

Australian Capital Territory

Planning and Development (Fees) Determination 2013 (No 1)

Disallowable Instrument DI2013-158

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 2013 (No 1)*.
- 2. Commencement**
This instrument commences on 1 July 2013.
- 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 2012-160 notified on the legislation register on 29 June 2012 is revoked.

Simon Corbell
Minister for the Environment and Sustainable Development
20 June 2013

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 \$ 2012-13 (3)	Fee payable GST Exempt \$ 2013-14 (4)
Chapter 3, Part 3.6	From the Public Register of Applications, Approvals and Order		
	Copies and extracts for each A4 page	0.40	0.40
	Copies and extracts for each A3 page	0.70	0.70
	Copies and extracts above A3 page – per page	16.20	16.70
	Supply of information in electronic disk format	6.60	6.80
Chapter 5, Part 5.3	Initial administrative charges for territory plan variations and planning studies	1,418.00	1,464.10
	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	2,837.00	2,929.20
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	30,525.00	31,517.00
	(b) Matters specified in Schedule 4, Part 4.3		
	(i) Column 1, Items 1 to 6	11,475.00	11,848.00
	(ii) Column 1, Items 7 to 11	2,295.00	2,370.00
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)	2,391.00	2,469.00

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Plus

(b) An amount determined in accordance with the cost of works based on the following scale:

Cost of work is \$0 –\$1,500	97.70	101.00
Cost of work is \$1,501 to \$5,000	97.70 (plus 0.571% of the amount in excess of 1,500)	101.00 (plus 0.590% of the amount in excess of 1,500)
Cost of work is \$5,001 to \$20,000	118.00 (plus 0.571% of the amount in excess of 5,000)	122.00 (plus 0.590% of the amount in excess of 5,000)
Cost of work is \$20,001 to \$100,000	203.00 (plus 0.415% of the amount in excess of 20,000)	210.00 (plus 0.428% of the amount in excess of 20,000)
Cost of work is \$100,001 to \$150,000	534.00 (plus 0.415% of the amount in excess of 100,000)	551.00 (plus 0.428% of the amount in excess of 100,000)
Cost of work is \$150,001 to \$250,000	741.00 (plus 0.415% of the amount in excess of 150,000)	765.00 (plus 0.428% of the amount in excess of 150,000)
Cost of work is \$250,001 to \$500,000	1,155.00 (plus 0.311% of the amount in excess of 250,000)	1,193.00 (plus 0.321% of the amount in excess of 250,000)

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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 \$ 2012-13 (3)	Fee payable GST Exempt \$ 2013-14 (4)
	Cost of work is \$500,001 to \$1,000,000	1,931.00 (plus 0.311% of the amount in excess of 500,000)	1,994.00 (plus 0.321% of the amount in excess of 500,000)
	Cost of work is \$1,000,000 to \$10,000,000	3,484.00 (plus 0.176% of the amount in excess of 1,000,000)	3,597.00 (plus 0.182% of the amount in excess of 1,000,000)
	Cost of work is more than \$10,000,000	19,319.00 (plus 0.104% of the amount in excess of 10,000,000)	19,947.00 (plus 0.107% of the amount in excess of 10,000,000)
Chapter 7, Part 7.3	Degazettal of roads associated with a development application	1,249.00	1,290.00
Chapter 7, Part 7.3	Estate development plan approval - involving the gazettal of new roads	937.00	967.50
	Plus per block	53.50	55.20
Chapter 7, Part 7.3	Estate development plan approval - not involving the gazettal of new roads	536.00	553.40
	Plus per block	42.80	44.20
Chapter 7, Part 7.3	Amendments to approved estate development plans	937.00	967.50
	Plus per block affected by the amendment	53.50	55.20
Chapter 7, Part 7.3	Application for development – in addition to building costs calculated, where the works to be approved include an encroachment	2,391.00	2,469.00
Chapter 7, Part 7.3	Where the cost of work is calculated in accordance with the building Cost Guide		

