1 Purpose

This policy stipulates Council's refund provisions for the cancellation of Environmental and Regulatory Services licences, permits, authorities and registrations i.e. cancellation of a licence, permit authority or registration prior to the stipulated expiry period.

The policy has been developed to provide a clear and consistent standard regarding refund provisions across the Environmental and Regulatory Services Branch spectrum of services.

Generally, most costs incurred for issuing a licence, permit, authority or registration are consumed up front by initial inspections, administration and processing costs, therefore refund opportunities in most circumstances are not warranted.

This policy does not cover any methodology for the actual setting of fees or charges. It should be noted however, that during the setting of fees and charges, every opportunity is to be taken to structure payments (where appropriate) in a manner that provides flexibility to the applicant.

2 Scope and applications

This policy relates only to refund requests for licences, permits, authorities and registrations administered by Council's Environmental and Regulatory Services Branch, whereby:

- a fee or charge was applied to a particular licence, permit, authority or registration; and
- the licence, permit, authority or registration specifies a defined term of currency; and
- the applicant wishes to cancel the licence, permit, authority or registration prior to the currency period expiring.

This policy should be read in conjunction with the 'Schedule of Fees and Charges' as adopted by Council annually and any explanatory notes that accompany that schedule.

3 Principles

This policy is guided by the key priorities defined within the Toowoomba Regional Council's Corporate Plan (2024 - 2029):

- 4.2 Continue to pursue prudent financial management and sustainability

In addition to upholding the Corporate Plan principles outlined above, Council is committed to upholding the obligations within the *Human Rights Act 2019* by giving proper consideration to the provisions of the Act when making decisions relevant to this policy.

4 Content

4.1 Refund provisions

Subject to the provision of section 4.2, Council's Environmental and Regulatory Services Branch will not provide refund opportunities to any person who cancels a licence, permit, authority or registration.

4.2 Refund provision exceptions

The following exceptions may attract refund provisions:

- Any fee or charge that has been incorrectly applied to Environmental and Regulatory Services will be rectified, with the surplus portion of the fee or charge i.e. the amount that has been incorrectly applied, being refunded to the original payee.

- Whereby a licence, registration, authority or registration fee has been pre-paid prior to the commencement of the 'currency period' and the applicant cancels this licence, registration, authority or registration prior to the commencement of the 'currency period', the applicant will be refunded that portion of the fee that relates to the ongoing licence, registration, authority or registration fee. This refund will not include any fee that has been applied specifically as an application fee as per the schedule of fees and charges).

4.2.1 Example scenario

An applicant pays $1,000 to Council for a food license application and this fee is made up of a $250 application fee and a $750 annual license fee that covers the ongoing operation of that business for the coming financial year.

If the application has been processed and approved, and the applicant then decides not to continue with the business and cancels the licence prior to the 'currency period' commencing, in this instance, the applicant would be refunded in full the $750 as the 'currency period' of the license has not yet commenced.

The $250 application fee would not be refunded as this amount has already been expended by Council in processing the application.

5 Responsibilities/accountabilities

Council officers are to ensure that they are fully conversant with the requirements outlined in this policy and that the administering of refunds is consistent with this policy.

6 Relevant laws

Local Government Act 2009

7 Related policies/documents

Members of the public can access Council policies on Council's website. If a policy listed below does not appear on the website please contact 131 872 or email info@tr.qld.gov.au to request a copy. Staff may access policies via the Policy Register and Review Schedule.

Council policies

2.57 Revenue Policy

5.37 Refund Procedure

Other documents

Toowoomba Regional Council Schedule of Fees and Charges

Corporate Plan 2024 - 2029

8 Related forms

Licence/Permit/Approval application forms

9 Definitions

Term	Definition
Currency period	The defined term of the licence, permit, authority or registration i.e. 1st July to 30th June (financial year).

10 Policy details

Policy category:	Council Policy	**Policy version number[1]:**	6.00
Date adopted/approved:	21 August 2026	**Effective date:**	21 August 2026
Approval authority:	Council		
Policy Owner:	Environmental and Regulatory Services Branch		
Contact officer:	Manager Environmental and Regulatory Services		
Review date:	August 2029		

11 Revision history

Policy version	Approval date	DM Reference
1.00	15 June 2010	3772350v1
2.00	30 May 2014	5595228v1
3.00	30 May 2016	6789988v1
4.00	22 May 2019	8430937v1
5.00	10 October 2022	10335313v2
5.00	19 January 2023 (immaterial change)	10335313v2a
6.00	21 August 2026	11868083v2

[1] Printed copies are uncontrolled. It is the user's responsibility to ensure that any copies of policy documents are the current issue. Any delegations should be verified via the relevant Delegation Register as it takes precedence if there is a conflict. The Chief Executive Officer will, if necessary, be the sole arbiter in resolving any issues of conflict