

Australian Capital Territory

# Planning and Development (Fees) Determination 2012 (No 1)

Disallowable Instrument DI 2012-160

made under the

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

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- 1. Name of Instrument**  
This instrument is the *Planning and Development (Fees) Determination 2012 (No 1)*.
- 2. Commencement**  
This instrument commences on 1 July 2012.
- 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 2011-177 notified on the legislation register on 28 June 2011 is revoked.

Simon Corbell  
Minister for the Environment and Sustainable Development  
28 June 2012

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 \$ 2011-12 (3)	Fee payable GST Exempt \$ 2012-13 (4)
Chapter 3, Part 3.6	From the Public Register of Applications, Approvals and Order		
	Copies and extracts for each A4 page	0.30	0.40
	Copies and extracts for each A3 page	0.70	0.70
	Copies and extracts above A3 page – per page	14.40	16.20
	Supply of information in electronic disk format	6.40	6.60
Chapter 5, Part 5.3	Initial administrative charges for territory plan variations and planning studies	1,370.30	1,418.00
	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	2,740.70	2,837.00
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 and/or	29,492.30	30,525.00
	(b) Matters specified in Schedule 4, Part 4.3		
	(i) Column 1, Items 1 to 6	11,086.90	11,475.00
	(ii) Column 1, Items 7 to 11	2,217.00	2,295.00
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)	2,310.10	2,391.00

Plus

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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 \$ 2011-12 (3)	Fee payable GST Exempt \$ 2012-13 (4)
	(b) An amount determined in accordance with the cost of works based on the following scale:		
	Cost of work is \$0 –\$1,500	94.40	97.70
	Cost of work is \$1,501 to \$5,000	94.40	97.70
		(plus 0.550% of the amount in excess of 1,500)	(plus 0.571% of the amount in excess of 1,500)
	Cost of work is \$5,001 to \$20,000	113.65	118.00
		(plus 0.550% of the amount in excess of 5,000)	(plus 0.571% of the amount in excess of 5,000)
	Cost of work is \$20,001 to \$100,000	196.15	203.00
		(plus 0.400% of the amount in excess of 20,000)	(plus 0.415% of the amount in excess of 20,000)
	Cost of work is \$100,001 to \$150,000	516.15	534.00
		(plus 0.400% of the amount in excess of 100,000)	(plus 0.415% of the amount in excess of 100,000)
	Cost of work is \$150,001 to \$250,000	716.15	741.00
		(plus 0.400% of the amount in excess of 150,000)	(plus 0.415% of the amount in excess of 150,000)
	Cost of work is \$250,001 to \$500,000	1,116.15	1,155.00
		(plus 0.300% of the amount in excess of 250,000)	(plus 0.311% of the amount in excess of 250,000)
	Cost of work is \$500,001 to \$1,000,000	1,866.15	1,931.00
		(plus 0.300% of the amount in excess of 500,000)	(plus 0.311% of the amount in excess of 500,000)
	Cost of work is \$1,000,000 to	3,366.15	3,484.00

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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 \$ 2011-12 (3)	Fee payable GST Exempt \$ 2012-13 (4)
	\$10,000,000	(plus 0.170% of the amount in excess of 1,000,000)	(plus 0.176% of the amount in excess of 1,000,000)
	Cost of work is more than \$10,000,000	18,666.15 (plus 0.100% of the amount in excess of 10,000,000)	19,319.00 (plus 0.104% of the amount in excess of 10,000,000)
Chapter 7, Part 7.3	Degazettal of roads associated with a development application	1,206.80	1,249.00
Chapter 7, Part 7.3	Estate development plan approval - involving the gazettal of new roads	905.60	937.00
	Plus per block	51.80	53.50
Chapter 7, Part 7.3	Estate development plan approval - not involving the gazettal of new roads	517.50	536.00
	Plus per block	41.40	42.80
Chapter 7, Part 7.3	Amendments to approved estate development plans	905.60	937.00
	Plus per block affected by the amendment	51.80	53.50
Chapter 7, Part 7.3	Application for development – in addition to building costs calculated, where the works to be approved include an encroachment	1,053.60	2,391.00
Chapter 7, Part 7.3	Where the cost of work is calculated in accordance with the building Cost Guide (calculating the cost of work)		
	Application for development where the cost of the work is \$0 –\$1,500	94.40	97.70
	Application for development where the cost of the work is \$1,501 to \$5,000	94.40 (plus 0.550% of the amount in excess of 1,500)	97.70 (plus 0.571% of the amount in excess of 1,500)

