



# Adopted Infrastructure Charges Resolution

**No. 1 of 2019**

Adopted: 22 August 2019  
Commenced: 1 September 2019



## Part 1 Introduction

### 1.1 Planning Act 2016

- (i) The resolution is made pursuant to section 113 of the *Planning Act 2016*.
- (ii) The resolution is to be read in conjunction with the following:
  - (a) State Planning Regulatory Provision (adopted charges) 2012;
  - (b) Adopted Infrastructure Charges Schedule 2016;
  - (c) The Tablelands Regional Council Planning Scheme 2016 (as amended); and
  - (d) applicable statutory guidelines.
- (iii) The resolution is attached to, but does not form part of, the Tablelands Regional Council Planning Scheme 2016 (as amended).

### 1.2 Effect

The resolution has effect on and from 1 September 2019 and applies to development application decisions made on or after this date.

### 1.3 Purpose of the resolution

The purpose of the resolution is to establish and adopt an *infrastructure charge* for the following trunk infrastructure networks:

- (a) Reticulated water supply networks;
- (b) Reticulated sewerage networks;
- (c) Council-controlled transport networks;
- (d) Stormwater networks; and
- (e) Parks and land for community facilities.

### 1.4 Interpretation

The words and terms used in this resolution have the meaning given to them by the *Planning Act 2016* (as amended), the *Planning Regulation 2017* (as amended) and the Tablelands Regional Council Planning Scheme 2016 (as amended). If a word or term used in this resolution is not defined by one of the aforementioned, it shall have the meaning given to it by this Part.

**Bedroom** means an area of a building or structure which:

- (1) is used, designed or intended for use for sleeping but excludes a lounge room, dining room, living room, kitchen, water closet, bathroom, laundry, garage or plant room; or
- (2) can be used for sleeping such as a den, study, loft, media or home entertainment room, library, family or rumpus room or other similar space.

**Impervious area** means an area within a site which does not allow natural infiltration of rain to the underlying soil and the majority of rainfall would become runoff e.g. roadways, car parks, footpaths, roofs, hardstand areas (sealed and unsealed), compacted areas etc.

**Local Government** means the Tablelands Regional Council.

**Local Government Area** means the Tablelands Regional Council Local Government Area.

**Local Government Infrastructure Plan (LGIP)** has the same meaning as per the *Planning Act 2016 (as amended)* and in the context of this resolution refers to the Tablelands Regional Council Planning Scheme 2016 (as amended), Part 4 – Local Government Infrastructure Plan.

**Most cost-effective option** means, for non-trunk infrastructure to trunk infrastructure conversion, the least cost option based upon the life cycle cost of the infrastructure required to service future urban development in the area at the desired standard of service.

**State Planning Regulatory Provision (adopted charges)** means the State Planning Regulatory Provision (adopted charges) - July 2012 made under the *Sustainable Planning Act 2009*.

**Adopted Infrastructure Charges Schedule** means the Adopted Infrastructure Charges Schedule 2016 applicable under the State Planning Regulatory Provision (adopted charges) 2012.

## Part 2 Application of the resolution

### 2.1 Application to the Local Government Area

This resolution applies to the Priority Infrastructure Areas (PIA) of the Local Government Area and sites located outside of the PIAs where development would place extra demand on the infrastructure identified by the Plans for Trunk Infrastructure in Schedule 3 of the Local Government Infrastructure Plan, and, other than for the following:

- (a) works or use of premises 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*; or
- (c) development by a department, or part of a department, under a designation; or
- (d) development for a non-State school under a designation.

### 2.2 Application to particular development

- (i) This resolution adopts a charge for particular development that is equal to, or less than, the *maximum adopted charge* and adopts different charges for particular development in different parts of the Local Government Area.

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- (ii) This resolution enables the adopted infrastructure charges identified in the State Planning Regulatory Provision (adopted charges) 2012 and Adopted Infrastructure Charges Schedule 2016 to be applied to current development use types.

Table 2.2.1 identifies the relationship between the applicable Tablelands Regional Council Planning Scheme 2016 use types and the classes of development to which the adopted infrastructure charges apply.

