

Building (Fees) Determination 2004 (No 2)

Disallowable Instrument DI2004—193

made under the

Building Act 1972, section 108 – Determination of Fees

Building Act 2004, Section 150 - Determination of Fees

1. Pursuant to section 108 of the *Building Act 1972* I **REVOKE** disallowable instrument DI2004-101 notified on the ACT Government Legislation Register.
2. Pursuant to section 150 of the *Building Act 2004* (the Act) I **DETERMINE** that the fees payable for the purposes of the Act shall be in accordance with the Schedule.
3. The fees for services provided are specified in the Schedule hereunder in Column 2 and prices for 1 September 2004-30 June 2005 are specified in Column 3 opposite, in relation to that service.
4. This determination does not apply to the lodging with the building controller, under the *Building Act 2004*, section 28(2) (Issue of building approvals), of a copy of plans relating to:
 - (a) a parcel of land on which a building or structure was destroyed or damaged by fire, or in the course of fighting fire, associated with the bushfire emergency that began on 18 January 2003 and ended on 28 January 2003; and
 - (b) the erection or alteration of a building or structure that:
 - (i) replaces a building or structure of the same kind that was located on the land immediately before the beginning of the bushfire emergency and was damaged during the bushfire emergency; and
 - (ii) would not result in an increase in the number of dwellings on the land.
5. This determination:
 - (a) does not apply if, at the time the plans are lodged, the person who was the lessee of the land at the beginning of the bushfire emergency is no longer the lessee of the land; but

(b) if before the beginning of the bushfire emergency, a person had entered into an agreement with the lessee of the land giving the person a right to the transfer of the lease, but no transfer had been registered under the Land Titles Act 1925 in accordance with the agreement, the person is taken to be the lessee of the land at the beginning of the emergency.

6. This instrument commences on 1 September 2004.

Simon Corbell MLA
Minister for Planning
25 August 2004

THIS IS PAGE 1 OF THE SCHEDULE TO THE DETERMINATION MADE BY
THE MINISTER UNDER THE BUILDING ACT 2004.

Relevant Section for which a fee is payable	Description of Matter for which fee is payable	Fee Payable (GST exempt)
(1)	(2)	\$ 1 September 2004-30 June 2005 (3)
Section 28	Building re-registration of work that has not been completed within the statutory time frame	50% of the calculated building levy for the value of work (or minimum \$65) at the time of registration with Building Controller
Section 28(2)	Building Levy – (a) Building levy applies to all Building plans lodged by Private certifiers (including electrical) (b) \$0 to \$10,240	66.00
Section 28(2)	\$10,241 to \$20,000	66.90 plus 0.625% of the amount in excess of \$10,240
Section 28(2)	\$20,001 to \$150,000	130.00 plus 0.5% of the amount in excess of \$20,000
Section 28(2)	\$150,001 to \$250,000	809.00 plus 0.45% of the amount in excess of \$150,000
Section 28(2)	\$250,001 to \$500,000	1,280.00 plus 0.4% of the amount in excess of \$250,000

Minister's Initials _____

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THE MINISTER UNDER THE BUILDING ACT 2004.

Relevant Section for which a fee is payable	Description of Matter for which fee is payable	Fee Payable (GST exempt)
(1)	(2)	\$ 1 September 2004-30 June 2005 (3)
Section 28(2)	\$500,001 to \$1,000,000	2,325.00 plus 0.35% of the amount in excess of \$500,000
Section 28(2)	\$1,000,001 to \$10,000,000	4,155.00 plus 0.2% of the amount in excess of \$1,000,000
Section 28(2)	more than \$10,000,000	22,974.00 plus 0.1% of the amount in excess of \$10,000,000
Section 31 Section 28	Registration of amended plans to already registered building plans Building Levy for Commercial and residential building work within a local centre – Building levy for commercial and residential building work within a local centre as defined by the Territory Plan as Local Centre (Commercial ‘D’), if there is in respect of that development a declaration under regulation 18 of the <i>Land (Planning and Environment) regulations</i>	14.00 Nil

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THIS IS PAGE 3 OF THE SCHEDULE TO THE DETERMINATION MADE BY
THE MINISTER UNDER THE BUILDING ACT 2004.

Relevant Section for which a fee is payable	Description of Matter for which fee is payable	Fee Payable (GST exempt)
(1)	(2)	\$ 1 September 2004-30 June 2005 (3)
Section 28(2)	Certificate of Regularisation – A certificate of regularisation authorises the continuing occupation of a building that was constructed by the Commonwealth or ACT Government without requiring approval or a certificate of occupation under section 53 of the Act and has now been sold, or is to be sold. The amount depends on the value of the work and is the same as that determined as payable for a certificate of occupation \$0 to \$10,240	66.90
Section 28(2)	\$10,241 to \$20,000	66.90 plus 0.625% of the amount in excess of \$10,240
Section 28(2)	\$20,001 to \$150,000	130.00 plus 0.5% of the amount in excess of \$20,000
Section 28(2)	\$150,001 to \$250,000	809.00 plus 0.45% of the amount in excess of \$150,000
Section 28(2)	\$250,001 to \$500,000	1,280.00 plus 0.4% of the amount in excess of \$250,000

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THE MINISTER UNDER THE BUILDING ACT 2004.

Relevant Section for which a fee is payable	Description of Matter for which fee is payable	Fee Payable (GST exempt)
(1)	(2)	\$
		1 September 2004-30 June 2005 (3)
Section 28(2)	\$500,001 to \$1,000,000	2,325.00 plus 0.35% of the amount in excess of \$500,000
Section 28(2)	\$1,000,001 to \$10,000,000	4,155.00 plus 0.2% of the amount in excess of \$1,000,000
Section 28(2)	More than \$10,000,000	22,974.00 plus 0.1% of the amount in excess of \$10,000,000

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