
**Council of the City of Gold Coast
Charges Resolution No 1 of 2015**

CITY OF
GOLDCOAST.



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Council of the City of Gold Coast Charges Resolution No 1 of 2015 (Version 1.0)

1. Introduction

- 1.1 This is a charges resolution ("resolution") made by Council of the City of Gold Coast under s.630 of the *Sustainable Planning Act 2009* ("SPA").
- 1.2 This resolution is attached to Council's 'Our Living City Gold Coast Planning Scheme 2003' ("Planning Scheme"). To remove any doubt, it is declared that this resolution is not part of the Planning Scheme.
- 1.3 This resolution has effect on and from 1 July 2015.
- 1.4 This resolution adopts a charge for particular development that is equal to the maximum adopted charge for a charge category set out in the State Planning Regulatory Provisions (SPRP) (adopted charges). Table 1 identifies the relationship between existing planning scheme use types and the charge categories used in the SPRP (adopted charges).
- 1.5 This resolution covers all of the City of Gold Coast local government area. Contained within this area there is also a Priority Infrastructure Area (**PIA**) which identifies the area of City of Gold Coast that is intended to accommodate urban growth.
- 1.6 The PIA boundary is shown in 'Figure 1-1 Gold Coast City Council PIA Boundary' in the Priority Infrastructure Plan (**PIP**) which has been transitioned to become a local government infrastructure plan (**LGIP**) under the SPA.
- 1.7 This resolution does not apply to:
- (a) Work or a use of land authorised under the *Greenhouse Gas Storage Act 2009*, the *Mineral Resources Act 1989*, the *Petroleum Act 1923* or the *Petroleum and Gas (Production and Safety) Act 2004*; or
 - (b) Development in a priority development area under the *Economic Development Act 2012*.
- 1.8 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*
 - *Economic Development Act 2012*
- 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 this charges resolution will apply.
- Advice note: The charges identified in this resolution are currently applied for levying contributions for development in the Southport Priority Development Area under the *Economic Development Act 2012*.
- 1.9 The issuing of an infrastructure charges notice may be triggered by assessable development; a change approval; an extension approval or development requiring compliance assessment. The types of development that may trigger the issuing of an infrastructure charges notice are:
- (a) reconfiguring of a lot
 - (b) material change of use
 - (c) carrying out building work.

1.10 In this resolution:

- (a) the expression “development application” includes a request for compliance assessment, a request for a change approval and a request for an extension approval;
- (b) the expression “development approval” includes a compliance permit, a change approval and an extension approval; and
- (c) “development” includes development the subject of a change approval and an extension approval.

1.11 Where a word or term used in this resolution is defined by SPA, that word or term has the meaning given in SPA unless a contrary intention appears in the resolution.

1.12 For the purpose of this resolution Gross Floor Area (GFA) is defined in accordance with the *State Planning Regulatory Provisions (adopted charges) 2012* (SPRP (adopted charges)), which uses the definition in the Queensland Planning Provisions (QPP v2.0).

Advice note: The QPP v2.0 definition of GFA is the same as the definition in the current version of the QPP (v3.1) and draft QPP v4.0.

2. Adopted Charge

2.1 The adopted charges for development are based on the maximum adopted charges for the relevant charge category for the development set out in the SPRP(adopted charges). The charge amounts are set out in Table 2.

2.2 The adopted charge is a charge for Council’s trunk transport, recreation facilities, stormwater, water and sewerage 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 sewerage 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 sewerage; and
- (b) the water and sewerage proportion of the adopted charge being 44.5% of the adopted infrastructure charge for transport, recreation facilities, water and sewerage; and
- (c) the adopted infrastructure charge for the impervious area.

2.5 The water and sewerage 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 sewerage service.

3. Credits

3.1 In accordance with s. 636 of the SPA, a credit will only be applied in respect of:

- (a) a lawful use happening on the premises when the development application is made;
- (b) a previous use that is no longer taking place on the premises if the use was lawful at the time it was carried out;
- (c) other development on the premises if the development may be lawfully carried out without the need for a further development permit unless:
 - (i) an infrastructure requirement applies to the land on which the development will be carried out; and
 - (ii) the infrastructure requirement was imposed on the basis of development of a lower scale or intensity being carried out on the land.

