



New South Wales

**ENVIRONMENTAL PLANNING AND ASSESSMENT (SAVINGS  
AND TRANSITIONAL REGULATION 1998—ORDER**

I, the Minister for Urban Affairs and Planning, in pursuance of clause 33 of the Environmental Planning and Assessment (Savings and Transitional) Regulation 1998, make the Order set out in the following Schedules.

Craig Knowles, MP  
Minister for Urban Affairs and Planning

Sydney, 30th day of June 1998.

**Commencement**

This order takes effect on and from 1 July 1998.

**SCHEDULE 1**

**Maximum fee for construction certificate**

1. The fee for an application for a construction certificate must not exceed the maximum amount determined in accordance with this Schedule.

**Calculation of maximum fee**

2. (a) No fee is payable for an application for a construction certificate for building work where that application relates to a development application to which clause 29(9) of the Environmental Planning and Assessment (Savings and Transitional) Regulation 1998 applies.  
(b) The maximum fee for an application for a construction certificate for building work is \$50, plus an amount calculated in accordance with the Table to this clause.  
(c) If the application is lodged simultaneously with a development application for the same building work, the maximum fee for the application for the construction certificate is 85 per cent of the maximum fee calculated in accordance with the Table to this clause.

## 1998 No 358

Environmental Planning and Assessment (Savings and Transitional) Regulation 1998—Order

**Table**

<b>Cost</b>	<b>Component amount</b>
(That is, the contract price or if there is no contract, the cost of the proposed building as determined by the consent authority)	(Expressed as percentage of cost)
Not exceeding \$5,000	0.5 per cent.
Exceeding \$5,000 but not exceeding \$100,000	0.5 per cent for the first \$5,000, plus 0.35 per cent of the amount in excess of \$5,000.
Exceeding \$100,000 but not exceeding \$250,000	0.5 per cent for the first \$5,000, plus 0.35 per cent of the next \$95,000, plus 0.2 per cent of the amount in excess of \$100,000.
Exceeding \$250,000	0.5 per cent for the first \$5,000, plus 0.35 per cent of the next \$95,000, plus 0.2 per cent of the next \$150,000, plus 0.1 per cent of the amount in excess of \$250,000

### **Functions taken to be included in the fee**

3. The following functions are taken to be included in the fee for a construction certificate:

- (a) receiving and registering the application,
- (b) undertaking any inspection of the site of the proposed building work before the determination of the application,
- (c) if the building work comprises the alteration, enlargement, extension or rebuilding of an existing building, any inspection of the existing building before the determination of the application,
- (d) considering submissions made in relation to the application,
- (e) examining the application and any accompanying plans and specifications,
- (f) checking engineering drawings and other details relating to the proposed building work,

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- (g) preparing any report in relation to the application, processing and determining the application, and giving any notice required under the Act in relation to the determination of the application,
- (h) issuing an occupation certificate in relation to the building work,
- (i) incidental administrative functions associated with the determination of the application.

## **SCHEDULE 2**

### **Maximum fee for an application for a development consent to which clause 29(9) of the Environmental Planning and Assessment (Savings and Transitional) Regulation 1998 applies**

1. The maximum fee payable for an application for development consent to which clause 29(9) of the Environmental Planning and Assessment (Savings and Transitional) Regulation 1998 applies is \$50, plus an amount calculated in accordance with the following Table:

**Table**

<b>Cost</b>	<b>Component amount</b>
(That is, the contract price or if there is no contract, the cost of the proposed building as determined by the consent authority)	(Expressed as percentage of cost)
Not exceeding \$5,000	0.5 per cent.
Exceeding \$5,000 but not exceeding \$100,000	0.5 per cent for the first \$5,000, plus 0.35 per cent of the amount in excess of \$5,000.
Exceeding \$100,000 but not exceeding \$250,000	0.5 per cent for the first \$5,000, plus 0.35 per cent of the next \$95,000, plus 0.2 per cent of the amount in excess of \$100,000.
Exceeding \$350,000	0.5 per cent for the first \$5,000, plus 0.35 per cent of the next \$95,000, plus 0.2 per cent of the next \$150,000, plus 0.1 per cent of the amount in excess of \$250,000

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**Functions taken to be included in the fee**

2. The following functions are taken to be included in the fee for an application for a development consent referred to in Clause 1 of Schedule 2 to this Order:
  - (a) receiving and registering the application for development consent,
  - (b) undertaking any inspection of the site of the proposed building before the determination of the application,
  - (c) if the erection of the building comprises the alteration or rebuilding of an existing building, any inspection of the existing building before the determination of the application,
  - (d) notifying any persons who may be detrimentally affected by the proposed building,
  - (e) allowing inspections at the office of the council of such plans of the proposed building as show its height and its external configuration in relation to the site on which it is proposed to be erected,
  - (f) considering submissions made in relation to the application for development consent,
  - (g) examining the application for development consent and accompanying plans and specifications,
  - (h) checking engineering drawings and other details that relate to the proposed building,
  - (i) preparing any report in relation to the application for development consent, processing and determining the application and giving any notice required by or under the Act in relation to the determination of the application,
  - (j) issuing an occupation certificate to the person on whose behalf the building has been erected,
  - (k) incidental administrative functions associated with the determination of the application for development consent.