

# Planning and Development (Fees) Determination 2008 (No 5)

## Disallowable Instrument DI2008-201

made under the

**Planning and Development Act 2007, s 424 (Determination of fees)**

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- 1. Name of Instrument**  
This instrument is the *Planning and Development (Fees) Determination 2008 (No 5)*.
- 2. Commencement**  
This instrument commences on the day after notification.
- 3. Determination of fees**  
The fees set out in the schedule are determined.
- 4. Payment of fees**  
The determined fees are payable to the ACT Government by a person requesting the goods or services mentioned in the schedule.
- 5. Revocation**  
DI2008-165 notified on the legislation register on 30 June 2008 is revoked.

Andrew Barr  
Minister for Planning  
7 August 2008

THIS IS PAGE 1 OF THE SCHEDULE TO THE DETERMINATION MADE BY THE  
MINISTER UNDER THE *PLANNING AND DEVELOPMENT ACT 2007*

<b>Relevant Chapter and Part of the Act for which a fee is payable (1)</b>	<b>Description of matter for which fee is payable (2)</b>	<b>Fee payable (GST exempt) \$ 2007-08 (3)</b>	<b>Fee payable (GST exempt) \$ 2008-09 (4)</b>
Chapter 3, Part 3.6	Copies and extracts from the register of applications, approvals and orders or part of a document relevant to an application for each A4 page	0.30	0.30
Chapter 3, Part 3.6	Copies and extracts from the register of applications, approvals and orders or part of a document relevant to an application for each A3 page	0.60	0.70
Chapter 3, Part 3.6	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	11.40	11.90
Chapter 3, Part 3.6	Supply of information from the Public Register of Applications, Approvals and Order in electronic disk format	5.50	5.70
Chapter 7, Part 7.2	Application for development lodged under the provisions of the Impact track		
	(a) Matters specified in Schedule 4, Part 4.2	26,600.00	26,600.00
	(b) Matters specified in Schedule 4, Part 4.3		
	(i) Column 1, Items 1 to 6	10,000.00	10,000.00
	(ii) Column 1, Items 7 to 11	2,000.00	2,000.00
Chapter 7, Part 7.2	Applications for development approval in relation to use for otherwise prohibited development:		
	(a) The base amount specified opposite in Column (4)	2,000	2,084.00
	Plus		
	(b) An amount determined in accordance with the cost of works based on the following scale:		
	Cost of work is \$0 –\$1,500	84.50	88.10

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Relevant Chapter and Part of the Act for which a fee is payable (1)	Description of matter for which fee is payable (2)	Fee payable (GST exempt) \$  2007-08 (3)	Fee payable (GST exempt) \$  2008-09 (4)
	Cost of work is \$1,501 to \$5,000	137.00 (plus 0.190% of the amount in excess of 1,500)	142.80 (plus 0.198% of the amount in excess of 1,500)
	Cost of work is \$5,001 to \$20,000	148.50 (plus 0.196% of the amount in excess of 5,000)	154.70 (plus 0.204% of the amount in excess of 5,000)
	Cost of work is \$20,001 to \$100,000	197.40 (plus 0.196% of the amount in excess of 20,000)	205.70 (plus 0.204% of the amount in excess of 20,000)
	Cost of work is \$100,001 to \$150,000	473.50 (plus 0.156% of the amount in excess of 100,000)	493.40 (plus 0.163% of the amount in excess of 100,000)
	Cost of work is \$150,001 to \$250,000	609.80 (plus 0.156% of the amount in excess of 150,000)	635.40 (plus 0.163% of the amount in excess of 150,000)
	Cost of work is \$250,001 to \$500,000	863.10 (plus 0.156% of the amount in excess of 250,000)	899.40 (plus 0.163% of the amount in excess of 250,000)
	Cost of work is \$500,001 to \$1,000,000	1,568.64 (plus 0.12% of the amount in excess of 500,000)	1634.50 (plus 0.125% of the amount in excess of 500,000)
	Cost of work is \$1,000,000 to \$10,000,000	2,671.50 (plus 0.078% of the amount in excess of 1,000,000)	2,783.70 (plus 0.081% of the amount in excess of 1,000,000)

