Fees and Charges Policy

Council Policy

Renmark Paringa Council

Responsible Officer	Director Corporate and Community Services
Relevant Legislation	Local Government Act 1999, Section 188 (1) (a) (b), (c), (d), (e), (f), (g), (h). The Local Government Act 1999 Section 44(j) states that Council cannot delegate the power to fix, vary or revoke a fee that is set under Sections 188(1)(d) to (h). Fees and charges set under Section 188(1)(d) must not exceed a reasonable estimate of the direct cost to the Council in providing the information.
Adopted	February 2026
Reviewed	
Next Review	February 2030

Purpose

- The purpose of this policy is to provide guidance around factors to be considered when setting Council's fees and charges as part of the annual budgeting process and to ensure that all fees and charges are set and applied transparently and consistently across Council operations applying agreed principles.

Objective

- The objective of this Policy is to provide a transparent and consistent framework for setting, reviewing, and applying Council's fees and charges in accordance with legislative requirements and Council's financial and service delivery principles.

Scope

- This policy applies to all fees and charges listed in Council's Schedule of Fees and Charges over which Council has discretion under Section 188 of the Local Government Act 1999 to determine the fee or charge.
- The policy also applies to any new fee that may be introduced throughout the financial year and not previously included in the Schedule of Fees and Charges.
- This policy does not apply to rates and associated charges, which are subject to separate policies.

Definitions

Term	Definition
Statutory Fees	Fees from regulatory services, which are associated with the granting of a permit/license or the regulation of an activity.
Discretionary Fees	Revenues from the sale of goods and services or rent of property facilities. They are discretionary charges for which the payer receives a direct benefit.
Principal Office	61 Eighteenth Street, Renmark, South Australia 5341
Similar Councils	Activities, programs, or services at other councils which are considered comparable to those in the Renmark Paringa Council area. Similarity should be assessed on scope of relevant activities, programs, or services, not simply geography.

Policy

Categories:

Fees and Charges are categorised into two (2) key types:

- **Statutory Fees and Charges** - are those that are set and regulated under the provisions of the legislation applicable to Council business. These fees are non-discretionary and must align with the relevant statute or current Ministerial advice. They are not required to be disclosed in the Schedule of Fees and Charges but may be found in the respective legislation.

- **Discretionary Fees and Charges** - are not regulated by legislative statute and are at Council's discretion to determine. These are listed in the Schedule of Fees and Charges.

Legislative Requirements:

Section 188 of the *Local Government Act 1999* enables councils to impose fees and charges for the following:

Fee Type	Pricing Parameters	Delegation Permitted
The use of any property or facility owned, controlled, managed or maintained by Council (s188 (1)(a))	• Need not be fixed by reference to the cost to Council. • One or more of the pricing methodologies outlined in this policy may be employed.	Yes
Services supplied to a person's request (s188(1)(b))	• Need not be fixed by reference to the cost to Council. • One or more of the pricing methodologies outlined in this policy may be employed.	Yes
Carrying out work at a person's request (s188(1)(c))	• Need not be fixed by reference to the cost to Council. • One or more of the pricing methodologies outlined in this policy may be employed.	Yes
Providing information or materials, or copies of, or extracts from, Council records (s188(1)(d))	• Must not exceed a reasonable estimate of direct costs to the Council in providing information, materials, copies or extracts • One or more of the pricing methodologies outlined in this policy may be employed.	No *
Any application to Council (s188(1)(e))	• One or more of the pricing methodologies outlined in this policy may be employed.	No *
Any authorisation, license or permit granted by Council (s188(1)(f))	• Statutory pricing methodology should be used.	No *

Any matter for which another Act provides that a fee under this Act is to be payable (s188(1)(g))	• Clause (4) stipulates that Council cannot set fees and charges when set by another Act or when an Act specifies that no fee or charge can be set. • Statutory pricing methodology should be used.	No *
Any other prescribed matter (s188(1)(h))	• One or more of the pricing methodologies outlined in this policy may be employed.	No *

