

8. Building Act 1972

AUSTRALIAN CAPITAL TERRITORY

BUILDING ACT 1972

DETERMINATION OF FEES 1992

NO 102 OF 1992

Under section 65 of the Building Act 1972 I REVOKE all previous determinations of fees. I DETERMINE that the fees payable for the purposes of the Act shall be as follows.

Builder's Licences

1. For the purposes of Section 15(4) the following licence fees are payable.
 - a) where an applicant is not the holder of a builder's licence
 - 1) if the applicant is a company or partnership \$165.00
 - 2) where the application discloses that the applicant has the qualifications prescribed in Sections 16(2)(a) or (b), (3)(a) or (b) or (4)(a) or (b) relevant to the licence applied for \$115.00
 - 3) in any other case \$275.00
 - b) where an applicant who is the holder of a builder's licence applies for a different class of licence or a different endorsement under Section 14(6a) \$115.00
2. For the purposes of Section 17(6) the fee for the grant of a licence is:
 - a) if the period of the licence is
 - 1) 1 year or less \$248.00
 - 2) for each additional month \$21.00
 - 3) more than 1 year but not exceeding 2 years \$430.00
 - 4) more than 2 years but not exceeding 3 years \$620.00and;
 - b) if the Building Controller's examination of the application discloses that the applicant's disclosure regarding the prescribed qualification is incorrect in addition to any other fee that is payable \$120.00

The fee payable if the applicant withdraws his application after the assessment has begun but before a final decision is made will be 50% of the total fee that is payable.

Owner-builder permits assessment fee

3. Under sub-section 39(1)(b), where a person who is not a licensee applies for the grant of a building permit for building work on land owned by the person and

- (a) the applicant meets the eligibility requirements \$120.00
(b) other applicants \$120.00

The fee payable if the applicant withdraws his application after the assessment has begun but before a final decision is made will be 50% of the total fee that is payable.

Application for approval of plans and specifications

4. (a) For the purposes of Section 31(2) the following fees are payable in respect of an application made for the approval of a plan for carrying out of work in relation to a building that is erected or proposed to be erected on land the lease of which provides that the land shall be used for residential purposes ("residential building work") being a plan for the erection or alteration of a building or improvement (whether or not in connection with the alteration of other buildings or improvements)

(i) In the case of the erection of a residence (including units and townhouses) where the cost of the building work is

\$0 to \$50000	\$200.00 plus 0.4% of cost over \$10000
\$50000 to \$100000	\$360.00 plus 0.68% of cost over \$50000
More than \$100000	\$700.00 plus 0.48% of cost over \$100000

(ii) In the case of the erection of a swimming pool and associated fence, gate, deck and concourse where the cost of the building work is

\$0 to \$50000	\$200.00 plus 0.4% of cost over \$10000
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\$50000 to \$100000	\$360.00 plus 0.68% of cost over \$50000
More than \$100000	\$700.00 plus 0.48% of cost over \$100000

(iii) In the case of any other new residential building work or any other new alterations or additions to an existing building or any other structure where the cost of the building work is

\$0 to \$50000	\$200.00 plus 0.4% of cost over \$10000
\$50000 to \$100000	\$360.00 plus 0.68% of cost over \$50000
More than \$100000	\$700.00 plus 0.48% of cost over \$100000

(b) For the purposes of Section 31(2) the following fees are payable in respect of an application made for the approval of a plan for the carrying out of building work other than residential building work ("commercial building work")

(i) In the case of alterations or additions within an existing building or structure where the cost of the building work is

\$5,000 or less	\$120.00
\$5,000 to \$75,000 plus 0.90% of the amount by which the cost exceeds \$5,000	\$120.00
\$75,000 to \$320,000 plus 0.48% of the amount by which the cost exceeds \$75,000	\$750.00
\$320,000 to \$1,300,000 plus 0.24% of the amount by which the cost exceeds \$320,000	\$1,926.00
\$1,300,000 or more plus 0.12% of the amount by which the cost exceeds \$1,300,000	\$4278.00