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	Cost of work is more than \$10,000,000	14,996.20 (plus 0.052% of the amount in excess of 10,000,000)	15,626.00 (plus 0.054% of the amount in excess of 10,000,000)
Chapter 7, Part 7.3	Subdivision implementation plan approval - involving the gazettal of new roads	482.60	502.90
	Plus per block	47.00	49.00
Chapter 7, Part 7.3	Subdivision implementation plan approval - not involving the gazettal of new roads	240.20	250.30
	Plus per block	36.00	37.50
Chapter 7, Part 7.3	Application for development where the cost of the work is \$0 –\$1,500	84.50	88.10
Chapter 7, Part 7.3	Application for development where the cost of the work is \$1,501 to \$5,000	137.00 (plus 0.190% of the amount in excess of 1,500)	142.80 (plus 0.198% of the amount in excess of 1,500)
Chapter 7, Part 7.3	Application for development where the cost of the work is \$5,001 to \$20,000	148.50 (plus 0.196% of the amount in excess of 5,000)	154.70 (plus 0.204% of the amount in excess of 5,000)
Chapter 7, Part 7.3	Application for development where the cost of the work is \$20,001 to \$100,000	197.40 (plus 0.196% of the amount in excess of 20,000)	205.70 (plus 0.204% of the amount in excess of 20,000)
Chapter 7, Part 7.3	Application for development where the cost of the work is \$100,001 to \$150,000	473.50 (plus 0.156% of the amount in excess of 100,000)	493.40 (plus 0.163% of the amount in excess of 100,000)

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Chapter 7, Part 7.3	Application for development where the cost of the work is \$150,001 to \$250,000	609.80 (plus 0.156% of the amount in excess of 150,000)	635.40 (plus 0.163% of the amount in excess of 150,000)
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Chapter 7, Part 7.3	Application for development where the cost of the work is \$1,000,000 to \$10,000,000	2,671.50 (plus 0.078% of the amount in excess of 1,000,000)	2,783.70 (plus 0.081% of the amount in excess of 1,000,000)
Chapter 7, Part 7.3	Application for development where the cost of the work is more than \$10,000,000	14,996.20 (plus 0.052% of the amount in excess of 10,000,000)	15,626.00 (plus 0.054% of the amount in excess of 10,000,000)
Chapter 7, Part 7.3	Application for development within a local centre application for development within a local centre as defined by the Territory Plan, if there is in respect to that development, a declaration under the Planning and Development Regulation.	Nil	Nil
Chapter 7, Part 7.3	Application for development – in addition to building costs calculated, where the works to be approved include an encroachment	912.00	950.30

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Relevant Chapter and Part of the Act for which a fee is payable (1)	Description of matter for which fee is payable  (2)	Fee payable (GST exempt) \$  2007-08  (3)	Fee payable (GST exempt) \$  2008-09  (4)
Chapter 7, Part 7.3	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 for each additional year up to 4 years	732.10   44.50	762.90   46.40
Chapter 7, Part 7.3	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 for each additional year up to 4 years	330.20   44.50	344.10   46.40
Chapter 7, Part 7.3	Use of land under Section 175 of the <i>Land (Planning and Environment) Act 1991</i> (Land Act) use of land for an activity prescribed for the purposes of Section 175 of the Land Act, including: a special dwelling; confidential services; and a re-locatable home or temporary residence. Note: provision is applicable for existing leases only. Section 448 (1) (b)(i) of the <i>Planning and Development Act 2007</i> preserves Section 175 for existing leases	452.40	471.40
Chapter 7, Part 7.3	Signs application fee (plus applicable public notification, development and building fees)	56.50	58.90
Chapter 7, Part 7.3	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 for each additional unit	1510.10   307.50	1,573.50   320.40
Chapter 7, Part 7.3	Application for development – Lease Variation  Plus for each additional component	1,510.10   200.00	1,573.50   208.40

