

CAIRNS REGIONAL COUNCIL

Charges Resolution No. 2 of 2021



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1 Preliminary

1.1 This document

This document (resolution) is a charges resolution made by Council under section 113 of the *Planning Act*.

1.2 Citation

This resolution may be cited as the *Cairns Regional Council Charges Resolution No. 2 of 2021*

1.3 Commencement

This resolution has effect on and from 11 November 2021.

1.4 Definitions

Terms used in this resolution are defined in **section 6.1**.

1.5 Application

- (a) This resolution applies to all of Council's local government area.
- (b) As set out in **section 2**, this resolution adopts charges for providing trunk infrastructure for development, which are no more than the applicable maximum adopted charge, for development that is:
 - (i) reconfiguring a lot;
 - (ii) a material change of use; or
 - (iii) building work.

Editor's note – Section 112(3)(b) of the Planning Act, in combination with section 52(3)(a) of the Planning Reg, allows Council to have an adopted charge for trunk infrastructure for development that is a material change of use, reconfiguring a lot, or building work.

- (c) To avoid any doubt, the adopted charge does not apply to development that section 113(3) of the *Planning Act* provides an adopted charge must not be for.

2 Adopted charge

2.1 Adopted charge

The adopted charge for development is the applicable Base Charge for the development, multiplied by the sum of the percentage increases for each financial quarter since 1 July 2021.

Note – In this section, "percentage increases" has the meaning given in section 112(4) of the Planning Act.

2.2 Relationship with maximum adopted charge

- (a) **Section 2.1** is intended to have the effect that, at any given time, the adopted charge under this resolution is no more than the maximum adopted charge.
- (b) If, in any case, this resolution would have the purported effect of adopting a charge that is higher than the maximum adopted charge, this resolution is to be construed and read down as necessary to ensure that the adopted charge is equal to the maximum adopted charge.

2.3 Trunk infrastructure networks

- (a) The adopted charge is a charge for providing trunk infrastructure for development for all trunk infrastructure networks in the LGIP, being the following networks:

water supply; wastewater; stormwater; transport (roads); transport (pedestrian and cycle movement); and parks and land for community facilities.

- (b) The adopted charge is for trunk infrastructure for all of the above networks, and no part of the adopted charge is earmarked to any particular network. However, the notional proportional breakup of the adopted charge between these networks is as follows:
- (i) water supply – 20%
 - (ii) wastewater – 20%;
 - (iii) stormwater – 5%;
 - (iv) transport (roads) – 35%;
 - (v) transport (pedestrian and cycle movement) – 5%; and
 - (vi) parks and land for community facilities – 15%.

3 Levied charges

3.1 Calculation of levied charges

The levied charge for development is to be calculated in accordance with the below formula:

$$LC = (BC \times I) - C - EC$$

Where:

- LC = the levied charge for the development
- BC = the Base Charge for the development, calculated in accordance with **Schedule 1**.
Example – For a development involving 4 x 3 bedroom dwellings, the Base Charge will be \$120,906.80 (ie \$30,677.65 multiplied by 4).
- I = the sum of the percentage increases for each financial quarter since 1 July 2021, to the date the charge is levied.
Note – In this section, “percentage increases” has the meaning given in section 112(4) of the Planning Act.
- C = the total value of any applicable Credits, determined in accordance with **section 3.2**.
- EC = the Establishment Cost of trunk infrastructure mentioned in **sections 3.3 or 3.4** (as applicable), and calculated in accordance with **section 4**.

Notes—

- 1 BC x I will be equal to the adopted charge under **section 2.1**.
- 2 All levied charges will be subject to automatic indexation in accordance with **section 3.5**.
- 3 If the above formula results in a negative value, a Refund may be payable under **section 3.4**. However, a Refund will not be payable merely because a Credit exceeds the applicable adopted charge.

3.2 Credits

- (a) In accordance with section 120 of the *Planning Act*, a Credit will apply if:
- (i) there is an existing, lawful use already taking place on the relevant premises;
 - (ii) a use that was previously, but is no longer, taking place on the premises was lawful at the time the use was carried out; or

- (iii) other development on the premises may be lawfully carried out without the need for a further development permit.
- (b) If a Credit applies, the value of the Credit is to be calculated in accordance with the following formula:

$$C = (BC \times I)$$

Where:

- C = the value of the Credit
- BC = the Base Charge that would apply if charges were being levied for the relevant use/s or development/s mentioned in **section 3.2(a)**, calculated in accordance with **Schedule 1**.
- I = the sum of the percentage increases for each financial quarter since 1 July 2021, to the date the charge is levied.

Note – In this section, “percentage increases” has the meaning given in section 112(4) of the Planning Act.

