

Physical Planning (Fees For Application) [Cap 193]

Commencement: 17 August 1993

Order 30 of 1993

To prescribe fees for application under the Physical Planning Act [Cap. 193] in respect of any Physical Planning Area.

1. Interpretation

(1) In these Regulation, unless the context otherwise requires:-

"Act" means the Physical Planning Act [Cap. 193];

"Council" means Municipal Council or Local Government Council;

"dwellinghouse" means a building or part of a building which is used as a single private dwellinghouse and for no other purpose whether temporary dwellinghouse or permanent dwellinghouse, and includes a flat, studio apartment or bed-sit;

"permanent dwellinghouse" means any dwellinghouse not constructed of bush or makeshift materials, which is clearly intended and capable of being used for long term human habitation, and which meets any minimum standards required by the Council;

"temporary dwellinghouse" means any dwellinghouse constructed from bush or makeshift materials which by the nature of its construction and materials and, or amenities provided, is unsuitable for long term human habitation.

2. Physical planning fee

(1) There shall be a fee to be known as the physical planning fee.

(2) All applications for planning permission, outline permission and reserved matters made to the Council shall be accompanied by the fees specified in the Schedule unless otherwise exempted.

(3) Where an application is submitted for more than one use, the appropriate fees specified in the Schedule shall be levied in respect of each of the proposed uses.

(4) If an application is withdrawn because the Council has requested further information the applicant may re-submit the application form without paying the fee again provided that the application re-submitted is of the same character or description and is in respect of the same site.

(5) Where any payment for the physical planning fee has been effected by cheque which is dishonored, any decision that may have been issued in respect of that application shall be deemed to have been refused until such time as the required fee is paid in full.

3. Exemptions

No fees shall be payable for developments specified in the declaration made under section 3(2) of the Act, if any, in respect of any Physical Planning Area.

4. Site areas and floor space

- (1) Where any fee is based upon site area, the site area shall be defined as being the area to which the application relates, which is any land being developed including land which changes its use as part of the development, and shall be indicated by a red line on the plan accompanying the application.
- (2) Where a fee is based upon floor space the fee shall be related to the gross amount to be created by the development including all storeys.
- (3) For the purposes of calculating the fees, such measurement shall be an external measurement and shall include the thickness of all external and internal walls.

SCHEDULE

SCALE OF FEES PAYABLE FOR APPLICATION

(section 2(2))

PURPOSE OF APPLICATION	AMOUNT OF FEE PAYABLE
Outline application	VT 50 per 100 square metres area or part thereof subject to a maximum of VT 12,500 (2.5ha);
Erection of permanent dwellinghouse	VT 3,000 for each new dwellinghouse of up to 50 square metres. VT 4,500 for each new dwellinghouse of more than 50 square metres. VT 6,000 for each new dwellinghouse of 100 square metres or more;
Erection of temporary dwellinghouse	VT 1,000;
Industrial development including warehouse	VT 25 per square metres floor space, subject to a minimum fee of VT 5,000;
Erection of offices, retail and commercial buildings including hotels, discos and clubs	VT 50 per square metre of new floor space, subject to a minimum fee of VT 5,000;
Winning, working, storage of mineral, and waste disposal, Tipping	VT 100 per 100 square metres of site area or part thereof;
Change of use of building or land, other than sub-division to create additional dwellinghouses	VT 5,000;
Change of use of building to sub-division creating new dwellinghouse	VT 2,500 for each new dwellinghouse created;
Sub-division of land	VT 250 per plot for up to 20 plots, plus where applicable, VT 100 per plot for each additional plot of up to 20 plots.
Renewal of temporary consent	VT 1,000;
Other buildings not included in the above categories	VT 50 per square metre of new floor space, subject to a minimum fee of VT 5,000;
Any other development	VT 3,000.