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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 \$  2011-12 (3)	Fee payable GST Exempt \$  2012-13 (4)
	Application for development where the cost of the work is \$5,001 to \$20,000	113.65 (plus 0.550% of the amount in excess of 5,000)	118.00 (plus 0.571% of the amount in excess of 5,000)
	Application for development where the cost of the work is \$20,001 to \$100,000	196.15 (plus 0.400% of the amount in excess of 20,000)	203.00 (plus 0.415% of the amount in excess of 20,000)
	Application for development where the cost of the work is \$100,001 to \$150,000	516.15 (plus 0.400% of the amount in excess of 100,000)	534.00 (plus 0.415% of the amount in excess of 100,000)
	Application for development where the cost of the work is \$150,001 to \$250,000	716.15 (plus 0.400% of the amount in excess of 150,000)	741.00 (plus 0.415% of the amount in excess of 150,000)
	Application for development where the cost of the work is \$250,001 to \$500,000	1,116.15 (plus 0.300% of the amount in excess of 250,000)	1,155.00 (plus 0.311% of the amount in excess of 250,000)
	Application for development where the cost of the work is \$500,001 to \$1,000,000	1,866.15 (plus 0.300% of the amount in excess of 500,000)	1,931.00 (plus 0.311% of the amount in excess of 500,000)
	Application for development where the cost of the work is \$1,000,000 to \$10,000,000	3,366.15 (plus 0.170% of the amount in excess of 1,000,000)	3,484.00 (plus 0.176% of the amount in excess of 1,000,000)
	Application for development where the cost of the work is more than \$10,000,000	18,666.15 (plus 0.100% of the amount in excess of	19,319.00 (plus 0.104% of the amount in excess of

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		10,000,000)	10,000,000)
Chapter 7, Part 7.3	Application for development within a local centre application for development 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.	Nil	Nil
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	845.60	875.00
	Plus for each additional year up to 4 years	51.40	53.20
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. <small>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</small>	522.70	541.00
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 Plan, for one unit	1,745.00	1,806.00
	Plus for each additional unit	355.00	367.00
Chapter 7, Part 7.3	Application for development – Lease Variation	1,745.00	1,806.00
	Plus for each additional component	230.80	239.00

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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	Nil	Nil
	Plus for each additional component	Nil	Nil
Chapter 7, Part 7.3	Mining activities to carry out mining activities	5,174.00	5,355.00
Chapter 7, Part 7.3	Application for reconsideration of an original decision	156.30	162.00
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	997.70	1,033.00
Chapter 7, Part 7.3	Further information in relation to a development application is required		
	Supplementary information required	Nil	Nil
	Major deficiency in application	Nil	Nil
Chapter 7, Part 7.3	Amending development applications: the applicable public notification fee plus the following fee: Application lodged under the Merit Track		
	Single residential (for first	244.30	253.00

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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 \$ 2011-12 (3)	Fee payable GST Exempt \$ 2012-13 (4)
	amendment)		
	All other amendments in Merit Track:		
	First five amendments	609.60	631.00
	PLUS for each additional amendment	77.60	80.30
	Application lodged under the Impact Track:		
	First five amendments	2,217.00	2,295.00
	Plus for each additional amendment	77.60	80.30
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	241.20	246.00
Chapter 7, Part 7.3	Provide major public notification		
	For one sign	959.40	993.00
	For each additional small size sign	153.50	160.00
	For each additional large size sign	238.10	250.00
Chapter 7, Part 7.3	Development approval ends	25.80% of the separately- assessed DA fee	26.80% of the separately- assessed DA fee
	Certificate of 'Confirmation of Development Approval Exemption' to existing construction. Retrieval of building file and filing of certificate		
	Per individual certificate	17.80	18.40
	Per book of 10 certificate	170.80	177.00
Chapter 8, Part 8.2	Scoping of EIS	1,040.20	1,077.00
	S211 EIS Exemption Request	N/A	1,077.00
	Public notification of draft EIS	959.40	993.00



