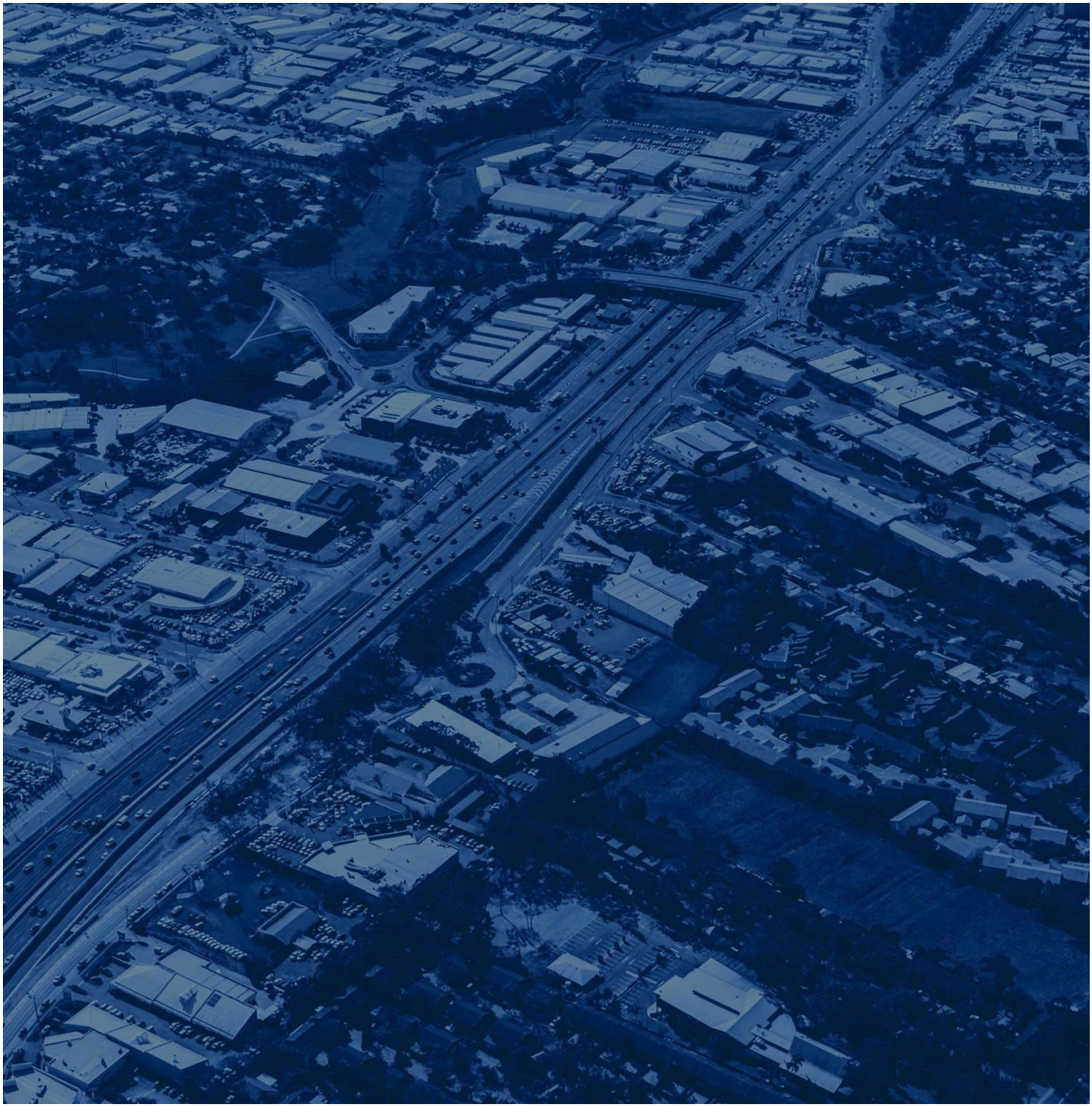


Logan Charges Resolution (No.13) 2026

Logan City Council

CITY OF LOGAN

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1. Introduction

1.1. This is a resolution made by Council under section 113 of the Planning Act.

1.2. An adopted charge under this resolution takes effect on 9 November 2026.

1.3. This resolution is attached to Council's Planning Scheme but is not part of the Planning Scheme.

1.4. This resolution declares that an adopted charge applies to the entire Logan City local government area.

1.5. This resolution should be read in conjunction with the Planning Act, Planning Regulation and the Planning Scheme.

1.6. The purpose of this resolution is to:

(a) adopt charges for providing trunk infrastructure for development for the water supply, sewerage, stormwater quantity, movement, parks and land for community facilities infrastructure networks;

(b) provide a method for calculating the levied charge (including credits) and provide an automatic increase provision;

(c) provide for deferrals;

(d) provide Council's criteria for determining an application to convert non-trunk infrastructure to trunk infrastructure; and

(e) provide a method for working out the cost of infrastructure the subject of an offset and refund.

1.7. The dictionary in Schedule 1 defines words and terms used in this resolution and provides for the interpretation of this resolution.

2. Trunk infrastructure networks

2.1. The adopted charge is to fund part of the establishment cost of Council's trunk infrastructure networks identified in the Local Government Infrastructure Plan (LGIP).

Priority Infrastructure Area

2.2. Contained within the Logan City Council local government area is a Priority Infrastructure Area (PIA). The PIA is identified in the LGIP.

3. Calculation of a levied charge

3.1. Infrastructure charges are levied by Council in accordance with sections 119 and 120 of the Planning Act.

3.2. The levied charge may be levied for the following development if a development approval, a change approval, or an extension approval is given for:

(a) reconfiguring a lot;

(b) material change of use; and

(c) carrying out building work.

3.3. The following steps apply to calculate the levied charge for development that is the subject of a development approval.

Step 1 – Adopted charge

3.4. Determine the adopted charge pursuant to sections 4 and 5 of this resolution.

Step 2 – If no connection to water supply, sewerage or stormwater quantity network

3.5. Reduce the adopted charge as follows, if applicable:

(a) by 12% if the development is:

(i) not connected to the water supply network; and

(ii) not required to connect to the water supply network pursuant to a development condition for the development;

(b) by 33% if the development is:

(i) not connected to the sewerage network; and

(ii) not required to connect to the sewerage network pursuant to a development condition for the development; and

(c) if the development is outside the Stormwater Quantity Network Area, then reduce the adopted charge by the following:

(i) for a Residential Use — 4%; or

(ii) for a Non-Residential Use — the amount of the adopted charge in Schedule 3 for each square metre impervious to stormwater for the use.

Note: For the avoidance of doubt, the component of the adopted charge referring to 'each square metre impervious to stormwater' is not a separate charge for trunk stormwater infrastructure. Rather, it is simply a component of the global adopted charge.

Step 3 – Extra demand

3.6. If there is demand that is not to be included as extra demand, reduce the adopted charge by the amount identified in section 6.1 of this resolution.

Step 4 – Incentive for existing lawful building with an existing lawful use

3.7. Reduce the adopted charge by the amount identified in section 7.29 of this resolution, for an incentive for an existing lawful building with an existing lawful use.

Step 5 – Incentive for 1 bedroom Secondary dwelling

3.8. Reduce the adopted charge by the amount identified in section 7.40 of this resolution, for an incentive for a 1 bedroom Secondary dwelling.

Step 6 – Calculation of levied charge

3.9. The amount arrived at after completing steps 1 to 4 is the levied charge.

Editor's note: The above steps exclude any offset that may be required for a necessary infrastructure condition under section 129 of the Planning Act.

Version of Logan Charges Resolution

3.10. When the Council gives an infrastructure charges notice or an amended infrastructure charges notice to levy an infrastructure charge pursuant to section 119 of the Planning Act, the resolution in effect at the time of giving the infrastructure charges notice or amended infrastructure charges notice will apply.

Automatic Increase of the Levied Charge

3.11. Pursuant to section 114(3)(b) of the Planning Act, sections 3.11 and 3.12 of this resolution are automatic increase provisions.

3.12. After the infrastructure charge is levied, but before it is paid, the levied charge will be automatically increased using the Producer Price Index (PPI).

3.13. Any increase to the levied charge must not be more than the lesser of the following:

(a) the difference between the levied charge and the maximum adopted charge Council could have levied for the development when the charge is paid; and

(b) 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.

4. When an adopted charge does not apply

4.1. Pursuant to section 113 of the Planning Act, an adopted charge does not apply to:

(a) works or a 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*;

(b) development in a Priority Development Area under the *Economic Development Act 2012*;

(c) development by a State Government department, or part of a department, under a designation; or

(d) development for a non-State school (as defined in the Planning Act) under a designation.

