

**AUSTRALIAN CAPITAL TERRITORY**

**Building Act 1972**

**DETERMINATION OF FEES 1989**

Under section 65 of the *Building Act 1972* I revoke all previous determinations of fees. I determine that the fees payable for the purposes of the Act shall be as follows:

**Builder's Licences**

1. For the purpose of section 15 (4) the following licence fees are payable
  - (a) where an applicant is not the holder of a builder's licence
    - (1) if the applicant is a company or partnership—\$100.00;
    - (2) where the application discloses that the applicant has the qualifications prescribed in sections 16 (2) (a) or (b), (3) (a) or (b) or (4) (a) or (b) relevant to the licence applied for—\$100.00; or
    - (3) in any other case—\$200.00
  - (b) where an applicant who is the holder of a builder's licence applies for a different class of licence or a different endorsement under section 14 (6A)—\$100.00.
2. For the purposes of section 17 (6) the fee for the grant of a licence is:
  - (a) if the period of the licence is
    - (1) 1 year or less . . . . . \$160.00
    - (2) more than 1 year, but not exceeding 2 years . . . . . \$280.00
    - (3) more than 2 years, but not exceeding 3 years . . . . . \$420.00and;
  - (b) if the Building Controller's examination of the application discloses that the applicant's disclosure regarding the prescribed qualification is incorrect—\$100.00 in addition to any other fee that is payable

**Owner Builder Permits Assessment fee**

3. Where a person who is not a licensee applies for the grant of a building permit for building work on land owned by the person and
  - (a) Section 39 (1) (a) does not apply; and
  - (b) the cost of the building work exceeds \$5000,the fee payable for the grant of the permit is \$75.00 in addition to any other fee that is payable.

**Applications for approval of plans and specifications**

4.
  - (a) For the purposes of section 31 (2) the following fees are payable in respect of an application made for the approval of a plan for carrying out of work in relation to a building that is erected or proposed to be erected on land the lease of which provides that the land shall be used for residential purposes ('residential building work') being a plan for the erection or alteration of a building or improvement (whether or not in connection with the erection or alteration of other buildings or improvements):
    - (i) In the case of the erection of a residence (including units and town houses) where the cost of the building work is
      - \$100 000 or less . . . . . 0.3 per cent of the cost or \$50 which ever is the greater.
      - more than \$100 000 but not more than \$250 000 . . . . . \$300 plus 0.2 per cent of amount by which such cost exceeds \$100 000
      - more than \$250 000 . . . . . \$600 plus 0.1 per cent of amount by which such cost exceeds \$250 000
    - (ii) In the case of the erection of a swimming pool where the cost of the building work is
      - \$20 000 or less . . . . . \$50 plus 0.8 per cent of amount by which such cost exceeds \$5 000
      - more than \$20 000 . . . . . \$170 plus 0.4 per cent of amount by which such cost exceeds \$20 000
    - (iii) In the case of any other new residential building work or any new alterations or additions to an existing building or structure where the cost of the building work is
      - \$100 000 or less . . . . . \$50 plus 0.5 per cent of amount by which such cost exceeds \$10 000
      - more than \$100 000 . . . . . \$500 plus 0.3 per cent of amount by which such cost exceeds \$100 000
  - (b) For the purposes of section 31 (2) the following fees are payable in respect of an application made for the approval of a plan for the carrying out of building work other than residential building work ('commercial building work')
    - (i) In the case of alterations or additions within an existing building or structure where the cost of the building work is:
      - \$5000 or less . . . . . \$75.00
      - more than \$5000 but not more than \$70 000 . . . . . \$75 plus 0.75 per cent of amount by which such cost exceeds \$5000
      - more than \$70 000 but not more than \$300 000 . . . . . \$562.50 plus 0.4 per cent of amount by which such cost exceeds \$70 000
      - more than \$300 000 but not more than \$1 200 000 . . . . . \$1 482.50 plus 0.2 per cent of amount by which such cost exceeds \$300 000.
      - more than \$1 200 000 . . . . . \$3 282.50 plus 0.1 per cent of amount by which such cost exceeds \$1 200 000.
    - (ii) In any other case—where the cost of the building work is:
      - \$10 000 or less . . . . . \$75
      - more than \$10 000 but not more than \$70 000 . . . . . \$75 plus 0.5 per cent of amount by which such cost exceeds \$10 000
      - more than \$70 000 but not more than \$300 000 . . . . . \$375 plus 0.2 per cent of amount by which such cost exceeds \$70 000
      - more than \$300 000 but not more than \$1 200 000 . . . . . \$835 plus 0.1 per cent of amount by which such cost exceeds \$300 000
      - more than \$1 200 000 . . . . . \$1 735 plus 0.05 per cent of amount by which such cost exceeds \$1 200 000.