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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	5,137.70	5,318.00
Chapter 9, Part 9.2	Application for a direct grant of a lease for community groups for example, religious groups or clubs	1,143.70	1,184.00
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	1,143.70	1,184.00
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	296.00	306.00
	Plus for every unit	115.90	120.00
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	2,867.00	2,967.00
	Plus for every unit	115.90	120.00
Chapter 9, Part 9.3	Application for the grant of a further lease for rural purposes	296.00	306.00
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	296.00	306.00

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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	2,867.00	2,967.00
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	296.00	306.00
Chapter 9, Part 9.4	Deciding whether a lease is concessional or not	1,108.50	1,147.00
Chapter 9, Part 9.4	Varying concessional lease to remove concessional status	2,217.00	2,295.00
Chapter 9, Part 9.6	Application for reconsideration of an original decision for Lease Variation Charge	156.30	162.00
Chapter 9, Part 9.6	Land Rent Payout Fee	1,745.00	1,806.00
Chapter 9, Part 9.9	Issue of Certificate of Compliance – single residential (including dual occupancy and individual units within a staged unit development)	52.60	54.40
Chapter 9, Part 9.9	Issue of Certificate of Compliance other than single residential	179.10	185.00
Chapter 9, Part 9.9	Consent to transfer or assign a lease or an interest in a lease	347.80	360.00
Chapter 9, Part 9.9	Consent to sublease all or part of the land contained in a lease	347.80	360.00
Chapter 9, Part 9.9	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	39.30	40.70
Chapter 9, Part 9.11	Licence to occupy or use Territory Land - short term commercial use for restricted clientele (ii) part day	68.00	70.30

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Chapter 9, Part 9.11	Licence to occupy or use Territory Land - short term commercial use for restricted clientele (iii) whole day	99.30	102.70
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)	39.30	40.70
	Plus for every week or part thereof for the duration of the use	34.90	36.10
Chapter 9, Part 9.11	Licence to occupy or use a nature strip for business promotion (for example, private enterprise land development advertisement)	39.30	40.70
	Plus for every week or part thereof for the duration of the use	34.90	36.10
Chapter 9, Part 9.11	Licence to occupy or use a nature strip plus surcharge for period of use per week	39.30	40.70
	Plus for every week or part thereof for the duration of the use	39.30	36.10
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	1,245.10	1,289.00
Chapter 9, Part 9.11	Grant of a licence to occupy or use unleased Territory Land for other purposes (except for grazing and community gardens)	2,585.40	2,676.00
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)	N/A	N/A

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	commercial or other groups		
Chapter 9, Part 9.11	Grant of a licence to use Territory land to locate secure storage waste enclosures	Nil	Nil
Chapter 9, Part 9.11	Licence fee for the use of unleased Territory land when the land is used for community gardens as defined in the regulations	N/A	Nil
Chapter 11, Part 11.3	Application for controlled activity order.	111.80	116.00
Regulation, Schedule 1	Application for exemption declaration – Otherwise non compliant single dwellings	244.30	253.00
Section 1.100A (4)			
Chapter 7, Part 7.3	DA Submitted for completeness check – initial lodgement	Nil	Nil
	1 <sup>st</sup> failure Notice issued	155.30	161.00
	2 <sup>nd</sup> failure Notice issued	465.80	482.00
	3 <sup>rd</sup> failure Notice issued	1,086.80	1,125.00
	4 <sup>th</sup> failure Notice issued	2,328.80	2,410.00
	Plus fee for each additional failure notice	1,236.00	1,279.00