*Table 2.2.1 – Planning Scheme use types to which adopted infrastructure charges apply.*

<b>Use Category</b>	<b>Development Under the Tablelands Regional Council Planning Scheme</b>
<b>Residential</b>	
Residential	Caretaker's accommodation, Dual occupancy, Dwelling house, Dwelling unit, Multiple dwelling, Rural workers accommodation, Secondary Dwelling.
Accommodation (Short term)	Hotel, Non-resident workforce accommodation, Rooming accommodation, Short term, Tourist park.
Accommodation (Long term)	Community residence, Relocatable home park, Retirement facility, Rooming accommodation, Rural workers accommodation.
<b>Non-Residential</b>	
Places of Assembly	Club, Community use, Function facility, Funeral parlour, Place of worship.
Commercial (Bulk Goods)	Agricultural supplies store, Bulk landscaping supplies, Garden centre, Hardware and trade supplies, Outdoor sales, Showroom.
Commercial (Retail)	Adult store, Bar, Food and drink outlet, Service industry, Service station, Shop, Shopping centre.
Commercial (Office)	Office.
Education Facility	Childcare centre, Community care centre, Educational establishment.
Entertainment	Nightclub entertainment facility, Theatre.
Indoor Sport and Recreation Facility	Indoor sport and recreation facility.
Industry	Low Impact industry, Marine industry, Medium Impact industry, Research and Technology industry, Rural industry, Transport depot, Warehouse.
High Impact Industry	High Impact industry, Special industry
Low Impact Rural	Animal husbandry, Cropping, Permanent Plantation.
High Impact Rural	Aquaculture, Intensive horticulture, Wholesale nursery, Winery.
Essential Services	Detention facility, Emergency Services, Health care services, Hospital, Residential Care facility, Veterinary services.

<b>Use Category</b>	<b>Development Under the Tablelands Regional Council Planning Scheme</b>
Specialised Uses	Air services, Animal keeping, Car wash, Crematorium, Environmental facility, Extractive industry, Home based business (other), Intensive animal industry, Major electricity infrastructure, Major sport recreation and entertainment facility, Motor sport facility, Nature-based tourism, Outdoor sport and recreation, Outstation, Parking station, Port services, Renewable energy facility, Resort complex, Substation, Tourist attraction, Utility. installation.
Minor Uses	Cemetery, Home based business, Landing, Market, Sales office.
Other Uses	Brothel

Note: To remove any doubt, where a planning scheme use type corresponds to more than one use in the *Adopted Infrastructure Charges Schedule*, or the use is not mentioned, or the use is unclear, the applicable infrastructure charge will depend on the nature of the proposed use and will be determined by the Chief Executive Officer or Council's delegate.

## **2.3 Application to trunk infrastructure networks**

The infrastructure charge partly funds the establishment cost of the identified trunk infrastructure networks.

## **Part 3 Trunk infrastructure networks**

### **3.1 Trunk infrastructure identification and establishment costs**

The Part 4 of the Tablelands Regional Council Planning Scheme 2016 (Local Government Infrastructure Plan) identifies the trunk infrastructure for the Local Government Area and the associated establishment costs.

## **Part 4 Adopted charge**

### **4.1 Purpose**

This section states the application of the infrastructure charge to be adopted by the Local Government under section 113 of the *Planning Act 2016* for the identified trunk infrastructure.

## 4.2 Adopted charge

- (1) The adopted charge for:
- (i) **Reconfiguring a Lot**, is stated in **Table 4.2.1**;
  - (ii) **Material Change of Use, Building Work Assessable against the Planning Scheme** or for **Building Work** associated with “accepted development subject to requirements”, are stated in **Table 4.2.2**;
- (2) The infrastructure charge will be calculated on the approved use and at the time the decision is made and will be recalculated at the time of payment in accordance with the Automatic Increase Provision described by Part 4.3.

