

**AUSTRALIAN CAPITAL TERRITORY
BUILDING ACT 1972**

REVOCATION AND DETERMINATION OF FEES

EXPLANATORY STATEMENT

INSTRUMENT NO. 277 OF 1998

This Determination made under Section 65 of the Building Act 1972 (the Act) introduces new fees following recent amendments to the Act. The changes to the provision of fees under section 34 and 23A are part of the introduction of private certification of plan approval and inspection of building works.

New Section 34 - Building Levy

All applications approved from 4 January 1999 will be subject to a new Building Levy. This fee replaces the Building Application fee. The old provisions under sections 33, 34 and 35 of the Building Act will apply to applications received and not approved prior to 4 January 1999, and any amendments to those plans. The new Building Levy is intended to cover the regulatory, electrical audit and repository costs and is consistent with the electrical and building components on the old Building Application fee.

New Section 23A – Owner Builder Licences

The Building (Amendment) Act (No. 2) 1998 changes the power to charge a determined fee for an owner builder licence from section 39 to section 23A. The fee remains the same as that determined on 9 July 1998 for the 98/99 financial year.

Description of matter in respect of which fee is payable	9 July 1998 \$	December 1998 \$
Building Levy		
Commercial and Residential Building Work		
Where the value of work is:		
\$0 to \$1,500	Nil	\$64.00
\$1,501 to \$5,000	Nil	\$64.00

Description of matter in respect of which fee is payable	9 July 1998 \$	December 1998 \$
\$5,001 to \$10,240	Nil	\$64.00
\$10,241 to \$20,000	Nil	\$64.00 plus 0.625% of the amount in excess of \$10,240
\$20,001 to \$100,000	Nil	\$125.00 plus 0.5% of the amount in excess of \$20,000
\$100,001 to \$150,000	Nil	\$525.00 plus 0.5% of the amount in excess of \$100,000
\$150,001 to \$250,000	Nil	\$775.00 plus 0.45% of the amount in excess of \$150,000
\$250,001 to \$500,000	Nil	\$1,225.00 plus 0.4% of the amount in excess of \$250,000
\$500,001 to \$1,000,000	Nil	\$2,225.00 plus 0.35% of the amount in excess of \$500,000
\$1,000,001 to \$10,000,000	Nil	\$3,975.00 plus 0.2% of the amount in excess of \$1,000,000
more than \$10,000,000	Nil	\$21,975.00 plus 0.1% of the amount in excess of \$10,000,000
Building Levy for Commercial and Residential Building Work within a Local Centre		
Building levy for Commercial and Residential building work within a Local Centre as defined by the Territory Plan as Local Centre (Commercial 'D'), if there is in respect of that development a declaration under Regulation 13A of the <i>Land (Planning and Environment) Regulations</i>	Nil	Nil
Owner-builder assessment		
All applicants	148	148

An amendment to a Building application submitted pursuant to sections 33, 34, and 35 before 4 January 1999 shall attract the following fees:

Description of matter in respect of which fee is payable	9 July 1998 \$	December 1998 \$
(a) Commercial and Residential Building Work	See attached schedule	See attached schedule
(i) Building Application (BA) for Commercial and Residential Building Work within a Local Centre		
Building Application for Commercial and Residential building work within a Local Centre as defined by the Territory Plan as Local Centre (Commercial 'D'), if there is in respect of that development a declaration under Regulation 13A of the <i>Land (Planning and Environment) Regulations</i>	Nil	Nil
(b) Application for the Amendment of Plans		
(i) Where an amendment does not involve the examination of the plans and does not alter the cost of work done, to ascertain the structural sufficiency, stability and safety of the building:-		
(A) residential building work	53	53
(B) commercial building work	84	84
(ii) Where the amendment involves re-examination of the plans and there is an increase in the cost of the work: -		
(A) residential building work	53	53
(B) commercial building work	84	84
plus 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 the original plans		
(c) Where the amendment involves the re-examination of the plans, but there is no increase in the cost of the work		

Description of matter in respect of which fee is payable	9 July 1998 \$	December 1998 \$
(i) residential building work	53	53
(ii) commercial building work:		
(A) first amended plan	53	53
(B) each additional plan in the one lodgement	43	43

