

Australian Capital Territory

Planning and Development (Fees) Determination 2015 (No 1)

Disallowable Instrument DI2015-189

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 2015 (No 1)*.
- 2. Commencement**
This instrument commences on 1 July 2015.
- 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**
DI2014-162 notified on the legislation register on 26 June 2014 is revoked.

Mick Gentleman
Minister for Planning
22 June 2015

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 \$ 2014-15 (3)	Fee payable GST Exempt \$ 2015-16 (4)
Chapter 5, Part 5.3	Initial administrative charges for territory plan variations and planning studies	1,520.00	1,581.00
	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	3,045.00	3,167.00
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	32,780.00	34,091.00
	(b) Matters specified in Schedule 4, Part 4.3		
	(i) Column 1, Items 1 to 6	12,320.00	12,813.00
	(ii) Column 1, Items 7 to 11	2,465.00	2,564.00
	(c) Applications in Impact track with no specific schedule 4 trigger	2,465.00	2,564.00
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)	2,570.00	2,673.00
	Plus		
	(b) An amount determined in accordance with the cost of works based on the following scale:		
	Cost of work is \$0 –\$1,500	105.00	109.00
	Cost of work is \$1,501 to \$5,000	105.00	109.00
		(plus 0.594% of the amount in	(plus 0.618% of the amount in

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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 \$ 2014-15 (3)	Fee payable GST Exempt \$ 2015-16 (4)
		excess of 1,500)	excess of 1,500)
	Cost of work is \$5,001 to \$20,000	127.00 (plus 0.594% of the amount in excess of 5,000)	132.00 (plus 0.618% of the amount in excess of 5,000)
	Cost of work is \$20,001 to \$100,000	218.00 (plus 0.432% of the amount in excess of 20,000)	227.00 (plus 0.449% of the amount in excess of 20,000)
	Cost of work is \$100,001 to \$150,000	573.00 (plus 0.432% of the amount in excess of 100,000)	596.00 (plus 0.449% of the amount in excess of 100,000)
	Cost of work is \$150,001 to \$250,000	796.00 (plus 0.432% of the amount in excess of 150,000)	828.00 (plus 0.449% of the amount in excess of 150,000)
	Cost of work is \$250,001 to \$500,000	1,240.00 (plus 0.323% of the amount in excess of 250,000)	1,290.00 (plus 0.336% of the amount in excess of 250,000)
	Cost of work is \$500,001 to \$1,000,000	2,075.00 (plus 0.323% of the amount in excess of 500,000)	2,158.00 (plus 0.336% of the amount in excess of 500,000)
	Cost of work is \$1,000,000 to \$10,000,000	3,740.00 (plus 0.183% of the amount in excess of 1,000,000)	3,890.00 (plus 0.190% of the amount in excess of 1,000,000)
	Cost of work is more than \$10,000,000	20,745.00 (plus 0.108% of	21,575.00 (plus 0.112% of

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		the amount in excess of 10,000,000)	the amount in excess of 10,000,000)
Chapter 7, Part 7.3	Degazettal of roads associated with a development application	1,340.00	1,394.00
Chapter 7, Part 7.3	Estate development plan approval - involving the gazettal of new roads	1,010.00	1,050.00
	Plus per block	57.00	59.00
Chapter 7, Part 7.3	Estate development plan approval - not involving the gazettal of new roads	576.00	599.00
	Plus per block	46.00	48.00
Chapter 7, Part 7.3	Amendments to approved estate development plans	1,010.00	1,050.00
	Plus per block affected by the amendment	57.00	59.00
Chapter 7, Part 7.3	Application for development – in addition to building costs calculated, where the works to be approved include an encroachment	2,565.00	2,668.00
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	105.00	109.00
	Application for development where the cost of the work is \$1,501 to \$5,000	105.00 (plus 0.594% of the amount in excess of 1,500)	109.00 (plus 0.618% of the amount in excess of 1,500)
	Application for development where the cost of the work is \$5,001 to \$20,000	127.00 (plus 0.594% of the amount in excess of 5,000)	132.00 (plus 0.618% of the amount in excess of 5,000)
	Application for development where the	218.00	227.00