**The Local Government Act 1999 s44(j) states that Council cannot delegate the power to fix, vary or revoke a fee that is set under Sections 188(1)(d) to (h). Fees and charges set under Section 188(1)(d) must not exceed a reasonable estimate of the direct cost to the Council in providing the information.*

Updates to the Fees and Charges Register:

The review of discretionary fees and charges is to be undertaken at least annually in alignment with the Annual Business Plan and Budget process with Council adopting an updated register annually, noting the following:

- The discretionary fees and charges that are set under delegation (via Council's Published Delegations Register) will be updated as required.
- The statutory fees and charges will be updated as statutory charges are amended through the year.
- When exceptional or unexpected conditions occur, Council may, by resolution, adjust fees and charges outside the Annual Business Planning process.

Pricing Principles:

The provisions of Section 188 of the Act, also state a council may provide for the following when determining discretionary fees and charges:

- Legislative requirements as outlined above;
- the cost of providing the goods or service (including overhead costs);
- the collective users' ability to pay for the service;
- agreed financial principles to keep rate revenue as low as possible and to maximise opportunities for non-rate revenue;
- the demand for the goods or service by the community comparative market pricing with other like enterprises performing similar services, including Competitive Neutrality

principles if they are relevant to the good or service being provided (as defined in the methodology section below);
- the value of goods and services to the community;
- the differing levels of capacity to pay throughout the community (including whether targeted concessions are warranted on social or grounds of public good); and
- the environmental and social benefit of the goods or services provided.

Pricing Methodology:

The following methodology will be adopted when determining fees and charges:

- **Cost of provision** - the principal consideration when determining a fee or charge is the cost of providing the goods or service noting that this determination will only apply when the cost of service provision and the ability of users to pay for that service can be accurately established.
- **Methodologies** - if neither of these factors can be accurately and efficiently established, the following methodologies are to be used to determine a suitable price level for goods or services provided for approval by the appropriate Director. The Director is responsible for approving the appropriate pricing methodology as set out below, to be used to set discretionary fees and charges within their business unit. The table below assists the determination process in which a fee or charge is set in each case, according to the eight methodologies outlined.

Different Methodologies - where none of these methodologies are considered appropriate, then Council approval is to be sought regarding a different methodology for setting that specific fee or charge.

Ref	Pricing Methodology	Guidelines
1.	Full Cost Recovery	a) the service benefits particular users, making a contribution to their individual income, welfare or profits or a private benefit being provided without any broader benefits to the community and; b) Council has a monopoly over the provision of the service and there are no community service or equity obligations. The fee or charge is calculated on the full recovery of annual and maintenance costs, on-costs and overheads and debt servicing, if applicable. The price may also include opportunity costs for the loss of value or benefit to the community, if appropriate.

2.	Partial Cost Recovery	When the cost of service can be established and a) the benefits from provision of the service accrue to the community as a whole, groups within the community or to individual users; b) charging prices to recover full cost may result in widespread hardship or evasion; c) the service targets low income users or a differential service fee is charged according to the classification of users to maximise access to the service and/or; d) the service promotes or encourages local economic activity.
3.	Comparative	Direct costs of service are difficult to establish or the costs of service can be established but, a) the service provided is in competition with that provided by another Council or agency (private or public) and there is pressure to set a price which will attract adequate usage of the service and/or; b) The service is a profit-making activity and the price paid by users should recover an amount greater than the full cost of providing that service.
4.	Statutory	Council has no discretion to determine the amount of the fee for a service when the amount is fixed by regulation or by another authority (a) the service is a regulatory or statutory service and the fee is determined by Council in accordance with a pricing principle prescribed in regulations (e.g. a maximum price). (b) the amount of the fees is prescribed in regulations, legislation or Council By-Laws.
5.	Market Rate	The service is commercial in nature and a market valuation is appropriate as follows: (b) The service provided is in competition with that provided by another Council or agency (private or public) and there is pressure to set a price which will attract adequate usage of the service and/or; (b) the service is a profit-making activity and the price paid by users should recover an amount greater than the full cost of providing that service.
6.	Demand Management	The price may be higher or lower than cost of service, to (a) encourage greater uptake of the service, or (b) to provide a disincentive for use, or (c) recognise indirect costs associated with providing the service.
7.	No Charge	Where the cost to provide the service are considered negligible, the ability to impose the fee is not practical or

		where a specific reason has been identified and approved by the Chief Executive and can be recovered via rates. Where no specific fee is charged the overall cost to council is recovered via rates.
8.	Security Deposit	Refundable deposit against possible loss or damage to Council property.

