

Gold Coast City Council
Adopted infrastructure charges resolution
No 1 of 2011 (Version 1.1)

1. Introduction

- 1.1. This is an adopted infrastructure charges resolution (“resolution”) made by Council under s.648D of the *Sustainable Planning Act 2009* (“SPA”).
- 1.2. The adoption of infrastructure charges in this resolution means that there is no requirement to identify the lesser of the State’s maximum adopted charge and the charge that could have been levied under the Priority Infrastructure Plan (“PIP”) (the pre-SPRP amount) to determine the adopted infrastructure charge.
- 1.3. This resolution is attached to Gold Coast City Council’s ‘Our Living City Gold Coast Planning Scheme 2003’ (“Planning Scheme”). To remove any doubt, it is declared that the details of this resolution are not part of the Local Government’s planning scheme.
- 1.4. This resolution has effect on and from the day the State Planning Regulatory Provision (adopted charges) first has effect.
- 1.5. Version 1.1, which incorporates amendments to reflect the return of water and wastewater retailing, distribution and services from ‘Allconnex Water’ to Council has effect on and from 1 July 2012.
- 1.6. This resolution adopts a charge for particular development that is equal to or less than the maximum adopted charge. Table 1 identifies the relationship between existing planning scheme use types and the classes of development to which the adopted infrastructure charges schedule apply.
- 1.7. This resolution covers all of the Gold Coast City Council local government area. Contained within this area there is also a Priority Infrastructure Area (“PIA”) which identifies the area of Gold Coast City that is intended to accommodate urban growth.
- 1.8. The PIA boundary is shown in ‘Figure 1-1 Gold Coast City Council PIA Boundary’ in the PIP.
- 1.9. This resolution does not apply to those areas in the Coomera Town Centre Structure Plan which are identified as master planned areas for which a Master Plan must be made. These areas are identified in Planning Scheme map ‘Coomera Town Centre Structure Plan – SP Map 10.4 – Master Plan Units’ as Master Plan Units 1A and 1B. However, this resolution does apply to all other areas within the Coomera Town Centre declared master planned area.
- 1.10. Areas subject to specific legislation, including the:
 - *Robina Town Centre Planning Agreement Act 1992*
 - *Integrated Resort Development Act 1987*
 - *Sanctuary Cove Resort Act 1985*
 - *Jupiter’s Casino Agreement Act 1983*

are included in the PIA. To the extent these Acts and related agreements facilitate the imposition of infrastructure charges under a different charging regime this resolution will not apply. Charges for these areas are detailed in

Council's Infrastructure Agreements register. Otherwise the adopted infrastructure charge will apply.

- 1.11. The issuing of an adopted infrastructure charges notice may be triggered by assessable development or development requiring compliance assessment. The types of development that may trigger the issuing of an adopted infrastructure charges notice are:
 - a) reconfiguring of a lot
 - b) material change of use
 - c) carrying out building work.
- 1.12. In this resolution the expression "development application" includes a request for compliance assessment and the expression "development approval" includes a compliance permit.
- 1.13. Where a word or term used in this resolution is defined by SPA, that word or term will have the meaning given in SPA.

2. Adopted Infrastructure Charge

- 2.1. The adopted charges are based on the charge amounts for the development set out in Table 2.
- 2.2. The adopted infrastructure charges relate to Council's transport, recreation facilities, stormwater, water and wastewater infrastructure networks.

3. Credits

- 3.1. In accordance with s.648D(1)(d) of SPA Council has set out the discounts that may be taken into account in Table 2, based on the existing lawful use of the premises on which the development is carried out ("credits").
- 3.2. A credit will only be applied in respect of an existing lawful use in existence at the time the development application is made. This means a credit will only be applied where an existing lawful use is established (up and running) on the site the subject of the development application at the time the development application is made.
- 3.3. Credits will be calculated in the same manner in which the relevant charge demand is calculated. This means that Council is only charging for additional charge demand. The credit amount/demand attributable to existing lawful uses is set out in Table 2.
- 3.4. A credit will not be applied under this resolution for any reason other than the existence of a lawful use on the premises the subject of the development application at the time the application is made. This means that a credit will not be applied under this resolution, for example, for previous payments towards an infrastructure network or the previous dedication of trunk infrastructure.

