

Brisbane City Council
Brisbane Infrastructure Charges Resolution
(No. 10) 2021



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Contents

		Page
Part 1	Introduction	4
	1. Short title	4
	2. Commencement	4
	3. Planning Act 2016	4
	4. Purpose	4
	5. Interpretation	5
Part 2	Adopted charges	6
	6. Purpose of part 2	6
	7. Adopted charges	6
	8. Trunk infrastructure networks for the adopted charges	7
	9. Applicable date for the adopted charges	7
	10. Applicable area for the adopted charges	7
	11. Applicable uses for the adopted charges	7
Part 3	Levied charges	8
	12. Purpose of part 3	8
	13. Applicable development for the levied charge	9
	14. Working out the levied charge	9
	15. Working out the applied adopted charge	10
	16. Working out the extra demand	10
	17. Working out the discount for the prescribed financial contribution	12
	18. Working out the automatic increase	13
Part 4	Offset and refund for trunk infrastructure	14
	19. Purpose of part 4	14
	20. Conversion criteria	15
	21. Working out the establishment cost	16
	22. Initial calculation of the establishment cost for required works	16
	23. Cost-based estimate of the establishment cost for required works	18
	24. Initial calculation of the establishment cost for required land	20
	25. Current market value of required land	22
	26. Recalculation of the establishment cost for required works	24
	27. Recalculation of the establishment cost for required land	29
	28. Application of an offset and refund	33
	29. Details of an offset and refund	34
	30. Timing of an offset and refund	34
Part 5	Eligible organisation charges reduction	39
	31. Purpose of part 5	39
	32. Eligible community organisation and eligible community development	39
	33. Working out an eligible organisation charges reduction	40

	34.	Timing of an eligible organisation charges reduction	40
	35.	Expiry	40
Part 6		Extra trunk infrastructure costs	41
	36.	Purpose of part 6	41
	37.	Payment of extra trunk infrastructure costs	41
Schedule 1		Dictionary	42
Schedule 2		Adopted charges	49
Schedule 3		Applicable uses under the IPA planning scheme and SPA planning scheme	59
Schedule 4		Not Used	66
Schedule 5		Identified necessary trunk infrastructure criteria	67
Schedule 6		Planned cost for local government trunk infrastructure networks	68
Schedule 7		Maximum indirect construction/embellishment cost and project costs for works	70
Schedule 8		Infrastructure planning scheme policies	71

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Part 1 Introduction

1. Short title

This resolution may be cited as *Brisbane Infrastructure Charges Resolution (No. 10) 2021*.

2. Commencement

This resolution has effect on and from 1 July 2021.

Editor's note—See section 118(2) (Steps after making charges resolution) of the Planning Act.

3. Planning Act 2016

- (1) This resolution is a charges resolution made under the *Planning Act 2016 (Planning Act)*.
- (2) This resolution is to be read in conjunction with the following:
 - (a) the *Planning Regulation 2017 (Planning Regulation)*;
 - (b) the IPA planning scheme and the SPA planning scheme.
- (3) This resolution is attached to but does not form part of the IPA planning scheme or SPA planning scheme.

Editor's note—See section 118(1) (Steps after making charges resolution) of the Planning Act.

4. Purpose

The purpose of this resolution is to state the following:

- (a) the adopted charges for providing the local government trunk infrastructure networks;
- (b) the charges to be levied by the local government for development for the demand placed on the local government trunk infrastructure networks;
- (c) matters relevant to the working out of an offset and refund for a trunk infrastructure contribution for the local government trunk infrastructure networks for development;
- (d) matters relevant to the working out of the eligible organisation charges reduction for development;

- (e) how the payment of extra trunk infrastructure costs for development is to be worked out and required.

5. Interpretation

- (1) The dictionary in [schedule 1](#) defines words used in this resolution.
- (2) A word not defined in this resolution which is defined in the Planning Act has the meaning given in the Planning Act.
- (3) A word not defined in this resolution or the Planning Act has the meaning given to it by the edition of the Macquarie Dictionary that is current at the date this resolution takes effect, subject to section 14A (Interpretation best achieving Act's purpose) of the *Acts Interpretation Act 1954* and section 14 (Applicable provisions) of the *Statutory Instruments Act 1992*.