4.2. In addition to the development in section 4.1 of this resolution, an adopted charge does not apply to:

(a) a boundary realignment; or

(b) temporary development being development that is approved by a development approval which includes a condition that places a time limit not exceeding three (3) years on the lawful use continuing or the works remaining in place.

Note: If a Relevant Approval is given which extends the duration of the use or the work remaining in place so that it is greater than three (3) years, then Council may levy an adopted charge for the development at that time.

5. Adopted charge

5.1. For the purpose of section 113 of the Planning Act, this section 5 of this resolution adopts charges for providing trunk infrastructure for development.

5.2. The adopted charge is for the Council's trunk water supply, sewerage, stormwater quantity, movement, parks and land for community facilities infrastructure networks.

5.3. The adopted charge is the lesser of the following or the maximum adopted charge:

(a) for a material change of use—the adopted charge amount in Schedule 3, Table 2, Column 2 of this resolution for the use referred to in Schedule 3, Table 2, Column 1 of this resolution;

(b) for building work—the adopted charge amount in Schedule 3, Table 2, Column 2 of this resolution for the use referred to in Schedule 3, Table 2, Column 1 of this resolution; and

(c) for reconfiguring a lot—the adopted charge amount in Schedule 3, Table 1, Column 2 of this resolution for the use stated in Schedule 3, Table 1, Column 1 of this resolution.

6. Extra demand

Credits

Credit amount

6.1. If a credit applies pursuant to sections 6.2 and 6.3 of this resolution, and the applicant has provided the satisfactory evidence required under section 6.4 of this resolution, the amount of the credit is the greater of the following:

(a) for a credit pursuant to section 6.2(a)—the amount determined in the same way that an adopted charge is determined pursuant to sections 3.4 to 3.8 of this resolution, as if the calculation of the levied charge is the credit; and

(b) for a credit pursuant to section 6.2(b)—the amount of the levied charge or infrastructure contribution previously paid to Council, indexed using the 3-yearly PPI average to the date that the credit is determined.

Determining credit

6.2. Subject to section 6.3 of this resolution, when working out extra demand for a levied charge, the demand on trunk infrastructure generated by the following will not be included as extra demand, and is to be identified as a credit:

(a) extra demand for:

(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; or

(iii) other development on the premises, if the development may be lawfully carried out without the need for a further development permit unless:

A. an infrastructure requirement applies to the premises on which the development will be carried out; and

B. the infrastructure requirement was imposed on the basis of the development of a lower scale or intensity being carried out on the premises; or

(b) where a levied charge or infrastructure contribution has previously been paid to Council for the reconfiguring a lot that created the premises, other than infrastructure contributions levied pursuant to a Planning Scheme Policy or local planning policy in force prior to 17 March 2006.

Editor's note: Infrastructure contributions levied pursuant to a Planning Scheme Policy or local planning policy in force prior to 17 March 2006 will not be recognised as a credit given the networks that an infrastructure contribution was imposed pursuant to a Planning Scheme Policy or local planning policy may be significantly different to the networks that an adopted charge is imposed pursuant to this resolution.

6.3. A credit under section 6.2 of this resolution does not apply if:

(a) an infrastructure requirement that applies or applied to the use or development has not been complied with;

(b) the premises is planned to be serviced by a trunk infrastructure network, but is not yet connected to the network;

(c) there is an existing lawful use which is not being replaced as part of the proposed development;

(d) levied charges for a use referred to in section 6.2 of this resolution were deferred pursuant to section 7 of this resolution or remain unpaid (i.e. no credit is available as no infrastructure charges were paid); or

(e) an incentive pursuant to sections 7.29 to 7.30 of this resolution applied to the use referred to in section 6.2 of this resolution.

6.4. The applicant must provide satisfactory evidence of the matters for which a credit is claimed.

6.5. A refund will not be provided if the credit exceeds the adopted charge.

7. Incentives

7.1. This section identifies available incentives. The incentives in sections 7.29 to 7.30 (Existing lawful building for an existing lawful use) and 7.39 to 7.40 (1 bedroom Secondary Dwelling) are provided through a reduction of the adopted charge. All other identified incentives are provided by a deferral of the payment of levied charges through an infrastructure agreement.

7.2. To avoid any doubt, if a change application or extension application is made in relation to development that is subject to a deferral incentive, any existing infrastructure agreement may also require amendment.

7.3. Only one incentive for a deferral will be available for any development, even if a development may be eligible for more than one incentive.

7.4. An application for a deferral cannot be finalised until an infrastructure charges notice has been issued by Council.

7.5. A credit for deferred levied charges is not available for future development on the premises (see section 6.3(d)).

Incentive for 3.5 to 5 star rated Hotel Accommodation or Motel Accommodation

7.6. An applicant may, at any time after a development approval has been issued for Hotel Accommodation or Motel Accommodation, but before the levied charge becomes

payable, apply for a deferral against the levied charges in the Prescribed Form to Council.

Application forms and fact sheets are available here

7.7. The deferral only applies to Hotel Accommodation or Motel Accommodation which obtains a three and a half to five-star hotel category accommodation rating under the Australian Star Rating Scheme. Additionally, the Motel Accommodation must also belong to a desirable and known national or international brand.

7.8. To be eligible, applicants must enter into an infrastructure agreement with Council to defer the levied charges before the levied charges become payable. The infrastructure agreement will require the following:

(a) the applicant is required to provide Council with a bank guarantee for the total value of the levied charge prior to the levied charge becoming payable;

(b) upon the provision of a bank guarantee to Council, the payment of the levied charges for the development will be deferred to 12 months after the levied charge becomes payable;

(c) if, within 12 months after the levied charge becomes payable, the Hotel Accommodation or Motel Accommodation obtains a three and a half to five star hotel category accommodation rating under the Australian Star Rating Scheme, and in the case of a Motel Accommodation the applicant has also submitted evidence to Council the Motel Accommodation belongs to a desirable and known national or international brand, then the Bank Guarantee will be released by Council, and subject to subsection 7.8(e), the levied charge the subject of the infrastructure agreement will not be payable;

(d) if, after 12 months after the levied charge becomes payable, the Hotel Accommodation or Motel Accommodation has not obtained the minimum three and a half star hotel category accommodation rating under the Australian Star Rating Scheme, and in the case of a Motel Accommodation the applicant has also not submitted evidence to Council that the Motel Accommodation belongs to a desirable and known national international brand, the applicant will be required to pay the levied charges for the development in full. If the applicant fails to pay the levied charges, within the timeframes specified in the infrastructure agreement, Council will call up the Bank Guarantee to recover the infrastructure charges; and

(e) the Hotel Accommodation or Motel Accommodation must maintain a minimum three and a half star hotel category accommodation rating under the Australian Star Rating Scheme, and in the case of Motel Accommodation must also continue to belong to a desirable and known national or international brand throughout the entire operation of the use, otherwise, the levied charges become due and payable.

Incentive for not-for-profit or charitable organisations for Non-Residential Use

7.9. A maximum of 50% of the adopted charges levied for a development approval (capped to a maximum of $40,000 per application) may be deferred by Council for a not-for-profit or charitable organisation, subject to the requirements in sections 7.10 to 7.17 being met.

7.10. Not-for-profit or charitable organisations may, at any time after the development approval has been issued, but before the levied charge becomes payable, apply for a deferral against the levied charges in the Prescribed Form to Council.

Application forms and fact sheets are available here

7.11. Not-for-profit or charitable organisations that may be eligible for a deferral are:

(a) charitable organisations that use either a volunteer or paid workforce;

(b) not-for-profit community-based organisations such as senior citizens clubs, men's shed, scouts and guides, and other welfare, cultural, Aboriginal and Torres Strait Islander, environmental, rescue, and youth organisations;

(c) religious organisations; and

(d) other organisations determined by Council in extenuating circumstances.

7.12. To be considered for eligibility, not-for-profit or charitable organisations must:

(a) be a charitable organisation registered with the Australian Charities and Not-for-profits Commission (ACNC), or a not-for-profit organisation that is endorsed to access charity tax concessions from the Australian Tax Office; and

(b) provide supporting information demonstrating how the development will deliver a public benefit in accordance with sections 7.14 to 7.17.

7.13. Eligibility for a deferral is limited to developments that deliver a demonstrable public benefit that is not solely attributable to the continuation, expansion or scaling of the organisation's ordinary services or operations.

7.14. The applicant must provide evidence demonstrating the need for the proposed development and the public benefit it will provide, including relevant supporting documentation and letters of support where appropriate.

7.15. For the purposes of this incentive, a development provides a public benefit where the benefit:

(a) extends beyond the organisation's members, staff, volunteers or direct beneficiaries;

(b) contributes to the social, cultural, educational, spiritual, recreational or community benefit of the City of Logan; and

(c) would not reasonably be expected to occur without the development for which the deferral is sought.

