

Building (Fees) (Bushfire Emergency) Determination 2003

Disallowable Instrument DI2003—17

made under the

Building Act 1972, Section 108 - Determination of Fees

1. I determine that the *Building (Fees) Determination 2002* DI2002-104 does not apply to the lodging with the building controller, under the Building Act 1972, section 34 (Issue of building approvals), of a copy of plans relating to:
 - (a) 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 erection or alteration of a building or structure that:
 - (i) 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
 - (ii) would not result in an increase in the number of dwellings on the land.
2. This determination:
 - (a) does not apply if, at the time the plans are lodged, 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
 - (b) if 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.

Simon Corbell
Minister for Planning
14 February 2003