Editor's note—Section 14A(1) (Interpretation best achieving Act's purpose) of the Acts Interpretation Act 1954, which provides that in the interpretation of a provision of an Act the interpretation that will best achieve the purpose of the Act is to be preferred to any other interpretation, applies to a statutory instrument under section 14 (Applicable provisions) of the Statutory Instruments Act 1992.

- (4) The extrinsic material for the local government infrastructure plan is to be used as an aid in the interpretation of this resolution where it assists in resolving any ambiguity in the operative provisions (in particular in the interpretation of [Part 4](#)).

Part 2 Adopted charges

6. Purpose of part 2

Part 2 states the following:

- (a) the adopted infrastructure charges for providing trunk infrastructure networks for development (*adopted charge*);
- (b) the *trunk infrastructure networks*, which are the following:
 - (i) for the local government—the trunk infrastructure for the transport, public parks and land for community facilities, and stormwater infrastructure networks (*local government trunk infrastructure networks*);
 - (ii) for the distributor-retailer—the trunk infrastructure for the distributor-retailer's water service and wastewater service (*distributor-retailer trunk infrastructure networks*);
- (c) the date the adopted charges take effect (*applicable date*);
- (d) the part of the local government area to which the adopted charges apply (*applicable area*);
- (e) the uses to which the adopted charges apply (*applicable use*).

7. Adopted charges

- (1) The adopted charges for the local government, for providing the local government trunk infrastructure networks are stated in [schedule 2](#).

Editor's note—See section 113(1) (Adopting charges by resolution) of the Planning Act.

- (2) However, an adopted charge must not exceed the maximum adopted charge under the Planning Act.

Editor's note—See section 114(1)(b) (Contents—general) of the Planning Act.

- (3) The charges breakup for the local government and the distributor-retailer is the proportion of the maximum adopted charges under the Planning Act determined by applying the proportions of the prescribed amounts stated in schedule 2 for the following:

- (a) for the local government, for providing the local government trunk infrastructure networks;
- (b) for the distributor-retailer, for providing the distributor-retailer trunk infrastructure networks.

Editor's note—See section 115 (Provisions for participating local governments and distributor-retailers) of the Planning Act and section 99BRCG (Matters for board decision) of the SEQ Water Act.

Editor's note—See section 112 (Increase of prescribed amounts) of the Planning Act.

8. Trunk infrastructure networks for the adopted charges

- (1) The local government trunk infrastructure networks are specified in the local government infrastructure plan.
- (2) The distributor-retailer trunk infrastructure networks are specified in the distributor-retailer's water netserv plan under the SEQ Water Act.

9. Applicable date for the adopted charges

The applicable date for the adopted charges is the day this resolution has effect.

Editor's note—See [section 2](#).

Editor's note—See section 113(4) (Adopting charges by resolution) of the Planning Act.

10. Applicable area for the adopted charges

The applicable area for the adopted charges is all of the local government area.

Editor's note—See section 114(2) (Contents—general) of the Planning Act.

11. Applicable uses for the adopted charges

- (1) The applicable uses under the IPA planning scheme and the SPA planning scheme to which the adopted charges apply are stated in [schedule 3](#).
- (2) The local government is to include a use under the IPA planning scheme or SPA planning scheme which is included in the 'Other uses' use heading in schedule 3, column 1 in a use heading permitted under the Planning Regulation, Schedule 16, based on an assessment of the use and the demand placed upon the trunk infrastructure networks.
- (3) The local government has indicatively included the uses under the IPA planning scheme and SPA planning scheme in schedule 3, column 3 and column 4 which are identified as an 'Other use' in schedule 3, column 2 in the use heading permitted under the Planning Regulation, Schedule 16, subject to an assessment of the use and the demand placed upon the trunk infrastructure networks.

Editor's note—See Schedule 16 (Prescribed amount) of the Planning Regulation.

