

AUSTRALIAN CAPITAL TERRITORY
BUILDING ACT 1972
REVOCATION AND DETERMINATION OF FEES
EXPLANATORY STATEMENT
DETERMINATION No. 41 OF 1997.

This Determination made under Section 65 of the *Building Act 1972* revokes the existing Determinations of Fees.

As a result of changes in Government Policy, a consolidated building application fee has been set up under the *Building Act 1972*. The fee includes components for any hydraulic work and electrical work related to work on a building that requires approval and for approval of external design and siting when required and not already given.

"Deleted" indicates that the fee is no longer charged. "Removed" indicates that the fee is Administrative and therefor have been removed from the Gazettal.

All refund fees have been deleted on legal advice as the Building Act does not make provision for them. A new refunds regulation is being prepared and an new determination will be prepared once the regulation is in place.

1-Jul-96
\$

New Fee
\$

BUILDERS LICENCES

Assessment and Examination Fee - Builder's Licences

(a) Where an applicant is not the holder of a builder's licence an applicant who is the holder of a builder's licence applies for a different class of licence or a different endorsement under section 14(6A) and for renewal of an expired licence -

The incorporation of (a) and (b) is appropriate as they have the same meaning and the same fees should apply

(i) if the applicant is a company or 2 or more persons carrying on a business	200 00	200 00
(ii) if the applicant is an individual	140 00	140 00
(iii) applicants not holding such qualifications	335 00	Deleted

This fee is no longer required as CIT now examine unqualified applicants to determine whether the applicant has sufficient experience and informally acquired skills to qualify for a licence

(b) Upgrades, including changes of class of licence, changes in conditions or restrictions and endorsements for all classes of licence	150 00	Deleted
(c) Withdrawal before final assessment	50% of fee	Deleted
(d) Application for a new licence within 60 days of the date of expiry of another licence of the same kind	Nil	60

Replaces current policy of charging a full assessment fee for all late payment of licence fee and reflects actual processing costs

	1-Jul-96 \$	New Fee \$
LICENCE FEES - BUILDERS		
Where the period of the licence is for		
(i) 1 year or less	300 00	300 00
(ii) an extension up to 3 years of a licence valid for 1 year of less - per month	30 00	30.00
(iii) 2 years	520 00	520 00
(iv) 3 years	750 00	750 00
BUILDING APPLICATIONS (BA)		
<i>This fee is the result of a policy to create a Building Application fee which combines and simplifies fees</i>		
(a) Commercial and Residential Building Work	NIL	See attached schedule
(1) New residences, units and townhouses -	230 plus \$4 00 per square metre or part thereof, of total area, per floor, under roofline	Deleted
(2) Commercial building work, with the exception of that provided for in Paragraph 4(c) -	230 plus \$4 00 per square metre or part thereof, of total floor area,	Deleted

	1-Jul-96 \$	New Fee \$
(3) New commercial building work in existing approved buildings -	230	Deleted
	plus \$2 00 per linear metre or part thereof, of work (minimum fee \$220 00)	
(4) Residential building work - garages, carports, ornamental ponds, masts, antennae, advertising devices, notices, signs, alterations or additions to buildings - where the area of the building is increased	115 plus \$4 00 per square metre or part thereof, of total area, per floor, under roofline (minimum fee \$220 00)	Deleted
(5) Residential building work - retaining walls, fences, gates, advertising devices, notices, signs alterations or additions to buildings - where the area of the building is not increased	115 plus \$2 00 per linear metre of part thereof, of work (minimum fee \$220 00)	Deleted

1-Jul-96
\$

New Fee
\$

(b) AMENDMENT OF PLANS

There is now a consistent policy covering amendment fees for all aspects of Building Applications and applications under the Land (Planning and Environment) Act and Buildings (Design and Siting) Act

(a) 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 remainder of the building

(i) residential building work 50 00 50 00

(ii) commercial building work 80 00 80 00

(b) Where the amendment involves re-examination of the plans and there is an increase in the cost of the work -