*Table 4.2.1 – Adopted Charges: Reconfiguring a Lot*

Column 1 Charge Area	Column 3 unit of measure for charges	Column 4 Charge rate (\$ per unit of measure)
TRC LGA	Additional lot	As per Table 4.2.2 for “Dwelling house” (3 or more bedrooms)

*Table 4.2.2 – Adopted Charges: Material Change of Use or Building Works*

Column 1 Use category	Column 2 Defined Use	Column 3 unit of measure for charges	Column 4 Charge rate (\$ per unit of measure)
<b>Residential</b>	Dwelling house (Primary dwelling only)	per 1 bedroom dwelling	\$15,000.00
		per 2 bedroom dwelling	\$18,000.00
	Secondary dwelling Caretaker's accommodation Multiple dwelling Dual occupancy Dwelling unit	per 3 or more bedroom dwelling	\$22,500.00
		<b>Accommodation (short term)</b>	per bed where serviced by communal amenities
per bed where serviced by private amenities	\$4,000.00 (capped at \$14,000.00 per cabin/dorm/suite)		
per 1 bedroom dwelling (permanent/managers residence)	\$15,000.00		
per 2 bedroom dwelling (permanent/managers residence)	\$18,000.00		

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<b>Column 1 Use category</b>	<b>Column 2 Defined Use</b>	<b>Column 3 unit of measure for charges</b>	<b>Column 4 Charge rate (\$ per unit of measure)</b>
		per 3 or more bedroom dwelling (permanent/managers residence)	\$22,500.00
	Nature-based tourism Tourist park	per 1 bedroom dwelling (permanent/managers residence)	\$15,000.00
		per 2 bedroom dwelling (permanent/managers residence)	\$18,000.00
		per 3 or more bedroom dwelling (permanent/managers residence)	\$22,500.00
		per Caravan/RV/Campervan/Tent site	\$2,500.00
		per bed where serviced by communal amenities	\$2,500.00 (capped at \$14,000.00 per cabin/dorm/suite)
		per bed where serviced by private amenities	\$4,000.00 (capped at \$14,000.00 per cabin/dorm/suite)
<b>Accommodation (long term)</b>	Community residence Retirement facility	per bed	\$8,000.00 (capped at \$20,000.00 per ward/unit/room/suite)
	Relocatable home park	per 1 bedroom dwelling	\$15,000.00
		per 2 bedroom dwelling	\$18,000.00
		per 3 or more bedroom dwelling	\$22,500.00
<b>Places of assembly</b>	Club	per m2 of GFA plus \$6 per m2 impervious area	\$70.00
	Community use	per m2 of GFA plus \$6 per m2 impervious area	\$70.00
	Function facility	per m2 of GFA plus \$6 per m2 impervious area	\$70.00
	Funeral parlour	per m2 of GFA plus \$6 per m2 impervious area	\$70.00
	Place of worship	per m2 of GFA plus \$6 per m2 impervious area	\$70.00
<b>Commercial (bulk goods)</b>	Agricultural supplies store	per m2 of GFA plus \$6 per m2 impervious area	\$110.00
	Bulk landscape supplies	per m2 of GFA plus \$6 per m2 impervious area	\$110.00
	Garden centre	per m2 of GFA plus \$6 per m2 impervious area	\$110.00
	Hardware and trade supplies	per m2 of GFA plus \$6 per m2 impervious area	\$130.00

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<b>Column 1 Use category</b>	<b>Column 2 Defined Use</b>	<b>Column 3 unit of measure for charges</b>	<b>Column 4 Charge rate (\$ per unit of measure)</b>
	Outdoor sales	per m2 of GFA plus \$6 per m2 impervious area	\$110.00
	Showroom	per m <sup>2</sup> of GFA plus \$6 per m <sup>2</sup> impervious area	\$110.00
<b>Commercial (retail)</b>	Adult store	per m2 of GFA plus \$6 per m2 impervious area	\$110.00
	Car wash	per m2 of GFA plus \$6 per m2 impervious area	\$130.00
	Food and drink outlet	per m2 of GFA plus \$6 per m2 impervious area	\$130.00
	Service industry	per m2 of GFA plus \$6 per m2 impervious area	\$110.00
	Service station	per m2 of GFA plus \$6 per m2 impervious area	\$130.00
	Shop	per m2 of GFA plus \$6 per m2 impervious area	\$130.00
	Shopping centre	per m2 of GFA plus \$6 per m2 impervious area	\$130.00
<b>Commercial (Office)</b>	Office	per m2 of GFA plus \$6 per m2 impervious area	\$110.00
<b>Education facility</b>	Child care centre	per m2 of GFA plus \$6 per m2 impervious area	\$110.00
	Community care centre	per m2 of GFA plus \$6 per m2 impervious area	\$110.00
	Educational establishment (excluding Educational Establishment for the Flying Start for Queensland Children program)	per m2 of GFA plus \$6 per m2 impervious area	\$110.00
	Educational Establishment for the Flying Start for Queensland Children program	Nil charge	Nil
<b>Entertainment</b>	Bar	per m2 of GFA plus \$6 per m2 impervious area	\$150.00
	Nightclub entertainment facility	per m2 of GFA plus \$6 per m2 impervious area	\$150.00
	Theatre	per m2 of GFA plus \$6 per m2 impervious area	\$150.00
<b>Indoor sport and recreational facility</b>	Indoor sport and recreation (Court areas only)	per m2 of GFA plus \$6 per m2 impervious area	\$20.00



