

Australian Capital Territory

Planning and Development (Fees) Determination 2010 (No 1)

Disallowable Instrument DI2010-128

made under the

Planning and Development Act 2007, s 424 (Determination of fees)

- 1. Name of Instrument**
This instrument is the *Planning and Development (Fees) Determination 2010 (No 1)*.
- 2. Commencement**
This instrument commences on 1 July 2010.
- 3. Determination of fees**
The fees set out in Column 4 of the Schedule are determined.
- 4. Payment of fees**
The determined fees are payable to the ACT Government by a person requesting the goods or services described in the Schedule.
- 5. Revocation**
DI 2009-180 notified on the legislation register on 31 July 2009 is revoked.

Andrew Barr
Minister for Planning
11 June 2010

THIS IS PAGE 1 OF THE SCHEDULE TO THE DETERMINATION MADE BY THE
MINISTER UNDER THE *PLANNING AND DEVELOPMENT ACT 2007*

Relevant Chapter and Part of the Act for which a fee is payable (1)	Description of matter for which fee is payable (2)	Fee payable (GST Exempt) \$ 2009-10 (3)	Fee payable (GST Exempt) \$ 2010-11 (4)
Chapter 3, Part 3.6	Copies and extracts for each A4 page	0.30	0.30
Chapter 3, Part 3.6	Copies and extracts for each A3 page	0.70	0.70
Chapter 3, Part 3.6	Copies and extracts above A3 page – per page	12.30	13.90
Chapter 3, Part 3.6	Supply of information from the Public Register of Applications, Approvals and Order in electronic disk format	5.95	6.20
Chapter 5, Part 5.3	Initial administrative charges for territory plan variations and planning studies	1,279.40	1,324.00
	Final administrative charges for territory plan variations and planning studies – after the study is concluded, the variation is warranted and before the public notification (s19 of the Act) of the DVP's	2,558.90	2,648.00
Chapter 7, Part 7.2	Application for development lodged under the provisions of the Impact track		
	(a) Matters specified in Schedule 4, Part 4.2	27,531.00	28,495.00
	(b) Matters specified in Schedule 4, Part 4.3		
	(i) Column 1, Items 1 to 6	10,350.00	10,712.00
	(ii) Column 1, Items 7 to 11	2,070.00	2,142.00
Chapter 7, Part 7.2	Applications for development approval in relation to use for otherwise prohibited development:		
	(a) The base amount specified opposite in Column (4)	2,156.95	2,232.00
	Plus		
	(b) An amount determined in accordance with the cost of works based on the following scale:		

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Relevant Chapter and Part of the Act for which a fee is payable (1)	Description of matter for which fee is payable (2)	Fee payable (GST Exempt) \$ 2009-10 (3)	Fee payable (GST Exempt) \$ 2010-11 (4)
	Cost of work is \$0 –\$1,500	91.15	94.40
	Cost of work is \$1,501 to \$5,000	147.75 (plus 0.205% of the amount in excess of 1,500)	94.40 (plus 0.500% of the amount in excess of 1,500)
	Cost of work is \$5,001 to \$20,000	160.15 (plus 0.211% of the amount in excess of 5,000)	112.00 (plus 0.500% of the amount in excess of 5,000)
	Cost of work is \$20,001 to \$100,000	212.90 (plus 0.211% of the amount in excess of 20,000)	187.00 (plus 0.350% of the amount in excess of 20,000)
	Cost of work is \$100,001 to \$150,000	510.65 (plus 0.168% of the amount in excess of 100,000)	467.00 (plus 0.350% of the amount in excess of 100,000)
	Cost of work is \$150,001 to \$250,000	657.65 (plus 0.168% of the amount in excess of 150,000)	642.00 (plus 0.350% of the amount in excess of 150,000)
	Cost of work is \$250,001 to \$500,000	930.85 (plus 0.168% of the amount in excess of 250,000)	992.00 (plus 0.200% of the amount in excess of 250,000)
	Cost of work is \$500,001 to \$1,000,000	1691.75 (plus 0.129% of the amount in excess of 500,000)	1492.00 (plus 0.200% of the amount in excess of 500,000)
	Cost of work is \$1,000,000 to	2,881.15	2,492.00