(i) residential building work 50 00 50 00

(ii) commercial building work 80 00 80 00

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

	1-Jul-96 \$	New Fee \$
<p>(c) Where the amendment involves re-examination of the plans, but there is no increase in the cost of the work.-</p> <p><i>The proposed changes eliminates the ambiguous to whether the fee applies to each sheet of the plans or to each change made on each sheet</i></p>		
(i) residential building work	50 00	50 00
(ii) commercial building work		
first amended plan	50 00	50 00
each additional plan in the one lodgement	40 00	40 00
PLAN AMENDMENTS - REFUNDS		
<p><i>If the area of building work is reduced, a refund is payable, less a fee to cover the costs of processing, including plans that are refused by the ACT Planning Authority</i></p>		
(a) The refund for residential work "may" be all fees in excess of	40 00	Deleted
(b) The refund for commercial work "may" be all fees in excess of	80 00	Deleted

	1-Jul-96 \$	New Fee \$
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	75 00	75 00
(ii) commercial building work	175 00	175.00
in addition to any other fee that is payable		
CERTIFICATION THAT GENERAL PLANS COMPLY WITH THE BUILDING CODE		
(a) Issuing of certificate stating that the properties and performance of a building material or method of construction or design fulfil specific requirements of the Building Code including standard plans -		
(i) residential building work	250 00	250 00
(ii) commercial building work	250 00	250 00
(b) Renewal of certificate -		
(i) residential building work	115 00	115.00
(ii) commercial building work	115 00	115 00
PARTIAL CERTIFICATE OF OCCUPANCY		
<i>The Building Application Fee is intended to cover approval and inspections. A separate fee is inconsistent with this principle</i>		
Partial Occupancy, inspection and issue of certificate to an applicant		
(a) Residential building work	65 00	Deleted
(b) Commercial building work - per half hour	50 00 (minimum \$100)	Deleted

	1-Jul-96 \$	New Fee \$
Additional Inspection Charges		
<i>As each of the events described has the same impact on inspections, the fees have been adjusted to make them the same</i>		
(a) Failed inspection	60.00	60 00
(b) Inspection booked by licensee of permit holder - not ready	40 00	60 00
(c) Inspection booked by licensee or permit holder - access not available	40 00	60 00
(d) Inspections performed outside normal working hours	120 00	170 00
		plus \$50 per hour for each hour in excess of 4 hours
(e) Partial inspection of stage -		
<i>The Building Application Fee is intended to cover approval and inspections. A separate fee for certain types of inspection is inconsistent with this principle</i>		
(i) residential building work	50 00	Deleted
(ii) commercial building work with the initial inspection of each step included in Permit	75 00	Deleted
	or \$35 per half hour, whichever is the greater	

	1-Jul-96 \$	New Fee \$
STOP NOTICES		
<i>The proposed change aligns this fee with the fee for Additional inspection charges</i>		
(i) Approval of resumption of work after the issue of a Stop Work notice	75 00	60 00
(ii) second and subsequent Stop Notice relating to matters that required the issue of the first Stop Notice	210 00	Deleted
<i>As each stop work notice lasts at most for a week and limited work is involved in the issue of later notices, the charge was considered inappropriate</i>		
COPY OF BUILDING, ELECTRICAL AND PLUMBING RECORDS		
<i>The proposed provides a reduced minimum retrieval fee when access to only a plan is required This is particularly common for hydraulics records</i>		
(a) Building and hydraulics file retrieval and search by lessee or authorised person	20 00	20 00
(b) Building and hydraulics plan retrieval	NIL	10 00
(c) Building and hydraulics file retrieval and staff-assisted search	25 00	25 00
(d) Building and hydraulic file retrieval by -		
(i) written request		
first two documents	20 00	20 00
each subsequent document	10 00	10 00
(ii) telephone request (surcharge on all other fees)	15 00	15 00
(e) Building and hydraulic file retrieval and search and written statement signed by Building Controller	45 00	45 00

	1-Jul-96 \$	New Fee \$
(f) Certified copy of document (surcharge on all other fees) -		
(i) first two documents	20 00	20 00
(ii) each subsequent document	10 00	10 00
(g) Multiple-file and large-project surcharge - per half hour or part thereof	30 00	30.00
(h) Photocopying (plans and drawings from building files and multiple copies of originals) -		
<i>Fees have been reduced to reflect that not all copies are produced by higher cost copying machines</i>		
(i) plain documents of A2 size per sheet or colour documents up to A3 size, per sheet	10 00	6 00
(ii) over A2 size per sheet	10 00	8 00
(iii) plain documents of size A3 or less, per sheet	2 00	1 00
(i) Comprehensive written history with copies of relevant major documents - per half hour	30 00	30 00
(j) Preparation of documents for legal matters - per half hour	40 00	40 00

