

Authorised Version
Planning and Environment (Fees) Amendment
Regulations 2018
S.R. No. 156/2018

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Authorised Version

STATUTORY RULES 2018

S.R. No. 156/2018

Planning and Environment Act 1987

**Planning and Environment (Fees) Amendment
Regulations 2018**

The Governor in Council makes the following Regulations:

Dated: 10 October 2018

Responsible Minister:

RICHARD WYNNE
Minister for Planning

ANDREW ROBINSON
Clerk of the Executive Council

1 Objective

The objective of these Regulations is to amend the Planning and Environment (Fees) Regulations 2016 to provide further for fees for applications for permits and applications to amend permits.

2 Authorising provision

These Regulations are made under section 203 of the **Planning and Environment Act 1987**.

3 Commencement

These Regulations come into operation on 1 November 2018.

4 Principal Regulations

In these Regulations, the Planning and Environment (Fees) Regulations 2016¹ are called the Principal Regulations.

5 Regulation 9 substituted

For regulation 9 of the Principal Regulations
substitute—

"9 Fees for applications for permits under section 47

For the purposes of section 47(1)(b) of the Act, the fee for an application for a permit (other than an application under section 96(1) of the Act) is the fee specified in Column 2 of the Table at the foot of this regulation corresponding to that class of permit.

Table

| <i>Column 1</i> | <i>Column 2</i> |
|------------------------|--|
| <i>Class of permit</i> | <i>Application fee</i> |
| Class 1 | A permit relating to use of land. 89 fee units |
| Class 2 | A permit (other than a class 7 permit or a permit to subdivide or consolidate land) to— (a) develop land for a single dwelling per lot; or (b) use and develop land for a single dwelling per lot; or (c) undertake development ancillary to the use of land for a single dwelling per lot— if the estimated cost of development is \$10 000 or less. 13.5 fee units |

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| <i>Column 1</i> | <i>Column 2</i> |
|--|------------------------|
| <i>Class of permit</i> | <i>Application fee</i> |
| <p>Class 3 A permit (other than a class 8 permit or a permit to subdivide or consolidate land) to—</p> <p style="margin-left: 40px;">(a) develop land for a single dwelling per lot; or</p> <p style="margin-left: 40px;">(b) use and develop land for a single dwelling per lot; or</p> <p style="margin-left: 40px;">(c) undertake development ancillary to the use of land for a single dwelling per lot—</p> <p style="margin-left: 40px;">if the estimated cost of development is more than \$10 000 but not more than \$100 000.</p> | 42.5 fee units |
| <p>Class 4 A permit (other than a class 8 permit or a permit to subdivide or consolidate land) to—</p> <p style="margin-left: 40px;">(a) develop land for a single dwelling per lot; or</p> <p style="margin-left: 40px;">(b) use and develop land for a single dwelling per lot; or</p> | |

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| <i>Column 1</i> | <i>Column 2</i> |
|--|---|
| <i>Class of permit</i> | <i>Application fee</i> |
| <p style="text-align: center;">Class 5</p> <p style="text-align: center;">A permit (other than a class 8 permit or a permit to subdivide or consolidate land) to—</p> <p style="text-align: center;">(c) undertake development ancillary to the use of land for a single dwelling per lot—</p> <p style="text-align: center;">if the estimated cost of development is more than \$100 000 but not more than \$500 000.</p> | <p style="text-align: center;">87 fee units</p> |
| <p style="text-align: center;">Class 6</p> <p style="text-align: center;">A permit (other than a class 8 permit or a permit to subdivide or consolidate land) to—</p> <p style="text-align: center;">(a) develop land for a single dwelling per lot; or</p> <p style="text-align: center;">(b) use and develop land for a single dwelling per lot; or</p> <p style="text-align: center;">(c) undertake development ancillary to the use of land for a single dwelling per lot—</p> <p style="text-align: center;">if the estimated cost of development is more than \$500 000 but not more than \$1 000 000.</p> | <p style="text-align: center;">94 fee units</p> |