7.16. In determining whether a development provides a public benefit, Council may have regard to:

(a) the extent to which the development provides goods, services, facilities or opportunities that are accessible to the wider community;

(b) the number and diversity of people expected to benefit from the development;

(c) whether the development addresses an identified community need or deficiency in community facilities and services;

(d) will be ongoing and measurable; and

(e) any other matter Council considers relevant.

7.17. The deferral for not-for-profit or charitable organisations only applies to development for a Non-Residential Use. Components of a not-for-profit or charitable organisation which are Commercial activities or Retail activities, as defined in the Planning Scheme are not eligible for deferral unless the applicant can provide proof that the organisation provides a public benefit to the community, which is not limited to members of the organisation.

7.18. If Council determines that an organisation meets the eligibility requirements, Council will prepare an infrastructure agreement to defer the levied charges. The infrastructure agreement will include clauses which stipulate that the levied charges become due and payable if the development the subject of the infrastructure agreement ceases, the development is no longer providing a public benefit or used by the not-for profit or charitable organisation, or the property is transferred or otherwise disposed of.

Incentive for particular development in the Springwood Economic Development Zone

7.19. An applicant may apply for a deferral of levied charges for development in the Springwood Economic Development Zone, if the development involves the construction of a new building which:

(a) is for a Mixed Use Development which has:

(i) at least one Shop or Food and drink outlet on the ground floor of the development with an Active Frontage; and

(ii) either:

A. an Office with a minimum GFA of 1,000m^2 that contributes significant economic, aesthetic and community benefit to the local area and the city; or

B. an Office with a minimum GFA of 500m^2 and a minimum of ten (10) Multiple Dwellings that contributes significant economic, aesthetic and community benefit to the local area and the city.

7.20. The maximum amount of levied charges for the development which may be deferred is $1,000,000.00.

7.21. To be eligible for the deferral, applicants must enter into an infrastructure agreement with Council to defer the levied charges. The infrastructure agreement must be executed within six (6) months of the giving of the development approval, and before the levied charge becomes payable.

7.22. An applicant must apply for the deferral of charges in the Prescribed Form.

Application forms and fact sheets are available here

7.23. The infrastructure agreement will include clauses to:

(a) provide for the deferral of levied charges for the development on the basis that:

(i) construction of the development is to commence within twelve (12) months after the development approval for material change of use for the development takes effect; and

(ii) the Deferral Trigger is met within eighteen (18) months of commencing construction;

(b) require the levied charges to become due and payable if the development does not meet the timeframes in sections 7.23(a)(i) and 7.23(a)(ii).

Incentive for particular development in the Beenleigh Economic Development Zone

7.24. An applicant may apply for a deferral of levied charges for development in the Beenleigh Economic Development Zone, if the development involves the construction of a new building which:

(a) is for a Mixed Use Development which has:

(i) at least one Shop or Food and drink outlet on the ground floor of the development with an Active Frontage; and

(ii) either:

A. an Office with a minimum GFA of 1,000m^2 that contributes significant economic, aesthetic and community benefit to the local area and the city; or

B. an Office with a minimum GFA of 500m^2 and a minimum of ten (10) Multiple Dwellings that contributes significant economic, aesthetic and community benefit to the local area and the city.

(b) has a Theatre that contributes significant economic, aesthetic and community benefit to the local area and the city.

7.25. The maximum amount of levied charges for the development which may be deferred is $1,000,000.00.

7.26. In order to be eligible for the deferral, applicants must enter into an infrastructure agreement with Council to defer the levied charges. The infrastructure agreement must be executed within six (6) months of the giving of the development approval, and before the levied charge becomes payable.

7.27. An applicant must apply for the deferral of charges in the Prescribed Form.

Application forms and fact sheets are available here

7.28. The infrastructure agreement will include clauses to:

(a) provide for the deferral of levied charges for the development on the basis that:

i. construction of the development is to commence within twelve (12) months after the development approval for material change of use for the development takes effect; and

ii. the Deferral Trigger is met within eighteen (18) months of commencing construction; and

(b) require the levied charges to become due and payable if the development does not meet the timeframes in sections 7.28(a)(i) and 7.28 a)(ii).

Incentive for an existing lawful building with an existing lawful use

7.29. Section 7.30 applies where the development the subject of a levied charge is for a material change of use or building work for a Non-Residential Use in the Centre zone, Mixed use zone, Low impact industry zone, Medium impact industry zone, or Specialised centre zone of the Planning Scheme, within an existing lawful building with an existing lawful use and where:

(a) the Non-Residential Use does not involve any additional GFA;

(b) neither of the following apply:

i. an infrastructure requirement for the premises has not been complied with; or

ii. it is for a levied charge in an ICN that was given prior to the commencement of the Logan Charges Resolution (No.6) Version 1 2017 which took effect on 1 March 2017; and

7.30. The adopted charge for the development will be reduced by the lesser of the following:

(a) the amount of the levied charge;
(b) $50,000.

Incentive for support services and temporary accommodation for persons escaping domestic violence

7.31. Section 7.32 to 7.34 apply where a levied charge is for a development permit for building work for a class 1 or 2 building, where the use of the class 1 or 2 building is support services and temporary accommodation for persons escaping domestic violence (Relevant Building Work).

7.32. The applicant or owner of premises the subject of the Relevant Building Work may, after a development permit for the Relevant Building Work has been issued, but before the levied charge for the Relevant Building Work becomes payable, apply for a deferral of the levied charge in the Prescribed Form to Council.

Application forms and fact sheets are available here

7.33. The maximum amount of the levied charge for the Relevant Building Work that may be deferred must be no more than the lesser of the following:

(a) the amount of the levied charge for the Relevant Building Work;

(b) $100,000.

7.34. If Council determines that the development meets the eligibility requirements, Council will prepare an infrastructure agreement to defer the levied charges. The infrastructure agreement will include clauses which stipulate that the levied charges become due and payable if the use of support services and temporary accommodation for persons escaping domestic violence ceases.

Note: For a deferral to apply, an infrastructure agreement referred to in section 7.34 must be executed between the Owner and Council about the deferral before the trigger for payment is met as stated in the relevant infrastructure charges notice.

Incentive for tourist parks and nature-based tourism

7.35. Section 7.36 to 7.38 apply where a levied charge is for a development permit for Tourist park or Nature-based tourism.

7.36. The applicant or owner of premises the subject of the relevant development permit may, after a development permit has been issued, but before the levied charge becomes payable, apply for a deferral of the levied charges in the Prescribed Form to Council.

Application forms and fact sheets are available here

7.37. The maximum amount of the levied charge for the relevant development that may be deferred must be no more than the lesser of the following:

(a) the amount of the levied charge for the Relevant development;

(b) $100,000.

7.38. If Council, at its absolute discretion, determines that the development meets the eligibility requirements, Council will prepare an infrastructure agreement to defer the levied charges. The infrastructure agreement will include clauses which stipulate that the levied charges become due and payable if the use of Tourist park or Nature-based tourism ceases.

Note: For a deferral to apply, an infrastructure agreement referred to in section 7.38 must be executed between the Owner and Council about the deferral before the trigger for payment is met as stated in the relevant infrastructure charges notice.

Incentive for 1 bedroom Secondary dwelling

7.39. Section 7.40 applies where the development the subject of a levied charge is for a material change of use or building work for Residential Use - Secondary Dwelling where the development is:

(a) a dwelling; and

(b) has no more than 1 bedroom*.

7.40. The adopted charge for the development will be reduced by 50% of the levied charge.

**Note: see definition of bedroom in Schedule 1.*

8. Conversion criteria

8.1. This section states Council's conversion criteria for the purposes of section 117 of the Planning Act.

Application to convert non-trunk infrastructure to trunk infrastructure

8.2. An applicant for a development approval may make an application to convert non-trunk infrastructure to trunk infrastructure (conversion application) only if:

(a) Council has imposed a particular development condition in a development approval under section 145 of the Planning Act that requires non-trunk infrastructure to be provided; and

(b) the construction of the non-trunk infrastructure has not started; and

(c) the application is made to Council, in writing using the Prescribed Form, within 1 year after the development approval starts to have effect, in accordance with section 139 of the Planning Act.

Note: The commencement of construction of non-trunk infrastructure the subject of a conversion application after the conversion application is made but before it is decided (including any appeal in respect of the decision on the conversion application) may affect the Council's determination of the application.

8.3. Council will decide the conversion application in accordance with sections 140 and 141 of the Planning Act and the criteria for deciding the application stated in section 8.5 of this resolution.

8.4. If the Council's decision is to convert non-trunk infrastructure to trunk infrastructure and its notice of decision pursuant to section 141 of the Planning Act states an offset or refund applies, then the cost of the offset or refund of that infrastructure is to be determined in accordance with section 9.