Other Considerations - Are as follows:

- **Benchmarking** - Fees and charges should be fair and equitable and generally comparable to similar councils or similar services offered within the marketplace by other providers, based on a three-yearly benchmarking assessment. Where proposed fees and charges diverge from comparable benchmarking, an explanation of, and justification for, the divergence must be included in the Annual Business Plan.
- **Economic Conditions** - When setting fees and charges, Council must take into account broader economic conditions and may make adjustments accordingly.
- **Event Support/Economic Impact** - It should be noted that Council invests heavily to activate spaces through events as a means to maintain and increase visitor numbers across economic cycles. Council's preference is to provide broad-scale support to the community as a whole, rather than individualised financial support.
  Public funds should not subsidize losses that are attributable to individual business operations or decisions, or to subsidise non-viable business models or operations.
- **Government Responsibilities** - Council recognises that there are Commonwealth and State agencies that provide financial relief and support for businesses, which should be utilised as a first step, before relief is sought from Council.
- **Administrative fees** - such as those charged for providing information or materials, or copies of, or extracts from, Council records will not exceed a reasonable estimate of the direct cost to Council in providing the information, materials, copies or extracts.
- **Statutory Requirements** – there are some fees and charges which are set under legislation as outlined below:

Fee or Charge Type	Legislation
Food Inspection	Food Act 2001 Food Regulations 2017
Freedom of Information	Freedom of Information Act 1991
Council Search	Land and Business (Sale and Conveyancing) Act 1994

Certificates of liabilities	Land Tax Act 1936
Wastewater Applications	South Australian Public Health Act 2011 South Australian Public Health (Wastewater) Regulations 2013
High Risk Manufactured Water System Applications	South Australian Public Health Act 2011 South Australian Public Health (Legionella) Regulations 2013
Development Applications	Planning, Development and Infrastructure Act 2016
Relinquishing of Lease/Interment Right	Burial and Cremation Act 2013 Burial and Cremation (Surrender of Interment Rights) Variation Regulations 2021
Expiations - Reminder notices and warning notices	Expiation of Offences Regulations 2011

Annual indexed statutory fees and charges are published in the Government Gazette.

Roles and Responsibilities

Role	Responsibilities
Council	• Review and approval of this policy. • Annual review and approval of fees and charges schedule and approval of new fees and changes to fees and charges during the year if required.
Chief Executive Officer	• Ensure accurate and accessible information is available regarding all fees and charges.
Directors	• Approving the appropriate pricing methodology to be used to set discretionary fees and charges in their business unit.
Managers	• Notifying Finance of any new or changes to existing fees and charges as they occur.
Finance	• Assisting Managers with the calculation and review of fees and charges. • Oversee development of a Fees and Charges Register with input from the relevant work area for Council decision making and executing Council decision making in setting fees and charges.

Review:

This Policy will be reviewed:

- As a new policy after 12 months and every four years thereafter; or
- the frequency dictated in legislation, or
- earlier in the event of changes to legislation or related Policies/Procedures or ;
- if deemed necessary by the Manager Financial Services or Director Corporate and Community Services.

Delegation:

That pursuant to section 44 of the Local Government Act 1999, Council delegates to the Chief Executive Officer authority to administer Council's Policies. Refer Delegations Register for sub-delegation if granted.

References/Related Documents

Document Control

Version #	Approval Date	Approved by	Amendment
1	24 Feb 2026	Council	New Policy