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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 \$ 2012-13 (3)	Fee payable GST Exempt \$ 2013-14 (4)
	(calculating the cost of work)		
	Application for development where the cost of the work is \$0 –\$1,500	97.70	101.00
	Application for development where the cost of the work is \$1,501 to \$5,000	97.70 (plus 0.571% of the amount in excess of 1,500)	101.00 (plus 0.590% of the amount in excess of 1,500)
	Application for development where the cost of the work is \$5,001 to \$20,000	118.00 (plus 0.571% of the amount in excess of 5,000)	122.00 (plus 0.590% of the amount in excess of 5,000)
	Application for development where the cost of the work is \$20,001 to \$100,000	203.00 (plus 0.415% of the amount in excess of 20,000)	210.00 (plus 0.428% of the amount in excess of 20,000)
	Application for development where the cost of the work is \$100,001 to \$150,000	534.00 (plus 0.415% of the amount in excess of 100,000)	551.00 (plus 0.428% of the amount in excess of 100,000)
	Application for development where the cost of the work is \$150,001 to \$250,000	741.00 (plus 0.415% of the amount in excess of 150,000)	765.00 (plus 0.428% of the amount in excess of 150,000)
	Application for development where the cost of the work is \$250,001 to \$500,000	1,155.00 (plus 0.311% of the amount in excess of 250,000)	1,193.00 (plus 0.321% of the amount in excess of 250,000)
	Application for development where the cost of the work is \$500,001 to \$1,000,000	1,931.00 (plus 0.311% of the amount in excess of 500,000)	1,994.00 (plus 0.321% of the amount in excess of 500,000)

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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 \$ 2012-13 (3)	Fee payable GST Exempt \$ 2013-14 (4)
	Application for development where the cost of the work is \$1,000,000 to \$10,000,000	3,484.00 (plus 0.176% of the amount in excess of 1,000,000)	3,597.00 (plus 0.182% of the amount in excess of 1,000,000)
	Application for development where the cost of the work is more than \$10,000,000	19,319.00 (plus 0.104% of the amount in excess of 10,000,000)	19,947.00 (plus 0.107% of the amount in excess of 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	875.00	903.40
	Plus for each additional year up to 4 years	53.20	54.90
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 relocatable 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	541.00	558.60
Chapter 7, Part 7.3	Variation of a Unit Title Lease to vary a lease by a single application which affects	1,806.00	1,864.70

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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 \$ 2012-13 (3)	Fee payable GST Exempt \$ 2013-14 (4)
	more than one unit in the same Units Plan, for one unit		
	Plus for each additional unit	367.00	378.90
Chapter 7, Part 7.3	Application for development – Lease Variation	1,806.00	1,864.70
	Plus for each additional component	239.00	246.80
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	5,355.00	5,529.00
Chapter 7, Part 7.3	Application for reconsideration of an original decision	162.00	167.30
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	1,033.00	1,066.60
Chapter 7, Part 7.3	Further information in relation to a development application is required		
	Supplementary information required	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 \$ 2012-13 (3)	Fee payable GST Exempt \$ 2013-14 (4)
	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 amendment) All other amendments in Merit Track: First five amendments PLUS for each additional amendment Application lodged under the Impact Track: First five amendments Plus for each additional amendment	253.00 631.00 80.30 2,295.00 80.30	261.20 651.50 82.90 2,369.60 82.90
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	246.00	254.00
Chapter 7, Part 7.3	Provide major public notification For one sign For each additional small size sign For each additional large size sign	993.00 160.00 250.00	1,025.30 165.20 258.10
Chapter 7, Part 7.3	Development approval ends	26.80% of the separately- assessed DA fee	27.67% 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	18.40	19.00
	Per book of 10 certificate	177.00	182.80
Chapter 8, Part 8.2	Scoping of EIS	1,077.00	1,112.00
	S211 EIS Exemption Request	1,077.00	1,112.00
	Public notification of draft EIS	993.00	1,025.30
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	5,318.00	10,000.00
Chapter 9, Part 9.2	Application for a direct grant of a lease for community groups for example, religious groups or clubs	1,184.00	2,500.00
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 Territory, Territory Entity and Commonwealth Entity	na	2,500.00
Chapter 9, Part 9.2 and part 9.9	Authority's consent when the applicant is an agency of the ACT Government	Nil	Nil