- (c) Despite **section 3.2(a)**, a Credit will not apply for a use or development mentioned in **section 3.2** if:
- (i) an infrastructure requirement that applies, or applied, to the use or development has not been complied with; or
- (ii) for development mentioned in **section 3.2(a)(iii)** – an infrastructure requirement applies to the premises on which the development will be carried out, and was imposed on the basis of development of a lower scale or intensity being carried on the premises.

Note – In this section, “infrastructure requirement” has the meaning given in section 120(4) of the Planning Act.

- (d) Despite **section 3.2(a)**, if more than one type of use or development mentioned in **section 3.2** is relevant to the premises:
- (i) to the extent that any such uses or developments are mutually incompatible – a Credit will only apply for the use or development that has the highest Base Charge; and

Examples –

- *If the relevant premises is a building that is currently being lawfully used for an office, but was historically lawfully used for a funeral parlour, a credit will only be available for the current office use (which has a higher Base Charge). Because the two uses concern the same building, they cannot occur simultaneously are mutually incompatible.*
- *If the relevant premises is a parcel of land containing multiple buildings, used for different purposes, multiple Credits may be available in respect of the uses of each building.*

- (ii) otherwise, variable “BC” in the formula in **section 3.2(b)** is to be the sum of the Base Charges for all applicable Credits.

3.3 Offsets

- (a) In accordance with section 129(2) of the *Planning Act*, an Offset will apply if:
- (i) the relevant development is subject to one or more necessary infrastructure conditions;
- (ii) the trunk infrastructure that is the subject of the necessary infrastructure condition/s services, or is planned to service, premises other than the subject premises; and

- (iii) the total Establishment Cost of the trunk infrastructure is equal to or less than the levied charge that would otherwise apply to the development.
- (b) If an Offset applies, the levied charge will be the difference between:
 - (i) the levied charge that would otherwise apply to the development; and
 - (ii) the total Establishment Cost of the trunk infrastructure.

Note – This outcome is reflected in the formula in section 3.1.

3.4 Refunds

- (a) In accordance with section 129(3) of the *Planning Act*, a Refund will apply if:
 - (i) the relevant development is subject to one or more necessary infrastructure conditions;
 - (ii) the trunk infrastructure that is the subject of the necessary infrastructure condition/s services, or is planned to service, premises other than the subject premises; and
 - (iii) the total Establishment Cost of the trunk infrastructure is more than the levied charge that would otherwise apply to the development.

- (b) If a Refund applies:

- (i) no levied charge is payable;

Note – This outcome is reflected in the formula in section 3.1, as per note 3 to that section.

- (ii) Council will refund to the applicant the difference between:

- (A) the levied charge that would otherwise apply to the development; and
- (B) the total Establishment Cost of the trunk infrastructure;

Editor's note – If a refund is payable, the relevant infrastructure charges notice will state when the refund will be given, in accordance with section 121(1)(f) of the Planning Act.

3.5 Automatic indexation of levied charges

- (a) A levied charge will be automatically increased from the date that it is levied until the date of payment in accordance with section.
- (b) An automatic increase under this section is to be the lesser of the following:
 - (i) the difference between the levied charge that the maximum adopted charge that Council could have levied for the development when the charge is paid; or
 - (ii) the increase worked out using the PPI, adjusted according to the 3-yearly PPI average, for the period starting on the day the charge was levied, and ending on the day the charge is paid.

Note – In this section, "3-yearly PPI average" has the meaning given in section 114(6) of the Planning Act.

- (c) To avoid any doubt, this section is an automatic increase provision under the *Planning Act*.

4 Method for calculating Establishment Cost

4.1 Default position

By default, the Establishment Cost of trunk infrastructure is:

- (a) for trunk infrastructure that is the whole of an item in a table in Schedule 3, SC3.3 of the Planning Scheme – the establishment cost for the item stated in column 5 of the applicable table, increased using the PPI, adjusted according to the 3-yearly PPI average, for the period:
 - (i) starting on the base date in the LGIP; and

Editor's note – As of the commencement of this resolution, the base date is 2018.
 - (ii) ending on the date that the charge is levied.
- (b) for trunk infrastructure that is part of an item in a table in Schedule 3, SC3.3 of the Planning Scheme – a proportion of the amount described in **section 4.1(a)** for the relevant part; or
- (c) otherwise – an amount estimated by Council as reasonably reflecting the approximate costs of land acquisition, financing, and design and construction, for the infrastructure.

4.2 Recalculation of Establishment Cost

- (a) If an applicant disagrees with the default Establishment Cost under **section 4.1**, the applicant may give Council a notice under section 137 of the *Planning Act* requiring the Establishment Cost to be recalculated.