Advice note: development that requires a development permit for building works will not come within section 3.1(c). Generally, clause 3.1(c) will apply only to an exempt or self-assessable use within an existing building where no additional building works are required.

- 3.2 The demand generated by a use or development mentioned in section 3.3 will not be credited under section 3.1 if an infrastructure requirement that applies or applied to the use or development has not been complied with. This includes the payment of all charges and compliance with all conditions.
- 3.3 To be eligible for credit under section 3.1 the applicant must prove that the current or previous use is lawful, or was lawful until the time it ceased to be used in that way.
- 3.4 For the purposes of s. 636(1) of the SPA a development will place additional demand upon trunk infrastructure if the development is in a catchment serviced by a trunk infrastructure network.
- 3.5 Credits will be calculated in the same manner that assessable demand is calculated for development. This means that Council is only charging for additional demand created by a development.
- 3.6 For planned demand charges previously paid under the PIP Council will consider, on a case by case basis, whether to recognise any surplus credit for the dollar difference between planned demand and application demand for the existing use calculated under the PIP (i.e., surplus credit = planned demand – application demand). For the purpose of identifying any surplus Council will have regard to:
- (a) the application demand for the existing lawfully established use calculated under the PIP; and
 - (b) the actual demand or consumption of the existing lawful use on the water and wastewater networks (including any criteria specified in the PIP – e.g., for water - the actual water consumption of the use averaged over the preceding two years (clause 8.11.1 PIP).
- 3.7 For planned demand contributions previously paid under a planning scheme policy under Council's IPA Planning Scheme (i.e., PSP 3A, PSP 3B, PSP 16 and PSP 19) Council will identify, on a case by case basis, any surplus credits that it is prepared to recognise having regard to:
- (a) the application demand calculated under the relevant PSP (to the extent possible); and
 - (b) the actual demand or consumption of the existing lawful use on the relevant network.
- 3.8 For planned demand contributions paid under an earlier planning scheme policy (i.e., a policy in force before 18 August 2003) or local planning policy, a surplus credit will not be applied¹.
- 3.9 The credit applied under this resolution will be the amount which is the greater of the following:
- (a) the adopted charge for the existing lawful use calculated under section 3.1 plus any surplus credit attributable to the premises calculated in accordance with sections 3.6 and 3.7; and
 - (b) the amount of the adopted charge for a detached dwelling under this resolution for each lot, which comprises the surface of land, excluding a building format lot, within the premises.
- 3.10 For all credit calculations a credit for a lot based on the amount of an adopted charge for a detached dwelling for each lot within the premises is subject to the following:
- (a) If the lot is not serviced by water supply trunk infrastructure and is in an area not planned to be serviced by water supply trunk infrastructure identified in clause 8.3 of the PIP – the credit will be reduced by 10.9% per lot; and
 - (b) If the lot is not serviced by wastewater trunk infrastructure and is in an area not planned to be serviced by wastewater trunk infrastructure identified in clause 9.3 of the PIP – the credit will be reduced by 33.6% per lot.

¹This is primarily for two reasons. First, the networks for which a charge was levied under the earlier policies may have been significantly different to the trunk infrastructure networks for which charges were levied under a PSP under Council's IPA Planning Scheme or the PIP. Second, the earlier policies may not provide an accurate methodology to calculate the actual demand.

- 3.11 For all credit calculations under sections 3.6 or 3.7 a surplus infrastructure charge or contribution previously paid will be converted to its current dollar value as follows:
- (a) If the charge was levied under the PIP – by increasing the amount paid for the network by the change in the indices applying to the network under the PIP;
 - (b) If the charge was levied under a Planning Scheme Policy (PSP) under Council’s IPA Planning Scheme – by increasing the amount paid for the network by the change in the indices applying to the network under the relevant PSP; and
 - (c) If 3.11(a) and (b) do not apply – by increasing the amount paid for the network by the change in the Producer Price Index (PPI index) (as detailed in section 4.7(c)).
- 3.12 In this section 3 “infrastructure requirement” has the meaning given in s. 636 of the SPA.