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<b>Column 1 Use category</b>	<b>Column 2 Defined Use</b>	<b>Column 3 unit of measure for charges</b>	<b>Column 4 Charge rate (\$ per unit of measure)</b>
	Indoor sport and recreation (Other than Court areas)		\$110.00
<b>Industry</b>	Low impact industry	per m2 of GFA plus \$6 per m2 impervious area	\$30.00
	Medium impact industry	per m2 of GFA plus \$6 per m2 impervious area	\$30.00
	Research and technology industry	per m2 of GFA plus \$6 per m2 impervious area	\$20.00
	Rural industry	per m2 of GFA plus \$6 per m2 impervious area	\$20.00
	Warehouse	per m2 of GFA plus \$6 per m2 impervious area	\$30.00
<b>High impact industry</b>	High impact industry	per m2 of GFA plus \$6 per m2 impervious area	\$40.00
	Special Industry	per m2 of GFA plus \$6 per m2 impervious area	\$40.00
<b>Low impact rural</b>	Animal husbandry	Nil charge (Stormwater non-worsening)	Nil
	Cropping	Nil charge (Stormwater non-worsening)	Nil
	Permanent plantations	Nil charge (Stormwater non-worsening)	Nil
	Renewable energy facility	Nil charge (Stormwater non-worsening)	Nil
<b>High impact rural</b>	Aquaculture	per m2 of GFA and Stormwater non-worsening	\$20.00
	Intensive animal industry	per m2 of GFA and Stormwater non-worsening	\$20.00
	Intensive horticulture	per m2 of GFA and Stormwater non-worsening	\$20.00
	Wholesale nursery	per m2 of GFA and Stormwater non-worsening	\$20.00
	Winery	per m2 of GFA and Stormwater non-worsening	\$20.00
<b>Essential services</b>	Detention facility	per m2 of GFA plus \$6 per m2 impervious area	\$110.00
	Emergency services	per m2 of GFA plus \$6 per m2 impervious area	\$110.00
	Health care services	per m2 of GFA plus \$6 per m2 impervious area	\$110.00
	Hospital Residential Care Facility	per m2 of GFA plus \$6 per m2 impervious area	\$110.00
	Veterinary services	per m2 of GFA plus \$6 per m2 impervious area	\$110.00
<b>Specialised uses</b>	Air services	Council will calculate an infrastructure charge on the approved uses at the time the decision is made, the charge will be recalculated at the time of payment.	
	Animal keeping		

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<b>Column 1 Use category</b>	<b>Column 2 Defined Use</b>	<b>Column 3 unit of measure for charges</b>	<b>Column 4 Charge rate (\$ per unit of measure)</b>
	Brothel		
	Cemetery		
	Crematorium		
	Environment facility		
	Extractive industry		
	Major sport, recreation and entertainment facility		
	Major electricity infrastructure		
	Motor sport facility		
	Outdoor sport and recreation		
	Outstation		
	Port services		
	Tourist attraction		
	Transport depot		
	Utility installation		
	Parking station		
<b>Minor uses</b>	Advertising device	Nil Charge Stormwater non-worsening	Nil
	Home based business	Nil Charge Stormwater non-worsening	Nil
	Landing	Nil Charge Stormwater non-worsening	Nil
	Market	Nil Charge Stormwater non-worsening	Nil
	Park	Nil Charge Stormwater non-worsening	Nil
	Roadside stall	Nil Charge Stormwater non-worsening	Nil
	Telecommunications facility	Nil Charge Stormwater non-worsening	Nil
	Sales office	Nil Charge Stormwater non-worsening	Nil
	Substation	Nil Charge Stormwater non-worsening	Nil
<b>Other uses</b>	A use not otherwise listed in column 2	Council will calculate an infrastructure charge on the approved use at the time the decision is made; the charge will be recalculated at the time of payment.	