Application forms and fact sheets are available here

Requirements for development infrastructure for all infrastructure networks

8.5. For non-trunk infrastructure the subject of a conversion application to be converted to trunk infrastructure, it must comply with all of the following criteria.

(a) The development infrastructure must service the following:

(i) the planned development of the premises (subject premises) for an urban purpose (proposed development); and

(ii) the proposed development of premises in the locality of the subject premises (other premises) for an urban purpose (future development).

(b) The development infrastructure must have the primary purpose of meeting the collective needs (demands) of the future development of the other premises for the following:

(i) if stormwater infrastructure, the avoidance of general flooding from the runoff of the other premises in order to protect or minimise damage from flooding to the property or environment of other premises as opposed to the subject premises;

(ii) if transport infrastructure, the provision of access to and from the other premises;

(iii) if parks infrastructure, the provision of recreation or sports facilities to service the other premises; and

(iv) if land for community facilities infrastructure, the provision of community facilities to service the other premises.

(c) The development infrastructure must be specifically designed to provide additional capacity to service the future development of the other premises.

Example of development infrastructure that meets this criteria –

Development infrastructure which is specifically designed to exceed the minimum efficient need (demand) of the proposed development of the subject

premises in order to provide additional capacity to meet the collective needs (demands) of the future development of the other premises.

Example of development infrastructure which does not meet this criteria –

Development infrastructure which is specifically designed to meet the minimum efficient need (demand) of the proposed development of the subject premises but also provides incidental benefits for the future development of the other premises.

(d) The development infrastructure must:

(i) be the same size or equivalent capacity of other trunk infrastructure included in the LGIP for the locality of the subject premises and other premises; and

(ii) perform a function and purpose which is in accordance with the function and purpose of other trunk infrastructure stated in the LGIP for the locality of the subject premises and other premises.

Example 1: Public open space that has an ecological and conservation function is not the same as the function provided by parks 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 as an access road will not provide the same function and purpose as a trunk road which must be a collector or arterial road constructed to the profile identified in Planning Scheme Policy 5 - Infrastructure.

(e) The development infrastructure must comply with the DSS.

(f) The development infrastructure must not be about one or more of the following:

(i) a network, or part of a network, which is internal to the subject premises; and

(ii) connecting the subject premises to an external infrastructure network; and

(iii) protecting or maintaining the safety or efficiency of the infrastructure network of which the development infrastructure is a component.

(g) The development infrastructure must be of a type, size and location that is the Most Cost Effective Option and Most Efficient Option to service the proposed development of the subject premises and the future development of the other premises.

(h) The development infrastructure must service:

(i) the proposed development and future development that is consistent with the planning assumptions in terms of scale, type, timing and location in the LGIP; and

(ii) the subject premises and other premises which are completely inside the Priority Infrastructure Area.

(i) 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 applicant 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.

(j) The development infrastructure must not be temporary infrastructure unless identified by Council as the Most Cost Effective Option to service the proposed development of the subject premises and the future development of the other premises.

(k) The development infrastructure must be intended to be provided to and owned by Council for development infrastructure under the Planning Act.

(l) Construction of the development infrastructure must not have started.

Additional network specific requirements – water supply and sewerage development infrastructure

(m) The development infrastructure must comply with Council's example of trunk water and sewerage infrastructure as stated in Schedule 4.

Additional network specific requirements – movement development infrastructure

(n) The development infrastructure must:

(i) be for a proposed collector road or arterial road as shown in Figure 3.4.1.4.1 of Planning Scheme Policy 5 - Infrastructure;

(ii) not be for works that provide direct frontage access to a development or works required to facilitate development access traffic; and

(iii) be constructed to a collector road or arterial road standard in accordance with Council's Planning Scheme Policy 5 - Infrastructure.

Additional network specific requirements – stormwater quantity development infrastructure

(o) The development infrastructure must:

(i) be for improving the existing flood immunity within a catchment in addition to the premises to achieve the DSS; and

(ii) be designed and constructed in accordance with Council's Planning Scheme Policy 5 - Infrastructure and the Queensland Urban Drainage Manual.

Additional network specific requirements – parks infrastructure

(p) The development infrastructure for works (embellishments) must be located within land identified as trunk park.

8.6. If the conversion application is approved in accordance with section 142 of the Planning Act:

(a) the condition of the relevant development approval requiring the non-trunk infrastructure to be provided, no longer has effect; and

(b) Council may amend the development approval to impose a Necessary Infrastructure Condition for the trunk infrastructure.

Editor's note: Council may decide not to amend the development approval to include a Necessary Infrastructure Condition.

8.7. 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 is imposed for the purposes of section 129(2) or 129(3)(b) of the Planning Act:

(a) give an ICN; or

(b) amend, by notice to the applicant, any existing ICN for the development approval.

9. Offset and refund for trunk infrastructure

Purpose

9.1. This section provides a method for working out the cost of infrastructure that is the subject of an offset or refund under section 116 of the Planning Act.

Application of an offset and refund

9.2. If:

(a) a Relevant Approval given by Council includes a condition imposed under section 128 of the Planning Act;

(b) the trunk infrastructure the subject of that condition services, or is planned to service, premises other than premises the subject of the Relevant Approval; and

(c) an adopted charge applies to the development the subject of the Relevant Approval;

then:

(d) if the establishment cost of the trunk infrastructure the subject of that condition is equal to or less than the levied charge, the cost must be offset against the levied charge;

(e) if the establishment cost of the trunk infrastructure the subject of that condition is more than the amount of the levied charge, then:

(i) there is no amount payable for the levied charge; and

(ii) Council will refund the applicant an amount equal to the difference between the establishment cost of the trunk infrastructure and the levied charge.

Working out the establishment cost

9.3. By default, the establishment cost for trunk infrastructure is to be worked out by Council using either of the following methods:

(a) Rely on the cost shown for the trunk infrastructure contribution in SC3.2 Schedules of works (Schedule 3 of the Planning Scheme) which is to be indexed from the Base Date to the date of the ICN using the 3-yearly PPI average; or

Note: For trunk infrastructure that is part of an item in SC3.2 Schedules of works (Schedule 3 of the Planning Scheme), the establishment cost will be a proportion of the cost stated for that item, determined by Council.

(b) An estimate of the establishment cost for the trunk infrastructure contribution reasonably determined by Council having regard to the method used to work out the establishment cost of identified trunk infrastructure stated in the extrinsic material of the LGIP.

9.4. If an applicant disagrees with the default establishment cost under section 9.3, the applicant may give a notice to Council under section 137 of the Planning Act requiring the establishment cost to be re-calculated using the method stated in section 9.5.

Application forms and fact sheets are available here

Methodology for re-calculating establishment cost

9.5. The methodology for re-calculating the establishment cost of a trunk infrastructure contribution is as follows:

(a) the establishment cost of a trunk infrastructure contribution that is works (trunk infrastructure other than land) is to be calculated using a first principles estimating approach or through an open tender process - in accordance with the procedural requirements in section 9.6;

(b) the establishment cost of a trunk infrastructure contribution that is land is to be determined using the before and after valuation method for estimating the market value of land (the before and after method of valuation) in accordance with the procedural requirements in sections 9.7 to 9.13; and

(c) following the above recalculation, Council is to give an amended ICN, as outlined in section 9.16.

Re-calculation of establishment cost for trunk infrastructure that is works

9.6. Where the establishment cost of trunk infrastructure that is works is to be recalculated, the following approach is to be followed:

(a) Within 15 Business Days of receiving the applicant's notice under section 9.4, Council must give a notice to the applicant:

(i) attaching 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);

(ii) requiring the applicant to calculate the cost estimate either by:

A. preparing a bill of quantities (with cost estimate) – in which case the process in sections 9.6(b) to (d) will apply; or

B. through an open tender process – in which case the process in Schedule 5 will apply.

Editor's note: For the avoidance of doubt, the Scope of Works given by Council under section 9.6(a)(i) will generally be derived from the approved Operational Work plans and supporting documents relevant to the trunk infrastructure contribution.

(b) Within 15 Business Days of the Council giving a notice under section 9.6(a) (i.i)A, the applicant must, at their own cost, provide to 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; and

(ii) a first principles estimate for the cost of designing, constructing and commissioning the trunk infrastructure specified in the bill of quantities completed by a suitably qualified person in accordance with section 9.6(b)(i).

Editor's note – For the avoidance of doubt, a cost estimate prepared under section 9.6(b) is to include the same cost components and exclusions as identified in Schedule 5.