(ii) in any other case - where the cost of the building work is

\$10,000 or less	\$120.00
\$10,000 to \$75,000 Plus 0.6% of amount by which the cost exceeds \$10,000	\$120.00
\$75,000 to \$320,000 Plus 0.24% of amount by which the cost exceeds \$75,000	\$510.00
\$320,000 to \$1,300,000 Plus 0.12% of the amount by which the cost exceeds \$320,000	\$1098.00
\$1,300,000 or more. Plus 0.06% of the amount by which the cost exceeds \$1,300,000.	\$2274.00

(c) For the purposes of section 33A(3) with respect to an application made pursuant to section 33A(2) for an extension of the period during which approval of plans remains in force, the fee payable is

for residential work 10% of the original fee Minimum per application of	\$46.00
for commercial work 10% of the original fee Minimum per application of	\$87.00

(d) Where the application relates to existing building work for which plans have not previously been approved under the Act or the repealed laws, the fee payable for the purposes of Section 31(2) is 1.6 times the amount that would otherwise be payable

Application for the amendment of plans

5. For the purposes of section 31(2) the fee payable where an application is made for the amendment of plans before they have been approved under the Act is:
- (a) Where the cost is increased the
- | | |
|------------------------|---------|
| residential minimum is | \$41.00 |
| commercial minimum is | \$62.00 |
- plus an amount equal to the difference between the fees paid in accordance with paragraph 4 as the case may be and the fee that would have been payable in accordance with that clause if the amended plans had been submitted for approval as original plans.
6. For the purposes of section 31(2) the fee payable for the approval of amendments to approved plans is in addition to any other fee that is payable
- (a) where the amendment does not involve the examination of the plans and does not alter the value of work done to

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ascertain the structural sufficiency, stability and safety of the remainder of the building

for residential building work	\$41.00
for commercial building work	\$62.00

(b) where the amendment involves the examination of the plans or alters the value of work done to ascertain the structural sufficiency, stability and safety of the remainder of the building or for compliance with the Building Code

for residential building work	\$41.00
for commercial building work	
first amendment	\$43.00
each additional amendment in the one lodgement	\$27.00

Plans or amendments that depart from the Building Manual or the Building Code of Australia

7. Where a person applies for approval of plans or for an amendment of plans and the plans or the amendment include a matter the acceptable requirements and standards of which are not set out in the Building Manual or the Building Code of Australia

for residential building work	\$62.00
for commercial building work	\$155.00

in addition to any other fee that is payable

8. Where a person has applied for approval of plans or for an amendment of plans and consideration of the plans by the Building Controller discloses that the plans or the amendment include a matter the acceptable requirements and standards of which are not set out in the Building Manual or the Building Code of Australia and the applicant has not paid the fee provided for in paragraph 7 the fee payable for a decision by the Building Controller under section 33(1) is

for residential building work	\$62.00
for commercial building work	\$155.00

9. (a) For the issue of a certificate of accreditation stating that the properties and performance of a building material or method of construction or design fulfil specific requirements of the BCA including standard plans.

for residential building work	\$220.00 per application
for commercial building work	\$220.00 per application

(b) For the renewal of a certificate of accreditation

for residential building work	\$100.00 per application
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for commercial building work

\$100.00 per
application

**Building permits for work directed to be carried out under
section 46**

10. For the purposes of the grant of a building permit for work which the Building Controller directs to be carried out pursuant to section 46 a fee of \$100.00 or 1.0% of the the cost of the building work is payable, whichever is the greater.

Building permits - residential

11. Subject to paragraph 10, for the purposes of an application made pursuant to section 35 or section 39 the following fees are payable for the grant of a building permit for residential building work with a residential building approval in place as at 30 June 1992. No permit fees are payable for residential building applications received after 30 June 1992. These fees are incorporated with plan approval fees.