4. Calculation of levied charge

- 4.1 The adopted charge for a development will be based on the demand and charge amounts identified in Table 2.
- 4.2 The following steps apply to calculate the levied charge for a development application:

Step 1 Determine the demand for the approved development from Table 2 (assessable demand)

Example:

The assessable demand for a development permit for a material change of use for 10 x two bedroom apartments is 10 x two bedroom apartments;

The assessable demand for a development permit for a material change of use for a warehouse with a GFA of 1,000m² and an impervious area of 2,000m² is 1,000m² GFA and 2,000m² impervious area.

Step 2 Determine the creditable demand for the premises from Table 2 and deduct credit from assessable demand to determine chargeable amount or demand

Step 3 Determine the chargeable demand (assessable demand minus creditable demand)

Step 4 Determine the levied charge amount for the chargeable demand based on the charge rates in Table 2.

Note: the above steps exclude any offset that may be required for a necessary infrastructure condition under s. 649 of the SPA.

- 4.3 Areas in Council’s local government area which are not planned to be serviced by water supply or sewerage 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 sewerage 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 sewerage 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 assessable 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 three bedroom detached dwelling per lot;
 - (ii) for non-residential development – a nominal charge equal to the maximum adopted charge for a three bedroom detached dwelling per lot.
- 4.7 A levied charge will be automatically increased as follows:
- (a) A levied charge will be increased from the date the levied charge is levied to the time the charge is paid using the Producer Price Index (PPI index);
 - (b) Any increase in the levied charge must not be more than the lesser of the following amounts –
 - (i) the amount that is the difference between the amount of the levied charge for the development and the amount of the maximum adopted charge Council could have levied for the development at the time the charge is paid;
 - (ii) an amount representing the increase in the PPI index for the period starting on the day the charge was levied and ending on the day the charge is paid adjusted by reference to the 3-yearly PPI index average.
 - (c) In this subsection:
 - (i) “3-yearly PPI index average” has the meaning given in s. 631 of the SPA;
 - (ii) “PPI Index” has the meaning given in s. 627 of the SPA.

5. Exemption from adopted charge

5.1 Adopted 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 An adopted charge will not be levied for a development approval for the expansion of an existing lawful non-residential land use, provided:

- (a) the expansion is no more than the lesser of:
 - (i) 500m² of GFA; and
 - (ii) 50% of the existing GFA; and
- (b) for land uses defined in the Planning Scheme as ‘Shop’, ‘Shopping Centre Development’, ‘Showroom’ and ‘Department Store’ the GFA of the existing lawful use is no more than 500m², and
- (c) all previously levied infrastructure charges have been paid in full.

Advice note: This exemption applies only to an expansion of an existing lawful use and is not available for an application involving a new land use.

- 5.3 The exemption in subsection 5.2 will only be applied once within any four year period.
- 5.4 An adopted charge will not be levied for a development approval for family accommodation land uses (as defined in the Planning Scheme) with a GFA of 100m² or less.

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.

7. Conversion criteria

- 7.1 This section states Council's conversion criteria for the purposes of section 633A of the SPA.
- 7.2 This section applies if:
- (a) Council has imposed a condition of a development approval for non-trunk infrastructure under section 665 of the SPA; and
 - (b) the construction of the non-trunk infrastructure has not yet started; and
 - (c) the applicant has applied to convert the non-trunk infrastructure to trunk infrastructure under section 659 of the SPA ("conversion application").

Requirements for development infrastructure for all infrastructure networks

- 7.3 The non-trunk infrastructure the subject of the conversion application must comply with all of the following criteria:
- (a) the proposed development is consistent with the type, scale, location and timing of future development identified in the LGIP.
 - (b) the development infrastructure must have capacity to service other developments in the area to the desired standards of service.
 - (c) the development infrastructure must be located such that it is available to service other developments in the area based on the desired standards of service (DSS).