### 4.3 Automatic increase provision

- (i) The infrastructure charge levied by the Local Government may be subject to automatic increase from the date the infrastructure charge is levied to the time the charge is paid using the *Producer Price Index (PPI)*.
- (ii) However, an automatic increase must not be more than the lesser of the following:
  - difference between the levied charge and the maximum adopted charge that the Local Government could have levied for the development when the charge is paid;
  - the increase worked out using the PPI, adjusted according to the 3-yearly PPI average, for the period starting on the day the levied charge is levied, and ending on the day the charge is paid.

## Part 5 Administration of infrastructure charge

### 5.1 Purpose

This section states how an infrastructure charge levied by the Local Government is to be administered.

### 5.2 Calculation

An infrastructure charge that is levied by the Local Government is calculated as follows:

$$\text{TIC} = [(\text{IC} \times \text{U}) \times (1 - \text{CE}) - \text{C}] \times \text{I}$$

Where:

TIC = the Total Infrastructure Charge that may be levied by the Local Government.

IC = the infrastructure charge rate identified by tables 4.2.1 and/or 4.2.2.

U = the unit of measure identified by tables 4.2.1 and/or 4.2.2.

CE = the applicable Charge Exclusions (%) as set out in Part 5.7.

C = is the applicable credit as set out in Part 6, including any *Deemed Credit*.

I = is the indexation rate as outlined in section 4.3

### 5.3 Development subject to an infrastructure charge

- (i) The Local Government may levy an infrastructure charge on the following development:
  - (a) Reconfiguring a Lot;
  - (b) Material Change of Use;
  - (c) Building Work; and
  - (d) Building Work Assessable against the Planning Scheme.
- (ii) If a development is subject to more than one use, the Local Government may levy an infrastructure charge for development on the basis of the use with the highest potential demand.
- (iii) For an existing lawful use to which a development application is seeking to expand the Gross Floor Area of the facility, the infrastructure charge is only to be applied on the part of the development which is subject to intensification or extension.

### 5.4 Method of notification of an infrastructure charge

For a charge levied pursuant to this resolution, the Local Government is required to issue an *Infrastructure Charges Notice* in accordance with section 121 of the *Planning Act 2016*.

### 5.5 Timing of payment

A levied infrastructure charge becomes payable pursuant to the payment triggers identified by section 122 of the *Planning Act 2016*.

### 5.6 Alternatives to paying an infrastructure charge

The Local Government may enter into a written agreement with the recipient of an Infrastructure Charges Notice pursuant to section 123 of the *Planning Act 2016*.

### 5.7 Charge exclusions

Charge Exclusions (CE) will be applied to the charge calculation where there is no access to, and/or no planned or conditioned Local Government provision for, trunk infrastructure, or where it has been determined that development would not place extra demand on trunk infrastructure. The applicable Charge Exclusions will be determined in accordance with the following percentage split:

For Residential and Accommodation uses:

- (i) Reticulated water supply = 30%
- (ii) Reticulated sewerage = 30%
- (iii) Council-controlled transport infrastructure = 20%
- (iv) Stormwater infrastructure = 10%
- (v) Parks and land for community facilities = 10%

For all other uses:

- (i) Reticulated water supply = 45% of GFA charge
- (ii) Reticulated sewerage = 35% of GFA charge
- (iii) Council-controlled transport infrastructure = 20% of GFA charge
- (iv) Stormwater infrastructure = 100% of impervious area charge
- (v) Parks and land for community facilities = N/A

## 5.8 Extra payment conditions

The Local Government may impose and administer a development condition (an *Extra Payment Condition*) requiring the payment of extra trunk infrastructure charges pursuant to sections 130 to 136 of the *Planning Act 2016*.