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Relevant Chapter and Part of the Act for which a fee is payable (1)	Description of matter for which fee is payable (2)	Fee payable (GST Exempt) \$ 2009-10 (3)	Fee payable (GST Exempt) \$ 2010-11 (4)
	\$10,000,000	(plus 0.084% of the amount in excess of 1,000,000)	(plus 0.125% of the amount in excess of 1,000,000)
	Cost of work is more than \$10,000,000	16,172.95 (plus 0.056% of the amount in excess of 10,000,000)	13,742.00 (plus 0.080% of the amount in excess of 10,000,000)
Chapter 7, Part 7.3	Degazettal of roads associated with a development application	1,126.14	1,166.00
Chapter 7, Part 7.3	Estate development plan approval - involving the gazettal of new roads	520.00	875.00
	Plus per block	50.00	50.00
Chapter 7, Part 7.3	Estate development plan approval - not involving the gazettal of new roads	260.00	500.00
	Plus per block	40.00	40.00
Chapter 7, Part 7.3	Amendments to approved estate development plans	550.00	875.00
	Plus per block affected by the amendment	50.00	50.00
Chapter 7, Part 7.3	Application for development where the cost of the work is \$0 –\$1,500	91.15	94.40
Chapter 7, Part 7.3	Application for development where the cost of the work is \$1,501 to \$5,000	147.75 (plus 0.205% of the amount in excess of 1,500)	94.40 (plus 0.500% of the amount in excess of 1,500)
Chapter 7, Part 7.3	Application for development where the cost of the work is \$5,001 to \$20,000	160.15 (plus 0.211% of the amount in excess of 5,000)	112.00 (plus 0.500% of the amount in excess of 5,000)
Chapter 7,	Application for development where the	212.90	187.00

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Relevant Chapter and Part of the Act for which a fee is payable (1)	Description of matter for which fee is payable (2)	Fee payable (GST Exempt) \$ 2009-10 (3)	Fee payable (GST Exempt) \$ 2010-11 (4)
Part 7.3	cost of the work is \$20,001 to \$100,000	(plus 0.211% of the amount in excess of 20,000)	(plus 0.350% of the amount in excess of 20,000)
Chapter 7, Part 7.3	Application for development where the cost of the work is \$100,001 to \$150,000	510.65 (plus 0.168% of the amount in excess of 100,000)	467.00 (plus 0.350% of the amount in excess of 100,000)
Chapter 7, Part 7.3	Application for development where the cost of the work is \$150,001 to \$250,000	657.65 (plus 0.168% of the amount in excess of 150,000)	642.00 (plus 0.350% of the amount in excess of 150,000)
Chapter 7, Part 7.3	Application for development where the cost of the work is \$250,001 to \$500,000	930.85 (plus 0.168% of the amount in excess of 250,000)	992.00 (plus 0.200% of the amount in excess of 250,000)
Chapter 7, Part 7.3	Application for development where the cost of the work is \$500,001 to \$1,000,000	1,691.75 (plus 0.129% of the amount in excess of 500,000)	1492.00 (plus 0.200% of the amount in excess of 500,000)
Chapter 7, Part 7.3	Application for development where the cost of the work is \$1,000,000 to \$10,000,000	2,881.15 (plus 0.084% of the amount in excess of 1,000,000)	2,492.00 (plus 0.125% of the amount in excess of 1,000,000)
Chapter 7, Part 7.3	Application for development where the cost of the work is more than \$10,000,000	16,172.95 (plus 0.056% of the amount in excess of 10,000,000)	13,742.00 (plus 0.080% of the amount in excess of 10,000,000)
Chapter 7,	Application for development within a local centre application for development	Nil	Nil

