

REGULATIONS UNDER THE ROADS (OPENING AND CLOSING) ACT 1991

Roads (Opening and Closing) Fees Regulations 1991

being

No. 227 of 1991: *Gaz.* 31 October 1991, p. 1216¹

as varied by

No. 92 of 1992: *Gaz.* 18 June 1992, p. 1799²

No. 57 of 1993: *Gaz.* 8 April 1993, p. 1295³

No. 52 of 1994: *Gaz.* 2 June 1994, p. 1580⁴

No. 97 of 1995: *Gaz.* 10 May 1995, p. 2098⁵

No. 137 of 1996: *Gaz.* 30 May 1996, p. 2808⁶

No. 119 of 1997: *Gaz.* 13 May 1997, p. 1942⁷

¹ Came into operation 11 November 1991: reg. 2.

² Came into operation 30 July 1992: reg. 2

³ Came into operation 12 July 1993: reg. 2

⁴ Came into operation 1 July 1994: reg. 2.

⁵ Came into operation 1 July 1995: reg. 2.

⁶ Came into operation 8 July 1996: reg. 2.

⁷ Came into operation 1 July 1997: reg. 2.

2.

Citation

1. These regulations may be cited as the *Roads (Opening and Closing) Fees Regulations 1991*.

Commencement

2. These regulations will come into operation on 11 November 1991.

Interpretation

3. In these regulations, unless the contrary intention appears—

"the Act" means the *Roads (Opening and Closing) Act 1991*.

Fees

4. The fees set out in the schedule are payable to the Surveyor-General for the purposes set out in that schedule.

Refund of fees

5. The Surveyor-General may refund the whole or any part of a fee paid to the Surveyor-General under these regulations where—

(a) the matter or action for which the fee was paid is of a minor nature or is not completed;

and

(b) the Surveyor-General is of the opinion that the refund is appropriate in the circumstances.

3.

SCHEDULE

Fees

1. On deposit with the Surveyor-General of preliminary plan and statement for processing under the Act	\$132
2. For notification of a proposed road process by the Surveyor-General pursuant to s. 10 of the Act (payable, on deposit of the preliminary plan and statement, by the council commencing the road process)	\$375
3. On deposit with the Surveyor-General of an agreement for transfer or exchange (on which is denoted all stamp duty payable in respect of that agreement) for processing under the Act	\$91
4. On deposit with the Surveyor-General of a survey plan for processing under the Act—	
(a) examination fee—	
(i) where the plan is an uncertified data plan	\$250
(ii) where the plan is a survey plan certified by a licensed surveyor	\$500
plus a further \$250, payable by the surveyor, if the plan is resubmitted following rejection by the Registrar-General (However, the Registrar-General may waive or reduce the further fee if he or she considers that appropriate in a particular case having regard to the work involved in examining the resubmitted plan.)	
(b) administration fee (payable in addition to examination fee)	\$122
5. On deposit with the Surveyor-General of an application under the Act (on which is denoted all stamp duty payable in respect of that application) for a document of title, or for the alteration of a document of title, where there is no agreement for transfer or exchange	\$91
6. For notification of an order or a notice by the Surveyor-General pursuant to s. 34 or s. 37 of the Act (payable prior to notification)	\$91
7. On deposit of a document with the Surveyor-General for processing under the Act for which a fee is not otherwise provided in this schedule	\$91
8. For the withdrawal of a document (other than a survey plan) submitted to the Surveyor-General for processing under the Act	\$32
9. On application for a road width declaration by the Surveyor-General	\$35

4.

APPENDIX

LEGISLATIVE HISTORY

Schedule:

substituted by 92, 1992, reg. 3; 57, 1993, reg. 3; 52, 1994, reg. 3; 97, 1995,
reg. 3; 137, 1996, reg. 3; 119, 1997, reg. 3