Part 3 Levied charges

12. Purpose of part 3

Part 3 states the following:

- (a) the applicable development for which adopted charges may be levied by the local government for development for the demand placed upon the local government trunk infrastructure networks (*levied charge*);
- (b) the method to be applied by the local government for working out the levied charge including the following:
 - (i) the adopted charge to be applied (*applied adopted charge*);
 - (ii) the extra demand placed upon the local government trunk infrastructure networks that the development will generate (*extra demand*);
 - (iii) the discount to be applied for a financial contribution (*prescribed financial contribution*):
 - (A) provided for in relation to a local government trunk infrastructure network, under one of the infrastructure planning scheme policies stated in [schedule 8](#);
 - (B) required by a condition of a previous development approval given by the local government before 1 July 2011 and which has not lapsed;
 - (C) which has been paid to the local government or otherwise satisfied under an infrastructure agreement between the applicant for the previous development approval and the local government for the provision of land, work or money for a local government trunk infrastructure network;
 - (D) which has not been reimbursed or otherwise previously applied against another financial contribution; and
 - (E) where the demand placed upon the local government trunk infrastructure networks for which the financial contribution was paid has not been taken up by an existing lawful use or previous lawful use for which the financial contribution was paid;
- (c) the method to be applied by the local government for working out the increase in the levied charge from the day the levied charge is levied to the day the levied charge is paid (*automatic increase*).

13. Applicable development for the levied charge

(1) The levied charge may be levied for the following development:

- (a) reconfiguring a lot;
- (b) material change of use of premises;
- (c) carrying out of building work.

Editor's note—See section 52(3)(a) (Adopted charges—Act, s 112) of the Planning Regulation.

(2) The levied charge is not to be levied for the following:

- (a) development in the following:
 - (i) a priority development area under the *Economic Development Act 2012*;
 - (ii) core port land under the *Transport Infrastructure Act 1994*;
 - (iii) an airport site under the *Airports Act 1996*;
- (b) works or use of premises authorised under the *Mineral Resources Act 1989*, the *Petroleum Act 1923*, the *Petroleum and Gas (Production and Safety) Act 2004* or the *Greenhouse Gas Storage Act 2009*;
- (c) development by a department, or part of a department, under a designation;
- (d) development for a non-State school under a designation.

Editor's note—See section 113(3) (Adopting charges by resolution) of the Planning Act.

Editor's note—For section 13(2)(d), 'non-State school' is defined in section 6 of the Education (Accreditation of Non-State Schools) Act 2017.

14. Working out the levied charge

The levied charge for the development is to be worked out by the local government as follows:

$$LC = (AC \times ED) - D$$

Where:

LC is the levied charge for the development, which cannot be less than zero.

AC is the applied adopted charge for the development worked out under [section 15](#).

ED is the extra demand for the development worked out under [section 16](#).

D is the discount for the prescribed financial contribution worked out under [section 17](#).

15. Working out the applied adopted charge

The applied adopted charge for the development is to be worked out by the local government by applying the adopted charge in [section 7](#).

16. Working out the extra demand

- (1) The extra demand for the development is to be worked out by the local government as follows:

$$ED = DD - DC$$

Where:

ED is the extra demand.

DD is the demand placed upon the local government trunk infrastructure networks that the development will generate (**development demand**).

DC is the demand placed upon the local government trunk infrastructure networks generated by a development prescribed in subsection (3) if applicable (**demand credit**).

- (2) The development demand is worked out using the relevant unit of calculation for an adopted charge for the development in [schedule 2](#) (**demand unit**).
- (3) The demand credit is to be worked out as the greatest of the following:
- (a) if the premises is subject to an existing lawful use that places demand upon the local government trunk infrastructure networks, the demand generated by the existing lawful use using the applicable demand units for the use;
 - (b) if the premises is subject to a previous lawful use that placed demand upon the local government trunk infrastructure networks, the demand generated by the previous lawful use using the applicable demand units for the use;
 - (c) the demand generated for the demand unit for each existing lot of the premises; and
 - (d) the demand generated by other development on the premises if at the time of working out the demand credit the other development may be lawfully carried out without the need for a further development permit (including, without limitation, a development permit for development other than a material change of use of premises), using the applicable demand units for the other development.

Editor's note—See section 120(2) (Limitation of levied charge) of the Planning Act.