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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 \$ 2014-15 (3)	Fee payable GST Exempt \$ 2015-16 (4)
	cost of the work is \$20,001 to \$100,000	(plus 0.432% of the amount in excess of 20,000)	(plus 0.449% of the amount in excess of 20,000)
	Application for development where the cost of the work is \$100,001 to \$150,000	573.00 (plus 0.432% of the amount in excess of 100,000)	596.00 (plus 0.449% of the amount in excess of 100,000)
	Application for development where the cost of the work is \$150,001 to \$250,000	796.00 (plus 0.432% of the amount in excess of 150,000)	828.00 (plus 0.449% of the amount in excess of 150,000)
	Application for development where the cost of the work is \$250,001 to \$500,000	1,240.00 (plus 0.323% of the amount in excess of 250,000)	1,290.00 (plus 0.336% of the amount in excess of 250,000)
	Application for development where the cost of the work is \$500,001 to \$1,000,000	2,075.00 (plus 0.323% of the amount in excess of 500,000)	2,158.00 (plus 0.336% 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	3,740.00 (plus 0.183% of the amount in excess of 1,000,000)	3,890.00 (plus 0.190% of the amount in excess of 1,000,000)
	Application for development where the cost of the work is more than \$10,000,000	20,745.00 (plus 0.108% of the amount in excess of 10,000,000)	21,575.00 (plus 0.112% of the amount in excess of 10,000,000)

Application for Refund

Where the development application is

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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 \$ 2014-15 (3)	Fee payable GST Exempt \$ 2015-16 (4)
	<p>withdrawn prior to assessment or public notification</p> <ul style="list-style-type: none"> - a full refund is payable less an administrative fee to cover processing <p>If the development application is withdrawn after assessment or public notification has begun</p> <ul style="list-style-type: none"> - the refund will be 50% of the fees paid for the components which are being processed AND - full refund of fees for the components for which assessment has not commenced 		
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	940.00	978.00
	Plus for each additional year up to 4 years	57.00	59.00
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	1,940.00	2,018.00
	Plus for each additional unit	394.00	410.00
Chapter 7, Part 7.3	Application for development – Lease Variation, consolidation, subdivision	1,940.00	2,018.00
	Plus for each additional component	256.70	267.00
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	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 \$ 2014-15 (3)	Fee payable GST Exempt \$ 2015-16 (4)
	lease conditions		
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	5,750.00	5,980.00
Chapter 7, Part 7.3	Application for reconsideration of an original decision	293.00	305.00
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	1,110.00	1,154.00
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 (does not include estate development plans): the applicable public notification fee plus the following fee: Application lodged in Code Track Application lodged under the Merit Track		
	Single residential and development	272.00	283.00

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	proposals on individual residential units within a unit complex (for first amendment)		
	All other amendments in Merit Track:		
	First five amendments	678.00	705.00
	PLUS for each additional amendment	86.00	89.00
	Application lodged under the Impact Track:		
	First five amendments	2,464.00	2,563.00
	Plus for each additional amendment	86.00	89.00
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	264.00	275.00
Chapter 7, Part 7.3	Provide major public notification		
	For one sign	1,066.00	1,109.00
	For each additional small size sign	172.00	179.00
	For each additional large size sign	268.00	279.00
	Notice of 'Confirmation of Development Approval Exemption' to existing construction. Retrieval of file and filing of notice		
	Per individual notice	20.00	21.00
Chapter 8, Part 8.2	Scoping Document preparation	1,157.00	1,203.00
	S211 EIS Exemption Application	1,157.00	1,203.00
	Public notification of draft EIS or Section 211 EIS Exemption application	1,066.00	1,109.00
Chapter 8,	Recovery of inquiry panel costs	Actual direct and indirect costs incurred in the	Actual direct and indirect costs incurred in the