REGISTER OF LICENCE HOLDERS

Information is readily found on computer records and made available by phone and therefore the fee is no longer necessary

(a) Counter inspection of the Register	20 00	Deleted
(b) Printed permit history of a builder	30 00	Deleted

This service will no longer be provided due to privacy implications

	1-Jul-96 \$	New Fee \$
APPLICATION FOR EXTENSION OF PERIOD OF CURRENCY OF APPROVED PLANS		
(a) Residential work	10% of original fee (minimum per application \$50)	10% of original fee (minimum per application \$50)
(b) Commercial work	10% of original fee (minimum per application \$50)	10% of original fee (minimum per application \$50)

OWNER-BUILDER ASSESSMENT

Establishment/Assessment and interview if required under sub-section 39(1) (b) of the Building Act

Reduction in fee aligns this fee for assessing the competency of non-professional builders with the charge for assessment of an application for a builder's licence

(a) All applicants	150	140 00
(b) Where an applicant withdraws his or her application after the assessment has begun but before the final decision is made	50% of fee	Deleted

BUILDING PERMITS

Where the application for a building permit is not submitted with plans for approval, policy is the eliminate separate fees covering the same area

Where the application for a building permit is not submitted with plans for approval	60 00	Deleted
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	1-Jul-96	New Fee
	\$	\$
EXTENSION OF BUILDING PERMITS		
(a) First six months	50 00	50.00
(b) Subsequent three months	55 00	55 00
(c) Subsequent month or part thereof	25 00	25 00
SYSTEM LICENCES		
(a) Application for a System Licence	215 00	215 00
(b) Renewal of a System Licence	215 00	215 00
(c) Transfer of a System Licence	60 00	60 00

	1-Jul-96 \$	New Fee \$
APPLICATION FOR APPROVAL OF PLANS AND ISSUE OF BUILDING PERMITS		
<i>Fees for this purpose have been incorporated in the Building Application Fee</i>		
(a) New residences, units and townhouses -	230 00 plus \$4 00 per square metre or part thereof, of total area, per floor, under roofline	Deleted
(b) Commercial building work, with the exception of that provided for in Paragraph 4(c) -	230 00 plus \$4 00 per square metre or part thereof, of total area, per floor, under roofline	Deleted
(c) New commercial building work in existing approved buildings -	230 00 plus \$2 00 per linear metre or part thereof, of work (minimum fee \$220 00)	Deleted

	1-Jul-96 \$	New Fee \$
(d) Residential building work - garages, carports, ornamental ponds, masts, antennae, advertising devices, notices, signs, alterations or additions to buildings - where the area of the building is increased	115 00 plus \$4 00 per square metre or part thereof, of total area, per floor, under roofline (minimum fee \$220 00)	Deleted
(e) Residential building work - retaining walls, fences, gates, advertising devices, notices, signs alterations or additions to buildings - where the area of the building is not increased	115 00 plus \$2 00 per linear metre of part thereof, of work (minimum fee \$220 00)	Deleted

INSTALLATION OF SOLID FUEL APPLIANCES

The reduced Minimum fee introduced for Building Applications makes a separate fee for this kind of work no longer necessary

Application for the approval of plans and specifications,	70 00	Deleted
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1-Jul-96
\$

New Fee
\$

AFTER HOURS SERVICES

Removed and replaced by a administrative fee for fast tracking approvals

Structural Engineering, Mechanical Engineering,
Building Surveying, Miscellaneous, Unit Titles
Assessment

(a) residential building work - per hour	70 00 (minimum \$65)	Removed
(b) commercial building work - per hour	100 00 (minimum \$90)	Removed

SALE OF TECHNICAL INFORMATION

(a) Building Code	RRP	Deleted
(b) Amendments to Building Code	RRP	Deleted
(c) Building Act	25 00	Deleted
(d) Building Notes (set in binder)	15 00	Removed
(e) Building Notes (single page)	1 00	Removed
(f) Standards Bulletin - per copy	2 00	Deleted

BUILDING STATISTICS PER YEAR

(a) Permit holders (weekly listing)	350 00	Removed
(b) Numerical report (monthly/quarterly/annually)	115 00	Removed
(c) Numerical and graphical reports	360 00	Deleted

1 BUILDING APPLICATIONS (BA's)

The fees in this part of the Schedule are calculated relative to the cost of the work being submitted for **approval** (That is the contract price or if there is no signed contract, the cost of the proposed building work as determined in accordance with the *Building Act 1972*)

COMMERCIAL AND RESIDENTIAL BUILDING WORK

- 1 The fees incorporate the assessment of building, electrical and plumbing components (and Design and Siting component for single residential work) when applicable
- 2 Where public notification of the Design and Siting component is required additional fees are payable.