- (4) The demand credit under subsection (3) is to be worked out by the local government prior to the time for the giving of the relevant approval to which the levied charge applies as follows:

Editor's note—A relevant approval is a development approval under the Planning Act.

- (a) an applicant which is seeking the demand credit is to:
- (i) provide satisfactory evidence of the applicant's basis for seeking the demand credit and the calculation of the demand credit, which may be requested by giving a notice in the prescribed form to the local government; and

Editor's note—Examples of supporting information demonstrating satisfactory evidence are contained in the prescribed form.

- (ii) pay the prescribed fee;

Editor's note—The prescribed fee may include the local government's costs for determining the demand credit.

- (b) the local government is to:
- (i) determine if a demand credit is applicable to the development;
- (ii) work out the demand credit if applicable;
- (iii) allocate the demand credit to the part of the premises as follows:
- (A) in the case of a demand credit referred to in subsection (3)(a), the part of the premises where the existing lawful use physically is taking place;
- (B) in the case of a demand credit referred to in subsection (3)(b), the part of the premises where the previous lawful use physically took place;
- (C) in the case of a demand credit referred to in subsection (3)(c), the part of the premises where the existing lot physically is located;
- (D) in the case of a demand credit referred to in subsection (3)(d), the part of the premises where the relevant development physically may occur; and
- (iv) give a notice to the applicant stating the outcome of the local government's determination.

Editor's note—The notice may be given in an infrastructure charges notice.

- (5) A demand credit is only to be provided to a maximum amount equal to the development demand.

17. Working out the discount for the prescribed financial contribution

- (1) The amount of the discount for the prescribed financial contribution is to be worked out by the local government as follows:

$$D = PFC - (AC \times DC)$$

Where:

D is the discount which cannot be less than zero.

PFC is the amount of the prescribed financial contribution.

AC is the applied adopted charge for the development worked out under [section 15](#).

DC is the demand credit if applicable worked out under [section 16](#).

- (2) The discount for the prescribed financial contribution is to be worked out by the local government prior to the time for the giving of the relevant approval to which the levied charge applies as follows:

Editor's note—A relevant approval is a development approval under the Planning Act.

- (a) an applicant which is seeking the discount for the prescribed financial contribution is to:

(i) provide satisfactory evidence of the prescribed financial contribution and the calculation of the discount, which may be requested by giving a notice in the prescribed form to the local government; and

(ii) pay the prescribed fee;

Editor's note—The prescribed fee may include the local government's costs for determining the discount for the prescribed financial contribution.

- (b) the local government is to:

(i) determine if the discount for a prescribed financial contribution is applicable to the development;

(ii) work out the discount for the prescribed financial contribution if applicable; and

(iii) give a notice to the applicant stating the outcome of the local government's determination.

Editor's note—The notice may be given in an infrastructure charges notice.

18. Working out the automatic increase

- (1) The automatic increase of the levied charge may be worked out by the local government as the amount which is equal to the increase calculated by using the index stated in the Planning Act.

Editor's note—See section 114(3)(b), (4), (5) and (6) (Contents—general) of the Planning Act.

Editor's note—

- *For a levied charge payable under an adopted infrastructure charges notice, see section 648D(9)(a) (Local government may decide matters about charges for infrastructure under State planning regulatory provision) of the Sustainable Planning Act 2009 as in force immediately before 4 July 2014.*
- *For a levied charge payable under an infrastructure charges notice under the Sustainable Planning Act 2009, see section 631(3)(b) and (4) (Contents—general) of the Sustainable Planning Act 2009 as in force on 4 July 2014.*

- (2) However the amount of the automatic increase of the levied charge must not be more than the amount of the increase prescribed by the Planning Act.

Editor's note—See section 114(3)(b), (4), (5) and (6) (Contents—general) of the Planning Act.

Editor's note—

- *For a levied charge payable under an adopted infrastructure charges notice, see section 648D(9)(b) and (10) (Local government may decide matters about charges for infrastructure under State planning regulatory provision) of the Sustainable Planning Act 2009 as in force immediately before 4 July 2014.*
- *For a levied charge payable under an infrastructure charges notice under the Sustainable Planning Act 2009, see section 631(5) and (6) (Contents—general) of the Sustainable Planning Act 2009 as in force on 4 July 2014.*

Part 4 Offset and refund for trunk infrastructure

19. Purpose of part 4

Part 4 states the following matters relevant to the working out of an offset or refund for the provision of trunk infrastructure for the local government trunk infrastructure networks for development:

- (a) the criteria for trunk infrastructure to be applied by the local government in deciding if development infrastructure is trunk infrastructure (**conversion criteria**);

Editor's note—See section 117 (Criteria for deciding conversion application) of the Planning Act.

