

# Land (Planning and Environment) (Fees) (Bushfire Emergency) Determination 2003

## Disallowable Instrument DI 2003 —18

made under the

*Land (Planning and Environment) ACT 1991, Section 287 - Determination of Fees*

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1. I determine that the Land (Planning and Environment) (Fees) Determination 2002 DI2002-112 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 the application-
  - (a) 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) 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) 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 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
  - (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