Editor's note – An infrastructure charges notice given by Council will, initially, reflect the default Establishment Cost under section 4.1. After receiving an infrastructure charges notice, and prior to the charges becoming payable, an applicant may give a notice under this section, in accordance with section 137 of the Planning Act. Where such a notice is given, and the Establishment Cost is recalculated, Council will give an amended infrastructure charges notice to the applicant.
- (b) If a notice is given under section 137 of the *Planning Act* in relation to trunk infrastructure that is land, the Establishment Cost is to be recalculated in accordance with:
 - (i) the method set out in **Schedule 2**; or
 - (ii) another method agreed in writing between Council and the applicant.
- (c) If a notice is given under section 137 of the *Planning Act* in relation to trunk infrastructure that is works, the Establishment Cost is to be recalculated in accordance with:
 - (i) the method set out in **Schedule 3**; or
 - (ii) another method agreed in writing between Council and the applicant.
- (d) Where the Establishment Cost is recalculated under this section, the Establishment Cost is to be increased using the PPI, adjusted according to the 3-yearly PPI average, for the period (if any) between:
 - (i) the date as at which the Establishment Cost is recalculated; and
 - (ii) the date on which the amended infrastructure charges notice is given.
- (e) To avoid any doubt:
 - (i) **Schedules 2 and 3** state this resolution's method for working out the cost of infrastructure that is the subject of an Offset or Refund, in accordance with section 116 of the *Planning Act*;
 - (ii) for section 137(2) of the *Planning Act*, the method for recalculating establishment cost is set out in **Schedules 2 and 3**;

- (iii) if a notice is given under section 137 of the *Planning Act* in relation to trunk infrastructure that includes both land and works: **section 4.2(b)** applies to the extent that the trunk infrastructure is land; and **section 4.2(c)** applies to the extent that the trunk is works; and
- (iv) at any time, Council and an applicant may agree in writing that a stated amount is to be the recalculated Establishment Cost for the purposes of this section.

5 Conversion criteria

5.1 Purpose of this section

- (a) This section sets out Council's conversion criteria for the purposes of section 117 of the *Planning Act*.
- (b) Non-trunk infrastructure that is the subject of a conversion must comply with all of the conversion criteria in **sections 5.2 to 5.10** in order to be converted to trunk infrastructure.

5.2 Capacity to service other development in accordance with desired standards of service

The infrastructure must have capacity to service other developments in the area, in accordance with the desired standard of service identified in the LGIP.

5.3 Infrastructure consistent with LGIP

The function and purpose of the infrastructure must be consistent with other trunk infrastructure identified in the LGIP.

5.4 Not consistent with non-trunk infrastructure

The infrastructure must not be consistent with non-trunk infrastructure for which a condition may be imposed under section 145 of the *Planning Act*. That is, the infrastructure must not be for any of the following:

- (a) a network, or part of a network, internal to premises;
- (b) connecting the premises to external infrastructure networks; or
- (c) protecting or maintaining the safety or efficiency of the infrastructure network of which the non-trunk infrastructure is a component.

Example – A condition is imposed requiring upgrade works to a trunk road, in order to maintain the safety and efficiency of the network as a result of a development. Although the works relate to a trunk road, they are non-trunk infrastructure and do not satisfy this criterion.

5.5 Cost-effectiveness

- (a) The type, size and location of the infrastructure must be the most cost-effective option for servicing multiple users in the area.
- (b) This criterion will be satisfied where the infrastructure 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 in the LGIP.

5.6 No commencement of construction

Construction of the infrastructure must not have started.

*Editor's note – Separately from this criterion, if construction of the non-trunk infrastructure that is the subject of a conversion application commences after the application is made, this may affect the determination of the application. See *Planning Act*, section 138(b).*

5.7 Not for development incentive

The infrastructure must not have been proposed by the applicant for the purpose of obtaining:

- (a) an increase in height or density; or
- (b) any other concession or relaxation of a requirement under the Planning Scheme.

5.8 Not proposed as non-trunk infrastructure

The infrastructure must not have been proposed by the applicant on the basis that it would be non-trunk infrastructure (or would otherwise not be subject to an Offset or Refund).

5.9 Not to upgrade to service development inconsistent with LGIP assumptions

The infrastructure must not involve an upgrade of an existing trunk infrastructure item made necessary to service development that is inconsistent with the type, scale, location or timing of development assumed in the LGIP.

5.10 Services development consistent with LGIP assumptions

The infrastructure must service development that is consistent with the LGIP's assumptions about the type, scale, location and timing of development.