Approval of plans or amendments that depart from the Building Code

- (a) Approval of plans or an amendment of plans where the plans or the amendment include a matter the acceptable requirements and standards of which are not set out in the Building Code -

(i) residential building work	80	80
(ii) commercial building work	182	182

in addition to any other fee that is payable

Building Application Fees as at 9 July 1998

Building application fee		Fee reductions for non-inclusions		
		Design & Siting	Hydraulics	Electrical
Where the cost of the building work is-				
\$0 to \$1,500	\$120.00	Less \$75.00 where Design and Siting approval is not required	Nil	Nil
\$1,501 to \$5,000	\$120.00 plus 1.755% of the amount in excess of \$1,500.00	Less \$75.00 plus 0.183% of the amount in excess of \$1,500 where Design and Siting approval is not required	Nil	Nil
\$5,001 to \$20,000	\$181.43 plus 1.5% of the amount in excess of \$5,000	Less \$81.40 plus 0.188% of the amount in excess of \$5,000 where Design and Siting approval is not required	Less 0.3% of the amount in excess of \$5,000 where the work does not include hydraulic works	Less 0.194% of the amount in excess of \$5,000 where the work does not include electrical works
\$20,001 to \$100,000	\$406.43 plus 1.5% of the amount in excess of \$20,000	Less \$109.60 plus 0.188% of the amount in excess of \$20,000 where Design and Siting approval is not required	Less \$45.00 plus 0.3% of the amount in excess of \$20,000 where the work does not include hydraulic works	Less \$29.10 plus 0.194% of the amount in excess of \$20,000 where the work does not include electrical works
\$100,001 to \$150,000	\$1,606.43 plus 1.5% of the amount in excess of \$100,000	Less \$260.00 plus 0.15% of the amount in excess of \$100,000 where Design and Siting approval is not required	Less \$285.00 plus 0.05% of the amount in excess of \$100,000 where the work does not require hydraulic works	Less \$184.30 plus 0.075% of the amount in excess of \$100,000 where the work does not require electrical works

Building application fee		Fee reductions for non-inclusions		
		Design & Siting	Hydraulics	Electrical
Where the cost of the building work is-				
\$150,001 to \$250,000	\$2,356.43 plus 1.25% of the amount in excess of \$150,000	Less \$355.00 plus 0.15% of the amount in excess of \$150,000 where Design and Siting approval is not required	Less \$310.00 plus 0.05% of the amount in excess of \$150,000 where the work does not require hydraulic works	Less \$221.80 plus 0.075% of the amount in excess of \$150,000 where the work does not require electrical works
\$250,001 to \$500,000	\$3,606.43 plus 1.0% of the amount in excess of \$250,000	Less \$485.00 plus 0.15% of the amount in excess of \$250,000 where Design and Siting approval is not required	Less \$360.00 plus 0.02% of the amount in excess of \$250,000 where the work does not require hydraulic works	Less \$296.80 plus 0.02% of the amount in excess of \$250,000 where the work does not require electrical works
\$500,001 to \$1,000,000	\$6,106.43 plus 0.75% of the amount in excess of \$500,000	Less \$860.00 plus 0.12% of the amount in excess of \$500,000 where Design and Siting approval is not required	Less \$410.00 plus 0.02% of the amount in excess of \$500,000 where the work does not require hydraulic works	Less \$346.80 plus 0.02% of the amount in excess of \$500,000 where the work does not require electrical works
\$1,000,001 to \$10,000,000	\$9,856.43 plus 0.5% of the amount in excess of \$1,000,000	Less \$1,460.00 plus 0.075% of the amount in excess of \$1,000,000 where Design and Siting approval is not required	Less \$510.00 plus 0.02% of the amount in excess of \$1,000,000 where the work does not require hydraulic works	Less \$446.80 plus 0.02% of the amount in excess of \$1,000,000 where the work does not require electrical works
more than \$10,000,000	\$54,826.43 plus 0.25% of the amount in excess of \$10,000,000	Less \$8,180.00 plus 0.05% of the amount in excess of \$10,000,000 where Design and Siting approval is not required	Less \$2,310.00 plus 0.02% of the amount in excess of \$10,000,000 where the work does not require hydraulic works	Less \$2,246.80 plus 0.02% of the amount in excess of \$10,000,000 where the work does not require electrical works