



Victoria Government Gazette

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SPECIAL

Subordinate Legislation Act 1994

REGULATORY IMPACT STATEMENT Subdivision (Permit and Certification Fees) Regulations 2000

Notice is given under section 11 of the **Subordinate Legislation Act 1994**, that a Regulatory Impact Statement (RIS) has been prepared in relation to the proposed Subdivision (Permit and Certification Fees) Regulations 2000.

The objectives of the proposed regulations is to prescribe fees for the carrying out of specified functions by councils under the **Subdivision Act 1988** and to empower councils to waive or rebate the payment of a fee in specified circumstances.

Councils have a function provided for under the **Subdivision Act 198** relevant to the certification of a plan of subdivision. This includes the processing of applications for subdivision, the preparation of engineering plans, the supervision of works and the checking of engineering plans, The **Subdivision Act 198** allows for fees to be prescribed for these functions.

A cost benefit analysis has been undertaken for the proposed fees taking into account a number of factors including limitations of the available data. The recommended fees are based on the principle of ensuring full cost recovery where services provided primarily benefit the recipient, rather than the general public.

A number of alternative fee options were considered. These included the setting of fees

- with fixed plus variable components;
- on an a % of the cost of development (ad valorem basis); and
- on a simple "per lot" basis;
- or a combination.

The cost and benefits of these alternatives have been assessed in comparison to the proposed regulations. While, in some cases, there are sound arguments for adopting an alternative, a generally conservative approach has been taken, given the high level of acceptance of the existing fees structure by stakeholders. Thus where data was not sufficient

to warrant a high level of confidence in setting a new fee, retention of the existing fee has been preferred.

Copies of the RIS and the proposed Regulations may be obtained from the Department of Infrastructure Planning Information Centre located on the Upper Plaza level of Nauru House, 80 Collins Street, Melbourne or from the Department of Infrastructure web site at www.doi.vic.gov.au/planning.

Public comment and submissions are invited on the proposed RIS and Regulations. Written submissions should be directed to Julie Van Dort, Project Officer, Legislation Unit, Department of Infrastructure, GPO Box 2797Y, Melbourne, Vic. 3001; Facsimile on 03 9655 6919 or e-mail julie.vandort@doi.vic.gov.au and should be received no later than the close of business on Thursday 31 August 2000.

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