	Building Application Fee	Fee Reductions for non-inclusions		
		Design & Siting	Hydraulics	Electrical
Where the cost of the building work is - (i) \$0 to \$1,500	\$90 00	Less \$45 00 if Design and Siting approval is not required	Nil	Nil

	Building Application Fee	Fee Reductions for non-inclusions		
		Design & Siting	Hydraulics	Electrical
(ii) \$1,501 to \$5,000	\$90 00 plus 1 755% of the amount in excess of \$1,500 00	Less \$45 00 plus 0 183% of the amount in excess of \$1,500 if Design and Siting approval is not required	Nil	Nil
(iii) \$5,001 to \$20,000	\$151 43 plus 1 5% of the amount in excess of \$5,000	Less \$51 40 plus 0 188% of the amount in excess of \$5,000 if Design and Siting approval is not required	Less 0 3% of the amount in excess of \$5,000 00 where the work does not include hydraulic works	Less 0 194% of the amount in excess of \$5,000 00 where the work does not include electrical works
(iv) \$20,001 to \$100,000	\$376.43 plus 1 5% of the amount in excess of \$20,000	Less \$79 60 plus 0 188% of the amount in excess of \$20,000 if Design and Siting approval is not required	Less \$45 00 plus 0 3% of the amount in excess of \$20,000 00 where the work does not include hydraulic works	Less \$29 10 plus 0 194% of the amount in excess of \$20,000 00 where the work does not include electrical works
(v) \$100,001 to \$150,000	\$1,576 43 plus 1 5% of the amount in excess of \$100,000	Less \$230 00 plus 0.15% of the amount in excess of \$100,000 if 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
(vi) \$150,001 to \$250,000	\$2,326.43 plus 1.25 % of the amount in excess of \$150,000	Less \$305.00 plus 0.15% of the amount in excess of \$150,000 if 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
(vi) \$250,001 to \$500,000	\$3,576.43 plus 1.0 % of the amount in excess of \$250,000	Less \$455.00 plus 0.15% of the amount in excess of \$250,000 if 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
(vii) \$500,001 to \$1,000,000	\$6,076.43 plus 0.75 % of the amount in excess of \$500,000	Less \$830.00 plus 0.12% of the amount in excess of \$500,000 if 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

	Building Application Fee	Fee Reductions for non-inclusions		
		Design & Siting	Hydraulics	Electrical
(viii) \$1,000,001 to \$10,000,000	\$9,826 43 plus 0.5 % of the amount in excess of \$1,000,000	Less \$1,430 00 plus 0 075% of the amount in excess of \$1,000,000 if 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
(ix) 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 if Design and Siting approval is not required	Less \$2310 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

	1-Jul-96 \$	New Fee \$
ADMINISTRATIVE FEES		
After Hours Services		
Fast Tracking Approvals		
(i) Residential	70 per hour	37.50 per hour
(ii) Commercial	100 per hour	37.50 per hour
<i>Formally charged at a different rate under Consultancy Services This fee allows an applicant to pay a fee for an application to be processed within 24 hours through the use of staff overtime</i>		
These fees are in addition to any determined fees payable		
Sale of Technical Information		
<i>The publication is now available directly from the publisher, no longer to be sold solely by BEPCON</i>		
(a) Building Code	RRP	Deleted
(b) Amendments to Building Code	RRP	Deleted
<i>Copies of the Act will no longer be sold due to copyright concerns</i>		
(c) Building Act	25	Deleted
(d) Building Notes (set in binder)	15	15
<i>The basis for charge has been altered from per page to per note to reflect the increase in the size of the building notes to more than one page</i>		
(e) Building Notes (per note)	1	1
<i>The publication is no longer being provided</i>		
(f) Standards Bulletin - per copy	2	Deleted

	1-Jul-96	New Fee
	\$	\$
Building Statistics Per Year		
(a) Permit holders (weekly listing)	350	350
(b) Numerical report (monthly/quarterly/annually)	115	115
<i>The publication is no longer being provided</i>		
(c) Numerical and graphical reports	360	Deleted