

1995—No. 727

**LOCAL GOVERNMENT ACT 1993—REGULATION**

(Relating to fees for applications for building approval)

NEW SOUTH WALES



*[Published in Gazette No. 152 of 15 December 1995]*

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Local Government Act 1993, has been pleased to make the Regulation set forth hereunder.

ERNIE PAGE  
Minister for Local Government.

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**Commencement**

1. This Regulation commences on 1 January 1996.

**Amendments**

2. The Local Government (Approvals) Regulation 1993 is amended:
  - (a) by omitting from clause 10 the words “the fee calculated according to the scale set out in the Table to this clause, or \$5, whichever is the greater amount.” and by inserting instead the words “\$50, plus an amount calculated in accordance with the following Table:”;
  - (b) by omitting from the Table to clause 10 the heading “FEE” and by inserting instead the heading “COMPONENT AMOUNT”;
  - (c) by inserting at the end of clause 10 the following subclause:
    - (2) Despite subclause (1), if a council determines a lesser fee, the fee payable for an application is the lesser fee.

**EXPLANATORY NOTE**

The object of this Regulation is to restructure the fee that must accompany an application for building approval under Part 1 of Chapter 7 of the Local Government Act 1993.

The restructured fee will consist of a \$50 minimum component plus a variable component determined according to the contract price of the building work for which approval is sought. This contrasts with the present provision, which prescribes the same variable component (although with a \$5 minimum), but no separate minimum component.

A further amendment will give a council discretion to determine a lesser fee.

This Regulation is made under the Local Government Act 1993, including sections 80 (Is there an application fee?) and 748 (the general regulation-making power) and item 8 of Schedule 6 (Regulations).

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