

# Land (Planning and Environment) (Fees) Determination 2005 (No 1)

**Disallowable Instrument DI2005—117**

made under the

**Land (Planning and Environment) Act 1991, s 287 (Determination of fees)**

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**1. Name of Instrument**

This instrument is the *Land (Planning and Environment) (Fees) Determination 2005 (No 1)*.

**2. Commencement**

This instrument commences on 1 July 2005.

**3. Determination of fees**

The fees set out in the schedule are determined.

This determination does not apply to the lodging, under the Land (Planning and Environment) Act 1991, section 226 (Application to undertake development), of an application for approval to undertake a development if-

- (a) the application relates to a parcel of land on which a building or structure was destroyed or damaged by fire, or in the course of fighting fire, associated with the bushfire emergency that began on 18 January 2003 and ended on 28 January 2003; and
- (b) the application is for the erection or alteration of a building or structure that replaces a building or structure of the same kind that was located on the land immediately before the beginning of the bushfire emergency and was damaged during the bushfire emergency; and
- (c) the application would not result in an increase in the number of dwellings on the land.
- (d) at the time the application for the development is made, the person who was the lessee of the land at the beginning of the bushfire emergency is no longer the lessee of the land; but
- (e) before the beginning of the bushfire emergency, a person had entered into an agreement with the lessee of the land giving the person a right to the transfer of the lease, but no transfer had been registered under the Land Titles Act 1925 in accordance with the agreement, the person is taken to be the lessee of the land at the beginning of the emergency.

Minister's Initials \_\_\_\_\_

**4. Payment of fees**

The determined fees are payable to the ACT Government by a person requesting the goods or services mentioned in schedule 1.

**5. Revocation**

DI 2004-228 notified on the legislation register on 16 September 2004 is revoked.

Simon Corbell  
Minister for Planning  
23 June 2005

*THIS IS PAGE 1 OF THE SCHEDULE TO THE DETERMINATION MADE BY THE MINISTER UNDER THE LAND (PLANNING AND ENVIRONMENT) ACT 1991.*

<b>Relevant Section for which a fee is payable</b>	<b>Description of Matter for which fee is payable</b>	<b>Fee Payable (GST exempt) \$</b>	<b>Fee Payable (GST exempt) \$</b>
<b>(1)</b>	<b>(2)</b>	<b>2004-05 (3)</b>	<b>2005-06 (4)</b>
Section 116	Lodgement and public notification of a preliminary assessment	516.00	528.00
Section 117	Provision of a copy of a Preliminary Assessment – 1 to 50 pages	5.20	5.30
Section 117	Provision of a copy of a Preliminary Assessment – more than 50 pages	10.40	10.60
Section 161	Application for a Direct Grant of a Lease (a) for sites other than community or rural land	4,023.00	4,123.00
Section 161	Application for a Direct Grant of a Lease for community groups eg. Religious groups or clubs	896.00	918.00
Section 161	Application for a Direct Grant of a Lease for rural land associated with an application under Section 171A	Nil	Nil
Section 161	Application for the Direct Grant of a Lease for rural land	896.00	918.00
Section 171	Application for the grant of a further lease for a term not exceeding the term of the existing lease for residential purposes	232.00	237.00
Section 171 & 172	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	N/A	237.00
Section 171	Application for the grant of a further lease for a term exceeding the term of the existing lease for residential purposes	2,245.00	2,301.00
Section 171A	Application for the grant of a further lease for rural purposes	232.00	237.00