- (ii) In any other case—where the cost of the building work is
- |   |   |
|---|---|
| \$10 000 or less                                | \$75  |
| more than \$10 000 but not more than \$70 000   | \$75 plus 0.5 per cent of amount by which such cost exceeds \$10 000        |
| more than \$70 000 but not more than \$300 000  | \$375 plus 0.2 per cent of amount by which such cost exceeds \$70 000       |
| more than \$300 000 but not more than 1 200 000 | \$835 plus 0.1 per cent of amount by which such cost exceeds \$300 000      |
| more than \$1 200 000                           | \$1 735 plus 0.05 per cent of amount by which such cost exceeds \$1 200 000 |
- (c) For the purposes of section 33A (3) with respect to an application made pursuant to section 33A (2) for an extension of the period during which approval of plans remains in force, the fee payable is:  
for residential building work—\$35.00  
for commercial building work—\$75.00
- (d) Where the application relates to existing building work for which plans have not previously been approved under the Act or the repealed laws, the fee payable for the purposes of section 31 (2) is one and one half times the amount that would otherwise be payable.

**Application for amendment of plans**

5. For the purposes of section 31 (2) the fee payable where an application is made for the amendment of plans before they have been approved under the Act is:
- (a) where an application is made for the purpose of obtaining approval under the *Buildings (Design and Siting) Act 1964* or to meet objections made by the Building Controller and the amendment consists only of alterations necessary to obtain that approval—no fee; or
- (b) the amendment consists of alterations necessary for either of those purposes and also of other alterations or exclusively of other alterations—  
for residential building work—\$30.00  
for commercial building work—\$50.00  
or an amount equal to the difference between the fee paid in accordance with paragraph 4 as the case may be and the fee that would be payable in accordance with that clause if the amended plans were submitted for approval as original plans, whichever is the greater.
6. For the purposes of section 31 (2) the fee payable for the purposes of approval of plans is if the Building Controller has examined amendments of structural plans or of calculations in addition to any other fee that is payable
- (a) for residential building work—\$20.00;  
(b) for commercial building work—\$30.00 for the first sheet together with \$20.00 for each additional sheet.
7. For the purposes of section 31 (2) the fee payable where an application is made for the approval of amendments of approved plans consisting of a deletion that does not involve an examination of the plans for the purposes of ascertaining the structural sufficiency, stability and safety of the remainder of the building—\$20.

**Plans or amendments which depart from Building Manual**

8. Where a person applies for approval of plans or for an amendment of plans and the plans or amendment include a matter the acceptable requirements and standards of which are not set out in the Building Manual—  
for residential building work \$20.00  
for commercial building work \$120.00  
in addition to any other fee that is payable.
9. Where a person has applied for approval of plans or for an amendment of plans and consideration of the plans by the Building Controller discloses that the plans or amendment include a matter the acceptable requirements and standards of which are not set out in the Building Manual and the applicant has not paid the fee provided for in paragraph 8 the fee payable for a decision by the Building Controller under section 33 (1) is  
for residential building work—\$20.00  
for commercial building work—\$120.00

**Building Permits for Work Directed to be Carried out under Section 46**

10. For the purposes of the grant of a building permit for building work which the Building Controller directs to be carried out pursuant to section 46, a fee of \$55, or 1 per cent of the cost of the building work, whichever is the greater, is payable.

**Building Permits—Residential**

11. Subject to paragraph 10, for the purposes of an application made pursuant to section 35 or to section 39 the following fees are payable for the grant of a building permit for residential building work.
- (a) in the case of a permit for the erection of a building other than a building referred to in subparagraphs (b) or (c) below, where the cost of the building work is:
- (i) by licensed builder
- |   |  |
|---|--|
| \$100 000 or less                               | 0.3 per cent of the cost or \$50 whichever is the greater.             |
| more than \$100 000 but not more than \$250 000 | \$300 plus 0.2 per cent of amount by which such cost exceeds \$100 000 |
| more than \$250 000                             | \$600 plus 0.1 per cent of amount by which such cost exceeds \$250 000 |