## 5.9 Infrastructure agreement

- (i) The applicant for a development application may, prior to and in lieu of, making payment of a charge (in full or in part) required by an Infrastructure Charges Notice and/or an Extra Payment Condition, elect to enter into an agreement (an *Infrastructure Agreement*) with the Local Government pursuant to sections 150 to 158 of the *Planning Act 2016*.
- (ii) Should an applicant request that the Local Government enter into an Infrastructure Agreement under circumstances where the Local Government could have otherwise levied the charge in the form of an Infrastructure Charges Notice and/or an Extra Payment Condition, any legal expenses incurred by Council during the preparation of the Infrastructure Agreement shall be borne by the applicant.

## Part 6 Credits

### 6.1 Definition of a credit

- (i) A credit means the amount to be applied for the purpose of calculating an infrastructure charge which takes into account existing land usage of the premises.
- (ii) The maximum value of a credit for each site will not exceed the levied infrastructure charge for the approved land use of the existing site. That means for any use, if a credit is higher than the levied infrastructure charge of the approved use a refund will not occur.

### 6.2 Application of a credit

Pursuant to section 120 of the *Planning Act 2016*, a credit will be applied for the following:

- (i) an existing use on the premises if the use is lawful and already taking place on the premises;
- (ii) a previous use that is no longer taking place on the premises if the use was lawful at the time the use was carried out; and/or
- (iii) other development on the premises if the development may be lawfully carried out without the need for a further development permit for a Material Change of Use, Reconfiguration of a Lot or Building Work.

## 6.3 Deemed credits

- (i) In instances where it is not possible for Council to determine the actual credit in accordance with the above, a *Deemed Credit* shall apply to the lot, regardless of its zoning or whether it is improved or unimproved.
- (ii) The Deemed Credit shall be equivalent to the “Dwelling house” (3 or more bedrooms) charge identified by Table 4.2.2.
- (iii) Where there is no access to, and/or no planned Local Government provision for, trunk infrastructure, the Deemed Credit will be applied in a manner proportionate to the pre-development level of servicing to the site in accordance with the following percentage split:
  - Reticulated water supply = 30%
  - Reticulated sewerage = 30%
  - Council-controlled transport infrastructure = 20%
  - Stormwater infrastructure = 10%
  - Parks and land for community facilities = 10%
- (iv) In instances where Council is satisfied that that the actual credit is less than the Deemed Credit, Council may (at its discretion) elect to apply a Deemed Credit in lieu of the actual credit.
- (v) Deemed Credits shall apply to all unimproved lots in the Rural Residential, Low Density Residential and Medium Density Residential Zones regardless of any actual credits that may exist.
- (vi) Where a Deemed Credit is applied to an improved lot, the charge calculation shall take into consideration the demand generated by the combination of existing/unabandoned and proposed uses such that charges do not become leviable until the Deemed Credit is fully exhausted. When calculating the demand generated by an existing/unabandoned use, the rates identified by Table 4.2.2 shall be applied on a “best-fit” basis.

## Part 7 Offsets, refunds and conversions

### 7.1 Purpose

- (1) This section outlines:
  - (i) the application of an offset or refund where development has been conditioned to provide necessary trunk infrastructure (i.e. a “necessary infrastructure condition” pursuant to section 128 of the *Planning Act 2016*); and
  - (ii) the process for determining the establishment cost of trunk infrastructure for the offset or refund where the applicant does not agree with the establishment cost outlined in the infrastructure charges notice; and
  - (iii) the process to apply for a conversion application where non-trunk infrastructure has been conditioned as part of a development application and the applicant considers the non-trunk infrastructure to be trunk infrastructure; and

- (iv) the criteria for deciding a conversion application.

## **7.2 Application of an offset or refund**

- (1) An offset or refund for trunk infrastructure only applies where, for a development, the Local Government has:
  - (i) imposed a necessary infrastructure condition for infrastructure that services, or is planned to service, premises other than the subject premises and:
    - the infrastructure is identified in the LGIP; or
    - the condition is for other infrastructure that would, in the opinion of the Local Government, deliver the same desired standard of service as infrastructure identified by the LGIP consistent with the assumptions in the LGIP.
  - (ii) given the applicant an infrastructure charges notice that includes information about an offset or refund relating to the establishment cost of the infrastructure.

