

# Public Unleased Land (Fees) Determination 2015 (No 1)

## Disallowable Instrument DI2015 - 86

made under the

*Public Unleased Land Act 2013*, section 130 (Determination of fees)

## EXPLANATORY STATEMENT

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Section 130 of the *Public Unleased Land Act 2013* (Act) permits the Minister to determine fees for the purposes of the Act.

This determination revokes the previous fee determination (DI2014–187) that set fees for the 2014-2015 financial year and establishes fees from 1 July 2015.

### Exemption of Fees

Paragraph 7 of the determination exempts charities and Territory Authorities from various fees referred to in Schedule 1. A charity means an entity registered under an Act; for example, the *Australian Charities and Not-for-profits Commission Act 2012* (Cth); and falls within the definition of a “charity” in the *Charities Act 2013* (Cth). A “Territory Authority” is defined in the *Legislation Act 2001*.

### Schedule 1

The description of the matters for which a fee is payable in Schedule 1, Column 2 has been amended to reflect the language used in the relevant section of the Act and to maintain consistency throughout the schedule.

The fees referred to in items 1.3, 1.4, 1.5, 1.6, 1.7 and 1.8 in Schedule 1, were previously made under the executive powers of the Director-General for the purpose of cost recovery. These fees have been included in the determination, to provide greater clarity, transparency and Assembly scrutiny of fee making powers under the Act.

There was a change to item 2.7 for the application for a public unleased land permit for all other commercial purposes within a tertiary area from \$0.46 per day (unlimited m<sup>2</sup>) to \$0.04 per m<sup>2</sup> per day. The fee will align all three zones to be an area based fee (per m<sup>2</sup>) structure.

The determination increases a number of fees by 4% taking into consideration rounding for cash handling purposes.

The determination takes effect on 1 July 2015.