Minister's Initials \_\_\_\_\_

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<b>(1)</b>	<b>(2)</b>	<b>2004-05 (3)</b>	<b>2005-06 (4)</b>
Section 172	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	232.00	237.00
Section 172	Application for the grant of a further lease for a term exceeding the term of the existing lease other than residential or rural purposes	2,245.00	2,301.00
Section 179	Issue of Certificate of Compliance other than single residential	141.00	144.00
Section 179	Issue of Certificate of Compliance – single residential (including dual occupancy and individual units within a staged unit development)	40.80	41.80
Section 210	Licence fee for the use of unleased land when the land is used for grazing stock	Nil	Nil
Section 217	Licence fee when land is used for grazing stock	N/A	Nil
Section 217	Grant of Industrial Area Lease or Licence application for grant of licence for industrial area sites	2,025.00	2,075.00
Section 217	Licence to occupy or use Territory Land -short term commercial use for restricted clientele (i) application fee	30.80	31.50
Section 217	Licence to occupy or use Territory Land -short term commercial use for restricted clientele (ii) whole day	77.80	79.70
Section 217	Licence to occupy or use Territory Land -short term commercial use for restricted clientele (iii) part day	53.20	54.50
Section 217	Licence to occupy or use a nature strip – (a) Works associated with development of nature strip	Nil	Nil

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THE MINISTER UNDER THE LAND (PLANNING AND ENVIRONMENT) ACT  
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<b>(1)</b>	<b>(2)</b>	<b>2004-05 (3)</b>	<b>2005-06 (4)</b>
Section 217	Licence to occupy or use a nature strip - (b) storage of building materials (established residential only)	30.80	31.50
Section 217	Licence to occupy or use a nature strip for business promotion (eg. Private enterprise land development advertisement) – plus \$30.20 per week for the period of use	30.80	31.50
Section 217	Licence to occupy or use a nature strip plus surcharge for period of use per week – plus \$30.20 per week for the period of use	30.80	31.50
Section 217	Grant of a Licence to occupy or use unleased Territory Land (including Public Land) for community groups eg religious groups or clubs	975.00	999.00
Section 217	Grant of a Licence to occupy or use unleased Territory Land except where the land is used for grazing stock.	2,025.00	2,075.00
Section 217	Grant of a Licence to use a room in the Legislative Assembly Building (i) charity or community groups	34.90	35.70
Section 217	Grant of a Licence to use a room in the Legislative Assembly Building (ii) commercial or other groups	62.70 per day or part thereof	64.20 per day or part thereof
Section 226	Subdivision Implementation Plan Approval - involving the gazettal of new roads – plus \$47.00 per block	437.00	447.00
Section 226	Subdivision Implementation Plan Approval - NOT involving the gazettal of new roads – plus \$36.00 per block	218.00	223.00
Section 226	Application for Development where the cost of the work is \$0 –\$1,500	76.50	78.40

Minister's Initials \_\_\_\_\_

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<b>(1)</b>	<b>(2)</b>	<b>2004-05 (3)</b>	<b>2005-06 (4)</b>
Section 226	Application for Development where the cost of the work is \$1,501 to \$5,000	76.50 plus 0.183% of the amount in excess of 1,500	78.40 plus 0.183% of the amount in excess of 1,500
Section 226	Application for Development where the cost of the work is \$5,001 to \$20,000	83.00 plus 0.188% of the amount in excess of 5,000	85.00 plus 0.188% of the amount in excess of 5,000
Section 226	Application for Development where the cost of the work is \$20,001 to \$100,000	111.0 plus 0.188% of the amount in excess of 20,000	113.0 plus 0.188% of the amount in excess of 20,000
Section 226	Application for Development where the cost of the work is \$100,001 to \$150,000	265.00 plus 0.15% of the amount in excess of 100,000	271.00 plus 0.15% of the amount in excess of 100,000
Section 226	Application for Development where the cost of the work is \$150,001 to \$250,000	341.00 plus 0.15% of the amount in excess of 150,000	349.00 plus 0.15% of the amount in excess of 150,000
Section 226	Application for Development where the cost of the work is \$250,001 to \$500,000	494.00 plus 0.15% of the amount in excess of 250,000	494.00 plus 0.15% of the amount in excess of 250,000
Section 226	Application for Development where the cost of the work is \$500,001 to \$1,000,000	877.00 plus 0.12% of the amount in excess of 500,000	898.00 plus 0.12% of the amount in excess of 500,000