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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 \$ 2012-13 (3)	Fee payable GST Exempt \$ 2013-14 (4)
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 Plus for every unit	306.00 120.00	367.00 144.00
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 Plus for every unit	2,967.00 120.00	3,263.00 144.00
Chapter 9, Part 9.3	Application for the grant of a further lease for rural purposes	306.00	367.00
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	306.00	367.00
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	2,967.00	3,263.00
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	306.00	315.90
	Application for the grant of a further lease for a term not exceeding the term of the existing lease other than residential purposes – Commercial	na	1,263.00
	Application for the grant of a further lease for a term exceeding the term of the existing lease other than residential purposes – Commercial	na	3,263.00
Chapter 9, Part 9.4	Deciding whether a lease is concessional or not	1,147.00	1,184.30

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Chapter 9, Part 9.4	Varying concessional lease to remove concessional status	2,295.00	2,369.60
Chapter 9, Part 9.6	Application for reconsideration of an original decision for Lease Variation Charge	162.00	282.00
Chapter 9, Part 9.6	Land Rent Payout Fee	1,806.00	1,864.70
Chapter 9, Part 9.9	Issue of Certificate of Compliance – single residential (including dual occupancy and individual units within a staged unit development)	54.40	56.20
Chapter 9, Part 9.9	Issue of Certificate of Compliance other than single residential	185.00	191.00
Chapter 9, Part 9.9	Consent to transfer or assign a lease or an interest in a lease	360.00	371.70
Chapter 9, Part 9.9	Consent to sublease all or part of the land contained in a lease	360.00	371.70
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	40.70	42.00
Chapter 9, Part 9.11	Licence to occupy or use Territory Land - short term commercial use for restricted clientele (ii) part day	70.30	72.60
Chapter 9, Part 9.11	Licence to occupy or use Territory Land - short term commercial use for restricted clientele (iii) whole day	102.70	106.00
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)	40.70	42.00

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	Plus for every week or part thereof for the duration of the use	36.10	37.30
Chapter 9, Part 9.11	Licence to occupy or use a nature strip for business promotion (for example, private enterprise land development advertisement)	40.70	42.00
	Plus for every week or part thereof for the duration of the use	36.10	37.30
Chapter 9, Part 9.11	Licence to occupy or use a nature strip plus surcharge for period of use per week	40.70	42.00
	Plus for every week or part thereof for the duration of the use	36.10	37.30
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	1,289.00	1,330.90
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)	2,676.00	2,763.00
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 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	Nil	Nil

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Chapter 11, Application for controlled activity order.
Part 11.3

Residential Zone 1	na	150.00
Residential Zone 2	na	200.00
Residential Zone 3	na	300.00
Residential Zone 4	na	400.00
Residential Zone 4	na	500.00
Commercial and Industrial	na	350.00

Regulation, Application for exemption declaration – Schedule 1 Otherwise non compliant single dwellings	253.00	261.20
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Section
1.100A (4)

Chapter 7, Part 7.3	DA Submitted for completeness check – initial lodgement	Nil	Nil
	1 st failure Notice issued	161.00	166.20
	2 nd failure Notice issued	482.00	497.70
	3 rd failure Notice issued	1,125.00	1,161.60
	4 th failure Notice issued	2,410.00	2,488.30
	Plus fee for each additional failure notice	1,279.00	1,320.60