## **7.3 Determining the establishment cost for an offset or refund**

If an applicant has received an infrastructure charges notice in accordance with section 7.2(ii) of this resolution and does not agree with the establishment cost of the relevant trunk infrastructure, the applicant must, by written notice to the Local Government before the infrastructure charges become payable, request that the Local Government use one, or both, of the following methods to recalculate the establishment cost.

### **For trunk infrastructure that is works**

- (1) The Local Government must provide to the applicant the scope of works including the standard to which the trunk infrastructure is to be provided and the location of the trunk infrastructure (the scope of works);
- (2) The applicant must, at their cost, provide to the Local Government:
  - (a) a bill of quantities for the design, construction and commissioning of the trunk infrastructure in accordance with the scope of works (the bill of quantities).
  - (b) a first principles estimate for the cost of designing, constructing and commissioning the trunk infrastructure specified in the bill of quantities (the cost estimate).
- (3) The Local Government may accept the bill of quantities and cost estimate provided by the applicant.
- (4) If the Local Government accepts the bill of quantities and the cost estimate, the cost estimate is the establishment cost of the infrastructure.
- (5) If the Local Government does not accept the bill of quantities and cost estimate provided by the applicant it must, at its cost, have an assessment undertaken by an appropriately qualified person to:
  - (a) determine whether the bill of quantities is in accordance with the scope of works;

- (b) determine whether the cost estimate is consistent with current market costs calculated by applying a first principles estimating approach to the bill of quantities; and
  - (c) provide a new cost estimate using a first principles estimating approach.
- (6) If the Local Government rejected the bill of quantities and the cost estimate provided by the applicant, it must provide written notice to the applicant and propose the new bill of quantities and cost estimate and its reasons for doing so.
- (7) Where a written notice of the Local Government's proposed bill of quantities and cost estimate has been given, the applicant may negotiate and agree with the Local Government regarding a cost estimate. The agreed cost estimate is the establishment cost of the infrastructure.
- (8) If agreement cannot be reached, the Local Government must refer the bill of quantities and the cost estimate to an independent, suitably qualified person (the independent assessor) to:
  - (a) assess whether the bill of quantities is in accordance with the scope of works;
  - (b) assess whether the cost estimate is consistent with current market costs calculated by applying a first principles estimating approach to the bill of quantities; and
  - (c) provide an amended cost estimate using a first principles estimating approach.

The independent assessor is to be appointed by agreement between the Local Government and the applicant. The cost of this independent assessment is to be equally shared between the Local Government and the applicant. The amended cost estimate determined by the independent assessor is the establishment cost of the infrastructure. If the Local Government and the applicant cannot reach agreement on the appointment of an independent assessor, the establishment cost of the infrastructure is determined by calculating the average of the previous two cost estimates prepared on behalf of the applicant and the Local Government respectively.
- (9) The Local Government must give an amended Infrastructure Charges Notice 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 Infrastructure Charges Notice using the Producer Price Index – Road and bridge construction index for Queensland.
  - (b) that the establishment cost of the infrastructure stated in the amended Infrastructure Charges Notice is indexed from the date that it is stated in the amended Infrastructure Charges Notice 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.



**For trunk infrastructure that is land**

- (1) The applicant, at their own cost, must provide to the Local Government a valuation of the specified land undertaken by a certified practicing valuer using the before and after method of valuation (the valuation).
- (2) The Local Government may accept the valuation.
- (3) If the Local Government accepts the valuation, the valuation is the establishment cost of the infrastructure.
- (4) If the Local Government does not accept the valuation provided by the applicant, it must, at its own cost, have a valuation undertaken by a certified practicing valuer.
- (5) If the Local Government 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.
- (6) Where a written notice of the Local Government's proposed valuation has been given, the applicant may negotiate and agree with the Local Government regarding a valuation. The agreed valuation is the establishment cost of the infrastructure.
- (7) If agreement cannot be reached, the Local Government must have a 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 agreement between the Local Government and the applicant. The cost of this independent assessment is to be equally shared between the Local Government and the applicant. The amended valuation determined by the independent certified practicing valuer is the establishment cost of the infrastructure. If the Local Government and the applicant cannot reach agreement on the appointment of an independent certified practicing valuer, the establishment cost of the infrastructure is determined by calculating the average of the previous two cost estimates prepared on behalf of the applicant and the Local Government respectively.
- (8) The Local Government must give an amended Infrastructure Charges Notice 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 Infrastructure Charges Notice using the Producer Price Index – Road and bridge construction index for Queensland.
  - (b) that the establishment cost of the infrastructure stated in the amended Infrastructure Charges Notice is indexed from the date that it is stated in the amended Infrastructure Charges Notice 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.