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Part 8.3		conduct of an inquiry	conduct of an inquiry
Chapter 9, Part 9.2	Application for a direct grant of a lease for rural land	2,600.00	2,704.00
Chapter 9, Part 9.2	Application for a direct grant of a lease for sites other than community or rural land	10,400.00	10,816.00
Chapter 9, Part 9.2	Application for a direct grant of a lease for community groups for example, religious groups or clubs	2,600.00	2,704.00
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 a direct grant of lease for Territory, Territory Entity and Commonwealth Entity	2,600.00	2,704.00
Chapter 9, Part 9.2 and part 9.9	Authority's consent when the applicant is an agency of the ACT Government	Nil	Nil
	Refund - Application for the direct grant of a lease When the applicant does not meet the eligibility requirements - full refund less administrative fee		
	When the agency responsible cannot find a suitable site - 50% refund of application fee paid		
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	382.00	397.00
	Plus for every unit	150.00	156.00

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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 for residential purposes Plus for every unit	3,395.00 150.00	3,531.00 156.00
Chapter 9, Part 9.3	Application for the grant of a further lease for rural purposes	382.00	397.00
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 Plus for every unit	1,315.00 150.00	1,368.00 156.00
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 Plus for every unit	3,395.00 150.00	3,531.00 156.00
Chapter 9, Part 9.4	Deciding whether a lease is concessional or not	1,230.00	1,279.00
Chapter 9, Part 9.4	Varying concessional lease to remove concessional status	2,465.00	2,564.00
Chapter 9, Part 9.6	Application for reconsideration of a Lease Variation Charge determination	3,120.00	3,245.00
Chapter 9, Part 9.6	Land Rent payout for residential applications seeking to use the current UVC rather than providing an independent valuation		1,500.00
Chapter 9, Part 9.6	Land Rent Payout - Other	1,940.00	2,018.00
Chapter 9, Part 9.9	Issue of Certificate of Compliance – single residential (including dual occupancy and individual units within a staged unit development)	56.00	58.00
Chapter 9,	Issue of Certificate of Compliance other	199.00	207.00

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Part 9.9	than single residential		
Chapter 9, Part 9.9	Consent to transfer or assign a lease or an interest in a lease	387.00	402.00
Chapter 9, Part 9.9	Consent to sublease all or part of the land contained in a lease	387.10	402.00
Chapter 9, Part 9.9	Consent first transfer from the developer	Nil	Nil
Chapter 9, Part 9.9	Consent first transfer when applicant is an agency of the ACT Government	Nil	Nil
Chapter 9, Part 9.11	Licence to occupy or use Territory Land - short term commercial use for restricted clientele (i) application fee	44.00	46.00
Chapter 9, Part 9.11	Licence to occupy or use Territory Land - short term commercial use for restricted clientele (ii) part day	76.00	79.00
Chapter 9, Part 9.11	Licence to occupy or use Territory Land - short term commercial use for restricted clientele (iii) whole day	110.00	114.00
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)	44.00	46.00
	Plus for every week or part thereof for the duration of the use	39.00	41.00
Chapter 9, Part 9.11	Licence to occupy or use a nature strip for business promotion (for example, private enterprise land development advertisement)	44.00	46.00
	Plus for every week or part thereof for the duration of the use	39.00	41.00
Chapter 9, Part 9.11	Licence to occupy or use a nature strip plus surcharge for period of use per week	44.00	46.00

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	Plus for every week or part thereof for the duration of the use	39.00	41.00
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	1,385.00	1,440.00
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)	2,875.00	2,990.00
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
Chapter 9, Part 9.11	Application to vary an existing licence to occupy or use unleased Territory land – for groups other than grazing and community organisations		1,500.00

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Chapter 11, Part 11.3	Application for controlled activity order.		
	Residential Zone 1	156.00	162.00
	Residential Zone 2	208.00	216.00
	Residential Zone 3	312.00	324.00
	Residential Zone 4	416.00	433.00
	Residential Zone 5	520.00	541.00
	Commercial and Industrial	364.00	379.00
Regulation , Schedule 1 Section 1.100A (4)	Application for exemption declaration – Otherwise non compliant single dwellings	272.00	283.00