- (b) the method to be applied by the local government for working out the establishment cost of trunk infrastructure for an offset or refund where an applicant is required under a condition of a relevant approval to provide land or works for the following trunk infrastructure for local government trunk infrastructure networks (**trunk infrastructure contribution**):

Editor's note—A relevant approval is a development approval under the Planning Act.

Editor's note—See section 116 (Working out cost of infrastructure for offset or refund) of the Planning Act.

- (i) **identified necessary trunk infrastructure**—development infrastructure which is identified in the local government infrastructure plan;

Editor's note—See section 128(1)(a) (Necessary infrastructure conditions) of the Planning Act.

- (ii) **different necessary trunk infrastructure**—development infrastructure which:

(A) is an alternative to the identified necessary trunk infrastructure; and

(B) delivers the same desired standards of service for the network of development infrastructure stated in the local government infrastructure plan;

Editor's note—See section 128(1)(b) (Necessary infrastructure conditions) of the Planning Act.

- (iii) **other necessary trunk infrastructure**—development infrastructure which is not identified necessary trunk infrastructure or different necessary trunk infrastructure that satisfies the conversion criteria and is necessary to service development;

Editor's note—See section 128(2) (Necessary infrastructure conditions) of the Planning Act.

- (iv) **prescribed trunk infrastructure**—development infrastructure which is not identified necessary trunk infrastructure, different necessary trunk infrastructure or other necessary trunk infrastructure that becomes trunk infrastructure under the Planning Act;

Editor's note—See section 142(3) (Effect of and action after conversion) of the Planning Act.

- (c) whether an offset or refund applies and, if so, the details of the offset and refund, and the timing of the offset and refund.

20. Conversion criteria

- (1) The conversion criteria for deciding a **conversion application** are as follows:
- (a) the development infrastructure has capacity in excess of what is required to service the development such that it will also service other development;
- (b) the function and purpose of the development infrastructure is consistent with other trunk infrastructure identified in the local government infrastructure plan;

Note—The development infrastructure is taken to satisfy subsection (b) if it complies with the criteria in [schedule 5 \(Identified necessary trunk infrastructure criteria\)](#);

- (c) the development infrastructure is not consistent with non-trunk infrastructure for which a condition may be imposed under section 145 (Conditions local governments may impose) of the Planning Act;
- (d) the development infrastructure is not inconsistent with other necessary trunk infrastructure for which a condition may be imposed under section 128(2) and (3) (Necessary infrastructure conditions) of the Planning Act;

Note—A possible way to satisfy subsection (d) would be where the development infrastructure complies with the following:

- (i) *it is necessary to service development:*
- (A) *consistent with the assumptions about the type, scale, location or timing of future development stated in the local government infrastructure plan; and*
- (B) *for premises completely inside the priority infrastructure area in the local government infrastructure plan; and*
- (ii) *the function and purpose of the development infrastructure is consistent with other trunk infrastructure identified in the local government infrastructure plan.*
- (e) the development infrastructure is the least cost option for servicing development in terms of type, size and location of infrastructure, based

on the life cycle cost of the infrastructure required to service future development at the desired standard of service.

Editor's note—See section 117 (Criteria for deciding conversion application) of the Planning Act.

- (2) An applicant entitled to make a conversion application:
- (a) is to give a written notice in the prescribed form to the local government within one year after the development approval starts to have effect, which states how the development infrastructure satisfies each of the conversion criteria; and
 - (b) must pay the prescribed fee.

Editor's note—See section 139 (Application to convert infrastructure to trunk infrastructure) of the Planning Act.

Editor's note—See section 307A (Application to convert infrastructure to trunk infrastructure) of the Planning Act for a development approval that was in force when the Sustainable Planning Act 2009 was repealed.