Example – a local recreation park within a large residential development that is not within 5 minutes walking distance of other development (approximately 400-500m) will not be available to service the other development in the area in accordance with the DSS.

- (d) the development infrastructure must be the same size and type and perform the same function and purpose as trunk infrastructure included in the LGIP.

Example 1 – public open space that has an ecological and conservation function is not the same as the function provided by recreation facilities infrastructure and therefore will not have the same function and purpose as a trunk infrastructure network included in the LGIP.

Example 2 – a road that is required to be constructed to a collector or residential access street will not provide the same function and purpose as a trunk road which must be an arterial, sub-arterial or distributor function road constructed to the profile identified in the Land Development Guidelines Example 3 – a condition requiring land or an easement for water or sewerage infrastructure will not be converted to trunk infrastructure because Council's trunk water and sewerage infrastructure networks do not include a land component.

- (e) the development infrastructure must not be consistent with non-trunk infrastructure for which conditions may be imposed under section 665 of the SPA;
- (f) the development infrastructure must be of a size and location that is the most cost effective option for servicing multiple users in the area;
- (g) the development infrastructure must comply with the DSS for the equivalent trunk infrastructure identified in the LGIP;

- (h) the development infrastructure must service development that is consistent with the planning assumptions for the premises identified in the LGIP in terms of scale, type, timing and location.
- (i) the purpose of the provision of the development infrastructure must not have been to secure an increase in density of the approved development or a concession or relaxation for the approved development under a planning instrument;

Example: to gain plot ratio bonuses under the planning scheme, an applicant proposes additional public park area and improvements, the application is approved based on a higher plot ratio and subject to a non-trunk infrastructure condition requiring the proposed public park area and improvements. In this case development infrastructure is provided for the purpose of gaining a plot ratio bonus and it is not appropriate that the Council be required to pay for the infrastructure through an offset or refund through the approval of a conversion application.

- (j) the development infrastructure must not have been proposed by the applicant on the basis that it would remain non-trunk infrastructure for which an offset or refund would not be payable.

Example: if the applicant proposes a local park that is non-trunk infrastructure and through an exchange of correspondence Council and the developer agree that the local park will be provided on the basis that it will remain non-trunk infrastructure and will not be eligible for an offset or refund the local park will not be converted to trunk infrastructure.

- (k) the development infrastructure must be within the PIA;
- (l) the development infrastructure is not to replace an existing item of trunk infrastructure which is made necessary due to the type, scale, location or timing of development being inconsistent with the LGIP.

Example: a premises is serviced by an existing 150mm sewerage main. Development which is in excess of the density envisaged in the LGIP is approved and Council imposes a non-trunk infrastructure condition requiring the applicant to replace the existing 150mm sewerage main with a 225mm diameter main to provide capacity to service the subject development. In this case the 225mm diameter main will not be converted to trunk infrastructure because the upgrade of the existing main is required only as a consequence of the subject development. The alternative is that Council imposes a non-trunk condition for an additional 150mm diameter main which would be inefficient because it would require Council to maintain two sewerage mains.

- (m) the development infrastructure must comply with the Council's Land Development Guidelines.

Network specific requirements – water and sewerage development infrastructure

- (n) The development infrastructure must comply with the SEQ Water Supply and Sewerage Design and Construction Code.

Network specific requirements – transport development infrastructure

- (o) The development infrastructure must:
 - (i) be for a proposed arterial, sub-arterial or distributor function road;
 - (ii) not be for works that provide direct frontage access to a development or works required to facilitate development access traffic;
 - (iii) be constructed to a major traffic route standard in accordance with Council's Land Development Guidelines.

Network specific requirements – stormwater development infrastructure

- (p) The development infrastructure:
 - (i) must be for improving the existing flood immunity within a catchment to achieve the DSS; and
 - (ii) must not be for the sole purpose of complying with Council's standard conditions imposed under the Land Development Guidelines and Queensland Urban Development Manual (**QUDM**);
 - (iii) design and construction must comply with the QUDM; the Council's Land Development Guidelines; and the Natural Channel Design Guidelines.