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Chapter 7, Part 7.3	Subdivision/ consolidation, for a grant of a new rural lease associated with an application for the purpose of effecting a consolidation of Territory Land	Nil	Nil
Chapter 7, Part 7.3	Subdivision/consolidation, for other leases, for the grant of a new lease for the purpose of effecting a subdivision or consolidation of Territory Land	1,510.10	1,573.50
	Plus for each additional component	200.00	208.40
Chapter 7, Part 7.3	Mining activities to carry out mining activities	4,478.20	4,666.30
Chapter 7, Part 7.3	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
Chapter 7, Part 7.3	Application for reconsideration of an original decision	135.20	140.90
Chapter 7, Part 7.3	New application for initial network plan	15,030.10	15,661.40
	Plus for each site	215.00	224.00
Chapter 7 Part 7.3	Update initial network plan	7,550.40	7,867.50
	Plus for each site that is being updated	215.00	224.00
Chapter 7, Part 7.3	Provision of pre-application advice on development proposals		
	A pre-lodgement meeting at which pre-application advice is provided	Nil	Nil
	In all other cases	900.00	900.00

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Relevant Chapter and Part of the Act for which a fee is payable (1)	Description of matter for which fee is payable  (2)	Fee payable (GST exempt) \$  2007-08  (3)	Fee payable (GST exempt) \$  2008-09  (4)
Chapter 7, Part 7.3	Further information in relation to a development application is required		
	Supplementary information required	Nil	Nil
	Major deficiency in application	Nil	Nil
Chapter 7, Part 7.3	Amending development applications: the applicable notification fee  PLUS the following fee:		
	Application lodged under the Code Track	25% of the separately- assessed DA fee	110.00
	Application lodged under the Merit Track	25% of the separately- assessed DA fee	
	Single residential		220.00
	All other amendments in Merit Track:		
	First five listed amendments		550.00
	PLUS for each additional listed amendment		70.00
	Application lodged under the Impact Track:	25% of the separately- assessed DA fee	
	First five listed amendments		2,000.00
	Plus for each additional listed amendment		70.00
Chapter 7, Part 7.3	Referral of a development application to a prescribed entity	Nil	Nil



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Chapter 7, Part 7.3	Public notice to adjoining premises	215.00	215.00
Chapter 7, Part 7.3	Provide major public notification	830.00	830.00
Chapter 7, Part 7.3	Development approval ends	25% of the separately- assessed DA fee	25% of the separately- assessed DA fee
Chapter 7, Part 7.3	Applications to amend development approvals: the applicable notification fee  PLUS the following fee:		
	Application lodged under the Code Track	25% of the separately- assessed DA fee	110.00
	Application lodged under the Merit Track	25% of the separately- assessed DA fee	
	Single residential		220.00
	All other amendments in Merit Track:		
	First five listed amendments		550.00
	PLUS for each additional listed amendment		70.00
	Application lodged under the Impact Track:	25% of the separately- assessed DA fee	
	First five listed amendments		2,000.00
	Plus for each additional listed amendment		70.00
Chapter 8, Part 8.2	Scoping of EIS	900.00	937.80

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Chapter 8, Part 8.2	Public notification of draft EIS	830.00	830.00
Chapter 8, Part 8.3	Recovery of inquiry panel costs	Actual direct and indirect costs incurred in the conduct of an inquiry	Actual direct and indirect costs incurred in the conduct of an inquiry
Chapter 9, Part 9.2	Application for a direct grant of a lease for sites other than community or rural land	4,447.00	4,633.80
	Where the applicant does not meet the final due diligence requirements a full refund of the fee paid will be made less an administration fee of:  (No refund is payable where the applicant withdraws the application during or after commencement of the Site Investigation Stage)		63.50
Chapter 9, Part 9.2	Application for a direct grant of a lease for community groups for example, religious groups or clubs	990.10	1,031.70
	Where the applicant does not meet the final due diligence requirements: full refund less an administration fee of:  (No refund is payable where the applicant withdraws the application during or after commencement of the Site Investigation Stage)		63.50
Chapter 9, Part 9.2	Application for a direct grant of a lease for rural land associated with an application under Section 254	Nil	Nil
Chapter 9, Part 9.2	Application for the direct grant of a lease for rural land	990.10	1,031.70