(Note: the recognition of a credit for an existing lawful use also serves to recognise a credit for previous payments because the credit associated with an existing lawful use will generally be equal to or greater than any previous infrastructure payment (based on the charges and demand under the charging regime under which the payment was made). The intent is that an adopted infrastructure charge will be levied for any increase in demand. In some circumstances an existing lawful use credit may not adequately reflect a previous payment. For example where a charge has been paid in respect of reconfiguring

a lot but there is no lawful use on any of the new lots. In such circumstances Council may, in its absolute discretion, consider entering into an infrastructure agreement with a developer to credit previous payments on a case by case basis.)

4. Calculation of adopted infrastructure charge

- 4.1. The adopted infrastructure charge for a development will be based on the charge or demand identified in Table 2.
- 4.2. The following steps apply to calculate the adopted charge for a development application:
 - Step 1 Determine proposed development charge amount or demand from Table 2 (assessable demand)
 - Step 2 Determine credit amount or demand for existing lawful use from Table 2 and deduct credit from assessable demand to determine chargeable amount or demand
 - Step 3 Determine charge rates (for non residential uses)
 - Step 4 Calculate adopted infrastructure charges
- 4.3. Areas in Council's local government area which are not planned to be serviced by water supply or wastewater are identified in clauses 8.3 (Water Supply Service Area) and clause 9.3 (Wastewater Service Area) of Council's PIP. In these areas the assessable demand will be reduced relating to the water or wastewater component of the charge depending on which service is not planned to be provided. If the development is in an area:
 - (a) not planned to be serviced by water supply the assessable demand will be reduced by 10.9%;
 - (b) not planned to be serviced by wastewater the assessable demand will be reduced by 33.6%
- 4.4. A development approval that approves more than one use (mixed use development) may involve uses/development with different assessable demands under Table 2. The following rules will apply to the calculation of the charge/demand for a mixed use development:
 - (a) if more than one use is proposed to occur in any given area the subject of the approval the assessable demand will be based on the use/development with the highest charge amount or demand;
 - (b) if an approved development includes an area which is common to two or more uses identified in Table 2 the assessable demand for the common area will be based on the use/development with the highest charge amount or demand;
 - (c) if an existing lawful use includes an area which is common to two or more uses identified in Table 2 the credit for the common area will be based on the use/development with the highest charge amount or demand.
- 4.5. If an adopted charge is intended to be levied pursuant to a building works approval and the building may be used for more than one use under Table 2 the

assessable demand will be based on the use/development with the highest charge amount or demand.

- 4.6. If an adopted charge is to be levied pursuant to a development approval for reconfiguring a lot:
- (a) the adopted charge must be calculated in the way prescribed for calculating an adopted charge for reconfiguring a lot in the SPRP;
 - (b) if the SPRP does not prescribe a way for calculating an adopted charge for reconfiguring a lot, the charge must be calculated in the following way:
 - i. for residential development – the maximum adopted charge for a detached dwelling per lot;
 - ii. for non-residential development – a nominal charge equal to the maximum adopted charge for a detached dwelling per lot.

5. Specialised uses

- 5.1. Upon receiving a development application for a specialised use Council will determine the most appropriate charging category from Table 1 to apply to the approval and calculate the charge in accordance with Table 2.

Table 1 – Part 1

Non-Residential Charging Category	GCCC Planning Scheme 2003 Use or Development Definitions
Assembly	<ol style="list-style-type: none"> 1. Community Purposes* (for art gallery, community hall, library, museum, scout hall, and other community organised uses) 2. Funeral Parlour 3. Place of Worship 4. Reception Room 5. Restricted Club 6. Surf Life Saving Club
Commercial (bulk goods)	<ol style="list-style-type: none"> 7. Bulk Garden Supplies 8. Retail Plant Nursery 9. Showroom 10. Vehicle Hire Premises 11. Vehicle Sales Premises
Commercial (retail)	<ol style="list-style-type: none"> 12. Café 13. Convenience Shop 14. Department Store 15. Fast Food Premises 16. Laundromat 17. Manufacturer's Shop 18. Restaurant 19. Service Industry 20. Service Station 21. Shop 22. Shopping Centre Development 23. Take-Away Food Premises 24. Tourist Shop
Commercial (office)	<ol style="list-style-type: none"> 25. Commercial Services 26. Display Home 27. Estate Sales Office 28. Funeral Business 29. Office 30. Vehicle Hire Office
Education	<ol style="list-style-type: none"> 31. Child Care Centre --. Community Purposes* (for child day care) 32. Educational Establishment
Entertainment	<ol style="list-style-type: none"> 33. Adult Entertainment 34. Amusement Parlour 35. Brothel 36. Cinema 37. Indoor Recreation Facility 38. Nightclub 39. Tavern 40. Theatre