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| <i>Column 1</i> | <i>Column 2</i> |
|---|------------------------|
| <i>Class of permit</i> | <i>Application fee</i> |
| <p>(b) use and develop land for a single dwelling per lot; or</p> <p>(c) undertake development ancillary to the use of land for a single dwelling per lot— if the estimated cost of development is more than \$1 000 000 but not more than \$2 000 000.</p> | <p>101 fee units</p> |
| <p>Class 7 A permit that is the subject of a VicSmart application, if the estimated cost of the development is \$10 000 or less.</p> | <p>13.5 fee units</p> |
| <p>Class 8 A permit that is the subject of a VicSmart application, if the estimated cost of the development is more than \$10 000.</p> | <p>29 fee units</p> |
| <p>Class 9 A permit that is the subject of a VicSmart application to subdivide or consolidate land.</p> | <p>13.5 fee units</p> |
| <p>Class 10 A permit that is the subject of a VicSmart application (other than a class 7, class 8 or class 9 permit).</p> | <p>13.5 fee units</p> |

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| <i>Column 1</i> | <i>Column 2</i> |
|---|------------------------|
| <i>Class of permit</i> | <i>Application fee</i> |
| Class 11 A permit to develop land (other than a class 2, class 3, class 7 or class 8 permit or a permit to subdivide or consolidate land) if the estimated cost of development is not more than \$100 000. | 77.5 fee units |
| Class 12 A permit to develop land (other than a class 4, class 5 or class 8 permit or a permit to subdivide or consolidate land) if the estimated cost of development is more than \$100 000 but not more than \$1 000 000. | 104.5 fee units |
| Class 13 A permit to develop land (other than a class 6 or class 8 permit or a permit to subdivide or consolidate land) if the estimated cost of development is more than \$1 000 000 but not more than \$5 000 000. | 230.5 fee units |
| Class 14 A permit to develop land (other than a class 8 permit or a permit to subdivide or consolidate land) if the estimated cost of development is more than \$5 000 000 but not more than \$15 000 000. | 587.5 fee units |

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| <i>Column 1</i> | <i>Column 2</i> |
|---|-----------------------------------|
| <i>Class of permit</i> | <i>Application fee</i> |
| Class 15 A permit to develop land (other than a class 8 permit or a permit to subdivide or consolidate land) if the estimated cost of development is more than \$15 000 000 but not more than \$50 000 000. | 1732.5 fee units |
| Class 16 A permit to develop land (other than a class 8 permit or a permit to subdivide or consolidate land) if the estimated cost of development is more than \$50 000 000. | 3894 fee units |
| Class 17 A permit to subdivide an existing building (other than a class 9 permit). | 89 fee units |
| Class 18 A permit to subdivide land into 2 lots (other than a class 9 or class 17 permit). | 89 fee units |
| Class 19 A permit to effect a realignment of a common boundary between lots or to consolidate 2 or more lots (other than a class 9 permit). | 89 fee units |
| Class 20 A permit to subdivide land (other than a class 9, class 17, class 18 or class 19 permit). | 89 fee units per 100 lots created |

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| <i>Column 1</i> | <i>Column 2</i> |
|------------------------|---|
| <i>Class of permit</i> | <i>Application fee</i> |
| Class 21 | A permit to— <ul style="list-style-type: none"> (a) create, vary or remove a restriction within the meaning of the Subdivision Act 1988; or (b) create or remove a right of way; or (c) create, vary or remove an easement other than a right of way; or (d) vary or remove a condition in the nature of an easement (other than a right of way) in a Crown grant. |
| | 89 fee units |
| Class 22 | A permit not otherwise provided for in this regulation. |
| | 89 fee units |

6 Fees for applications to amend permits under section 72

For the Table at the foot of regulation 11 of the Principal Regulations **substitute**—

