

Planning (Temporary Development Levy) Rules

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Legislative History

PLANNING ACT (CHAPTER 232, SECTION 40D)

PLANNING (TEMPORARY DEVELOPMENT LEVY) RULES

R 9

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Citation

1. These Rules may be cited as the Planning (Temporary Development Levy) Rules.

Definitions

2. In these Rules, unless the context otherwise requires, “Development Baseline”, “Development Ceiling” and “temporary permission” have the same meanings as in section 40A(5) of the Act.

Computation of temporary development levy

3. The amount of temporary development levy payable under section 40A of the Act in respect of any development of land to be authorised by a temporary permission shall be determined in accordance with the formula $(A - B) \times C$

where A	is the value of the Development Ceiling for the land determined in accordance with the formulae and rates prescribed in the Planning (Development Charges) Rules (R 5) subject to the modification that the reference to a written permission in the formula in rule 4(1)(b) of those Rules shall be read as a reference to the temporary permission;
B	is the value of the Development Baseline for the land determined in accordance with the formulae and rates prescribed in the Planning (Development Charges) Rules; and
C	is the applicable percentage set out in the Schedule corresponding to the period of the temporary permission.

Exemption for payment of temporary development levy

4. Where under any provision of the Planning (Development Charge — Exemption) Rules (R 6), the liability to pay development charge or any part thereof under section 35 of the Act is exempted for any development of land, the liability to pay temporary development levy or any proportionate part thereof in respect of such development of land shall similarly be exempted if such development of land is to be authorised by a temporary permission.

Requirements of competent authority for determination of temporary development levy

5. For the purposes of determining the temporary development levy payable under section 40A of the Act, the competent authority may require an applicant for temporary permission to submit such detailed calculations, plans, documents and other information