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Relevant Chapter and Part of the Act for which a fee is payable (1)	Description of matter for which fee is payable (2)	Fee payable (GST Exempt) \$ 2009-10 (3)	Fee payable (GST Exempt) \$ 2010-11 (4)
Part 7.3	within a local centre as defined by the Territory Plan, if there is in respect to that development, a declaration under the Planning and Development Regulation.		
Chapter 7, Part 7.3	Application for development – in addition to building costs calculated, where the works to be approved include an encroachment	983.55	1,018.00
Chapter 7, Part 7.3	Use of land for a home business within the meaning of the Territory Plan for approval to carry out a home business for 1 year	789.55	817.00
	Plus for each additional year up to 4 years	48.00	49.70
Chapter 7, Part 7.3	Use of land for a home business within the meaning of the Territory Plan for renewal of an application to carry out a home business for a term of 1 year	356.10	369.00
	Plus for each additional year up to 4 years	48.00	49.70
Chapter 7, Part 7.3	Use of land under Section 175 of the <i>Land (Planning and Environment) Act 1991</i> (Land Act) use of land for an activity prescribed for the purposes of Section 175 of the Land Act, including: a special dwelling; confidential services; and a re-locatable home or temporary residence. Note: provision is applicable for existing leases only. Section 448 (1) (b)(i) of the <i>Planning and Development Act 2007</i> preserves Section 175 for existing leases	487.90	505.00
Chapter 7, Part 7.3	Variation of a Unit Title Lease to vary a lease by a single application which affects more than one unit in the same Units	1,628.60	1,686.00

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Relevant Chapter and Part of the Act for which a fee is payable (1)	Description of matter for which fee is payable (2)	Fee payable (GST Exempt) \$ 2009-10 (3)	Fee payable (GST Exempt) \$ 2010-11 (4)
	Plan, for one unit		
	Plus for each additional unit	331.65	343.00
Chapter 7, Part 7.3	Application for development – Lease Variation	1,628.60	1,686.00
	Plus for each additional component	215.70	223.00
Chapter 7, Part 7.3	Application for development – vary area in a lease – to reduce the area of the land comprised in the lease, in accordance with lease conditions	Nil	Nil
Chapter 7, Part 7.3	Subdivision/ consolidation, for a grant of a new rural lease associated with an application for the purpose of effecting a consolidation of Territory Land	Nil	Nil
Chapter 7, Part 7.3	Subdivision/consolidation, for other leases, for the grant of a new lease for the purpose of effecting a subdivision or consolidation of Territory Land	1,628.60	1,686.00
	Plus for each additional component	215.70	223.00
Chapter 7, Part 7.3	Mining activities to carry out mining activities	4,829.60	4,999.00
Chapter 7, Part 7.3	Application for reconsideration of an original decision	145.80	151.00
Chapter 7, Part 7.3	Provision of pre-application advice on development proposals		
	A pre-lodgement meeting at which pre-application advice is provided	Nil	Nil
	In all other cases	931.50	964.00
Chapter 7, Part 7.3	Further information in relation to a development application is required		

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	Supplementary information required	Nil	Nil
	Major deficiency in application	Nil	Nil
Chapter 7, Part 7.3	Amending development applications: the applicable notification fee PLUS the following fee: Application lodged under the Merit Track Single residential (for first amendment)	227.70	236.00
	All other amendments in Merit Track: First five amendments	569.25	589.00
	PLUS for each additional amendment	72.45	75.00
	Application lodged under the Impact Track: First five amendments	2,070.00	2,142.00
	Plus for each additional amendment	72.45	75.00
Chapter 7, Part 7.3	Public notification of an amended development application	Nil	Nil
Chapter 7, Part 7.3	Referral of a development application to a prescribed entity	Nil	Nil
Chapter 7, Part 7.3	Provide minor public notification For one sign	222.55	230.00
	For each additional sign per block	143.50	149.00
Chapter 7, Part 7.3	Provide major public notification For one sign	895.20	927.00
	For each additional sign per block	225.50	233.00
Chapter 7, Part 7.3	Development approval ends	25% of the separately- assessed DA fee	25% of the separately- assessed DA fee

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	Certificate of 'Confirmation of Development Approval Exemption' to existing construction. Retrieval of building file and filing of certificate		
	Per individual certificate		17.20
	Per book of 10 certificate		165.00
Chapter 8, Part 8.2	Scoping of EIS	970.60	1,005.00
Chapter 8, Part 8.2	Public notification of draft EIS	895.20	927.00
Chapter 8, Part 8.3	Recovery of inquiry panel costs	Actual direct and indirect costs incurred in the conduct of an inquiry	Actual direct and indirect costs incurred in the conduct of an inquiry
Chapter 9, Part 9.2	Application for a direct grant of a lease for sites other than community or rural land	4,795.95	4,964.00
Chapter 9, Part 9.2	Application for a direct grant of a lease for community groups for example, religious groups or clubs	1,067.80	1,105.00
Chapter 9, Part 9.2	Application for a direct grant of a lease for rural land associated with an application under Section 254	Nil	Nil
Chapter 9, Part 9.2	Application for the direct grant of a lease for rural land	1,067.80	1,105.00
Chapter 9, Part 9.2 and part 9.9	Authority's consent when the applicant is an agency of the ACT Government	Nil	Nil
Chapter 9, Part 9.3	Application for the grant of a further lease for a term not exceeding the term of the existing lease for residential purposes	275.85	286.00

