

**LAND AND ENVIRONMENT COURT ACT 1979—
REGULATION**

(Relating to fees)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Land and Environment Court Act 1979, has been pleased to make the Regulation set forth hereunder.

J. P. HANNAFORD, M.L.C.,
Minister for Justice.

Commencement

1. This Regulation commences on 1 September 1993.

Amendments

2. The Land and Environment Court (Fees) Regulation is amended by omitting Schedule 1 and by inserting instead the following Schedule:

SCHEDULE 1—COURT FEES

	(Cl. 7)
	\$
1. Filing a process to commence proceedings in Class 1 of the Court's jurisdiction (other than proceedings referred to in Item 2 or 3)	450.00
2. Filing a process to commence proceedings in Class 1 of the Court's jurisdiction where the matter relates to a development, building or subdivision application:	
(a) if the value of the development, building or subdivision is less than \$50,000	135.00
(b) if the value of the development, building or subdivision is \$50,000 or more but less than \$500,000	450.00

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	(c) if the value of the development, building or subdivision is \$500,000 or more but less than \$1,000,000	2,050.00
	(d) if the value of the development, building or subdivision is \$1,000,000 or more	2,560.00
3.	Filing a process to commence Proceedings in Class 1 of the Court's jurisdiction where the matter relates to an objection under section 98 of the Environmental Planning and Assessment Act 1979	135.00
4.	Filing a process to commence proceedings in Class 2 of the Court's jurisdiction (other than proceedings referred to in Item 5)	450.00
5.	Filing a process to commence proceedings in Class 2 of the Court's jurisdiction where the matter relates to a development, building or subdivision application and the value of the development, building or subdivision is less than \$50,000	135.00
6.	Filing a process to commence proceedings in Class 3 of the Court's jurisdiction (other than proceedings referred to in Item 7, 7A, 8 or 9)	450.00
7.	Filing a process to commence proceedings in Class 3 of the Court's jurisdiction where the matter relates to a rating appeal under section 574 of the Local Government Act 1993	66.00
7A.	Filing a process to commence proceedings in Class 3 of the Court's jurisdiction where the matter relates to an appeal, reference or other matter under the Crown Lands Act 1989, the Western Lands Act 1901, the Roads Act 1993, the Water Act 1912 or the Crown Lands (Continued Tenures) Act 1989	66.00
8.	Filing a process to commence proceedings in Class 3 of the Court's jurisdiction where the matter relates to an objection to a valuation under Part 3 of the Valuation of Land Act 1916 as to the value of the land in question, and that value, as determined by the respondent rating or taxing authority:	
	(a) is less than \$100,000	115.00
	(b) is \$100,000 or more but less than \$500,000	155.00
	(c) is \$500,000 or more but less than \$1,000,000	250.00
	(d) is \$1,000,000 or more	350.00
9.	Filing a process to commence proceedings in Class 3 of the Court's jurisdiction where the matter relates to a claim for compensation by reason of the acquisition of land as referred to in Division 2 of Part 3 of the Land and Environment Court Act 1979:	
	(a) if the amount offered as compensation by the resuming or constructing authority is less than \$50,000	135.00
	(b) if the amount offered as compensation by the resuming or constructing authority is \$50,000 or more but less than \$500,000	450.00
	(c) if the amount offered as compensation by the resuming or constructing authority is \$500,000 or more but less than \$1,000,000	2,050.00
	(d) if the amount offered as compensation by the resuming or constructing authority is \$1,000,000 or more	2,560.00
10.	In respect of Item 6, 8 or 9, if the registrar determines that, because of the substance of the matter and its lack of complexity, the fee referred to in the Item is not appropriate	66.00

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11. Filing a process to commence proceedings in Class 4 of the Court's jurisdiction	450.00
12. Filing a process to commence proceedings in Class 5 of the Court's jurisdiction	450.00
13. Filing a process to commence an appeal to the Court under section 56A of the Land and Environment Court Act 1979	545.00
14. For an officer of the Court to produce a document at a place (other than the place at which the Court sits or the office of the registrar)	36.00
15. To furnish a copy of a document in any proceedings to a person who is not a party to the proceedings	31.00
16. Making a copy of any document, per page	2.00
(minimum fee	10.00)
17. For each copy of the transcript/diskette of any proceedings:	
(a) per page (or equivalent) where the matter being transcribed is under 3 months old	6.50
(minimum fee for 1 to 8 pages (or equivalent)	55.00)
(b) per page (or equivalent) where the matter being transcribed is over 3 months old	7.50
(minimum fee for 1 to 8 pages (or equivalent)	65.00)
18. To furnish to a party to proceedings a second or subsequent copy of the written opinion or reasons for opinion of any Judge or of any assessor or other officer of the Court in relation to the proceedings, for each copy	36.00
19. To open or keep open the office of the registrar:	
(a) on a Saturday, Sunday or other holiday (except the day after Easter Monday)	355.00
(b) on any other day:	
(i) before 9 a.m. or after 4.30 p.m.	355.00
(ii) between 9 and 9.30 a.m. or 4 and 4.30 p.m.	36.00
20. Supply of duplicate tape recording of sound recorded evidence, each cassette	31.00
21. Taxation fees:	
(a) filing a bill of costs	205.00
(b) lodging an objection to a bill of costs	205.00

EXPLANATORY NOTE

The object of this Regulation is to amend the Land and Environment Court (Fees) Regulation to vary court fees in relation to the following procedures:

- (a) to file processes to commence proceedings;
- (b) to secure the production of a document by a court officer at a place (other than where the court sits or the office of the registrar);
- (c) to furnish copies of documents to persons who are not parties to the proceedings;

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- (d) to furnish a second copy of an opinion by a Judge, an assessor or other court officer to a party;
- (e) to keep open the office of the Registrar outside office hours;
- (f) to supply a duplicate tape recording of sound recorded evidence;
- (g) to tax a bill of costs.

This Regulation is made under section 78 of the Land and Environment Court Act 1979.