6 Defined terms

6.1 Definitions

In this resolution, these terms have the following meanings:

Term	Definition
Base Charge	The base charge for development calculated in accordance with Schedule 1 .
Council	Cairns Regional Council.
Credit	A credit calculated in accordance with section 3.2 of this resolution.
Establishment Cost	The establishment cost of trunk infrastructure, determined in accordance with section 4 .
LGIP	Council's local government infrastructure plan, being Part 4 of the Planning Scheme.
Offset	An offset under section 129(2) of the <i>Planning Act</i> .
Original Land	That land that is the subject of the overarching development approval guiding development of the land. <i>Example – If the land the subject of a specific development application is part of a larger parcel that is the subject of a variation approval, the Original Land will be the whole of the land the subject of the variation approval, regardless of whether or not the land is being developed in stages or by different developers.</i>
Planning Act	The <i>Planning Act 2016</i> (Qld).
Planning Reg	The <i>Planning Regulation 2017</i> (Qld).

Planning Scheme	CairnsPlan 2016 (Version 3.0).
Refund	A refund under section 129(3)(b) of the <i>Planning Act</i> .

6.2 Other terms

A term that is used but not defined in this resolution will, unless the context otherwise requires, have the meaning give to it by (in the following order):

- (a) the *Planning Act*;
- (b) the Planning Scheme; or
- (c) its ordinary meaning.

6.3 Construction

Unless expressed to the contrary, in this resolution:

- (a) “includes” means includes without limitation;
- (b) a reference to:
 - (i) any legislation includes subordinate legislation under it and includes that legislation and subordinate legislation as modified or replaced;
 - (ii) “\$” or “dollars” is a reference to Australian currency;
 - (iii) this or any other document includes the document as novated, varied or replaced and despite any change in the identity of the parties;
 - (iv) writing includes: any mode of representing or reproducing words in tangible and permanently visible form, including fax transmission; and words created or stored in any electronic medium and retrievable in perceivable form;
 - (v) this resolution includes all schedules and annexures to it;
 - (vi) a section, schedule or annexure is a reference to a section, schedule or annexure, as the case may be, of this resolution;
- (c) if the date on or by which any act must be done under this resolution is not a business day, the act must be done on or by the next business day; and
- (d) headings do not affect the interpretation of this resolution.

Schedule 1

Base Charge rates

Notes –

- 1 The categories shown in shaded rows below are included only for convenience, and to align with schedule 16 of the Planning Reg.
- 2 Rows 1 to 94 of the below table identify the Base Charge rates for development that is a material change of use. Row 95 identifies the Base Charge rate for development that is reconfiguring a lot. Row 96 identifies the Base Charge rate for development that is building work.
- 3 If a development approval approves a material change of use for more than one use, and provides for an area that is able to be used for more than one use, or is common between two or more uses, the Base Charge applicable to that area is to be calculated based on the applicable use listed in the table below with the highest Base Charge rate.

	Development	Base Charge rate
	Residential uses	
1	Dwelling house	(a) \$21,912.60 for each dwelling with 2 or less bedrooms (b) \$30,677.65 for each dwelling with 3 or more bedrooms
2	Dwelling unit	(a) \$21,912.60 for each dwelling with 2 or less bedrooms (b) \$30,677.65 for each dwelling with 3 or more bedrooms
3	Dual occupancy	(a) \$16,364.65 for each dwelling with 2 or less bedrooms (a) \$22,027.88 for each dwelling with 3 or more bedrooms
4	Caretaker's accommodation	(a) \$21,912.60 for each dwelling with 2 or less bedrooms (b) \$30,677.65 for each dwelling with 3 or more bedrooms
5	Multiple dwelling	(a) \$16,364.65 for each dwelling with 2 or less bedrooms (b) \$22,027.88 for each dwelling with 3 or more bedrooms
	Accommodation (short-term)	
6	Tourist park	(a) If the tourist park has tent or caravan sites— (i) \$7,508.78 for each group of 2 sites or less (ii) \$9,000.00 for each group of 3 sites (b) If the tourist park has cabins— (i) \$7,508.78 for each cabin with 2 or less bedrooms (ii) \$9,000.00 for each cabin with 3 or more bedrooms
7	Hotel <i>(accommodation component only – see “Entertainment” category for other components)</i>	(a) \$7,553.51 for each suite with 2 or less bedrooms (b) \$9,970.01 for each suite with 3 or more bedrooms (c) \$7,553.51 for each bedroom that is not part of a suite
8	Short-term accommodation	(a) \$7,553.51 for each suite with 2 or less bedrooms (b) \$9,970.01 for each suite with 3 or more bedrooms (c) \$7,553.51 for each bedroom that is not part of a suite
9	Resort complex <i>(accommodation component only – see “Entertainment” category for other components)</i>	(a) \$7,553.51 for each suite with 2 or less bedrooms (b) \$9,970.01 for each suite with 3 or more bedrooms (c) \$7,553.51 for each bedroom that is not part of a suite
10	Nature-based tourism <i>(accommodation component only – see “Entertainment” category for other components)</i>	(a) \$7,553.51 for each suite with 2 or less bedrooms (b) \$9,970.01 for each suite with 3 or more bedrooms (c) \$7,553.51 for each bedroom that is not part of a suite
	Accommodation (long-term)	
11	Relocatable home park	(a) \$16,364.65 for each relocatable dwelling site for 2 or less bedrooms (b) \$22,027.88 for each relocatable dwelling site for 3 or more bedrooms
12	Community residence	(a) \$16,364.65 for each suite with 2 or less bedrooms (b) \$22,027.88 for each suite with 3 or more bedrooms (c) \$16,364.65 for each bedroom that is not part of a suite
13	Retirement facility	(a) \$16,364.65 for each suite with 2 or less bedrooms (b) \$22,027.88 for each suite with 3 or more bedrooms (c) \$16,364.65 for each bedroom that is not part of a suite
14	Rooming accommodation	(a) \$16,364.65 for each suite with 2 or less bedrooms (b) \$22,027.88 for each suite with 3 or more bedrooms