(a) in the case of a permit for the erection of a building other than a building referred to in subparagraphs (b) or (c) below, where the cost of the building work is:

(i) by a licensed builder

less than \$110,000 \$103.00
plus 0.31% of the amount by which the cost exceeds
\$10,000

\$110,000 or more \$413.00
plus 0.21% of amount by which the cost exceeds \$110,000

(ii) by an owner-builder

as for licenced builder's fees plus for each standard inspection required, payable at the time of issue of the permit \$41.00
The minimum is \$77.00
and total fees are not to exceed twice the licensed builder's fees

In the case of a permit for the erection of a garage, carport or other structure not attached to or forming part of a residential building or for the demolition of a building, the alteration of or addition to a building or the erection or construction of a fence, retaining wall, ornamental pond, mast, antenna, aerial, advertising device, notice or sign where the cost of the building is

(i) by a licensed builder

up to \$110,000 \$103.00
plus 0.62% of the amount by which costs exceed \$10,000

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\$110,000 and over \$723.00
plus 0.31% of the amount by which costs exceed \$110,000

(ii) by an owner-builder

as for licenced builder's fees plus for each standard inspection required, payable at the time of issue of the permit \$41.00
The minimum is \$77.00 and total fees are not to exceed twice the licenced builder's fees.

(c) in the case of a permit for a swimming pool or associated safety fences, gate, deck or concourse where the cost of the work is

less than \$5,000.00 \$62.00
\$5,000 and less than \$20,000 \$103.00
\$20,000 or more \$155.00

(d) in the case of a permit which relates to work falling within more than one of the categories referred to in sub-paragraphs (a), (b) and (c), the fee for the permit shall be calculated at the lowest rate.

(e) for the purposes of an application relating to existing building work for which a building permit has not been granted or issued under the Act or the repealed laws the fee payable is 1.6 times the amount that would otherwise be payable.

The minimum is \$57.00

(f) in the case of a permit for the erection of a building as described in sub-paragraphs 11(a) to 11(d) inclusive and where the applicant discloses that he or she will provide certification from a practising structural engineer that the footings and or slab preparation complies with the conditions of the permit, the fee payable is the amount that would otherwise be payable less the lesser of 20% of that amount or \$50.00.

Building permits - commercial

12(a) Subject to paragraph 10, for the purposes of an application made pursuant to section 35 or section 39 the following fees are payable for the grant of a building permit for commercial building work where the value of the building work is

less than \$10,000 \$120.00
\$10,000 and less than \$75,000 \$120.00
plus 0.6% of amount by which costs exceed \$10,000
\$75,000 and less than \$320,000 \$510.00
plus 0.24% of amount by which cost exceeds \$75,000
\$320,000 and less than \$1,300,000 \$1098.00

plus 0.12% of amount by which
cost exceeds \$320,000

\$1,300,000 or more \$2274.00
plus 0.06% of amount by which costs exceeds \$1,300,000

(b) Subject to paragraph 10, for the purposes of an application relating to existing building work for which a building permit has not previously been granted or issued under the Act or the repealed laws the fee payable is 1.6 times the fee that would otherwise be payable. The minimum is \$70.00.

Extension of building permits

13. For the purposes of an application made pursuant to section 41(2) for an extension of the period during which a building permit remains in force, the fee payable is
for the first 6 months \$41.00
and for each subsequent 3 months or part thereof \$41.00

Certificates of occupancy and use

14. The fee payable by the applicant for a certificate under section 52(3), (3), (10) or (11) is the sum of the amounts calculated as follows.

(a) where the Building Controller has approved an amendment to the plans for the building work at the site of the building work, for time spent by the Building Controller in considering the amendment
per half hour or part thereof \$51.00

(b) where the holder of a building permit has given the Building Controller notice, as described in section 36(5) of the Act and

(i) the Building Controller or a building inspector issues a notice under section 43(1) of the Act for each occasion \$51.00

(ii) the Building Controller or a building inspector cannot conduct an inspection because either they cannot gain access to the site or the work to which the notice relates is not completed
per occasion \$31.00

(iii) the notice relates to part only of the work involved in a stage (being a stage specified in the Schedule to the Act)

for residential building work \$41.00
for commercial building work
the initial inspection per half hour or part thereof \$31.00
The minimum is \$62.00

