

# Planning and Development (Fees) Determination 2009 (No 3)

## Disallowable Instrument DI2009-180

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 2009 (No 3)*.
- 2. Commencement**  
This instrument commences on 1 August 2009.
- 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**  
DI 2009-141 notified on the legislation register on 30 June 2009 is revoked.

Andrew Barr  
Minister for Planning  
30 July 2009

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) \$  2008-09  (3)</b>	<b>Fee payable (GST exempt) \$  2009-10  (4)</b>
Chapter 3, Part 3.6	Copies and extracts for each A4 page	0.30	0.30
Chapter 3, Part 3.6	Copies and extracts for each A3 page	0.70	0.70
Chapter 3, Part 3.6	Copies and extracts above A3 page – per page	11.90	12.30
Chapter 3, Part 3.6	Supply of information from the Public Register of Applications, Approvals and Order in electronic disk format	5.70	5.95
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	27,531.00
	(b) Matters specified in Schedule 4, Part 4.3		
	(i) Column 1, Items 1 to 6	10,000.00	10,350.00
	(ii) Column 1, Items 7 to 11	2,000.00	2,070.00
	(c) Where the development is for an Estate Development Plan, the relevant Merit Track Estate Development Plan and notification fees only apply		
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)	2,084.00	2,156.95
	Plus		
	(b) An amount determined in accordance with the cost of works based on the following scale:		
	Cost of work is \$0 –\$1,500	88.10	91.15

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MINISTER UNDER THE *PLANNING AND DEVELOPMENT ACT 2007*

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) \$  2008-09 (3)	Fee payable (GST exempt) \$  2009-10 (4)
	Cost of work is \$1,501 to \$5,000	142.80 (plus 0.198% of the amount in excess of 1,500)	147.75 (plus 0.205% of the amount in excess of 1,500)
	Cost of work is \$5,001 to \$20,000	154.70 (plus 0.204% of the amount in excess of 5,000)	160.15 (plus 0.211% of the amount in excess of 5,000)
	Cost of work is \$20,001 to \$100,000	205.70 (plus 0.204% of the amount in excess of 20,000)	212.90 (plus 0.211% of the amount in excess of 20,000)
	Cost of work is \$100,001 to \$150,000	493.40 (plus 0.163% of the amount in excess of 100,000)	510.65 (plus 0.168% of the amount in excess of 100,000)
	Cost of work is \$150,001 to \$250,000	635.40 (plus 0.163% of the amount in excess of 150,000)	657.65 (plus 0.168% of the amount in excess of 150,000)
	Cost of work is \$250,001 to \$500,000	899.40 (plus 0.163% of the amount in excess of 250,000)	930.85 (plus 0.168% of the amount in excess of 250,000)
	Cost of work is \$500,001 to \$1,000,000	1,634.50 (plus 0.125% of the amount in excess of 500,000)	1691.75 (plus 0.129% of the amount in excess of 500,000)
	Cost of work is \$1,000,000 to \$10,000,000	2,783.70 (plus 0.081% of the amount in excess of 1,000,000)	2,881.15 (plus 0.084% of the amount in excess of 1,000,000)

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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) \$  2008-09  (3)	Fee payable (GST exempt) \$  2009-10  (4)
	Cost of work is more than \$10,000,000	15,626.00 (plus 0.054% of the amount in excess of 10,000,000)	16,172.95 (plus 0.056% of the amount in excess of 10,000,000)
Chapter 7, Part 7.3	Estate development plan approval - involving the gazettal of new roads	502.90	520.00
	Plus per block	49.00	50.00
Chapter 7, Part 7.3	Estate development plan approval - not involving the gazettal of new roads	250.30	260.00
	Plus per block	37.50	40.00
Chapter 7, Part 7.3	Amendments to approved estate development plans	Nil	550.00
	Plus per block affected by the amendment	Nil	50.00
Chapter 7, Part 7.3	Application for development where the cost of the work is \$0 –\$1,500	88.10	91.15
Chapter 7, Part 7.3	Application for development where the cost of the work is \$1,501 to \$5,000	142.80 (plus 0.198% of the amount in excess of 1,500)	147.75 (plus 0.205% 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	154.70 (plus 0.204% of the amount in excess of 5,000)	160.15 (plus 0.211% 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	205.70 (plus 0.204% of the amount in excess of 20,000)	212.90 (plus 0.211% 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	493.40 (plus 0.163% of the amount in excess of 100,000)	510.65 (plus 0.168% of the amount in excess of 100,000)

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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) \$  2008-09  (3)	Fee payable (GST exempt) \$  2009-10  (4)
Chapter 7, Part 7.3	Application for development where the cost of the work is \$150,001 to \$250,000	635.40 (plus 0.163% of the amount in excess of 150,000)	657.65 (plus 0.168% of the amount in excess of 150,000)
Chapter 7, Part 7.3	Application for development where the cost of the work is \$250,001 to \$500,000	899.40 (plus 0.163% of the amount in excess of 250,000)	930.85 (plus 0.168% of the amount in excess of 250,000)
Chapter 7, Part 7.3	Application for development where the cost of the work is \$500,001 to \$1,000,000	1,634.50 (plus 0.125% of the amount in excess of 500,000)	1,691.75 (plus 0.129% of the amount in excess of 500,000)
Chapter 7, Part 7.3	Application for development where the cost of the work is \$1,000,000 to \$10,000,000	2,783.70 (plus 0.081% of the amount in excess of 1,000,000)	2,881.15 (plus 0.084% 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	15,626.00 (plus 0.054% of the amount in excess of 10,000,000)	16,172.95 (plus 0.056% of the amount in excess of 10,000,000)
Chapter 7, Part 7.3	Application for development – in addition to building costs calculated, where the works to be approved include an encroachment	950.30	983.55
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	762.90	789.55
	Plus for each additional year up to 4 years	46.40	48.00
Chapter 7,	Use of land for a home business within the meaning of the Territory Plan for	344.10	356.10

