

Australian Capital Territory

Public Unleased Land (Fees) Determination 2016 (No 1)

Disallowable Instrument DI2016—162

made under the

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

EXPLANATORY STATEMENT

Section 130 of the *Public Unleased Land Act 2013* (Act) provides that the Minister may determine fees for the Act.

Exemption of fees

Paragraph 6 of the determination exempts charities and ACT Government agencies and authorities from various fees referred to in schedule 1.

Waiver of fees

The determination permits the Director-General, Transport Canberra and City Services; the Deputy Director-General, City Services; and the Executive Director, Roads and Infrastructure to waive fees in specified circumstances.

Schedule 1

The determination sets the fee for an application for residential works approval associated with nature strip landscaping at \$0.00 at item 1.3.

The determination introduces a fee at item 3.0 of schedule 1 to address parking revenue forgone where activity for any other commercial purpose occupies pay parking spaces. The fee payable is established by determination under the *Road Transport (General) Act 1999*.

The determination introduces a fee at item 3.1 to address parking amenity lost where activity for any other commercial purpose occupies unpaid parking spaces.

The determination introduces fees at items 3.2, 3.3, 3.4, 3.5 and 3.6, which were previously made under the *Hawkers Act 2013* (Hawkers Act). These fees have been included in the determination because the *Red Tape Reduction Legislation Amendment Act 2015*, repealed the Hawkers Act and included the application of a permit to carry on business as a hawker as part of the *Public Unleased Land Act 2013*.

The fee payable for items 3.2 – 3.6 in schedule 1 may be paid by quarterly or yearly instalments.

The determination increases fees by 4% from the previous determination, rounded where necessary for cash handling and other purposes.

This determination revokes the previous fee determination (DI2015–86) that set fees for the 2015-2016 financial year, and establishes fees from 1 July 2016.

The determination takes effect on 1 July 2016.