(c) Within 15 Business Days of the applicant complying with section 9.6(b), Council must give notice to the applicant stating that Council:

(i) accepts the bill of quantities and cost estimate provided by the applicant; or

(ii) requires the cost of the works to be determined through an open tender process – in which case the process in Schedule 5 will apply; or

(iii) rejects the applicant's bill of quantities and cost estimate, in which case Council must give written notice to the applicant to notify the applicant of this (including reasons for doing so) and undertake its own assessment pursuant to subsection 9.6(e);

(d) If Council gives a notice under section 9.6(c)(i), Council must give an amended ICN under section 9.16, with the accepted cost estimate as the establishment cost of the trunk infrastructure.

(e) If Council gives a notice under section 9.6(c)(iii), Council must, at its cost, have an assessment undertaken by an appropriately 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 cost that would be determined by applying a first principles estimating approach to the bill of quantities; and

(iii) provide a cost estimate using a first principles estimating approach; and

(f) Where an assessment has been completed under section 9.6(e):

(i) Council must provide the applicant with a copy of the assessment within 5 Business Days of the assessment being completed; and

(ii) Council must give an amended ICN under section 9.16, with the assessed cost estimate as the establishment cost of the trunk infrastructure.

Re-calculation of establishment cost for trunk infrastructure that is land

9.7. Where the establishment cost of trunk infrastructure that is land is to be recalculated, the process in sections 9.8 to 9.14 is to be followed.

9.8. If the trunk infrastructure has been identified in the LGIP - the valuation must be undertaken to determine the market value that would have applied on the day the development application, which is the subject of the relevant necessary infrastructure condition, first became properly made.

9.9. If the trunk infrastructure has not been identified in the LGIP - the valuation must be undertaken to determine the market value that would have applied on the day the development application that resulted in the relevant necessary infrastructure condition was first approved.

9.10. The valuation of land infrastructure must be undertaken using the before and after method of valuation by:

(a) determining the value of the original land before any land is transferred to Council;

(b) determining the value of the remaining land that will not be transferred to Council; and

(c) subtracting the value determined for the remaining land that will not be transferred to Council from the value determined for the original land.

Editor's note: 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 Council, 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 Council 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 Council. 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 Council.

The 'original land' means the land the subject of the overarching development approval guiding development of the land in its entirety. If the land is part of a larger parcel being developed pursuant to a Relevant Approval for a material change of use affecting the Planning Scheme under the Planning Act the original land is the land the subject of the Relevant Approval in its entirety, irrespective of whether the land is being developed in stages or by the same/ different developer(s) and irrespective of the ownership structure of the land parcel(s).

Another example of 'original land' is if the land is part of a larger parcel being developed pursuant to a material change of use or reconfiguring of a lot approval, the original land is the land the subject of the approval in its entirety, irrespective of whether the land is being developed in stages or by the same/ different developer(s) and irrespective of the ownership structure of the land parcel(s).

9.11. The before and after method of valuation must be given effect through the following procedural requirements under either section 9.12 or section 9.13. The process in section 9.13 will apply if the applicant so elects, or if Council and the applicant are unable to reach agreement for the purposes of section 9.12.

9.12. Council and the applicant may agree to a joint valuation process through an agreed qualified independent valuer, in accordance with the process as outlined below:

(a) Council provides to the applicant a list of preferred certified practicing valuers. The applicant must select one of the valuers from the list.

(b) Council and the applicant agree on the terms of the valuation brief.

(c) Council and the applicant agree to equally share the cost of the valuation report.

(d) The outcome of the valuation report is final, and Council must give an amended ICN under section 9.16, with that value as the establishment cost of the trunk infrastructure.

9.13. If section 9.12 does not apply, the applicant, at their own cost, and within 15 Business Days of giving a notice under section 9.4, must provide to Council a valuation of the specified land undertaken by a certified practicing valuer using the before and after method of valuation.

9.14. The valuation report for either section 9.12 and section 9.13 must:

(a) include supporting information regarding the highest and best use of the land which the valuer has relied on to form an opinion about value;

(b) identify the area of land that is above the 1% Annual Exceedance Probability (AEP) flood level and the area that is below the 1% AEP flood level;

(c) identify and consider all other real and relevant constraints including but not limited to:

(i) vegetation protection;

(ii) ecological values including riparian buffers and corridors;

(iii) stormwater or drainage corridors;

(iv) slope;

(v) bushfire and landslide hazards;

(vi) heritage;

(vii) airport environs;

(viii) coastal erosion;

(ix) extractive resources;

(x) flooding;

(xi) land use buffer requirements;

(xii) tenure related constraints;

(xiii) restrictions such as easements, leases, licences and other dealings whether or not registered on title;

(d) contain relevant sales evidence and a clear analysis of how those sales and any other information was relied upon in forming the valuation assessment; and

(e) be prepared by a certified practicing valuer who must act professionally as a neutral and independent expert.

9.15. Where an applicant has provided a valuation report in accordance with section 9.13 the following additional procedural requirements will apply:

(a) Council may accept the applicant's valuation.

(b) If Council accepts the applicant's valuation, the applicant's valuation is the establishment cost of the infrastructure, and Council must give an amended ICN under section 9.16, with that value as the establishment cost of the trunk infrastructure.

(c) If Council does not accept the applicant's valuation, Council must, within 15 Business Days of receiving the applicant's valuation:

(i) give written notice to the applicant that Council has not accepted the applicant's valuation;

(ii) subsequently, unless a value is otherwise agreed with the applicant (in which case that agreed valuation is the establishment cost of the infrastructure and Council must give an amended ICN under section 9.16, with that value as the establishment cost of the trunk infrastructure), have a valuation undertaken, at Council's costs. The valuation must be undertaken by a certified practicing valuer, who must act professionally and as a neutral and independent expert. The value will be final; and

(iii) give an amended ICN under section 9.16 with the value determined by the valuer appointed by Council.

Giving an amended ICN

9.16. This section applies where the value of an offset or refund for trunk infrastructure has been re-calculated pursuant to section 9.5 of this resolution:

(a) for infrastructure that is work – Council must give an amended ICN to the applicant stating:

(i) the value of the establishment cost of the infrastructure which has been indexed from the date of the cost estimate to the date stated in the amended ICN using the 3-yearly PPI average; and

(ii) that the establishment cost of the infrastructure stated in the amended ICN is indexed from the date stated in the amended ICN to the date it is to be offset against the levied charge using the 3-yearly PPI average.

(b) for infrastructure that is land – Council must give an amended ICN to the applicant stating:

(i) the value of the establishment cost of the infrastructure which has been indexed from the date of the accepted valuation to the date stated in the amended ICN using the 3-yearly CPI average; and

(ii) that the establishment cost of the infrastructure stated in the amended ICN is indexed from the date stated in the amended ICN to the date it is to be offset against the levied charge using the 3-yearly PPI average.

Timing of an offset and refund

9.17. An applicant entitled to an offset or refund for the trunk infrastructure contribution is to:

(a) give to Council a notice in the Prescribed Form which states the following:

(i) the date the trunk infrastructure which is the subject of an offset or refund was Lawfully Completed; and

(ii) that the trunk infrastructure has been provided in accordance with the Relevant Approval for the trunk infrastructure contribution.

Application forms and fact sheets are available here

9.18. Council is to as soon as is reasonably practicable after receiving a notice under section 9.17:

(a) determine whether the trunk infrastructure contribution has satisfied the matters in subsection 9.17(a); and

(b) give to the applicant a notice stating the outcome of Council's determination.

9.19. If the trunk infrastructure contribution is work which the Council is of the opinion has not reached completion, the notice must state what additional work is required to be done before the work will be held to have reached completion. That work is to be undertaken by the applicant, and a new notice is required to be given to the Council under section 9.17.

9.20. If Council is satisfied of the matters in subsection 9.18(a), and unless otherwise provided for in an infrastructure agreement, Council is to:

(a) for an offset—set off the establishment cost for the trunk infrastructure contribution against the levied charge at the time that the adopted charge stated in the ICN is payable under the Planning Act; and

(b) for a refund—give the refund at the time stated in the ICN.

9.21. Council has adopted a policy position in relation to the determination in an ICN of when a refund is to be given by Council to achieve the following policy objectives:

(a) to seek to integrate Council's land use and infrastructure plans;

(b) to implement the applicable infrastructure planning instrument as the basis for Council's trunk infrastructure funding; and

(c) to implement infrastructure funding, which is equitable, accountable and financially sustainable for Council.

9.22. Council's policy position in relation to the determination in an ICN of when a refund is to be given by Council and related matters is listed in Table 2.

Table 2 - Payment of Refund

Trunk Type	Value	Trigger for Payment
Identified trunk infrastructure or different trunk infrastructure provided	$1 million or less	The refund may be given within the relevant planned date or period for the trunk infrastructure item as stated in the LGIP.

