

AUSTRALIAN CAPITAL TERRITORY
LAND (PLANNING AND ENVIRONMENT) ACT 1991
REVOCATION AND DETERMINATION OF FEES

EXPLANATORY STATEMENT

INSTRUMENT No. 134 OF 1999

This Determination made under Section 287 of the Land (Planning and Environment) Act 1991 (the Act), revokes the existing determinations and sets the fees for the purposes of the Act.

Section 117 – Preliminary Assessments (PA)

The maximum production costs associated with the bulk reproduction of a PA, is now restricted to \$20 per copy, to ensure that the cost of the PA does not prohibit the dissemination of the document. The individual copy charges have not been increased.

Section 172

Application for a Grant of a further lease for other than residential or rural Purposes for a term exceeding the term of the existing lease. This fee was established by special instrument.

Section 226 Application fro Development

These fees are calculated as a percentage of the total cost of work.

All the remaining fees have increased as a result of the CPI adjustments in accordance with Government policy.

Description of matter in respect of which fee is payable	1 July 1998 \$	1 July 1999 \$
Preliminary Assessments		
Lodgement and Public Notification of a Preliminary Assessment	450	460
Provision of a copy of a Preliminary Assessment		
A4	0.05/sheet	0.05/sheet
A4 double sided	0.09/sheet	0.10/sheet
A3	0.11/sheet	0.10/sheet
A3 doubled sided	0.15/sheet	0.15/sheet

Description of matter in respect of which fee is payable	1 July 1998 \$	1 July 1999 \$
A2 and all other plans	7.00/sheet	7.00/sheet
A4 colour reproduction	2.90/sheet	2.90/sheet
A4 colour reproductions double sided	5.60/sheet	5.60/sheet
A3 colour reproduction	4.40/sheet	4.40/sheet
A3 colour reproduction double sided	8.60/sheet	8.60/sheet
Binding	2.00/document	2.00/document

Application for the Grant of a Lease

(a) for sites other than community groups or rural land:	3,500	3,585
(b) for community groups eg religious groups or clubs	780	800
(c) for rural land	780	800

Application for Grant of Further Lease

Application for grant of further lease for residential purposes for a term not exceeding the term of the existing lease	204	209
Application for grant of further lease for residential purposes for a term exceeding the term of the existing lease	204	209
Application for the grant of a further lease for rural purposes	204	209
Application for the grant of a further lease for other than residential or rural purposes for a term not exceeding the term of the existing lease	204	209
Application for the grant of a further lease for other than residential or rural purposes for a term exceeding the term of the existing lease	2,000	2,000

Issue Certificate of Compliance for:

• single residential including dual occupancy;	37	38
• other than single residential	125	128

Transfer of Lease

Application for Minister's or Executive's consent to the transfer or assignment of a lease or an interest in a lease	240	246
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Grant of Industrial Area Licence

Application for grant of a licence for industrial area sites	1,762	1,805
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Grant of Licence to occupy or use Territory Land

(1) Application for grant of licence to occupy or use an area of Territory land that is not Public Land as specified in Schedule 1 of the Land (Planning and Environment) Act 1991		
(a) Short term commercial use for restricted clientele		
(i) Application fee	27	28
(ii) Whole day	68	70
(iii) Part day	47	48
(2) Application for the grant of a licence to occupy or use an area of unleased Territory Land that is not Public Land in respect of nature strips Note: in this instrument nature strip means the area of land from the kerb of the constructed road to the block boundary		
(a) Works associated with Development of Nature Strips	Nil	Nil
(b) Storage of building materials (established residential only)	Nil	Nil
Application fee plus surcharge for period of use	27	28
	Plus 27 per week for period of use	plus 28 per week for period of use
(c) Business promotion (eg private enterprise land development advertisement)		
Application fee plus surcharge for period of use	27	28
	Plus 27 per week for period of use	Plus 28 per week for period of use
(3) Licence for purposes connected with the occupancy or use of unleased Territory Land that is not Public Land		
(i) For community groups eg religious groups or clubs	850	870