Non-Residential Charging Category	GCCC Planning Scheme 2003 Use or Development Definitions
Industry	41. Fuel Depot 42. Industry 43. Milk Depot 44. Motor Vehicle Repairs 45. Outdoor Storage Area 46. Rural Industry 47. Salvage Yard 48. Storage 49. Warehouse 50. Waterfront Industry
High impact industry	
Low impact rural	51. Agriculture 52. Animal Husbandry 53. Farm Forestry
High impact rural	54. Aquaculture 55. Minor Aquaculture
Essential services	56. Community Care Centre --. Community Purposes* (for day respite care) --. Community Purposes* (for emergency services) --. Community Purposes* (for health services) 57. Corrective Institution 58. Hospital 59. Medical Centre 60. Veterinary Clinic 61. Veterinary Hospital
Specialised uses	62. Car Park 63. Commercial Groundwater Extraction --. Community Purposes* (for government use) 64. Ecotourism Facility 65. Extractive Industry 66. Helipad 67. Kennel 68. Marina 69. Minor Tourist Facility 70. Open Sports Ground 71. Outdoor Sport and Recreation 72. Private Recreation ** 73. Public Utility 74. Railway Activities 75. Refuse Disposal 76. Refuse Transfer Station 77. Telecommunications Facility 78. Tourist Facility 79. Transit Centre 80. Transport Terminal
Minor uses	81. Advertising Device 82. Bed and Breakfast 83. Cemetery 84. Family Day Care Home 85. Farm Stay 86. High Impact Telecommunications Facility 87. Home Occupation 88. Home Office 89. Kiosk 90. Low Impact Telecommunications Facility 91. Market

Non-Residential Charging Category	GCCC Planning Scheme 2003 Use or Development Definitions
	92. Park 93. Stall 94. Substantial Structure 95. Temporary Use
Long term accommodation	96. Aged Persons Accommodation 97. Relocatable Home Park 98. Special Accommodation
Short term accommodation	99. Camping Ground 100. Caravan Park 101. Hostel Accommodation 102. Motel 103. Resort Hotel 104. Tourist Cabins
<p>Note: Numbering is in order to confirm completeness of the list and does not infer any order. There are a total of 112 definitions in the Planning Scheme - <i>Part 4 Definitions: Division 1 Dictionary of Terms Used in the Planning Scheme: Chapter 2 Use or Development Definitions</i>. Therefore for Community Purposes multiple entries (as explained below) only the first entry has a number.</p> <p>* Community Purposes is defined in the Planning Scheme as “any premises used for the provision of social or service facilities generally where local, state or federal government provides such facilities. This term includes art gallery, child day care, community hall, day respite care, emergency services, government use, health services, library, museum, scout hall, and other community organised uses.”</p> <p>** Private Recreation is defined in the Planning Scheme as “the use and development of land for private recreation purposes, e.g. tennis courts, where this is ancillary to an existing or approved residential use on the same site. The total area used for the private recreation activity does not exceed 0.5 hectares.”</p>	

Table 1 – Part 2

Residential Land Uses in GCCC Planning Scheme 2003
1. Apartment 2. Attached Dwelling and Medium Density Detached Dwelling 3. Caretaker’s Residence 4. Detached Dwelling 5. Eco-Village 6. Family Accommodation
<p>Note: Numbering is in order to confirm completeness of the list and does not infer any order. There are a total of 112 definitions in the Planning Scheme - <i>Part 4 Definitions: Division 1 Dictionary of Terms Used in the Planning Scheme: Chapter 2 Use or Development Definitions</i>.</p>

Table 1 – Part 3

Other Land Use Definitions in GCCC Planning Scheme 2003 that do not attract a charge
7. Conservation (Natural Area Management) 8. Minor Change in the Scale or Intensity of an Existing Use
<p>Note: Numbering is in order to confirm completeness of the list and does not infer any order. There are a total of 112 definitions in the Planning Scheme - <i>Part 4 Definitions: Division 1 Dictionary of Terms Used in the Planning Scheme: Chapter 2 Use or Development Definitions</i>.</p>