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Relevant Section for which a fee is payable	Description of Matter for which fee is payable	Fee Payable (GST exempt) \$	Fee Payable (GST exempt) \$
(1)	(2)	2004-05 (3)	2005-06 (4)
Section 226	Application for Development where the cost of the work is \$1,000,000 to \$10,000,000	1,489.00 plus 0.075% of the amount in excess of 1,000,000	1,526.00 plus 0.075% of the amount in excess of 1,000,000
Section 226	Application for Development where the cost of the work is more than \$10,000,000	8,374.00 plus 0.05% of the amount in excess of 10,000,000	8,583.00 plus 0.05% of the amount in excess of 10,000,000
Section 226	Application for Development within a Local Centre Application for development within a local centre as defined by the Territory Plan as Local Area (Commercial 'D'), if there is in respect to that development, a declaration under Regulation 18 of the Land	Nil	Nil
Section 226	Application for Development – In addition to building costs calculated, where the works to be approved include an encroachment	510.00	522.00
Section 226	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 - plus \$44.50 for each additional year up to 4 years	409.00	419.00
Section 226	Use of land for a Home Business within the meaning of the Territory Plan for renewal of an application to carry out a home business for a term of 1 year - plus \$44.50 for each additional year up to 4 years	185.00	189.00

Minister's Initials \_\_\_\_\_

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<b>(1)</b>	<b>(2)</b>	<b>2004-05 (3)</b>	<b>2005-06 (4)</b>
Section 175	Use of Land under Section 175 use of land for an activity prescribed for the purposes of S175 of the Land Act, including: a special dwelling; confidential services; and a re-locatable home or temporary residence.	409.00	419.00
Section 226	Signs application fee (plus applicable public notification, development and building fees)	51.20	52.40
Section 226	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 – plus \$307.50 for each additional unit	1,366.00	1,400.00
Section 226	Applications for Development – Lease Variation (plus \$200 for each additional component)	\$1,366 (plus \$200 for each additional component)	\$1,400 (plus \$200 for each additional component)
Section 226	Subdivision/ Consolidation, for a grant of a new rural lease associated with an application under Section 171A for the purpose of effecting a consolidation of Territory Land	Nil	Nil
Section 226	Subdivision/ Consolidation, for other leases, for other leases, for the grant of a new lease for the purpose of effecting a sub-division or consolidation of Territory Land	1,366.00	1,400.00
Section 226	Subdivision/Consolidation, for other leases, for the grant of a new lease for the purpose of effecting a subdivision or consolidation of Territory Land (plus \$200 for each additional component)	1,366.00 (plus 200 for each additional component)	1,400.00 (plus 200 for each additional component)

Minister's Initials \_\_\_\_\_



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<b>(1)</b>	<b>(2)</b>	<b>2004-05 (3)</b>	<b>2005-06 (4)</b>
Section 226	Mining Activities to carry out mining activities	4,051.00	4,152.00
Section 227	Copies and Extracts from the register of applications, approvals and orders or part of a document relevant to an Application for each A4 page	0.25	0.25
Section 227	Copies and Extracts from the register of applications, approvals and orders or part of a document relevant to an Application for each A3 page	0.50	0.50
Section 227	Copies and Extracts from the register of applications, approvals and orders or part of a document relevant to an Application above A3 page – per page	10.40	10.60
Section 227	Supply of information from the Public Register of Applications, Approvals and Order in electronic disk format	5.00	5.10
	Applications for Development – Lease Variation	1,366.00	1,400.00
Section 226	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
Section 167 & 180	Authority's consent when the applicant is an agency of the ACT Government	Nil	Nil
Section 180	Authority's consent to transfer or assign a lease or an interest in a lease	274.00	280.00
Section 246	Application for reconsideration of an original decision	122.00	125.00

Minister's Initials \_\_\_\_\_