

Gold Coast City Council
Adopted infrastructure charges resolution
No 1 of 2011 (Version 1.2)

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 first had effect on and from 1 July 2011.
- 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. Version 1.2, which incorporates amendments to implement Council’s infrastructure charges stimulus package has effect on and from 1 October 2012.
- 1.7. 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.
- 1.8. 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.
- 1.9. The PIA boundary is shown in ‘Figure 1-1 Gold Coast City Council PIA Boundary’ in the PIP.
- 1.10. 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.
- 1.11. Areas subject to specific legislation, including the:
 - *Local Government (Robina Central 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.

1.12. 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.

1.13. In this resolution the expression "development application" includes a request for compliance assessment and the expression "development approval" includes a compliance permit.

1.14. 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.

2.3. For residential development the charges in Table 2 for all networks comprise:-

- a) the transport, recreation facilities and stormwater proportion of the adopted charge being 55.5% of the adopted infrastructure charge; and
- b) the water and wastewater proportion of the adopted charge being 44.5% of the adopted infrastructure charge.

2.4. For non-residential development the charges in Table 2 comprise:-

- a) the transport and recreation facilities proportion of the adopted charge being 55.5% of the adopted infrastructure charge for transport, recreation facilities, water and wastewater; and
- b) the water and wastewater proportion of the adopted charge being 44.5% of the adopted infrastructure charge for transport, recreation facilities, water and wastewater; and
- c) the adopted infrastructure charge for the stormwater network.

2.5. The water and wastewater proportion of the adopted infrastructure charge comprises:-

- a) 10.9% which is attributable to the water service; and
- b) 33.6% which is attributable to the wastewater service.

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 a lawful use in existence up to four years before 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.

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. Exemption from adopted infrastructure charge

- 5.1. Adopted infrastructure charges will not be levied for changes of use within existing buildings where:-
- a) the new approved development does not involve additional gross floor area (“GFA”); and
 - b) all previously levied infrastructure charges have been paid in full; and
 - c) a lawful land use has been established in the existing building within the last four years.

(Note: the intent is that changes of use within existing buildings, after the initial use, will be exempt from infrastructure charges. Council may, in its absolute discretion not apply this exemption. For example, if a use involving a lower charging category is undertaken for a very short term, followed by a use with a higher charging category.)

5.2. Adopted infrastructure charges will not be levied on an approval for expansion of a non-residential land use, where the expansion is no more than 500m² of GFA, or 50% of existing GFA, whichever is lower. This exemption does not apply to approvals for expansions of:

- a) more than 500m² of GFA; or
- b) land uses defined in the Planning Scheme as 'Shop', 'Shopping Centre Development', 'Showroom' and 'Department Store', if the GFA of the existing land use is greater than 500m².

5.3. The exemption in 5.2 will only be applied once within any four year period.

6. Specialised uses

- 6.1. 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
Places of Assembly	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)	7. Bulk Garden Supplies 8. Retail Plant Nursery 9. Showroom 10. Vehicle Hire Premises 11. Vehicle Sales Premises
Commercial (retail)	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)	25. Commercial Services 26. Display Home 27. Estate Sales Office 28. Funeral Business 29. Office 30. Vehicle Hire Office
Education	31. Child Care Centre --. Community Purposes* (for child day care) 32. Educational Establishment
Entertainment	33. Adult Entertainment 34. Amusement Parlour 35. Brothel 36. Cinema 37. Hotel (non-residential component) 38. Nightclub 39. Tavern 40. Theatre
Indoor sport and recreational facility	41. Indoor sport and recreation

Non-Residential Charging Category	GCCC Planning Scheme 2003 Use or Development Definitions
Industry	42. Fuel Depot 43. Industry 44. Milk Depot 45. Motor Vehicle Repairs 46. Outdoor Storage Area 47. Rural Industry 48. Salvage Yard 49. Storage 50. Warehouse 51. Waterfront Industry
High impact industry	
Low impact rural	52. Agriculture 53. Animal Husbandry 54. Farm Forestry
High impact rural	55. Aquaculture 56. Minor Aquaculture
Essential services	57. Community Care Centre --. Community Purposes* (for day respite care) --. Community Purposes* (for emergency services) --. Community Purposes* (for health services) 58. Corrective Institution 59. Hospital 60. Medical Centre 61. Veterinary Clinic 62. Veterinary Hospital
Specialised uses	63. Car Park 64. Commercial Groundwater Extraction --. Community Purposes* (for government use) 65. Ecotourism Facility 66. Extractive Industry 67. Helipad 68. Kennel 69. Marina 70. Minor Tourist Facility 71. Open Sports Ground 72. Outdoor Sport and Recreation 73. Private Recreation ** 74. Public Utility 75. Railway Activities 76. Refuse Disposal 77. Refuse Transfer Station 78. Telecommunications Facility 79. Tourist Facility 80. Transit Centre 81. Transport Terminal
Minor uses	82. Advertising Device 83. Bed and Breakfast 84. Cemetery 85. Family Day Care Home 86. Farm Stay 87. High Impact Telecommunications Facility 88. Home Occupation 89. Home Office 90. Kiosk 91. Low Impact Telecommunications Facility 92. Market

Non-Residential Charging Category	GCCC Planning Scheme 2003 Use or Development Definitions
	93. Park 94. Stall 95. Substantial Structure 96. Temporary Use
Long term accommodation	97. Aged Persons Accommodation 98. Hostel Accommodation 99. Relocatable Home Park 100. Special Accommodation
Short term accommodation	101. Camping Ground 102. Caravan Park 103. Motel 104. Resort Hotel 105. 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
Family Accommodation dwellings less than or equal to 100m2 GFA	\$20,000 or \$28,000	\$0	N/A	\$0	\$0
Family Accommodation dwellings greater than 100m2 GFA	\$20,000 or \$28,000	40% of relevant dwelling type above	N/A	Included in adopted infrastructure charge	40% of relevant dwelling type above

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
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

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
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				