

REPUBLIC OF VANUATU

CHAPTER 193

THE PHYSICAL PLANNING (FEES FOR APPLICATION) REGULATIONS
ORDER NO. 30 OF 1993

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

IN EXERCISE of powers conferred by Section 15 of the Physical Planning Act [CAP.193], I, CHARLIE NAKO, Minister of Home Affairs, hereby make the following Regulations:-

INTERPRETATION

1. (1) In these Regulations, 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.

PHYSICAL PLANNING FEE

2. (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- (4) If an application is withdrawn because the Council has requested further information the applicant may re-submit the application form without paying the fee again provided that the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 dishonoured, 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.

EXEMPTIONS

3. 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.

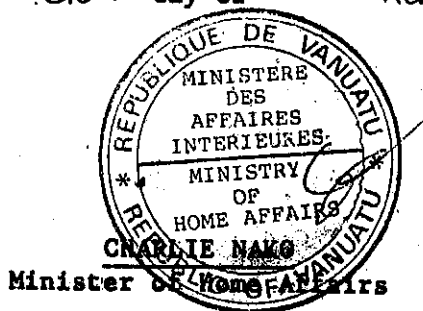
SITE AREAS AND FLOOR SPACE

4. (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.

COMMENCEMENT

5. These Regulations shall come into force on the date of its publication in the Gazette.

MADE at PORT VILA, this 10th day of August, 1993.



SCHEDULE

SCALE OF FEES PAYABLE FOR APPLICATION

(Section 2(2))

<u>PURPOSE OF APPLICATION</u>	<u>AMOUNT OF FEE PAYABLE</u>
Outline application	VT50 per 100 square metres area or part thereof subject to a maximum of VT12,500 (2.5ha);
Erection of permanent dwellinghouse	VT3,000 for each new dwellinghouse of up to 50 square metres. VT4,500 for each new dwellinghouse of more than 50 square metres but less than 100 square metres. VT6,000 for each new dwellinghouse of 100 square metres or more;
Erection of temporary dwellinghouse	VT1,000;
Industrial development including warehouse	VT25 per square metres floor space, subject to a minimum fee of VT5,000;
Erection of offices, retail and commercial buildings including hotels, discos and clubs	VT50 per square metres of new floor space, subject to a minimum fee of VT5,000;
Winning, working, storage of minerals, and waste disposal, Tipping	VT100 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	VT5,000;
Change of use of building to sub-division creating new dwellinghouse	VT2,500 for each new dwellinghouse created;

Sub-division of land	VT250 per plot for up to 20 plots, plus where applicable, VT100 per plot for each additional plot of up to 20 plots.
Renewal of temporary consent	VT1,000;
Other buildings not included in the above categories	VT50 per square metres of new floor space, subject to a minimum fee of VT5,000;
Any other development	VT3,000.