7.4 If the conversion application is approved:

- (i) the condition of the relevant development approval requiring the non-trunk infrastructure no longer has effect; and
- (ii) Council may amend the development approval to impose a necessary infrastructure condition under section 646 of the SPA requiring the provision of the development infrastructure.

Note: Council is not required to amend the development approval to include a necessary infrastructure condition (see s. 662 of the SPA).

7.5 If the development approval is amended to impose a necessary infrastructure condition Council must do either of the following within 10 business days after the necessary infrastructure condition for the purposes of section 649(2) or (3)(b):

- (a) give an infrastructure charges notice; or
- (b) amend, by notice to the applicant, any existing infrastructure charges notice for the development approval.

8. Value of offset or refund for trunk infrastructure

8.1 Sections 9 and 10 states Council's methodology for determining the value of offsets or refunds for section 633 of the SPA.

8.2 Sections 9 and 10 apply if the Council has imposed a necessary infrastructure condition under section 646 or 647 of the SPA.

8.3 Section 633(1) of the SPA requires a charges resolution to include a method for working out the cost of infrastructure, the subject of the offset or refund. The method must be consistent with the parameters for the purpose provided for under the Guideline made by the Minister and prescribed by regulation. The current Guideline is "Statutory Guideline 03/14 – Local Government Infrastructure Plans" dated 12 June 2014 (LGIP Guideline).

8.4 Section 4.1.3 of the LGIP Guideline says that the methodology for working out the cost of infrastructure for offsets or refunds must be consistent with the following parameters:

- (a) Clarity – the methodology should be clear, certain and transparent;
- (b) Cost effective – the methodology for pursuing an actual cost valuation should not be cost prohibitive for applicants; and
- (c) Time efficient – timeframe should be realistic and encourage the efficient resolution of actual cost valuation.

9. Value of offset or refund for trunk infrastructure that are works (excluding land)

9.1 Trunk infrastructure that is works (trunk infrastructure other than land) must be valued using the following approach:

- (a) The applicant must at its own cost provide to the Council a scope of works which includes specifications for the works; the standard to which the works are to be provided and the location of the works (Scope of Works);
- (b) The scope of works must be reviewed by Council and approved prior to proceeding to 9.1c;
- (c) The applicant must, at its own cost, provide to the Council:
 - (i) a bill of quantities for the design, construction and commissioning of the works in accordance with the Scope of Works, completed by a suitably qualified person;
 - (ii) a first principal's estimate for the cost of designing, constructing and commissioning the trunk infrastructure specified in the bill of quantities completed by a suitably qualified person.

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- (d) The Council may:
- (i) accept the bill of quantities and cost estimate provided by the applicant; or
 - (ii) require the cost of the works to be determined through a public open tender process; or
 - (iii) reject the applicant's Scope of Works, bill of quantities and costs estimate and undertake its own assessment.
- (e) If the Council accepts the bill of quantities and the cost estimate, the cost estimate is the value of the infrastructure.
- (f) If the Council requires the costs to be determined through a public open tender the process generally in accordance with the process set out in schedule 1 will apply.
- (g) If the Council does not require the value of the works to be determined through a public open tender process and rejects the bill of quantities and the cost estimate provided by the applicant Council must, at its cost, have an assessment undertaken by an appropriate qualified person to:
- (i) determine whether the bill of quantities is in accordance with the scope of works;
 - (ii) determine whether the cost estimate is consistent with the current market costs calculated by applying a first principles estimating approach to the bill of quantities; and
 - (iii) provide a new cost estimate using a first principles estimating approach.
- (h) If the Council requires the value of the works to be determined through a public open tender process or it has rejected the bill of quantities and the cost estimate provided by the applicant, it must provide written notice to the applicant and its reasons for doing so.
- (i) Where a written notice of the Council's proposed bill of quantities and cost estimate has been given, the applicant may negotiate and agree with the Council regarding the cost estimate. If the applicant and the Council agree on a cost estimate, the agreed cost estimate is the value of the trunk infrastructure.
- (j) If agreement cannot be reached, the Council must refer the bill of quantities and the cost estimate to an independent, suitably qualified person (the independent assessor) to:
- (i) assess whether the bill of quantities is in accordance with the scope of works;
 - (ii) assess whether the cost estimate is consistent with the current market costs calculated by applying a first principles estimating approach to the bill of quantities; and
 - (iii) provide an amended cost estimate using the first principles estimating approach.