(ii) Other	1,762	1,805
(4) Application made by a community organisation as defined by Section 163 of the Land (Planning and Environment) Act 1991 to :		
(i) Conduct a market to sell used goods	Nil	Nil
(ii) Conduct a meeting of a community organisation	Nil	Nil
(iii) Conduct community activities	Nil	Nil

Grant of a licence for an Outdoor Cafe

Licence for the purposes of occupancy of unleased Territory Land for an outdoor cafe, and there is a permit under the <i>Roads and Public Places Act 1937</i> in respect of the operation of that outdoor cafe	Nil	Nil
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Grant of a licence to use a room in the Legislative Assembly Building

(i) Charity or community groups	31 per day or part there of	32 per day or part there of
(ii) Commercial or other groups	56 per day or part there of	57 per day or part there of

Application for Development

- 1(a) the erection, alteration or demolition of a building or a structure on or under the land.
- (b) the carrying out of earthworks or other constructions work on or under the land.
- (c) the carrying out of work that would affect the landscape of the land except where the land is leased for residential purposes only and is not specified in the Heritages Places Register, or an Interim Heritage Places Register, as a Heritage place.

Where the cost of work is calculated in accordance with Building Note 25 (building Work Cost Guide) -

0 to 1,500	75	75
1,501 to 5,000	75 plus 0.183% of the amount in excess of 1,500	75 plus 0.183% of the amount in excess of 1,500

5,001 to 20,000	81.40 plus 0.188% of the amount in excess of 5,000	81.40 plus 0.188% of the amount in excess of 5,000
20,001 to 100,000	109.60 plus 0.188% of the amount in excess of 20,000	109.60 plus 0.188% of the amount in excess of 20,000
100,001 to 150,000	260 plus 0.15% of the amount in excess of 100,000	260 plus 0.15% of the amount in excess of 100,000
150,001 to 250,000	335 plus 0.15% of the amount in excess of 150,000	335 plus 0.15% of the amount in excess of 150,000
Where the cost of work is -		
250,001 to 500,000	485 plus 0.15% of the amount in excess of 250,000	485 plus 0.15% of the amount in excess of 250,000
500,001 to 1,000,000	860 plus 0.12% of the amount in excess of 500,000	860 plus 0.12% of the amount in excess of 500,000
1,000,001 to 10,000,000	1460 plus 0.075% of the amount in excess of 1,000,000	1460 plus 0.075% of the amount in excess of 1,000,000
more than 10,000,000	8,210 plus 0.05 % of the amount in excess of 10,000,000	8,210 plus 0.05 % of the amount in excess of 10,000,000

Application for development within a Local Centre

Application for development within a Local Centre as defined by the Territory Plan as Local Centre (Commercial 'D'), if there is in respect to that development a declaration under Regulation 13A of the *Land (Planning and Environment)*

Nil

Nil

Application for development within Civic Revitalisation Area

<p>Application for development within the Civic Revitalisation Area as defined by the Territory Plan as Civic Centre ‘Commercial B2A’ or Northbourne Avenue Corridor ‘Commercial B2E’ restricted only to a lease variation to a current office use lease for residential and/or non-commercial uses</p>	<p>Nil</p>	<p>Nil</p>
<p>2. The use of land for a business:</p>		
<p>(a) Home Business within the meaning of the Territory Plan:</p>		
<ul style="list-style-type: none"> • For approval to carry out a home business for a term of 1 year 	<p>357</p> <p>Plus 41 for each additional year up to 4 years</p>	<p>365</p> <p>Plus 42 for each additional year up to 4 years</p>
<ul style="list-style-type: none"> • For renewal of an approval to carry out a home business for a term of 1 year 	<p>163</p> <p>Plus 41 for each additional year up to 4 years</p>	<p>167</p> <p>Plus 42 for each additional year up to 4 years</p>
<p>3. Use of land for an activity prescribed for the purposes of S175</p>	<p>357</p>	<p>365</p>
<p>4. The erection, fixing or displaying of a sign or advertising material on the land, or on a structure or building on the land, otherwise in accordance with a right to do so expressly given by a current licence granted under the Act or a current lease. (Plus public notification fee if applicable).</p>	<p>46</p>	<p>47</p>
<p>5. Lease Variation</p> <p>Application for one or more of the following:</p> <ul style="list-style-type: none"> (a) vary a lease (b) vary the development rights of a lease (c) vary the Gross Floor Area of a lease (d) to add land to a lease (e) to excise land from a lease (f) to payout the land rent portion of a lease 	<p>1,190</p>	<p>1,220</p>