	Development	Base Charge rate
		(c) \$16,364.65 for each bedroom that is not part of a suite
15	Rural workers' accommodation	(a) \$21,912.60 for each suite with 2 or less bedrooms (b) \$30,677.65 for each suite with 3 or more bedrooms (c) \$21,912.60 for each bedroom that is not part of a suite
	Places of assembly	
16	Club	(a) \$76.75 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
17	Community use	(a) \$76.75 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
18	Function facility	(a) \$76.75 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
19	Funeral parlour	(a) \$76.75 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
20	Place of worship	(a) \$76.75 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
	Commercial (bulk goods)	
21	Agricultural supplies store	(a) \$153.40 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
22	Bulk landscape supplies	(a) \$153.40 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
23	Garden centre	(a) \$153.40 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
24	Hardware and trade supplies	(a) \$153.40 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
25	Outdoor sales	(a) \$153.40 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
26	Showroom	(a) \$153.40 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
	Commercial (retail)	
27	Adult store	(a) \$197.20 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
28	Food and drink outlet	(a) \$197.20 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
29	Service industry	(a) \$197.20 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
30	Service station	(a) \$197.20 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
31	Car wash	(a) \$197.20 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
32	Shop	(a) \$197.20 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
33	Shopping centre	(a) \$197.20 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
	Commercial (office)	
34	Office	(a) \$153.40 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
35	Sales office	(a) \$153.40 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
	Educational facility	
36	Child care centre	(a) \$153.40 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
37	Community care centre	(a) \$153.40 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
38	Educational establishment	(a) \$153.40 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
	Entertainment	
39	Bar	(a) \$219.10 for each square metre of gross floor area, other than areas for providing accommodation (b) \$10.95 for each square metre impervious to stormwater
40	Brothel	(a) \$219.10 for each square metre of gross floor area, other than areas for providing accommodation

	Development	Base Charge rate
		(b) \$10.95 for each square metre impervious to stormwater
41	Hotel <i>(non-accommodation component – see “Accommodation (short-term)” category for other components)</i>	(a) \$219.10 for each square metre of gross floor area, other than areas for providing accommodation (b) \$10.95 for each square metre impervious to stormwater
42	Nightclub entertainment facility	(a) \$219.10 for each square metre of gross floor area, other than areas for providing accommodation (b) \$10.95 for each square metre impervious to stormwater
43	Theatre	(a) \$219.10 for each square metre of gross floor area, other than areas for providing accommodation (b) \$10.95 for each square metre impervious to stormwater
44	Resort complex <i>(non-accommodation component – see “Accommodation (short-term)” category for other components)</i>	(a) \$219.10 for each square metre of gross floor area, other than areas for providing accommodation (b) \$10.95 for each square metre impervious to stormwater
45	Nature-based tourism <i>(non-accommodation component – see “Accommodation (short-term)” category for other components)</i>	(a) \$219.10 for each square metre of gross floor area, other than areas for providing accommodation (b) \$10.95 for each square metre impervious to stormwater
Indoor sport and recreation		
46	Indoor sport and recreation	(a) \$219.10 for each square metre of gross floor area, other than court areas (b) \$21.85 for each square metre of gross floor area that is a court area (c) \$10.95 for each square metre impervious to stormwater
High impact industry or special industry		
47	High impact industry	(a) \$76.75 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
48	Special industry	(a) \$76.75 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
Other industry		
49	Low impact industry	(a) \$54.80 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
50	Medium impact industry	(a) \$54.80 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
51	Research and technology industry	(a) \$54.80 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
52	Rural industry	(a) \$54.80 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
53	Warehouse	(a) \$54.80 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
54	Marine industry	(a) \$54.80 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
55	Transport depot	(a) \$54.80 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
High impact rural		
56	Aquaculture	(a) \$21.85 for each square metre of gross floor area
57	Intensive animal industry	(a) \$21.85 for each square metre of gross floor area
58	Intensive horticulture	(a) \$21.85 for each square metre of gross floor area
59	Wholesale nursery	(a) \$21.85 for each square metre of gross floor area
60	Winery	(a) \$21.85 for each square metre of gross floor area
Low impact rural		
61	Animal husbandry	Nil
62	Cropping	Nil
Essential services		
63	Detention facility	(a) \$153.40 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
64	Emergency services	(a) \$153.40 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
65	Health care service	(a) \$153.40 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
66	Hospital	(a) \$153.40 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
67	Residential care facility	(a) \$153.40 for each square metre of gross floor area