When determining the value of the land using the before and after method of valuation, two valuations of the subject land are undertaken. In the first instance, the value of the original land is determined before any land is transferred to a Local Government, using the direct comparison method at the site-specific level. This will include those portions of the land which are able to be developed to the yield approved in a development application and the value of those portions of the land which will be used for trunk infrastructure. Assuming that the land to be used for infrastructure is otherwise developable (e.g. not within a stormwater or drainage

corridor), these portions of the land should be valued based on a rate applicable to en globo land for the underlying zone.

The value of the remaining land that will not be transferred to a Local Government is then determined – again using the direct comparison method at the site-specific level. The value of the latter is then subtracted from the former value to arrive at the value of the land to be transferred to a Local Government. This method ensures that the land is not valued as a stand-alone allotment, but rather as a part of the overall land holding of the owner and that the valuation reflects any enhancement or diminution of value of the remaining land that may occur as a result of the portion to be transferred to a Local Government.

#### **7.4 Applying to convert particular non-trunk infrastructure to trunk infrastructure**

- (1) An application to convert particular non-trunk infrastructure to trunk infrastructure may be made to the Local Government only where the following applies:
  - (i) the Local Government has required non-trunk infrastructure to be provided in a particular condition of a development approval under section 145 of the *Planning Act 2016*; and
  - (ii) the construction of the non-trunk infrastructure has not started; and
  - (iii) the conversion application is made in accordance with section 139 of the *Planning Act 2016*.
- (2) The Local Government will decide the application in accordance with the decision criteria outlined in section 7.5 below, and section 140 of the *Planning Act 2016*.
- (3) Where the Local Government agrees to the conversion application, any offset or refund is determined in accordance with section 7.3 above.

#### **7.5 Criteria for deciding conversion application**

- (1) The following section outlines the criteria for deciding conversion applications as per section 140 of the *Planning Act 2016*.
- (2) For infrastructure to be considered trunk infrastructure, each of the following criteria must be met;
  - (i) the infrastructure has capacity to service other developments in the area; and
  - (ii) the function and purpose of the infrastructure is consistent with other trunk infrastructure identified in the LGIP for the area; and
  - (iii) the infrastructure is not consistent with non-trunk infrastructure for which conditions may be imposed in accordance with section 145 of the *Planning Act 2016*; and
  - (iv) the type, size and location of the infrastructure is the most cost-effective option for servicing multiple users in the area. The most cost-effective option is the least cost option based upon the life cycle cost of the infrastructure required to service future urban development in the area at the desired standard of service identified by the LGIP.

## **Part 8      Desired standards of service**

The desired standards of service for each trunk infrastructure network are identified in the Tablelands Regional Council Planning Scheme 2016 (as amended), Part 4 – Local Government Infrastructure Plan, 4.4 - Desired standards of service.

## **Part 9      Priority Infrastructure Area**

The Priority Infrastructure Area is identified on Local Government Infrastructure Plan Map LGIP SC3.3.2.

## **Part 10     Plans for trunk infrastructure**

The Plans for trunk infrastructure maps are provided in Schedule 3 of the Local Government Infrastructure Plan.

## **Part 11     Schedules of works**

The schedule of works for each trunk infrastructure network is identified by the following tables contained in Schedule 3 of the Local Government Infrastructure Plan:

- (a) Water supply network - Table 3.2.1
- (b) Sewerage network - Table 3.2.2
- (c) Transport network - Table 3.2.3
- (d) Stormwater network - Table 3.2.4
- (e) Parks and land for community facilities - Table 3.2.5

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For further information on any of the material within this publication please do not hesitate in contacting Tablelands Regional Council Planning Department on 1300 362 242