Trunk Type	Value	Trigger for Payment
before the planned date or period for the trunk infrastructure item stated in the LGIP	Greater than $1 million but not more than $3 million	The refund may be given annually over 3 Financial Years in equal payments, with a commencement date for the first annual payment within the relevant planned date or period for the trunk infrastructure item as stated in the LGIP.
	Greater than $3 million	The refund may be given annually over 5 Financial Years in equal payments, with a commencement date for the first annual payment within the relevant planned date or period for the trunk infrastructure item as stated in the LGIP.
Identified trunk infrastructure or different trunk infrastructure which is provided in the planned date or period stated in the LGIP	$1 million or less	The refund may be given by 31 December of the Financial Year following the completion of the trunk infrastructure item.
	Greater than $1million but not more than $3 million	The refund may be given annually over 3 Financial Years in equal payments by 31 December in each Financial Year commencing in the Financial Year following the completion of the trunk infrastructure item.
	Greater than $3 million	The refund may be given annually over 5 Financial Years in equal payments by 31 December in each Financial Year commencing in the Financial Year following the completion of the trunk infrastructure item.
Trunk infrastructure contribution for necessary trunk infrastructure or prescribed trunk infrastructure, not included in the LGIP		Council is to estimate the planned date or period in which the trunk infrastructure item would have been planned to be provided, had it been included in the LGIP, to work out the relevant planned date or period for the trunk item. Council is to use the relevant triggers listed above.

9.23. Each refund amount to be paid is to be increased using the 3-yearly PPI average, from the date of the ICN requiring the refund to be given, to the date the refund amount is paid.

Schedule 1 - Dictionary

1. Where a word or term used in this resolution is defined by the Planning Act or Planning Regulation, that word or term has the meaning given in the Planning Act or Planning Regulation unless the word or term is defined in this Schedule 1.

2. If a term is not defined by this Schedule 1, the Planning Act or the Planning Regulation, the term is to, subject to section 14A (Interpretation best achieving Act's purpose) of the *Acts Interpretation Act 1954*, have the meaning assigned to it by the edition of the Macquarie Dictionary that is current at the date this resolution takes effect.

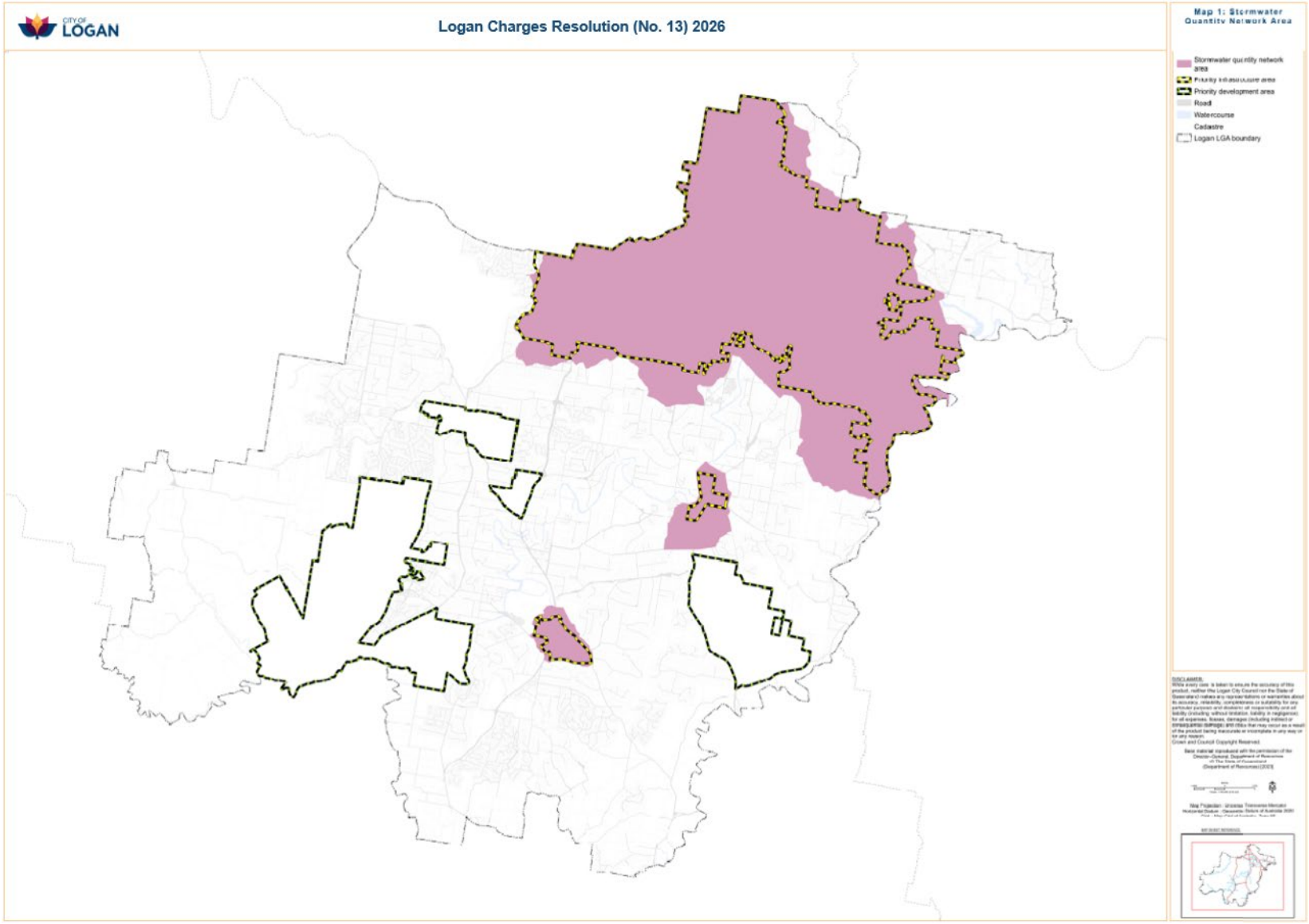
Active Frontage	Means a frontage that has windows, openings, pedestrian entries and awnings to provide a visual connection between a building and a road or public open space.
Australian Star Rating Scheme	Means the independent rating scheme for hotels and motels in Australia managed by STAR Ratings Australia.
Base Date	Has the meaning given in the Planning Scheme, instead of the meaning given in the Planning Regulation.
Bedroom	Means a habitable room that: a) is of sufficient floor area to accommodate the placement and use of a standard single bed and contains the level of privacy normally associated with private sleeping, or can be modified with minimal effort to incorporate such privacy measures. Excludes kitchen, water closet, bathroom, laundry, garage or plant room; or b) 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. *Note – Examples of modification include the installation of a swing door, sliding door or a similar privacy measure.*
Beenleigh Economic Development Zone	Means the Centre core precinct, the Bellew Street precinct and the Civic and community precinct as shown in the Planning Scheme local plan map LPM-01.00.
Business Day	Has the meaning given in the *Acts Interpretation Act 1954*.
Council	Means Logan City Council.
Court Area	Means an immobile area used to play sport or sporting activities. It does not include a gym with fitness/ wellbeing classes, exercise equipment, exercise machines or any other non-permanent structures. Examples of exercise equipment and exercise machines—treadmill, exercise bike, weights.
Deferral Trigger	Means the earliest of the following events for the development:

	a) the issue of a Compliance Certificate under the *Plumbing and Drainage Act 2018*; b) the issue of a Certificate of Occupancy under the *Building Act 1975*; c) the commencement of the use.
DSS	Means the desired standards of service, as per section 4.4 of the Planning Scheme.
Financial Year	Means a period of one (1) year beginning on 1 July.
Food and Drink Outlet	Has the meaning given in the Planning Scheme.
GFA	Has the meaning given to 'gross floor area' in the Planning Regulation.
Hotel Accommodation	Hotel Accommodation means a use of premises, or part of a use of premises, for Short-term accommodation (as defined in the Planning Scheme), where for an accommodation hotel and serviced apartments, but does not include: a) any part of a use of premises for Short-term accommodation (as defined in the Planning Scheme) to the extent it is for an ancillary use other than Short-term accommodation specifically; or *Note: To avoid any doubt, "Hotel Accommodation" does not include any area used for ancillary facilities such as a bar, dining area, or conference facilities, foyer or reception areas, even if those facilities primarily or exclusively service persons accommodated in the hotel.* b) a use of premises for other forms of Short-term accommodation, such as a backpackers, cabins, farm stay or Dual occupancy accommodation.
ICN	Means an infrastructure charges notice.
Impervious Area	Means the area of the premises that is impervious to rainfall or overland flow that results in the discharge of stormwater from the premises. *Note: Impervious area is typically all area of a site covered by roofing, plus all areas of a site covered by constructed surfaces, such as roads, car parks, driveways, and paved area. Compacted gravel areas of a premises are considered as impervious area.*
Lawfully Completed	For works - means when the work is complete, other than for a minor omission or minor defect which is not essential, does not prevent the work from being used for its intended purpose and the rectification of which will not prejudice the convenient use of the work.

