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**PLANNING**


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PL301\*

Planning and Development Act 2005

## Planning and Development Amendment Regulations (No. 4) 2011

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Planning and Development Amendment Regulations (No. 4) 2011*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2011.

**3. Regulations amended**

These regulations amend the *Planning and Development Regulations 2009*.

**4. Regulation 48 amended**

In regulation 48(5) amend the provisions listed in the Table as set out in the Table.

**Table**

Provision	Delete	Insert
r. 48(5)(a)	\$80.60	\$83.00
r. 48(5)(b)	\$61.20	\$63.00
r. 48(5)(c)	\$33.70	\$34.70
r. 48(5)(d)	\$27.60	\$28.40

**5. Schedule 2 replaced**

Delete Schedule 2 and insert:

**Schedule 2 — Maximum fees for certain planning services**

[r. 47]

<b>Item</b>	<b>Planning service</b>	<b>Maximum fee</b>
1.	Determining a development application (other than for an extractive industry) where the development has not commenced or been carried out and the estimated cost of the development is —	
	(a) not more than \$50 000	\$139
	(b) more than \$50 000 but not more than \$500 000	0.32% of the estimated cost of development
	(c) more than \$500 000 but not more than \$2.5 million	\$1 600 + 0.257% for every \$1 in excess of \$500 000
	(d) more than \$2.5 million but not more than \$5 million	\$6 740 + 0.206% for every \$1 in excess of \$2.5 million
	(e) more than \$5 million but not more than \$21.5 million	\$11 890 + 0.123% for every \$1 in excess of \$5 million
	(f) more than \$21.5 million	\$32 185
2.	Determining a development application (other than for an extractive industry) where the development has commenced or been carried out	The fee in item 1 plus, by way of penalty, twice that fee
3.	Determining a development application for an extractive industry where the development has not commenced or been carried out	\$696
4.	Determining a development application for an extractive industry where the development has commenced or been carried out	The fee in item 3 plus, by way of penalty, twice that fee
5.	Providing a subdivision clearance for —	
	(a) not more than 5 lots	\$69 per lot
	(b) more than 5 lots but not more than 195 lots	\$69 per lot for the first 5 lots and then \$35 per lot
	(c) more than 195 lots	\$6 959
6.	Determining an initial application for approval of a home occupation where the home occupation has not commenced	\$209

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<b>Item</b>	<b>Planning service</b>	<b>Maximum fee</b>
7.	Determining an initial application for approval of a home occupation where the home occupation has commenced	The fee in item 6 plus, by way of penalty, twice that fee
8.	Determining an application for the renewal of an approval of a home occupation where the application is made before the approval expires	\$69
9.	Determining an application for the renewal of an approval of home occupation where the application is made after the approval has expired	The fee in item 8 plus, by way of penalty, twice that fee
10.	Determining an application for a change of use or for an alteration or extension or change of a non-conforming use to which item 1 does not apply, where the change or the alteration, extension or change has not commenced or been carried out	\$278
11.	Determining an application for a change of use or for an alteration or extension or change of a non-conforming use to which item 2 does not apply, where the change or the alteration, extension or change has commenced or been carried out	The fee in item 10 plus, by way of penalty, twice that fee
12.	Providing a zoning certificate	\$69
13.	Replying to a property settlement questionnaire	\$69
14.	Providing written planning advice	\$69

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By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.