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(c) where the owner of the parcel of the land on which the building is being erected has applied for the issue of a certificate under section 53(6)

for residential building work	\$56.00
for commercial building work per half hour or part thereof	\$31.00
The minimum is	\$82.00

(d) where the applicant requested that plans be approved as a matter of urgency and

(i) if the plans relate to residential building work they were approved within 6 working days (being days other than a Saturday or a public holiday observed under the Holidays Act 1958) an amount equal to the amount under paragraph 3; or

(ii) where the applicant indicated when applying for a building permit that he or she would supply certificates from a practising structural engineer that the footings and or slab preparation complies with the conditions of the permit and that applicant has not provided such certification or that certification was not accepted by the Building Controller, the amount by which the fee that would otherwise have been payable for the permit was reduced.

(e) the surcharge for work done out of normal commercial hours is \$103.00

Inspections for purposes of section 46

15. The fee payable by the owner of a parcel of land on whom a notice under section 46 of the Act is served is, in addition to any other fee that is payable

for residential building work	\$41.00
for commercial building work per half hour or part thereof	\$31.00
The minimum is	\$82.00

Administrative fees

16. Search of building files

(a) File retrieval undertaken by the Building Controller in response to a written request for specific documents

for the first 2 documents	\$15.00
for each subsequent document	\$5.00

(b) File retrieval in response to a telephone request (a surcharge on all other fees) \$10.00

(c) A certified copy of a document (a surcharge on all other fees)

for the first 2 documents	\$15.00
for each subsequent document	\$5.00

(d) File retrieval and personal search by the lessee or authorised other or the owner	\$15.00
(e) File retrieval and staff assisted search	\$21.00
(f) File retrieval and search and written statement signed by the Building Controller	\$35.00
(g) Multiple file and large project surcharge per half hour or part thereof	\$25.00
(h) Surcharge for file transit from normal holding office per file	abolished
(i) Files held over 7 days per file	abolished
(j) Fee for photocopying (plans and drawings from building files and multiple copies of originals)	
plans up to A2 size per sheet	\$5.00
plans over A2 size per sheet	\$7.00
other documents per sheet	\$1.00
(k) Comprehensive written history with copies of relevant major documents per half hour	\$25.00
(l) Administrative charge to prepare documents for legal matters per half hour	\$30.00
17. Register of Licence Holders	
counter inspection of the register	\$16.00
printed permit history of a builder	\$21.00
18. Consultancy services: structural engineering, mechanical engineering, building surveying, miscellaneous, unit title assessment	
for residential building work per hour	\$60.00
the minimum is	\$60.00
for commercial building work per hour	\$120.00
the minimum is	\$120.00
19. Technical information (sale of printed material)	
Building Code of Australia	RRP
Amendments to Building Code of Australia	RRP
Building Act	\$20.00
Building Notes (set in a binder)	\$10.00
Building Notes (single page)	Nil
Standards Bulletin per copy	\$1.00
20. Building statistics per year	
Permit Holders (weekly listing)	\$310.00
Numerical report (monthly/quarterly/annually)	\$103.00

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Numerical and graphical reports \$310.00

21. Training and development seminars

Preparation and conducting of seminars on all topics related to Building Control group contact time only per hour plus associated costs of material. abolished

22. Plan amendments - refunds

If the cost of building work is reduced a refund is payable less a fee to cover the cost of processing including plans that are refused by the ACT Planning Authority for residential building work it "may" be all application fees in excess of \$32.00

for commercial building work it "may" be all application fees in excess of \$63.00

23. Unleased territorial land

The fees for the use of unleased Territorial land, subject to a Licence Agreement, will be paid in advance:

- (a) within the major commercial areas of the ACT per square metre per week \$2.10
- (b) Other commercial sites within the ACT per square metre per week \$1.05
- (c) Residential sites per quarter \$21.00

The fees for the use of air space over unleased Territorial land are 1/2 the rate noted for unleased land.


TERENCE CONNOLLY
Minister for Urban Services

Date: 26 6 -92