	For land - means when the land has been dedicated or transferred, in accordance with the relevant development approval requiring the trunk infrastructure contribution.
LGIP	Means Council's Local Government Infrastructure Plan in part 4 of the Planning Scheme
Mixed Use Development	Means development which has: a) at least one Shop or Food and drink outlet on the ground floor of the development with an Active Frontage; and b) either: (i) an Office with a minimum GFA of 1,000m^2; or (ii) an Office with a minimum GFA of 500m^2 and a minimum of ten (10) Multiple Dwellings.
Most Cost Effective Option	Means the least cost option based upon the life cycle cost of the infrastructure required to service future urban development in the area at the DSS.
Most Efficient Option	Means the best means of achieving the desired outcomes, having regard to all options available including non-trunk infrastructure alternatives.
Motel Accommodation	Motel Accommodation means a use of premises, or part of a use of premises, for Short-term accommodation (as defined in the Planning Scheme), where for an accommodation motel and serviced apartments, but does not include: a) any part of a use of premises for Short-term accommodation (as defined in the Planning Scheme) to the extent it is for an ancillary use other than Short-term accommodation specifically; or *Note: To avoid any doubt, "Motel Accommodation" does not include any area used for ancillary facilities such as a bar, dining area, or conference facilities, foyer or reception areas, even if those facilities primarily or exclusively service persons accommodated in the motel.*
Multiple Dwelling	Has the meaning given in the Planning Scheme.
Non-Residential Use	Means a use referred to under the headings in Schedule 3, Table 2 of this resolution which is not a Residential Use.
Office	Has the meaning given in the Planning Scheme.
Planning Act	Means the *Planning Act 2016*.
Planning Regulation	Means the Planning Regulation 2017.
Planning Scheme	Means the Logan Planning Scheme 2015.

Planning Scheme Policy	Means the Planning Scheme Policies in Schedule 6 of the Logan Planning Scheme 2015.
Prescribed Fee	Means a cost recovery fee prescribed by Council.
Prescribed Form	Means a form prescribed by Council.
Priority Infrastructure Area	Means the Priority Infrastructure Area identified in section 4.3 of the Planning Scheme, instead of the meaning given in the Planning Act.
Project owner's cost	Means the costs identified in Schedule 5, paragraph 1(b) of this resolution.
Relevant Approval	Means a development approval, change approval, or an extension approval under the Planning Act.
Relevant Building Work	Has the meaning given in section 7.31 of the resolution.
Residential Use	Means: • a use referred to under the headings in Schedule 3, Table 2 of this resolution as 'Residential Uses', 'Accommodation (short-term)' and 'Accommodation (long-term)'; • Dwelling unit; • Workforce accommodation; • Non-resident workforce accommodation; or • Rural workers' accommodation.
Resolution	Means a charges resolution.
Scope of Works	Has the meaning given in section 9.6(a) of the resolution.
Springwood Economic Development Zone	Means the Centre core precinct and Commercial precinct as shown in the Planning Scheme Springwood local plan map LPM-10.00.
Stormwater Quantity Network Area	Means the 'Stormwater Quantity Network Area' shown on the map in Schedule 2 of this resolution titled 'Map 1: Stormwater Quantity Network Area'.
Subject Premises	Means the premises the subject of the overarching development approval guiding development of the premises.
Suite	Means a number of connected rooms one of which is a bedroom in which an individual or a group of two or more related or unrelated people reside with the common intention to live together on a long-term basis and who make common provision for food or other essentials for living. A suite typically contains up to 3 bedrooms in a hotel context.

Schedule 2 - Map 1: Stormwater Quantity Network Area



Schedule 3 - Adopted Charges

Table 1: Reconfiguring a lot

Column 1 – Reconfiguring a lot	Column 2 – Adopted charge
Reconfiguring a lot	$ 38,029.25 for each lot

Table 2: Material change of use and building work

Column 1 – Use	Column 2 – Adopted charge
Residential Uses	
1. Dwelling house* 2. Dual occupancy 3. Caretaker's accommodation 4. Multiple dwelling 5. Build to rent housing	1. $27,163.80 for each dwelling with 2 or less bedrooms 2. $38,029.25 for each dwelling with 3 or more bedrooms
Accommodation (short-term)	
1. Tourist park	1. If the tourist park has tent or caravan sites— a. $13,581.80 for each group of 2 sites or less b. $19,014.45 for each group of 3 sites 2. If the tourist park has cabins— a. $13,581.80 for each cabin with 2 or less bedrooms b. $19,014.45 for each cabin with 3 or more bedrooms
2. Hotel 3. Short-term accommodation 4. Resort complex	1. $13,581.80 for each suite with 2 or less bedrooms 2. $19,014.45 for each suite with 3 or more bedrooms 3. $13,581.80 for each bedroom that is not part of a suite
Accommodation (long-term)	
1. Relocatable home park	1. $27,163.80 for each relocatable dwelling site for 2 or less bedrooms

Column 1 – Use	Column 2 – Adopted charge
	2. $38,029.25 for each relocatable dwelling site for 3 or more bedrooms
2. Community residence 3. Retirement facility 4. Rooming accommodation	1. $27,163.80 for each suite with 2 or less bedrooms 2. $38,029.25 for each suite with 3 or more bedrooms 3. $27,163.80 for each bedroom that is not part of a suite
Places of assembly	
1. Club 2. Community use 3. Function facility 4. Funeral parlour 5. Place of worship	1. $95.15 for each square metre of gross floor area 2. $13.60 for each square metre impervious to stormwater
Commercial (bulk goods)	
1. Agricultural supplies store 2. Bulk landscape supplies 3. Garden centre 4. Hardware and trade supplies 5. Outdoor sales 6. Showroom	1. $190.15 for each square metre of gross floor area 2. $13.60 for each square metre impervious to stormwater
Commercial (retail)	
1. Adult store 2. Food and drink outlet 3. Service industry 4. Service station 5. Shop 6. Shopping centre	1. $244.50 for each square metre of gross floor area 2. $13.60 for each square metre impervious to stormwater

Column 1 – Use	Column 2 – Adopted charge
Commercial (office)	
1. Office 2. Sales office	1. $190.15 for each square metre of gross floor area 2. $13.60 for each square metre impervious to stormwater
Educational facility	
1. Childcare centre 2. Community care centre 3. Educational establishment	1. $190.15 for each square metre of gross floor area 2. $13.60 for each square metre impervious to stormwater
Entertainment	
1. Hotel 2. Nightclub entertainment facility 3. Theatre 4. Resort complex	1. $271.60 for each square metre of gross floor area, other than areas for providing accommodation 2. $13.60 for each square metre impervious to stormwater
Indoor sport and recreation	
1. Indoor sport and recreation	1. $271.60 for each square metre of gross floor area, other than court areas 2. $27.10 for each square metre of gross floor area that is a court area 3. $13.60 for each square metre impervious to stormwater
High impact industry or special industry	
1. High impact industry 2. Special industry	1. $95.15 for each square metre of gross floor area 2. $13.60 for each square metre impervious to stormwater
Other industry	
1. Low impact industry 2. Medium impact industry 3. Marine industry	1. $67.85 for each square metre of gross floor area 2. $13.60 for each square metre impervious to stormwater

Column 1 – Use	Column 2 – Adopted charge
4. Research and technology industry 5. Rural industry 6. Warehouse	
High impact rural	
1. Cultivating, in a confined area, aquatic animals or plants for sale 2. Intensive animal industry 3. Intensive horticulture 4. Wholesale nursery 5. Winery	1. $27.10 for each square metre of gross floor area
Low impact rural	
1. Animal husbandry 2. Cropping 3. Permanent plantation 4. Wind farm	Nil
Essential services	
1. Correctional facility 2. Emergency services 3. Health care service 4. Hospital 5. Residential care facility 6. Veterinary service	1. $190.15 for each square metre of gross floor area 2. $13.60 for each square metre impervious to stormwater
Minor uses	
1. Advertising device 2. Cemetery 3. Home-based business 4. Landing 5. Market	Nil

Column 1 – Use	Column 2 – Adopted charge
6. Outdoor lighting 7. Park 8. Roadside stall 9. Telecommunications facility 10. Temporary use	
Other uses	
1. Air service 2. Animal keeping 3. Car park 4. Crematorium 5. Extractive industry 6. Major sport, recreation and entertainment facility 7. Motor sport facility 8. Outdoor sport and recreation 9. Port service 10. Tourist attraction 11. Utility installation 12. Workforce accommodation 13. Any other use not listed in column 1, including a use that is unknown	The adopted charge is the amount determined for another similar use listed in column 1 (other than in this row) that the Council decides to apply at the time of determining the levied charge pursuant to section 3 of this resolution, other than for the following uses which have the following adopted charge: Aquaculture – adopted charge in column 2 for Cultivating, in a confined area, aquatic animals or plants for sale Bar – adopted charge in column 2 for Food and drink outlet Brothel – adopted charge in column 2 for Service industry Car wash – adopted charge in column 2 for Service industry Detention facility – adopted charge in column 2 for Correctional facility Dwelling unit – adopted charge in column 2 for Dwelling house Environment facility – adopted charge in column 2 for Park Major electricity infrastructure – adopted charge in column 2 for Telecommunications facility Nature-based tourism – adopted charge in column 2 for Tourist Park Non-resident workforce accommodation – adopted charge in column 2 for workforce accommodation. Outstation – adopted charge in column 2 for Indoor sport and recreation and/or Tourist park as applicable.