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	Plus for every unit	107.85	112.00
Chapter 9, Part 9.3	Application for the grant of a further lease for a term exceeding the term of the existing lease for residential purposes	2,608.15	2,770.00
	Plus for every unit	107.85	112.00
Chapter 9, Part 9.3	Application for the grant of a further lease for rural purposes	275.85	286.00
Chapter 9, Part 9.3	Application for the grant of a further lease for a term not exceeding the term of the existing lease other than residential or rural purposes	275.85	286.00
Chapter 9, Part 9.3	Application for the grant of a further lease for a term exceeding the term of the existing lease other than residential or rural purposes	2,676.10	2,770.00
Chapter 9, Part 9.3	Application for the grant of a further lease for a term of 99 years where the current lease resulted from the subdivision or consolidation of a 99 year lease/s	275.85	286.00
Chapter 9, Part 9.4	Deciding whether a lease is concessional or not	1,035.00	1,071.00
Chapter 9, Part 9.4	Varying concessional lease to remove concessional status	2,070.00	2,142.00
Chapter 9, Part 9.6	Land Rent Payout Fee	1,628.55	1,686.00
Chapter 9, Part 9.9	Issue of Certificate of Compliance – single residential (including dual occupancy and individual units within a staged unit development)	49.00	50.80
Chapter 9, Part 9.9	Issue of Certificate of Compliance other than single residential	167.00	173.00
Chapter 9,	Authority's consent to transfer or assign a	324.75	336.00

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Part 9.9	lease or an interest in a lease		
Chapter 9, Part 9.9	Authority's consent to sublease all or part of the land contained in a lease	324.75	336.00
Chapter 9, Part 9.9	Authority's consent first transfer from the developer	Nil	Nil
Chapter 9, Part 9.11	Licence to occupy or use Territory Land - short term commercial use for restricted clientele (i) application fee	36.65	38.00
Chapter 9, Part 9.11	Licence to occupy or use Territory Land - short term commercial use for restricted clientele (ii) part day	63.40	65.70
Chapter 9, Part 9.11	Licence to occupy or use Territory Land - short term commercial use for restricted clientele (iii) whole day	92.65	95.90
Chapter 9, Part 9.11	Licence to occupy or use a nature strip – (a) works associated with development of nature strip	Nil	Nil
Chapter 9, Part 9.11	Licence to occupy or use a nature strip - (b) storage of building materials (established residential only)	36.65	38.00
	Plus for every week or part thereof for the duration of the use	32.55	33.70
Chapter 9, Part 9.11	Licence to occupy or use a nature strip for business promotion (for example, private enterprise land development advertisement)	36.65	38.00
	Plus for every week or part thereof for the duration of the use	32.55	33.70
Chapter 9, Part 9.11	Licence to occupy or use a nature strip plus surcharge for period of use per week	36.65	38.00
	Plus for every week or part	32.55	33.70

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	thereof for the duration of the use		
Chapter 9, Part 9.11	Grant of a licence to occupy or use unleased Territory Land for community groups for example, religious groups or clubs	1,161.95	1,203.00
Chapter 9, Part 9.11	Grant of a licence to occupy or use unleased Territory Land for other purposes (except for grazing).	2413.70	2498.00
Chapter 9, Part 9.11	Licence fee for the use of unleased land when the land is used for grazing stock	Nil	Nil
Chapter 9, Part 9.11	Grant of a licence to use a room in the Legislative Assembly Building (i) charity or community groups	N/A	N/A
Chapter 9, Part 9.11	Grant of a licence to use a room in the Legislative Assembly Building (ii) commercial or other groups	N/A	N/A
Chapter 11, Part 11.3	Application for controlled activity order.	104.00	108.00
Regulation, Schedule 1 Section 1.100A (4)	Application for exemption declaration – Otherwise non compliant single dwellings	227.70	236.00