

Australian Capital Territory

Planning and Development (Fees) Determination 2017

Disallowable instrument DI2017-157

made under the

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

EXPLANATORY STATEMENT

Section 424 of the *Planning and Development Act 2007* (the *Act*) permits the Minister to determine fees for the purposes of the Act.

The purpose of this instrument is to determine the fees for goods and services under the Act for the 2017-18 financial year.

A new type of land rent payout fee under Chapter 9, Part 9.6 of the Act has been added to page 12 of the schedule. This new fee is for residential applications for land rent payouts seeking to use the current Unimproved Capital Value and a solicitor as the applicant. The new fee for an application where the solicitor is the applicant is set at \$1,000, compared to the existing fee of \$1,591 where the lessee is the applicant. This fee has been introduced to reflect the lower cost to the planning and land authority of providing the service where the applicant is a solicitor. This fee will operate to the benefit of those lessees who use a solicitor as their applicant.

The regulatory fees in the determination have been increased by 2% for the 2017-18 financial year, based on the wage price index as per government's advice. Administration fees relating to refunds are increased by 2% (the Wage Price Index), as per the government's Fees and Charges Policy and Guidelines. Appropriate rounding has been made in relation to increases.

The instrument commences on 1 July 2017.

This instrument revokes the *Planning and Development (Fees) Determination 2016 (No 1)* (DI2016-130).

The determination under section 424 of the Act is a disallowable instrument and must be presented to the Legislative Assembly within 6 sitting days after its notification pursuant to section 64 of the *Legislation Act 2001*.

Regulatory Impact Statement (RIS)

A RIS is not required for this fee determination due to section 36 (1) (k) of the Legislation Act, which provides that a RIS need not be prepared for an amendment of a fee consistent with announced government policy.

Human Rights

The Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) terms of reference require consideration of human rights impacts, among other matters. In this case, no human rights are impacted.