	Development	Base Charge rate
		(b) \$10.95 for each square metre impervious to stormwater
68	Veterinary service	(a) \$153.40 for each square metre of gross floor area (b) \$10.95 for each square metre impervious to stormwater
Minor uses		
69	Cemetery	Nil
70	Home-based business	Nil
71	Landing	Nil
72	Market	Nil
73	Outdoor lighting	Nil
74	Park	Nil
75	Environment facility	Nil
76	Roadside stall	Nil
77	Telecommunications facility	Nil
Other uses		
78	Air service	The rate for another similar use listed in this table that Council decides to apply to the use.
79	Animal keeping	The rate for another similar use listed in this table that Council decides to apply to the use.
80	Parking station	The rate for another similar use listed in this table that Council decides to apply to the use.
81	Crematorium	The rate for another similar use listed in this table that Council decides to apply to the use.
82	Extractive industry	The rate for another similar use listed in this table that Council decides to apply to the use.
83	Major sport, recreation and entertainment facility	The rate for another similar use listed in this table that Council decides to apply to the use.
84	Motor sport facility	The rate for another similar use listed in this table that Council decides to apply to the use.
85	Non-resident workforce accommodation	The rate for another similar use listed in this table that Council decides to apply to the use.
86	Outdoor sport and recreation	The rate for another similar use listed in this table that Council decides to apply to the use.
87	Outstation	The rate for another similar use listed in this table that Council decides to apply to the use.
88	Port service	The rate for another similar use listed in this table that Council decides to apply to the use.
89	Tourist attraction	The rate for another similar use listed in this table that Council decides to apply to the use.
90	Utility installation	The rate for another similar use listed in this table that Council decides to apply to the use.
91	Major electricity infrastructure	The rate for another similar use listed in this table that Council decides to apply to the use.
92	Renewable energy facility	The rate for another similar use listed in this table that Council decides to apply to the use.
93	Substation	The rate for another similar use listed in this table that Council decides to apply to the use.
94	Any other use not listed in column 1, including a use that is unknown	The rate for another similar use listed in this table that Council decides to apply to the use.
Other development		
95	Reconfiguring a lot	\$30,677.65 per lot
96	Building work	The highest rate stated in this table for a use for which the building may lawfully be used. <i>Example – If a building may lawfully be used for either a showroom or a shop, the rate applicable for a shop (ie which is higher than the rate applicable for a showroom) is to be used in calculating the Base Charge applicable to the building work.</i>

Schedule 2

Method for calculating Establishment Cost - Land

Where **section 4.2(b)** applies, the Establishment Cost of trunk infrastructure that is land is to be recalculated in accordance with the method set out in the below table, and subject to indexation as provided for in **section 4.2(d)**.