Column 1 – Use	Column 2 – Adopted charge
	Parking station – adopted charge in column 2 for Car park Party house – adopted charge in column 2 for Function Facility Renewable energy facility – adopted charge in column 2 for Wind farm Rural workers' accommodation – adopted charge in column 2 for Rooming accommodation Substation – adopted charge in column 2 for Telecommunications facility Transport depot – adopted charge in column 2 for Warehouse

Editor's note: The use definition for a Dwelling house includes a secondary dwelling (an administrative term only). Where a dwelling house comprises two dwellings, one of which is a secondary dwelling, the applicable adopted infrastructure charge will be levied separately for each dwelling.

Indexation of charges will apply from the time of a charge levied to the time of payment using 3-yearly PPI average indexation (see section 3.10). Indexation will apply to all levied charges.

Schedule 4 - Examples of trunk infrastructure for water and sewerage Networks

1. Trunk water infrastructure includes the following:

    a) Water storage facility where the ultimate total capacity is greater than or equal to 150 kilolitres including directly associated telemetry, monitoring and control equipment.

    b) Pump stations (including boosters) which are required to deliver an ultimate design demand of greater than or equal to 10 litres per second normal peak demand (excluding fire flow demand) including directly associated telemetry, monitoring and control equipment.

    c) A water main having a nominal diameter greater than or equal to 200 millimetres including directly associated fittings being valves, hydrants, scours and air valves. Smaller size mains may be trunk where they are the principal network component for transporting water from source of supply to distribution or storage reservoirs, and/or from storage reservoirs to the reticulation system.

    d) Chlorination and re-chlorination facilities including directly associated telemetry, monitoring and control equipment.

    e) Flow meters that are not directly associated with any other equipment except for a water main including directly associated telemetry, monitoring and control equipment.

    f) Pressure and flow control valves associated with trunk assets including directly associated telemetry, monitoring and control equipment.

2. Trunk sewerage infrastructure includes the following:

    a) Sewerage treatment plants including outfall structures and disposal systems including directly associated telemetry, monitoring and control equipment.

    b) Sewerage pump stations which are required to deliver an ultimate design peak wet weather flow of greater than or equal to nine litres per second including directly associated telemetry, monitoring and control equipment, emergency storage facilities, emergency overflow structures and odour management.

    c) Rising mains associated with a trunk sewage pump station including associated fittings being valves, scours, air valves and discharge maintenance holes.

    d) Gravity mains having a nominal diameter greater than or equal to 225mm including directly associated maintenance structures and emergency overflow structures.

    e) Gravity mains which:

        (i) have a nominal diameter less than 225 millimetres including directly associated maintenance structures and emergency overflow structures.

        (ii) augment another gravity sewer where they share a common upstream maintenance structure which splits the flow and a common downstream maintenance structure which re-joins the flow.

    f) An infrastructure item which receives flow from an upstream infrastructure item that is trunk infrastructure under subparagraphs (a) to (e) above.

Note: The references to the terms "Trunk" and "Reticulation" as used in this Schedule bear no relation to those same terms as used in the SEQ Code specification for design and construction of water and sewerage infrastructure.

Schedule 5 - Process if Council requires the cost of trunk infrastructure that is work to be determined through an open tender process

For the purposes of section 9, the cost of trunk infrastructure that is work is the total of the items listed below, less any excluded costs:

1. The cost includes the following:

   (a) the construction cost for the work;

   (b) Project owner's cost for the work which do not exceed the cost stated in Table 1 (below) for the following cost items:

      (i) Master planning;

      (ii) The cost of survey for the work;

      (iii) The cost of geotechnical investigations for the work;

      (iv) The cost of only detailed design for the work;

      (v) The cost of project management and contract administration; and

      (vi) The cost of environmental investigations for the work.

      The total Project owner's cost may not exceed 20% of the construction cost of the work and the maximum per cost item stated in Table 1.

Table 1 – Maximum Project owner's cost per cost item

Column 1 Cost item	Column 2 Maximum Project owner's cost as a percentage of the construction cost of the work
Master planning	2%
Survey	2%
Geotechnical investigation	1%
Detailed design	9%
Project management and contract admin	5%
Environmental investigations	1%

   (c) A portable long service leave payment for a construction contract for the work calculated as 0.575% of the construction cost plus the Project owner's cost (QLeave).

   (d) risk and contingencies which do not exceed 10% for the cost of that part of the work in a construction contract which is subject to a contingency.

      Example: A construction contract for a trunk road infrastructure network item may state a contingency for pavement design and service relocation.

2. The construction cost excludes the following:

(a) costs for making a development application and obtaining a development approval for the work, including but not limited to:

(i) fees and charges of the Council for lodging a development application for a development approval for the work; and

(ii) fees of a consultant for work carried out in relation to preparing and making a development application and obtaining a development approval for the work;

(b) a cost of carrying out temporary infrastructure;

(c) a cost of carrying out other infrastructure which is not part of the trunk infrastructure contribution;

(d) a cost of the decommissioning, removal and rehabilitation of infrastructure identified in paragraphs (b) and (c);

(e) a part of the trunk infrastructure contribution provided by:

(i) Council; or

(ii) a person, other than the applicant or a person engaged by the applicant;

(f) a cost to the extent that GST is payable and an input tax credit can be claimed for the work;

(g) a cost attributable directly or indirectly to the failure of an applicant or a person engaged by the applicant to perform and fulfil a Relevant Approval for the work;

(h) a cost caused or contributed to by a negligent or wilful act or omission by the applicant or a person engaged by the applicant;

(i) a cost of carrying out development infrastructure which is only made necessary by the development and does not contribute to the function of the trunk infrastructure item;

(j) a cost of carrying out trunk infrastructure which relates to another development infrastructure network;

(k) a cost of carrying out development infrastructure which is replacing existing infrastructure with different infrastructure in another development infrastructure network;

(l) a cost of carrying out development infrastructure in excess of the DSS for the network of development infrastructure stated in the respective infrastructure planning instrument;

(m) a cost of existing development infrastructure which services or is planned to service existing or future demand that is replaced by the trunk infrastructure contribution.

Determining the cost

3. Prior to the applicant starting the construction of the work, the cost for the work is to be determined as follows:

(a) the applicant is to undertake an open tender process for the work;

(b) the applicant is to:

(i) give to Council a notice in the Prescribed Form which states the following:

A. an open tender process has been conducted;

B. the tenders received;

C. the applicant's preferred tenderer;

D. the applicant's reason for the preferred tenderer;

E. the terms of the construction contract for the work;

F. a plan for each development infrastructure network clearly showing the extent of the work for which an offset is sought;

G. the applicant's calculation of the cost for the work; and

(ii) pay the Prescribed Fee.

Note: The Prescribed Fee may include Council's costs for determining the cost.

Application forms and fact sheets are available here

(c) Council may, within 15 Business Days after the notice under paragraph (b) is submitted to Council, give a notice to the applicant requiring the applicant to provide any further information that Council reasonably considers relevant and necessary to determine the cost. If the applicant does not comply with the notice, Council may determine the cost on the basis of the information available to Council.

(d) the applicant is to comply with a notice given by Council to the applicant under paragraph (c);

(e) Council is to as soon as reasonably practicable determine the cost acting reasonably having regard to the matters in paragraphs (a) to (d);

(f) as soon as reasonably practicable after determining the cost, Council is to:

(i) give to the applicant a notice which states the Council's calculation of the cost for the work and the reason for any difference from the applicant's calculation; and

(ii) issue an amended ICN pursuant to section 9.18 of the resolution.

Editors note – For the purposes of preparing and issuing an ICN, the cost determined under Schedule 5 is the establishment cost of the trunk infrastructure.

Editor's note – For the avoidance of doubt, cost = construction cost + Project owner's cost + QLeave + risk and contingencies – excluded costs.

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