"Table

| <i>Column 1</i> | | <i>Column 2</i> |
|-------------------------------------|---|------------------------|
| <i>Class of amendment to permit</i> | | <i>Application fee</i> |
| Class 1 | An amendment to a permit to— (a) change the use of land allowed by the permit; or (b) allow a new use of land. | 89 fee units |
| Class 2 | An amendment to a permit (other than a permit to develop land for a single dwelling per lot or to use and develop land for a single dwelling per lot or to undertake development ancillary to the use of land for a single dwelling per lot)— (a) to change the statement of what the permit allows; or (b) to change any or all of the conditions which apply to the permit. | 89 fee units |
| Class 3 | An amendment to a class 2, class 3, class 4, class 5 or class 6 permit, if the estimated cost of any additional development to be permitted by the amendment is \$10 000 or less. | 13.5 fee units |

Planning and Environment (Fees) Amendment Regulations 2018
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| <i>Column 1</i> | <i>Column 2</i> | |
|-------------------------------------|--|----------------|
| <i>Class of amendment to permit</i> | <i>Application fee</i> | |
| Class 4 | An amendment to a class 2, class 3, class 4, class 5 or class 6 permit, if the estimated cost of any additional development to be permitted by the amendment is more than \$10 000 but not more than \$100 000. | 42.5 fee units |
| Class 5 | An amendment to a class 2, class 3, class 4, class 5 or class 6 permit, if the estimated cost of any additional development to be permitted by the amendment is more than \$100 000 but not more than \$500 000. | 87 fee units |
| Class 6 | An amendment to a class 2, class 3, class 4, class 5 or class 6 permit, if the estimated cost of any additional development to be permitted by the amendment is more than \$500 000. | 94 fee units |
| Class 7 | An amendment to a permit that is the subject of a VicSmart application, if the estimated cost of the additional development is \$10 000 or less. | 13.5 fee units |
| Class 8 | An amendment to a permit that is the subject of a VicSmart application, if the estimated cost of the additional development is more than \$10 000. | 29 fee units |

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| <i>Column 1</i> | <i>Column 2</i> |
|-------------------------------------|---|
| <i>Class of amendment to permit</i> | <i>Application fee</i> |
| Class 9 | An amendment to a class 9 permit. 13.5 fee units |
| Class 10 | An amendment to a class 10 permit. 13.5 fee units |
| Class 11 | An amendment to a class 11, class 12, class 13, class 14, class 15 or class 16 permit, if the estimated cost of any additional development to be permitted by the amendment is \$100 000 or less. 77.5 fee units |
| Class 12 | An amendment to a class 11, class 12, class 13, class 14, class 15 or class 16 permit, if the estimated cost of any additional development to be permitted by the amendment is more than \$100 000 but not more than \$1 000 000. 104.5 fee units |
| Class 13 | An amendment to a class 11, class 12, class 13, class 14, class 15 or class 16 permit, if the estimated cost of any additional development to be permitted by the amendment is more than \$1 000 000. 230.5 fee units |
| Class 14 | An amendment to a class 17 permit. 89 fee units |
| Class 15 | An amendment to a class 18 permit. 89 fee units |
| Class 16 | An amendment to a class 19 permit. 89 fee units |

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| <i>Column 1</i> | | <i>Column 2</i> |
|-------------------------------------|------------------------------------|--|
| <i>Class of amendment to permit</i> | | <i>Application fee</i> |
| Class 17 | An amendment to a class 20 permit. | 89 fee units per every additional 100 lots created |
| Class 18 | An amendment to a class 21 permit. | 89 fee units |
| Class 19 | An amendment to a class 22 permit. | 89 fee units |

7 Fee for application for planning certificate

For regulation 17(b) of the Principal Regulations
substitute—

"(b) \$7.11 where the application is made and finalised electronically."

Endnotes

¹ Reg. 4: S.R. No. 120/2016.

Fee Units

These Regulations provide for fees by reference to fee units within the meaning of the **Monetary Units Act 2004**.

The amount of the fee is to be calculated, in accordance with section 7 of that Act, by multiplying the number of fee units applicable by the value of a fee unit.

The value of a fee unit for the financial year commencing 1 July 2018 is \$14.45. The amount of the calculated fee may be rounded to the nearest 10 cents.

The value of a fee unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a fee unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.