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	Where the applicant does not meet the final due diligence requirements: full refund less an administration fee of:  (No refund is payable where the applicant withdraws the application during or after commencement of the Site Investigation Stage)		63.50
Chapter 9, Part 9.2 and part 9.9	Authority's consent when the applicant is an agency of the ACT Government	Nil	Nil
Chapter 9, Part 9.3	Application for the grant of a further lease for a term not exceeding the term of the existing lease for residential purposes  Plus for every unit	255.80  100.00	266.50  104.20
Chapter 9, Part 9.3	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	255.80	266.50
Chapter 9, Part 9.3	Application for the grant of a further lease for a term exceeding the term of the existing lease for residential purposes  Plus for every unit	2,418.40  100.00	2,520.00  104.20
Chapter 9, Part 9.3	Application for the grant of a further lease for rural purposes	255.80	266.50
Chapter 9, Part 9.3	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	255.80	266.50
Chapter 9, Part 9.3	Application for the grant of a further lease for a term exceeding the term of the existing lease other than residential or rural purposes	2,481.40	2,585.60
Chapter 9,	Deciding whether a lease is concessional	1,000.00	1,000.00

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Part 9.4	or not		
Chapter 9, Part 9.4	Varying concessional lease to remove concessional status	2,000	2,000.00
Chapter 9, Part 9.9	Issue of Certificate of Compliance other than single residential	155.00	161.50
Chapter 9, Part 9.9	Issue of Certificate of Compliance – single residential (including dual occupancy and individual units within a staged unit development)	45.00	46.90
Chapter 9, Part 9.9	Authority's consent to transfer or assign a lease or an interest in a lease	301.10	313.80
Chapter 9, Part 9.11	Licence fee for the use of unleased land when the land is used for grazing stock	Nil	Nil
Chapter 9, Part 9.11	Licence fee when land is used for grazing stock	Nil	Nil
Chapter 9, Part 9.11	Grant of industrial area lease or licence application for grant of licence for industrial area sites	2,238.10	2,332.10
Chapter 9, Part 9.11	Licence to occupy or use Territory Land - short term commercial use for restricted clientele (i) application fee	34.00	35.40
Chapter 9, Part 9.11	Licence to occupy or use Territory Land - short term commercial use for restricted clientele (ii) whole day	85.90	89.50
Chapter 9, Part 9.11	Licence to occupy or use Territory Land - short term commercial use for restricted clientele (iii) part day	58.80	61.30
Chapter 9, Part 9.11	Licence to occupy or use a nature strip – (a) works associated with development of nature strip	Nil	Nil
Chapter 9, Part 9.11	Licence to occupy or use a nature strip - (b) storage of building materials (established residential only)	34.00	35.40

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Chapter 9, Part 9.11	Licence to occupy or use a nature strip for business promotion (for example, private enterprise land development advertisement)	34.00	35.40
	Plus for every week or part thereof for the duration of the use	30.20	31.50
Chapter 9, Part 9.11	Licence to occupy or use a nature strip plus surcharge for period of use per week	34.00	35.40
	Plus for every week or part thereof for the duration of the use	30.20	31.50
Chapter 9, Part 9.11	Grant of a licence to occupy or use unleased Territory Land (including Public Land) for community groups for example, religious groups or clubs	1,077.40	1,122.70
Chapter 9, Part 9.11	Grant of a licence to use a room in the Legislative Assembly Building (i) charity or community groups	N/A	N/A
Chapter 9, Part 9.11	Grant of a licence to use a room in the Legislative Assembly Building (ii) commercial or other groups	N/A	N/A
Chapter 11, Part 11.3	Application for controlled activity order	100.00	100.00