Editor's note—The prescribed fee may include the local government's costs for deciding the conversion application.

21. Working out the establishment cost

The establishment cost for a trunk infrastructure contribution is to be worked out by the local government using the following:

- (a) for the initial calculation of the establishment cost for required works—the method in [section 22](#);
- (b) for the initial calculation of the establishment cost for required land—the method in [section 24](#);
- (c) for the recalculation of the establishment cost for required works—the method in [section 26](#);
- (d) for the recalculation of the establishment cost for required land—the method in [section 27](#).

Editor's note—See section 116 (Working out cost of infrastructure for offset or refund) of the Planning Act.

22. Initial calculation of the establishment cost for required works

- (1) The establishment cost for a trunk infrastructure contribution for works (**required works**) is to be worked out by the local government using one of the following, in the following order:
- (a) the planned estimate—works;
 - (b) the establishment cost for other works previously accepted by the local government (**other works**) which, in its opinion, are reasonably

consistent with the required works (***consistent works establishment cost***)—if the local government decides to not use the planned estimate—works, having regard to matters stated in subsection (2);

Note—In forming its opinion on whether the other works are reasonably consistent with the required works, the local government may have regard to the matters including, but not limited to the following:

- *planning scheme requirements (e.g. infrastructure design planning scheme policies, desired standards of service and other relevant infrastructure standards);*
- *infrastructure details (e.g. purpose, size, scale and function);*
- *timing and context of the costs of construction previously accepted.*

- (c) the cost-based estimate of the establishment cost for the required works using the method in [section 23](#)—if the local government decides to not use a consistent works establishment cost because:
- (i) no other works have been previously accepted by the local government;
 - (ii) the local government does not consider other works are reasonably consistent with the required works.

- (2) The local government is to have regard to the following matters when deciding whether to use the planned estimate—works, in working out the establishment cost for the required works:

- (a) for identified necessary trunk infrastructure:
- (i) the suitability of the planned cost method used by the local government to work out the planned cost of the item of identified necessary trunk infrastructure applicable to the required works stated in the extrinsic material for the local government infrastructure plan;
 - (ii) the relevance of matters which were taken into account and assumptions made in working out the planned cost of the item of identified necessary trunk infrastructure applicable to the required works stated in the extrinsic material for the local government infrastructure plan;
- (b) for different necessary trunk infrastructure, other necessary trunk infrastructure or prescribed trunk infrastructure:
- (i) the suitability of the planned cost method used by the local government to work out the planned cost of items of identified necessary trunk infrastructure for the network of development infrastructure applicable to the required works stated in the extrinsic material for the local government infrastructure plan;
 - (ii) the relevance of matters which were taken into account and assumptions made in working out the planned cost of items of identified necessary trunk infrastructure for the network of

development infrastructure applicable to the required works stated in the extrinsic material for the local government infrastructure plan;

- (c) for identified necessary trunk infrastructure, different necessary trunk infrastructure, other necessary trunk infrastructure or prescribed trunk infrastructure:
 - (i) the standards and requirements for the required works;
 - (ii) the impact the required works has on the development potential and value of the premises the subject of the relevant approval.

Editor's note—A relevant approval is a development approval under the Planning Act.

Editor's note—The method used by the local government is to be stated in the infrastructure charges notice.

- (3) The planned estimate for the required works (***planned estimate—works***), if:
 - (a) the required works are the whole of an item of identified necessary trunk infrastructure—is the ***planned cost*** being the amount of the value of the item stated in [schedule 6](#);
 - (b) the required works are part of an item of identified necessary trunk infrastructure—is the estimate of the proportion of the planned cost of the item of identified necessary trunk infrastructure applicable to the required works having regard to the method used by the local government to work out the planned cost of the item of identified necessary trunk infrastructure stated in the extrinsic material for the local government infrastructure plan; and
 - (c) the required works are different necessary trunk infrastructure, other necessary trunk infrastructure or prescribed trunk infrastructure—is the estimate of the planned cost of the infrastructure having regard to the method used by the local government to work out the planned cost of items of identified necessary trunk infrastructure for the network of development infrastructure applicable to the required works stated in the extrinsic material for the local government infrastructure plan.