The independent assessor is to be appointed by agreement between the Council and the applicant. If the parties cannot agree, the independent assessor will be determined by the Council. The cost of the independent assessment is to be equally shared between the Council and the applicant.

The amended cost estimate determined by the independent assessor is the value of the infrastructure.

10. Value of offset or refund for trunk infrastructure that is land

10.1 The establishment cost of trunk infrastructure that is land is the current market value of the land.

The current market value of the land is the difference, determined by using the before and after method of valuation of the whole of the subject premises, between the value of the subject premises including the land and the value of the subject premises excluding the land.

'Subject premises' means the premises the subject of the overarching development approval guiding development of the land.

Example of identification of 'subject premises'

If the land is part of a larger premises being developed pursuant to a preliminary approval for a material change of use affecting the planning scheme under s. 242 of the Sustainable Planning Act 2009 the subject premises is the premises the subject of the preliminary approval irrespective of whether the subject premises is being developed in stages or by different developers.

10.2 The before and after method of valuation must be given effect through the following procedural requirements:

- (a) The applicant, at their own cost, must provide to the local authority a valuation of the specified land undertaken by a certified practicing Valuer using the before and after method of valuation (the valuation).
- (b) The valuation report must:
 - (i) include supporting information regarding the highest and best use of the land which the Valuer has relied on to form an opinion about value;
 - (ii) identify the area of land that is above the Q100 flood level and the area that is below the Q100 flood level;
 - (iii) take into account and identify all other relevant constraints including but not limited to vegetation protection, ecological values including riparian buffers and corridors, stormwater or drainage corridors, slope, bushfire hazards, heritage, airport environs, coastal erosion, extractive resources, flooding, land use buffer requirements, and landslide hazards. This must also include tenure related constraints and restrictions such as easements, leases, licences and other dealings whether or not registered on title; and
 - (iv) contain relevant sales evidence and a clear analysis of how those sales and any other information was relied upon in forming the Valuer's assessment.
- (c) The appointed Valuer(s) must act as an independent expert and not as an advocate.
- (d) The local authority may accept the valuation.
- (e) If the local authority accepts the valuation, the valuation is the establishment cost of the infrastructure.
- (f) If the local authority does not accept the valuation provided by the applicant, it must, at its own cost, have a valuation undertaken by a certified practicing Valuer.
- (g) If the local authority rejected the valuation provided by the applicant, it must provide written notice to the applicant and propose a new valuation and its reasons for doing so.
- (h) Where a written notice of the local authority's proposed valuation has been given, the applicant may negotiate and agree with the local authority regarding a valuation.

The agreed valuation is the establishment cost of the infrastructure.

- (i) If agreement cannot be reached, the local authority must have a further valuation undertaken by an independent, certified practicing Valuer to assess the market value of the specified land.

The independent, certified practicing Valuer is to be appointed by the local authority in consultation with the applicant. If the parties cannot agree on the appointment, the Valuer will be appointed by Council. The cost of this independent assessment is to be equally shared between the local authority and the applicant.

- (j) The amended valuation determined by the independent certified practicing Valuer is then taken as the establishment cost of the infrastructure.
- (k) The parties may enter into negotiations at any time to attempt to agree on the establishment cost of the land in which case the next step under this section is not required until the negotiations have concluded.

11. Giving an amended Infrastructure Charges Notice (ICN)

11.1 This Section applies where the value of an offset or refund for trunk infrastructure has been reviewed under Sections 9 or 10.