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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) \$  2008-09 (3)	Fee payable (GST exempt) \$  2009-10 (4)
Part 7.3	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	46.40	48.00
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	471.40	487.90
Chapter 7, Part 7.3	Signs application fee (plus applicable public notification, development and building fees)	58.90	60.95
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	1,573.50  320.40	1,628.60  331.65
Chapter 7, Part 7.3	Application for development – Lease Variation  Plus for each additional component	1,573.50  208.40	1,628.60  215.70
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	1,573.50	1,628.60

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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) \$  2008-09  (3)	Fee payable (GST exempt) \$  2009-10  (4)
	consolidation of Territory Land		
	Plus for each additional component	208.40	215.70
Chapter 7, Part 7.3	Mining activities to carry out mining activities	4,666.30	4,829.60
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	140.90	145.80
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	931.50
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 and development approvals: the applicable notification fee		
	PLUS		
	the following fee:		
	Application lodged under the Code Track	110.00	113.85
	Application lodged under the Merit Track		

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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) \$  2008-09  (3)	Fee payable (GST exempt) \$  2009-10  (4)
	Single residential and individual units within a multiplex complex	550.00	227.70
	All other amendments in Merit Track:		
	First five amendments	550.00	569.25
	PLUS for each additional amendment	70.00	72.45
	Application lodged under the Impact Track:		
	First five amendments	2,000.00	2,070.00
	Plus for each additional amendment	70.00	72.45
Chapter 7, Part 7.3	Public notification of an amended development application / approval	Nil	
	Minor	215.00	222.55
	Major (includes one sign)	830.00	895.20
	For each additional small sign per block	Nil	143.50
	For each additional large sign per block	Nil	222.50
Chapter 7, Part 7.3	Referral of a development application to a prescribed entity	Nil	Nil
Chapter 7, Part 7.3	Provide minor public notification	215.00	222.55
Chapter 7, Part 7.3	Provide major public notification (includes one sign)	864.90	895.20



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	For each additional small sign per block		
	For each additional large sign per block	Nil	143.50
		Nil	225.50
Chapter 7, Part 7.3	Development approval ends	25% of the separately- assessed DA fee	25% of the separately- assessed DA fee
Chapter 8, Part 8.2	Scoping of EIS	937.80	970.60
Chapter 8, Part 8.2	Public notification of draft EIS	864.90	895.20
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	4,633.80	4,795.95
Chapter 9, Part 9.2	Application for a direct grant of a lease for community groups for example, religious groups or clubs	1,031.70	1,067.80
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	1,031.70	1,067.80
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	266.50	275.85
	Plus for every unit	104.20	107.85

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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	266.50	275.85
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	2,520.00	2,608.15
	Plus for every unit	104.20	107.85
Chapter 9, Part 9.3	Application for the grant of a further lease for rural purposes	266.50	275.85
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	266.50	275.85
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	2,585.60	2,676.10
Chapter 9, Part 9.4	Deciding whether a lease is concessional or not	1,000.00	1,035.00
Chapter 9, Part 9.4	Varying concessional lease to remove concessional status	2,000.00	2,070.00
Chapter 9, Part 9.9	Issue of Certificate of Compliance other than single residential	161.50	167.00
Chapter 9, Part 9.9	Issue of Certificate of Compliance – single residential (including dual occupancy and individual units within a staged unit development)	46.90	49.00
Chapter 9, Part 9.9	Authority's consent to transfer or assign a lease or an interest in a lease	313.80	324.75
Chapter 9, Part 9.9	Authority's consent to sublease all or part of the land contained in a lease		324.75
Chapter 9, Part 9.11	Licence fee for the use of unleased land when the land is used for grazing stock	Nil	Nil

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Chapter 9, Part 9.11	Licence fee when land is used for grazing stock	Nil	Nil
Chapter 9, Part 9.11	Grant of a licence to occupy or use unleased Territory land	2,332.10	2,413.70
Chapter 9, Part 9.11	Licence to occupy or use Territory Land - short term commercial use for restricted clientele (i) application fee	35.40	36.65
Chapter 9, Part 9.11	Licence to occupy or use Territory Land - short term commercial use for restricted clientele (ii) whole day	89.50	92.65
Chapter 9, Part 9.11	Licence to occupy or use Territory Land - short term commercial use for restricted clientele (iii) part day	61.30	63.40
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)	35.40	36.65
Chapter 9, Part 9.11	Licence to occupy or use a nature strip for business promotion (for example, private enterprise land development advertisement)	35.40	36.65
	Plus for every week or part thereof for the duration of the use	31.50	32.55
Chapter 9, Part 9.11	Licence to occupy or use a nature strip plus surcharge for period of use per week	35.40	36.65
	Plus for every week or part thereof for the duration of the use	31.50	32.55
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	1,122.70	1,161.95
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

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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	104.00
Regulation, Schedule 1  Section 1.100A (4)	Application for exemption declaration	220.00	227.70