Table 2

Development for which an adopted infrastructure charge may apply	State maximum adopted charges	Local Government adopted infrastructure charges	State maximum adopted charges for stormwater network	Local Government adopted infrastructure charges for stormwater network	Credits for existing lawful uses
Detached Dwelling	\$28,000	\$27,000 per dwelling unit	N/A	Included in adopted infrastructure charge	\$27,000 per dwelling unit
1 Bedroom Apartment	\$20,000	\$13,500 per dwelling unit	N/A	Included in adopted infrastructure charge	\$13,500 per dwelling unit
2 Bedroom Apartment	\$20,000	\$17,000 per dwelling unit	N/A	Included in adopted infrastructure charge	\$17,000 per dwelling unit
3 Bedroom Apartment	\$28,000	\$22,000 per dwelling unit	N/A	Included in adopted infrastructure charge	\$22,000 per dwelling unit
4+ Bedroom Apartment	\$28,000	\$23,500 per dwelling unit	N/A	Included in adopted infrastructure charge	\$23,500 per dwelling unit
1 Bedroom Attached	\$20,000	\$16,500 per dwelling unit	N/A	Included in adopted infrastructure charge	\$16,500 per dwelling unit
2 Bedroom Attached	\$20,000	\$19,000 per dwelling unit	N/A	Included in adopted infrastructure charge	\$19,000 per dwelling unit
3 Bedroom Attached	\$28,000	\$22,500 per dwelling unit	N/A	Included in adopted infrastructure charge	\$22,500 per dwelling unit
4+ Bedroom Attached	\$28,000	\$23,000 per dwelling unit	N/A	Included in adopted infrastructure charge	\$23,000 per dwelling unit

Accommodation (Short term)	\$10,000 per dwelling unit (1 or 2 bedroom dwelling) (for all networks) or \$14,000 per dwelling unit (3 or more bedroom dwelling) (for all networks)	50% of residential type charge.	N/A	Included in adopted infrastructure charge	50% of residential type charge.
Accommodation (Long term)	\$20,000 per dwelling unit (1 or 2 bedroom dwelling) (for all networks) or \$28,000 per dwelling unit (3 or more bedroom dwelling) (for all networks)	As per residential type.	N/A	Included in adopted infrastructure charge	As per residential type.
Places of Assembly	\$70 per m2 of GFA	\$70 per m2 of GFA	\$10 per impervious m2	\$10 per impervious m2	\$70 per m2 of GFA plus \$10 per impervious m2
Commercial (Bulk goods)	\$140 per m2 of GFA	\$140 per m2 of GFA	\$10 per impervious m2	\$10 per impervious m2	\$140 per m2 of GFA plus \$10 per impervious m2
Commercial (Retail)	\$180 per m2 of GFA	\$180 per m2 of GFA	\$10 per impervious m2	\$10 per impervious m2	\$180 per m2 of GFA plus \$10 per impervious m2
Commercial (Office)	\$140 per m2 of GFA	\$140 per m2 of GFA	\$10 per impervious m2	\$10 per impervious m2	\$140 per m2 of GFA plus \$10 per impervious m2
Education Facility	\$140 per m2 of GFA	\$140 per m2 of GFA	\$10 per impervious m2	\$10 per impervious m2	\$140 per m2 of GFA plus \$10 per impervious m2
Entertainment	\$200 per m2 of GFA	\$200 per m2 of GFA	\$10 per impervious m2	\$10 per impervious m2	\$200 per m2 of GFA plus \$10 per impervious m2

Indoor Sport and Recreational Facility	\$200 per m2 of GFA, court areas at \$20 per m2 of GFA	\$200 per m2 of GFA, court areas at \$20 per m2 of GFA	\$10 per impervious m2	\$10 per impervious m2	\$200 per m2 of GFA, court areas at \$20 per m2 of GFA plus \$10 per impervious m2
Industry	\$50 per m2 of GFA	\$50 per m2 of GFA	\$10 per impervious m2	\$10 per impervious m2	\$50 per m2 of GFA plus \$10 per impervious m2
High Impact Industry	\$70 per m2 of GFA	\$70 per m2 of GFA	\$10 per impervious m2	\$10 per impervious m2	\$70 per m2 of GFA plus \$10 per impervious m2
Low Impact Rural	Nil charge				
High Impact Rural	\$20 per m2 of GFA	\$20 per m2 of GFA	N/A	N/A	\$20 per m2 of GFA plus \$10 per impervious m2
Essential Services	\$140 per m2 of GFA	\$140 per m2 of GFA	\$10 per impervious m2	\$10 per impervious m2	\$140 per m2 of GFA plus \$10 per impervious m2
Specialised uses	Use and demand determined at time of assessment				
Minor uses	Nil charge				