11.2 Infrastructure that is works – The local authority must give an amended ICN to the applicant stating:

- (a) the value of the establishment cost of the infrastructure which has been indexed to the date it is stated in the amended ICN using the Producer Price Index – Road and bridge construction index for Queensland.
- (b) that the establishment cost of the infrastructure stated in the amended ICN is indexed from the date that it is stated in the amended ICN to the date it is to be offset against the levied charge in accordance with the Producer Price Index – Road and bridge construction index for Queensland.

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- 11.3 Infrastructure that is land – The local authority must give an amended ICN to the applicant stating:
- (a) the value of the establishment cost of the infrastructure which has been indexed to the date it is stated in the amended ICN using the Producer Price Index – Road and bridge construction index for Queensland.
 - (b) that the establishment cost of the infrastructure stated in the amended ICN is indexed from the date that it is stated in the amended ICN to the date it is to be offset against the levied charge in accordance with the Producer Price Index – Road and bridge construction index for Queensland.

12. History of Amendments

[Not used]

Table 1 – Part 1 – Land Use Categories

Non-Residential Charging Category	GCCC Planning Scheme 2003 Use or Development Definitions
Places of 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. Hotel (non-residential component) 38. Nightclub 39. Tavern 40. Theatre
Indoor sport and recreational facility	<ol style="list-style-type: none"> 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

Non-Residential Charging Category	GCCC Planning Scheme 2003 Use or Development Definitions
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 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 106. Hostel Accommodation (backpacker)
<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

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

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 – *Part 4 Definitions: Division 1 Dictionary of Terms Used in the Planning Scheme: Chapter 2 Use or Development Definitions.*

Table 1 – Part 3 – Other Land Uses

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

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 – *Part 4 Definitions: Division 1 Dictionary of Terms Used in the Planning Scheme: Chapter 2 Use or Development Definitions.*

Table 2 – Adopted Charges (as at 1 July 2014)

Development for which an adopted infrastructure charge may apply	State maximum adopted charges	Local Government adopted infrastructure charges	State maximum adopted charges for impervious area	Local Government adopted infrastructure charges for impervious area	Credits for existing lawful uses
1 Bedroom Apartment	\$20,000	\$20,000 per dwelling unit	N/A	Included in adopted infrastructure charge	\$20,000 per dwelling unit
2 Bedroom Apartment	\$20,000	\$20,000 per dwelling unit	N/A	Included in adopted infrastructure charge	\$20,000 per dwelling unit
3+ Bedroom Apartment	\$28,000	\$28,000 per dwelling unit	N/A	Included in adopted infrastructure charge	\$28,000 per dwelling unit
1 Bedroom Attached / Detached	\$20,000	\$20,000 per dwelling unit	N/A	Included in adopted infrastructure charge	\$20,000 per dwelling unit
2 Bedroom Attached / Detached	\$20,000	\$20,000 per dwelling unit	N/A	Included in adopted infrastructure charge	\$20,000 per dwelling unit
3+ Bedroom Attached / Detached	\$28,000	\$28,000 per dwelling unit	N/A	Included in adopted infrastructure charge	\$28,000 per dwelling unit
1 Bedroom Family Accommodation	\$20,000	\$20,000 per dwelling unit	N/A	Included in adopted infrastructure charge	\$20,000 per dwelling unit
2 Bedroom Family Accommodation	\$20,000	\$20,000 per dwelling unit	N/A	Included in adopted infrastructure charge	\$20,000 per dwelling unit
3+ Bedroom Family Accommodation	\$28,000	\$28,000 per dwelling unit	N/A	Included in adopted infrastructure charge	\$28,000 per dwelling unit

