed volunteers deliver vital services and benefits to the community of the Dungog Shire.

Council may waive payment or reduce a fee if Council is satisfied that the case falls within a category of hardship or any other category in respect of which the Council has determined payment should be so waived or reduced.

POLICY STATEMENT

Council will provide non-conditional fee relief to not-for-profit organisations in the following manner:-

- Nil charge for a Development Application when the application relates to a temporary event being held on private, public or council land;
- 100% of the costs of Council advertising required in accordance with the NSW *Environmental Planning and Assessment Act 1979* associated with the temporary event.

Council will provide non-conditional fee relief to the category of 355 Committee (a committee of Dungog Shire Council resolved by Council to exercise a function of the Council) in the following manner:-

- Nil charge for a Development Application when the application relates to a temporary event being held on private, public or council land;

- 100% of the costs of Council advertising required in accordance with the NSW *Environmental Planning and Assessment Act 1979* associated with the temporary event.

Council may, at its discretion, provide non-conditional donation to not-for-profit organisations in the following manner:-

- Requests for fee relief for Development Application (excluding any costs association with Council advertising) for not-for-profits, other than for temporary events. The organisation must pay full application fees in the first instance as prescribed in Council's development fees involving the erection of a building in accordance with Clause 246B of the *Environmental Planning and Assessment Act 1979* and any non-conditional donation will be retrospective following a resolution of Council.

The above fee relief system will only apply to fees set by Dungog Shire Council and will not apply to any other such fee/s for which Council is a collection agency, or to any other Council prescribed fee (eg waste collection, facility hire).

Financial assistance provided for under this policy will be funded from the Fee Refunds allocation within Council's annual adopted budget.

RELEVANT LEGISLATION

- The NSW *Local Government Act 1993*
 - The NSW *Environmental Planning and Assessment Act 1979*
 - The *Australian Charities and Not-for-profits Commission Act 2012*
 - The *Charities Act 2013*
- A not-for-profit entity is defined in the Charities Act 2013 as a charity, which charitable purpose is defined as any of the following:*
- a) the purpose of advancing health;*
 - b) the purpose of advancing education;*
 - c) the purpose of advancing social or public welfare;*
 - d) the purpose of advancing religion;*
 - e) the purpose of advancing culture;*
 - f) the purpose of promoting reconciliation, mutual respect and tolerance between groups of individuals that are in Australia;*
 - g) the purpose of promoting or protecting human rights;*
 - h) the purpose of advancing the security or safety of Australia or the Australian public;*
 - i) the purpose of preventing or relieving the suffering of animals;*
 - j) the purpose of advancing the natural environment;*
 - k) any other purpose beneficial to the general public that may reasonably be regarded as analogous to, or within the spirit of, any of the purposes mentioned in paragraphs (a) to (j);*

Date Policy Adopted	Minute No	Authority
17 July, 2001	30687	Council resolution
15 April, 2003	31436	Council resolution
19 August, 2003	31593	Council resolution
3 September, 2018	37817	Council resolution