Step	Description	Details	Timing
1	Valuation	<p>The applicant must, at its own cost, obtain and provide Council with a valuation of the land, which must:</p> <ul style="list-style-type: none"> (a) be prepared by a certified practicing valuer, who must act professionally and as a neutral and independent expert; (b) assess the market value of the land using a before-and-after methodology, by: <ul style="list-style-type: none"> (i) determining the value of the Original Land, before any land is transferred to Council; (ii) determining the value of the remaining land that will not be transferred to Council; and (iii) subtracting the amount in (ii) from the amount in (i), with the value being the difference between those two amounts. (c) assess the value as at the following date, as applicable: <ul style="list-style-type: none"> (i) if the land is identified in a table in Schedule 3, SC3.3 of the Planning Scheme – the day the development application which is the subject of the relevant necessary infrastructure condition first became properly made; or (ii) otherwise – the day that the development application which is the subject of the relevant necessary infrastructure condition was approved; (d) include supporting information regarding the highest and best of use the land which the valuer has relied on to form an opinion about the value; (e) identify the area of land that is above the Q100 flood level and the area that is below the Q100 floor level; (f) identify and consider all other relevant constraints, including: vegetation protection; ecological values, including riparian buffers and corridors; stormwater or drainage corridors; slope; bushfire and landslide hazards; heritage; airport environs; coastal erosion; extractive resources; flooding; land use buffer requirement; tenure related constraints; and restrictions such as easements, leases, licences and other dealings, whether or not registered on title; and (g) contain relevant sales evidence and clear analysis of how those sales and any other information was relied upon in forming the valuation assessment. 	Within 10 business days after the applicant gives a notice under section 4.2 .
2	Response to valuation	<p>Council must consider the valuation report provided under Step 1 and give the applicant a notice stating either:</p> <ul style="list-style-type: none"> (a) that Council accepts the applicant's valuation – in which case the Establishment Cost will be the amount stated in the valuation report provided under Step 1; or (b) that Council does not accept the applicant's valuation – in which case, Step 3 applies. 	Within 15 business days Step 1 .
3	Council valuation	<p>Council must, at its own cost:</p> <ul style="list-style-type: none"> (a) obtain a further valuation report for the land, in accordance with the parameters set out in Step 1; and (b) provide a notice to the applicant stating Council's proposed valuation, and attaching a copy of Council's valuation report. 	Within 20 business days after Step 2 .
4	Response to Council valuation	<p>The applicant must give a notice to Council stating either:</p> <ul style="list-style-type: none"> (a) that the Applicant accepts Council's valuation – in which case the Establishment Cost will be the amount stated in Council's notice under Step 3; or (b) that the applicant does not accept the applicant's valuation – in which case, Step 5 applies. 	Within 10 business days after Step 3 .
5	Further valuation	<p>Council must obtain a further valuation report in accordance with the parameters set out in Step 1. The valuer is to be chosen by Council, in consultation with the applicant. Council and the applicant are to share equally in the costs of the valuation. If this step applies, the Establishment Cost will be the amount stated in the valuation report.</p>	Within 20 business days after Step 4 .

Schedule 3

Method for calculating Establishment Cost – works

Where **section 4.2(c)** applies, the Establishment Cost of trunk infrastructure that is works is to be recalculated in accordance with the method set out in the below table, and subject to indexation as provided for in **section 4.2(d)**.

Step	Description	Details	Timing
1	Scope of works	The applicant must, at its own cost, prepare and provide to Council a scope of works for the works which must include: (a) specifications for the works; (b) the standard to which the works are to be provided; and (c) the location of the works.	Within 10 business days after the applicant gives a notice under section 4.2 .
2	Approval of scope of works	Council must review the scope of works provided under Step 1 and give the applicant a notice stating either: (a) that Council approves the scope of works – in which case, Step 3 applies; or (b) that Council requires changes to the scope of works – in which case, the applicant must submit a revised scope of works under Step 1 .	Within 10 business days after Step 1 .
3	Bill of quantities and cost estimate	The applicant must, at its own cost, obtain and provide to Council the following, prepared by a suitably qualified person: (a) a bill of quantities for the design, construction and commissioning of the works, in accordance with the approved scope of works; and (b) a “first principles” estimate for the cost of designing, constructing and commissioning the works in accordance with that bill of quantities.	Within 15 business days after Step 2 .
4	Response to bill of quantities and cost estimate	Council must consider the bill of quantities and cost estimate provided under Step 3 and give the applicant a notice stating either: (a) that Council accepts the applicant’s bill of quantities and cost estimate – in which case, the Establishment Cost will be the amount stated in the applicant’s cost estimate; or (b) that Council does not accept the applicant’s bill of quantities and cost estimate and either: (i) that the revised cost estimate process in Steps A1 to A3 is to apply; or (ii) that the tender process in Steps B1 to B10 is to apply.	Within 10 business days after Step 3 .
		Option A – Revised cost estimate process	
A1	Council bill of quantities and cost estimate	Council must, at its own cost, obtain and provide to the applicant a revised bill of quantities and cost estimate, prepared by a suitably qualified person, in accordance with the parameters set out in Step 3 .	Within 20 business days after Step 4 .
A2	Response to Council bill of quantities and cost estimate	The applicant must give a notice to Council stating either: (a) that the Applicant accepts Council’s bill of quantities and cost estimate – in which case the Establishment Cost will be the amount stated in Council’s cost estimate; or (b) that the applicant does not accept Council’s bill of quantities and cost estimate – in which case, Step A3 applies.	Within 10 business days after Step A1 .
A3	Further bill of quantities and cost estimate	Council must obtain a bill of quantities and cost estimate, prepared by a suitably qualified person, in accordance with the parameters set out in Step 3 . The suitably qualified person is to be chosen by Council, in consultation with the applicant. Council and the applicant are to share equally in the costs of the suitably qualified person. If this step applies, the Establishment Cost will be the amount stated in the suitably qualified person’s cost estimate.	Within 20 business days after Step A2 .
		Option B – Tender process	
B1	Submission of design material	The applicant must obtain and provide to Council designs and specifications for the works, which must comply with all relevant standards and be prepared by a suitably qualified person.	Within 20 business days after Step 4 .