23. Cost-based estimate of the establishment cost for required works

- (1) This section is to apply where the establishment cost for the required works is to be worked out by the local government using a cost-based estimate.
- (2) The ***cost-based estimate*** for the required works is to:
 - (a) be determined by using first principles estimating based on the following:
 - (i) the scope (as determined by the local government) of the required works which includes the following:

- (A) the standard to which the required works are to be provided;
 - (B) the location of the required works;
 - (C) the quantity of the required works;
- (ii) the local government's design and construction requirements for the required works;
- (b) exclude the following:
 - (i) a cost of the planning of the required works;
 - (ii) a cost of providing temporary infrastructure;
 - (iii) a cost of providing other infrastructure which is not part of the required works;
 - (iv) a cost of the decommissioning, removal and rehabilitation of infrastructure identified in subsections (2)(b)(ii) and (2)(b)(iii);
 - (v) a part of the required works provided by:
 - (A) the local government; or
 - (B) a person, other than the applicant or a person engaged by the applicant;
 - (vi) a cost to the extent that GST is payable and an input tax credit can be claimed for the required works;
 - (vii) 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 required works;

Editor's note—A relevant approval is a development approval under the Planning Act.
 - (viii) a cost caused or contributed to by a negligent or wilful act or omission by the applicant or a person engaged by the applicant;
 - (ix) a cost of providing development infrastructure which is only made necessary by the development and does not contribute to the function of the required works;
 - (x) a cost of providing trunk infrastructure which relates to another development infrastructure network;
 - (xi) a cost of providing development infrastructure which is replacing existing infrastructure with different infrastructure in another development infrastructure network;

- (xii) a cost of providing development infrastructure in excess of the desired standards of service for the network of development infrastructure stated in the local government infrastructure plan;
- (xiii) a cost of existing development infrastructure which services or is planned to service existing or future demand that is replaced by the required works;
- (xiv) a cost of maintaining an infrastructure asset where required by a condition of approval;
- (xv) a cost associated with risk and contingencies for the required works.

24. Initial calculation of the establishment cost for required land

- (1) The establishment cost for a trunk infrastructure contribution for land (**required land**) is to be worked out by the local government using one of the following, in the following order:

- (a) the planned estimate—land;
- (b) the establishment cost for other land previously accepted by the local government (**other land**) which, in its opinion, is reasonably consistent with the required land (**consistent land establishment cost**)—if the local government decides to not use the planned estimate—land, having regard to matters stated in subsection (2);

Note—In forming its opinion on whether the other land is reasonably consistent with the required land, the local government may have regard to the matters including, but not limited to the following:

- *planning scheme requirements (e.g. zoning, overlays and the local government infrastructure plan);*
 - *infrastructure requirements for the same network as the required land;*
 - *timing of the valuation previously accepted;*
 - *methodology used to value the other land;*
 - *valuation considerations and development constraints which were taken into account in determining the value of the other land.*
- (c) the proportion of the rateable value of the parcel of land (of which the required land forms part) (**proportional value**) current at the time of working out the establishment cost—if the local government decides to not use a consistent land establishment cost because:
 - (i) no other land has been previously accepted by the local government;
 - (ii) the local government does not consider other land is reasonably consistent with the required land;
 - (d) the current market value of the required land using the method in [section 25](#)—if the local government decides the current market value is more accurate than the proportional value.

- (2) The local government is to have regard to the following matters when deciding whether to use the planned estimate—land in working out the establishment cost for the required land:
- (a) for identified necessary trunk infrastructure:
 - (i) the suitability of the planned cost method used by the local government to work out the planned cost of the item of identified necessary trunk infrastructure applicable to the required land stated in the extrinsic material for the local government infrastructure plan;
 - (ii) the relevance of matters which were taken into account and assumptions made in working out the planned cost of the item of identified necessary trunk infrastructure applicable to the required land stated in the extrinsic material for the local government infrastructure plan;
 - (b) for different necessary trunk infrastructure, other necessary trunk infrastructure or prescribed trunk infrastructure:
 - (i) the suitability of the planned cost method used by the local government to work out the planned cost of items of identified necessary trunk infrastructure for the network of development infrastructure applicable to the required land stated in the extrinsic material for the local government infrastructure plan;
 - (ii) the relevance of matters which were taken into account and assumptions made in working out the planned cost of items of identified necessary trunk infrastructure for the network of development infrastructure applicable to the required land stated in the extrinsic material for the local government infrastructure plan;
 - (c) for identified necessary trunk infrastructure, different necessary trunk infrastructure, other necessary trunk infrastructure or prescribed trunk infrastructure:
 - (i) the standards and requirements for the required land;
 - (ii) the impact the required land has on the development potential and value of the premises the subject of the relevant approval.