Development for which an adopted infrastructure charge may apply	State maximum adopted charges	Local Government adopted infrastructure charges	State maximum adopted charges for impervious area	Local Government adopted infrastructure charges for impervious area	Credits for existing lawful uses
Accommodation (Short term)	\$10,000 per dwelling unit / site / cabin / suite (1 or 2 bedroom dwelling/ tent site/ caravan site /cabin / suite) (for all networks) or \$14,000 per dwelling unit / site / cabin / suite (3 or more bedroom dwelling / tent site/ caravan site /cabin / suite) (for all networks)	50% of residential type charge, except For Tourist Cabins, Camping Ground, Caravan Park & Hostel (e.g. backpacker) 50% of the detached dwelling rate will apply for 3 or more tent or caravan sites, and 3 or more bedroom cabins. For Tourist Cabins, Camping Ground, Caravan Park & Hostel (e.g. backpacker) 50% of the 2 bedroom attached dwelling rate will apply for 1 or 2 tent or caravan sites, and 1 or 2 bedroom cabins or cabins without a separate bedroom.	N/A	Included in adopted infrastructure charge	50% of residential type charge.
Accommodation (Long term)	\$20,000 per dwelling unit / relocatable dwelling site / suite (1 or 2 bedroom dwelling / relocatable dwelling site / suite) (for all networks) or \$28,000 per dwelling unit / relocatable dwelling site / suite (3 or more bedroom dwelling / relocatable dwelling site / suite) (for all networks)	As per residential type, except For Relocatable Home Parks, the detached dwelling rate will apply for 3 or more bedroom relocatable dwelling site. For Relocatable Home Parks the 2 bedroom attached dwelling rate will apply for 1 or 2 bedroom relocatable dwelling site or relocatable dwelling site without a separate bedroom.	N/A	Included in adopted infrastructure charge	As per residential type.

Development for which an adopted infrastructure charge may apply	State maximum adopted charges	Local Government adopted infrastructure charges	State maximum adopted charges for impervious area	Local Government adopted infrastructure charges for impervious area	Credits for existing lawful uses
Places of Assembly	\$70 per m ² of GFA	\$70 per m ² of GFA	\$10 per impervious m ²	\$10 per impervious m ²	\$70 per m ² of GFA plus \$10 per impervious m ²
Commercial (Bulk goods)	\$140 per m ² of GFA	\$140 per m ² of GFA	\$10 per impervious m ²	\$10 per impervious m ²	\$140 per m ² of GFA plus \$10 per impervious m ²
Commercial (Retail)	\$180 per m ² of GFA	\$180 per m ² of GFA	\$10 per impervious m ²	\$10 per impervious m ²	\$180 per m ² of GFA plus \$10 per impervious m ²
Commercial (Office)	\$140 per m ² of GFA	\$140 per m ² of GFA	\$10 per impervious m ²	\$10 per impervious m ²	\$140 per m ² of GFA plus \$10 per impervious m ²
Education Facility	\$140 per m ² of GFA	\$140 per m ² of GFA	\$10 per impervious m ²	\$10 per impervious m ²	\$140 per m ² of GFA plus \$10 per impervious m ²
Entertainment	\$200 per m ² of GFA	\$200 per m ² of GFA	\$10 per impervious m ²	\$10 per impervious m ²	\$200 per m ² of GFA plus \$10 per impervious m ²
Indoor Sport and Recreational Facility	\$200 per m ² of GFA, court areas at \$20 per m ² of GFA	\$200 per m ² of GFA, court areas at \$20 per m ² of GFA	\$10 per impervious m ²	\$10 per impervious m ²	\$200 per m ² of GFA, court areas at \$20 per m ² of GFA plus \$10 per impervious m ²
Industry	\$50 per m ² of GFA	\$50 per m ² of GFA	\$10 per impervious m ²	\$10 per impervious m ²	\$50 per m ² of GFA plus \$10 per impervious m ²
High Impact Industry	\$70 per m ² of GFA	\$70 per m ² of GFA	\$10 per impervious m ²	\$10 per impervious m ²	\$70 per m ² of GFA plus \$10 per impervious m ²
Low Impact Rural	Nil charge				
High Impact Rural	\$20 per m ² of GFA	\$20 per m ² of GFA	N/A	N/A	\$20 per m ² of GFA plus \$10 per impervious m ²
Essential Services	\$140 per m ² of GFA	\$140 per m ² of GFA	\$10 per impervious m ²	\$10 per impervious m ²	\$140 per m ² of GFA plus \$10 per impervious m ²
Specialised uses	Use and demand determined at time of assessment				
Minor uses	Nil charge				