Step	Description	Details	Timing
B2	Approval of design material	<p>Council must give a notice to the applicant stating either:</p> <p>(a) that Council approves the applicant's design material – in which case, Step B3 applies; or</p> <p>(b) that Council requires specified changes to the design material – in which case, the applicant must resubmit the design material under Step B1.</p>	Within 10 business days after Step B1 .
B3	Submission of draft tender material	The applicant must prepare and provide to Council draft tender documentation for the works.	Within 20 business days after Step B2 .
B4	Approval of draft tender material	<p>Council must give a notice to the applicant stating either:</p> <p>(a) that Council approves the applicant's draft tender material – in which case, Step B5 applies; or</p> <p>(b) that Council requires specified changes to the design material – in which case, the applicant must resubmit the design material under Step B3.</p>	Within 10 business days after Step B3 .
B5	Conduct of tender and submission of recommendation	<p>The applicant must:</p> <p>(a) conduct a tender process in accordance with the approved documentation, which must include a requirement that prospective tenders state a dollar value figure for the construction cost of the works, which must be exclusive of any costs for:</p> <ul style="list-style-type: none"> (i) project management services; (ii) superintendent fees (iii) planning; (iv) construction administration; and (v) supervision; <p style="text-align: center;"><i>Note – for the approved tenderer, the dollar value figure stated under this paragraph will form part of the Establishment Cost, as specified in Step B10. The costs mentioned in sub-paragraphs (i) to (v) do not directly form part of the Establishment Cost, but are included in the allowance mentioned in paragraph (c) of Step B10.</i></p> <p>(b) undertake an analysis of the properly submitted tenders; and</p> <p>(c) give Council a notice that states:</p> <ul style="list-style-type: none"> (i) the applicant's recommendation as to the award of the works contract; (ii) the tender documents distributed to prospective tenderers; (iii) each tender submitted; (iv) the applicant's analysis of the tenders; and (v) any other relevant information. 	Within 20 business days after Step B4 .
B6	Approval of tenderer	<p>Council must give a notice to the applicant stating:</p> <p>(a) that Council approves of the applicant's recommendation as to the award of the works contract – in which case, the contractor is to be appointed in accordance with the applicant's recommendation; or</p> <p>(b) that Council requires a different specified tenderer to be appointed – in which case, the contractor specified by Council is to be appointed.</p>	Within 10 business days after Step B5 .
B7	Notice of proposed variation	<p>If, during the course of the works contract, the contractor proposes a variation that will increase the cost of the works, the applicant must give a notice to Council that:</p> <p>(a) describes the proposed variation; and</p> <p>(b) states a dollar value figure for the additional costs arising from the variation, which must be exclusive of any additional costs for:</p> <ul style="list-style-type: none"> (i) project management services; (ii) superintendent fees (iii) planning; (iv) construction administration; and (v) supervision; <p style="text-align: center;"><i>Note – if the variation is approved under Step B8, the dollar value figure stated under this paragraph will form part of the Establishment Cost, as specified in Step B10. The costs mentioned in sub-paragraphs (i) to (v) do not directly form part of the Establishment Cost, but are include in the allowance mentioned in paragraph (e) of Step B10.</i></p>	Within 5 business days of any variation being proposed by the contractor.

Step	Description	Details	Timing
B8	Approval of proposed variation	<p>Council must consider the proposed variation and give notice to the applicant stating either:</p> <ul style="list-style-type: none"> (a) that Council approves the proposed variation; or (b) that Council does not approve the proposed variation, and the reasons why. 	Within 5 business days of receiving a notice under Step B7 .
B9	Request for confirmation of Establishment Cost	The Applicant must give a notice to Council requesting that Council confirm the Establishment Cost of the works.	Not before Step B6 , and within 10 business days after the works are completed.
B10	Confirmation of Establishment Cost	<p>Council must give the Applicant a notice stating the amount of the Establishment Cost, which is to be the sum of the following (each of which must also be stated in the notice):</p> <ul style="list-style-type: none"> (a) the construction cost of the works, being the dollar value amount stated under paragraph (a) of Step B5; (b) the associated QLeave levy amount, being 0.575% of the amount in paragraph (a) above; (c) an allowance for project management, superintended, planning, construction administration and supervision costs, being: <ul style="list-style-type: none"> (i) for works for the parks and land for community facilities infrastructure networks – 10.5% of the amount in paragraph (a) above; or (ii) otherwise – 16% of the amount in paragraph (a) above; (d) the total additional costs for any approved variations, being the total of the amounts stated under paragraph (b) of Step B7 for all approved variations; and (e) an allowance for project management, superintended, planning, construction administration and supervision costs relating to approved variations, being 4% of the amount in paragraph (d) above. <p>The Establishment Cost is to be the amount stated in Council's notice.</p>	Within 10 business days after Step B9 .