(g) to vary a Unit lease by a single application which affects more than one unit in the same Units Plan	1,190 for one unit plus 280 for each additional unit	1,220 for one unit plus 287 for each additional unit
(h) for a grant of a new lease for the purpose of effecting a sub-division or consolidation of Territory land	1,190	1,220
(i) to reduce the area of the land comprised in the lease, in accordance with lease conditions	Nil	Nil
(j) to execute new leases for the purpose of effecting the subdivision of land where the land is to be subdivided was held under a lease granted for the purpose of development and sale	Nil	Nil
(k) to carry out mining activities	3,523	3,608

Copies and Extracts

To obtain copies or extracts from the Register of Applications, Approvals and Orders or part of a document relevant to an Application

• for each A4 size page	0.25	0.25
• for each A3 size page	0.50	0.50
• above A3 size - per page	10	10

LAND (PLANNING AND ENVIRONMENT) ACT 1991

ADMINISTRATIVE FEES

Description	1 July 1998 \$	1 July 1999 \$
Lease preparation fee when no lease premium is charged	810	830
Production or reprint of a lease (in duplicate in a standard format)	200	205
Carry out conveyancing inquiry:		
. Standard inquiry (4 days turnaround)	52	53
. Bulk purchase of conveyancing stamps in books of 12	260	266
. 24 hour turnaround	78	80
Examination of plans of survey following amendment to lease documents at lessee's request and unit plans		
. Basic fee	703	720
	plus \$125per additional block	plus \$128 per additional block
Plan approvals		
. examination of plans for fit out works	125	128
Certified copy of certificates, including Compliance, Section 28DA, Agents, Motor Vehicle Dealers and Liquor Licences etc	27	28
Issue Agents Certificate	88	90
Attendance of an officer at settlement	88	90

Extension of time for meeting lease covenants

. for the first six months	50	51
. for each subsequent 3 months or part thereof	55	56

Public Notification fee

(i) with no advertisement required	Nil	Nil
(ii) with advertisement required	174	178
Application for order	10	10
Application for refund of amount paid for grant of lease	530	545
Preparation of Bonds for incomplete works prior to the issue of a Compliance Certificate for a development	104	106
Inspections (includes landscape and site inspections)		
<i>☞</i> First Inspection	Nil	Nil
<i>☞</i> Second and subsequent inspections	64	64

REFUNDS - DEVELOPMENT APPLICATIONS

1. If the application is withdrawn prior to assessment of the DA commencing a full refund is payable less an administrative fee to cover processing

(a) Residential - all fees in excess of \$48	47	48
(b) Commercial - all fees in excess of \$86	84	86

2. If the application is withdrawn after assessment has begun but prior to Public Notification the refund will be 50% of the fees paid for the components which are being processed and all fees for the components for which assessment has not commenced

3. If the application is withdrawn after the DA has reached the Public Notification stage the refund will be limited to the fees paid for the components of the DA that have not commenced.

APPLICATION FOR THE AMENDMENT OF PLANS

(a) Where an amendment has been requested by the Department, Commissioner for Land and Planning (Commissioner) or the Administrative Appeals Tribunal (AAT):

Residential/Commercial

NIL

A letter from the Department, Commissioner or the AAT requesting the information must be shown when lodging the amendment.

(b) Where an amendment has been lodged at the request of the applicant/lessee:

(i) Residential/Commercial

53

54

(ii) Signage

31

32

plus, if the value of the work in the amendment is higher than the value of the work in the plans being amended, an amount equal to the difference between the fees paid and the fee that would have been payable if the amended plans had been submitted for approval as original plans