

Land (Planning and Environment) (Fees) Determination 2006 (No 1)

Disallowable Instrument DI2006—159

made under the

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

1. Name of Instrument

This instrument is the *Land (Planning and Environment (Fees) Determination 2006 (No 1)*.

2. Commencement

This instrument commences on 1 July 2006.

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.

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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 2005 - 117 notified on the legislation register on 27 June 2005 and DI 2005 – 265 notified on the legislation register on 30 November 2005 is revoked.

Simon Corbell
Minister for Planning
30 June 2006

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

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)	2005-06 (3)	2006-07 (4)
Section 116	Lodgement and public notification of a preliminary assessment	528.00	548.00
Section 117	Provision of a copy of a Preliminary Assessment – 1 to 50 pages	5.30	5.50
Section 117	Provision of a copy of a Preliminary Assessment – more than 50 pages	10.60	11.00
Section 161	Application for a Direct Grant of a Lease (a) for sites other than community or rural land	4,123.00	4,276.00
Section 161	Application for a Direct Grant of a Lease for community groups eg. Religious groups or clubs	918.00	952.00
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	918.00	952.00
Section 171	Application for the grant of a further lease for a term not exceeding the term of the existing lease for residential purposes	237.00	246.00 (plus \$100 per unit)
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	237.00	246.00
Section 171	Application for the grant of a further lease for a term exceeding the term of the existing lease for residential purposes	2,301.00	2,386.00 (plus \$100 per unit)
Section 171A	Application for the grant of a further lease for rural purposes	237.00	246.00

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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)	2005-06 (3)	2006-07 (4)
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	237.00	246.00
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	2,301.00	2,386.00
Section 179	Issue of Certificate of Compliance other than single residential	144.00	149.00
Section 179	Issue of Certificate of Compliance – single residential (including dual occupancy and individual units within a staged unit development)	41.80	43.30
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	Nil	Nil
Section 217	Grant of Industrial Area Lease or Licence application for grant of licence for industrial area sites	2,075.00	2,152.00
Section 217	Licence to occupy or use Territory Land -short term commercial use for restricted clientele (i) application fee	31.50	32.70
Section 217	Licence to occupy or use Territory Land -short term commercial use for restricted clientele (ii) whole day	79.70	82.60
Section 217	Licence to occupy or use Territory Land -short term commercial use for restricted clientele (iii) part day	54.50	56.50
Section 217	Licence to occupy or use a nature strip – (a) Works associated with development of nature strip	Nil	Nil

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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)	2005-06 (3)	2006-07 (4)
Section 217	Licence to occupy or use a nature strip - (b) storage of building materials (established residential only)	31.50	32.70
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	31.50	32.70
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	31.50	32.70
Section 217	Grant of a Licence to occupy or use unleased Territory Land (including Public Land) for community groups eg religious groups or clubs	999.00	1,036.00
Section 217	Grant of a Licence to occupy or use unleased Territory Land except where the land is used for grazing stock.	2,075.00	2,152.00
Section 217	Grant of a Licence to use a room in the Legislative Assembly Building (i) charity or community groups	35.70	N/a
Section 217	Grant of a Licence to use a room in the Legislative Assembly Building (ii) commercial or other groups	64.20 per day or part thereof	N/a
Section 226	Subdivision Implementation Plan Approval - involving the gazettal of new roads – plus \$47.00 per block	447.00	464.00
Section 226	Subdivision Implementation Plan Approval - NOT involving the gazettal of new roads – plus \$36.00 per block	223.00	231.00
Section 226	Application for Development where the cost of the work is \$0 –\$1,500	78.40	81.30

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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)	2005-06 (3)	2006-07 (4)
Section 226	Application for Development where the cost of the work is \$1,501 to \$5,000	78.40 plus 0.183% of the amount in excess of 1,500	131.71 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	85.00 plus 0.188% of the amount in excess of 5,000	142.80 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	113.0 plus 0.188% of the amount in excess of 20,000	189.84 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	271.00 plus 0.15% of the amount in excess of 100,000	455.28 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	349.00 plus 0.15% of the amount in excess of 150,000	586.32 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	829.92 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	898.00 plus 0.12% of the amount in excess of 500,000	1508.64 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)	2005-06 (3)	2006-07 (4)
Section 226	Application for Development where the cost of the work is \$1,000,000 to \$10,000,000	1,526.00 plus 0.075% of the amount in excess of 1,000,000	2,568.72 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	8,583.00 plus 0.05% of the amount in excess of 10,000,000	14,419.44 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	522.00	876.960
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	419.00	703.92
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	189.00	317.52

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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)	2005-06 (3)	2006-07 (4)
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.	419.00	435.00
Section 226	Signs application fee (plus applicable public notification, development and building fees)	52.40	54.30
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	1,400.00	1,452.00
Section 226	Applications for Development – Lease Variation (plus \$200 for each additional component)	\$1,400 (plus \$200 for each additional component)	\$1,452 (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	1,400.00	1,452.00
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)	1,400.00 (plus 200 for each additional component)	1,452.00 (plus 200 for each additional component)

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THIS IS PAGE 7 OF THE SCHEDULE TO THE DETERMINATION MADE BY THE MINISTER UNDER THE LAND (PLANNING AND ENVIRONMENT) ACT 1991.

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)	2005-06 (3)	2006-07 (4)
Section 226	Mining Activities to carry out mining activities	4,152.00	4,306.00
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	10.60	11.00
Section 227	Supply of information from the Public Register of Applications, Approvals and Order in electronic disk format	5.10	5.30
	Applications for Development – Lease Variation	1,400.00	1,452.00
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	280.00	290.00
Section 246	Application for reconsideration of an original decision	125.00	130.00

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(1)	(2)	2005-06 (3)	2006-07 (4)
Schedule 2 of the Regulations	New application for initial network plan	\$14,000.00 (plus \$200.00 per site)	\$14,520.00 (plus \$207.00 per site)
Schedule 2 of the Regulations	Update initial network plan	\$7,000.00 (plus \$200.00 per site that is being updated)	\$7,260.00 (plus \$207.00 per site that is being updated)

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