- (ii) by an owner builder
- |   |   |
|---|---|
| \$100 000 or less                               | 0.6 per cent of the cost or \$50 whichever is the greater.              |
| more than \$100 000 but not more than \$250 000 | \$600 plus 0.4 per cent of amount by which such cost exceeds \$100 000  |
| more than \$250 000                             | \$1200 plus 0.2 per cent of amount by which such cost exceeds \$250 000 |
- (b) in the case of a permit for the erection of a garage, carport or other structure not attached to, or forming part of, a residential building or for the demolition of a building, the alteration of or addition to a building or the erection or construction of a fence, retaining wall, ornamental pond, mast, antenna, aerial, advertising device, notice or sign where the cost of the building work is:
- (i) by a licensed builder
- |                     |   |
|---------------------|---|
| \$100 000 or less   | 0.6 per cent of the cost or \$50.00 whichever is the greater              |
| more than \$100 000 | \$600.00 plus 0.3 per cent of amount by which such cost exceeds \$100 000 |
- (ii) by an owner builder
- |                     |  |
|---------------------|--|
| \$100 000 or less   | 1.2 per cent of the cost or \$50.00 whichever is the greater.              |
| more than \$100 000 | \$1200.00 plus 0.6 per cent of amount by which such cost exceeds \$100 000 |
- (c) in the case of a permit for a swimming pool or associated safety fences, gates, decks or concourse where the cost of the building work is:
- |                    |  |
|--------------------|--|
| \$20 000 or less   | 1 per cent of the cost or \$50.00 whichever is the greater               |
| more than \$20 000 | \$200.00 plus 0.5 per cent of amount by which such cost exceeds \$20 000 |
- (d) in the case of a permit which relates to work falling within more than one of the categories referred to in subparagraphs (a), (b) and (c), the fee for the permit shall be calculated at the lowest rate.
- (e) for the purposes of an application relating to existing building work for which a building permit has not previously been granted or issued under the Act or the repealed laws the fee payable is one and one half times the amount that would otherwise be payable or \$50 whichever is the greater.
- (f) in the case of a permit for the erection of a building as described in subparagraphs 11 (a) to 11 (d) inclusive, and where the applicant discloses that he or she will provide certification from a practising structural engineer that the footings and or slab preparation complies with the conditions of the permit, the fee payable is the amount that would otherwise be payable less the lesser of 20% of that amount or \$40.

#### Building Permits—Commercial

12. (a) Subject to paragraph 10, for the purposes of an application made pursuant to section 35 or section 39 the following fees are payable for the grant of a building permit for commercial building work: where the cost of the building work is—
- |   |   |
|---|---|
| \$10 000 or less                                  | \$75  |
| more than \$10 000 but not more than \$70 000     | \$75 plus 0.5 per cent of the amount by which such cost exceeds \$10 000        |
| more than \$70 000 but not more than \$300 000    | \$375 plus 0.2 per cent of the amount by which such cost exceeds \$70 000       |
| more than \$300 000 but not more than \$1 200 000 | \$835 plus 0.1 per cent of the amount by which such cost exceeds \$300 000      |
| more than \$1 200 000                             | \$1 735 plus 0.05 per cent of the amount by which such cost exceeds \$1 200 000 |
- (b) Subject to paragraph 10, for the purposes of an application relating to existing building work for which a building permit has not previously been granted or issued under the Act or the repealed laws the fee payable is one and one half times the fee that would otherwise be payable.

#### Extension of Building Permits

13. For the purposes of an application made pursuant to section 41 (2) for an extension of the period during which a building permit remains in force, the fee payable is \$30.00 plus \$30.00 for each period of 3 months, or less, that the requested period exceeds 6 months.

#### Certificates of Occupancy and use

14. The fee payable by the applicant for a certificate under section 53 (2), (3), (10) or (11) is the sum of the amounts calculated as follows:
- (a) where the Building Controller has approved an amendment to the plans for the building work at the site of the building work—\$22 for each half hour or part thereof spent by the Building Controller in considering the amendment;
- (b) where the holder of a building permit has given the Building Controller notice, as described in section 36 (5) of the Act, and
- the Building Controller or a building inspector issues a notice under section 43 (1) of the Act—\$30 for each occasion;
  - the Building Controller or a building inspector cannot conduct an inspection because either they cannot gain access to the site or the work to which the notice relates is not completed—\$20 for each occasion;
  - the notice relates to part only of the work involved in a stage (being a stage specified in the Schedule to the Act)—

- residential building work \$30  
 commercial building work \$22 per half hour or part thereof or \$50 whichever is the greater  
 for the second, and each subsequent, inspection of work involved in that stage; or
- (iv) where an inspection is conducted by a building inspector for the purposes of ensuring the structural sufficiency of the building or building work—\$44 per hour or part thereof spent by the building inspector in conducting the inspection;
- (e) where the owner of the parcel of land on which the building is being erected has applied for the issue of a certificate under section 53 (6)—  
 residential building work \$30  
 commercial building work \$22 per half hour or part thereof or \$75 whichever is the greater
- (d) where the applicant requested that plans be approved as a matter of urgency and
- (i) if the plans relate to residential building work they were approved within 10 working days (being days other than a Saturday, Sunday or a public holiday observed under the *Holidays Act 1958*)—an amount equal to the amount paid under paragraph 3; or
- (ii) if the plans related to commercial building work they were approved within 15 of the said working days—  
 an amount equal to the amount paid under paragraph 3.
- (e) where the applicant indicated when applying for a building permit that he or she would supply certification from a practising structural engineer that the footings and or slab preparation complies with the conditions of the permit and that applicant has not provided such certification or that certification was not accepted by the Building Controller,—the amount by which the fee that would otherwise have been payable for the permit was reduced.

**Inspections for purposes of section 46**

15. The fee payable by the owner of a parcel of land on whom a notice under section 46 of the Act is served is, in addition to any other fee that is payable
- residential building work \$30  
 commercial building work \$22 per half hour or part thereof or \$75 whichever is the greater

ELLNOR GRASSBY  
 Minister for Housing and Urban Services