Editor's note—A relevant approval is a development approval under the Planning Act.

Editor's note—The method used by the local government is to be stated in the infrastructure charges notice.

- (3) The planned estimate for the required land is the estimate of the establishment cost determined as follows (***planned estimate—land***), if:

- (a) the required land is the whole of an item of identified necessary trunk infrastructure—is the **planned cost** being the amount of the value of the item stated in [schedule 6](#);
- (b) the required land is part of an item of identified necessary trunk infrastructure—is the estimate of the proportion of the planned cost of the item of identified necessary trunk infrastructure applicable to the required land having regard to the method used by the local government to work out the planned cost of the item of identified necessary trunk infrastructure stated in the extrinsic material for the local government infrastructure plan; and
- (c) the required land is different necessary trunk infrastructure, other necessary trunk infrastructure or prescribed trunk infrastructure—is the estimate of the planned cost of the infrastructure having regard to the method used by the local government to work out the planned cost of items of identified necessary trunk infrastructure for the network of development infrastructure applicable to the required land stated in the extrinsic material for the local government infrastructure plan.

25. Current market value of required land

- (1) This section is to apply where the establishment cost for required land is to be worked out by the local government using the current market value of the required land.
- (2) The **current market value** of the required land is to be determined by using the before and after method of valuation by:
 - (a) firstly, determining the value (**original land value**) of the original land of which the required land forms part (**original land**) before the required land is transferred to the local government;

Note—Where the required land is identified in the local government infrastructure plan, the original land is to be valued:

- as if the required land had never been identified;
- identifying and considering all relevant constraints;
- disregarding any change in the value (e.g. through development opportunities) caused, or contributed to, by the identification of the required land in the local government infrastructure plan; and
- on the basis of the highest and best use of the original land.

Note—Where the required land is not identified in the local government infrastructure plan, the original land is to be valued:

- identifying and considering all relevant constraints; and
- on the basis of the highest and best use of the original land.

- (b) secondly, determining the value (**remaining land value**) of the land that is not to be transferred to the local government (**remaining land**); and

Note—The remaining land is to be valued:

- identifying and considering all relevant constraints; and

- *on the basis of the highest and best use of the remaining land.*
 - (c) thirdly, subtracting the remaining land value from the original land value.
- (3) The before and after method of valuation is to be undertaken in accordance with the following requirements:
- (a) the valuation is to be carried out to determine the current market value that would have applied on the day that is:
 - (i) where the required land is identified in the local government infrastructure plan—the day on which the development application, which is the subject of a condition requiring the required land to be provided, first became properly made; or
 - (ii) where the required land is not identified in the local government infrastructure plan—the day on which the development application, which is the subject of a condition requiring the required land to be provided, was approved;
 - (b) the valuation is to:
 - (i) include a report by an appropriately qualified town planner regarding the highest and best use of the original land and the remaining land (***highest and best use advice***), which the independent valuation expert has relied on to form an opinion about the value;
 - (ii) identify the area of the land that is above the Q100 flood level and the area that is below the Q100 flood level;
 - (iii) identify and consider all other real and relevant constraints including, but not limited to:
 - (A) vegetation protection;
 - (B) ecological values including riparian buffers and corridors;
 - (C) stormwater or drainage corridors;
 - (D) slope;
 - (E) bushfire and landslide hazards;
 - (F) heritage;
 - (G) airport environs;
 - (H) coastal erosion;
 - (I) extractive resources;
 - (J) flooding;

- (K) land use buffer requirements;
 - (L) tenure related constraints;
 - (M) restrictions such as easements, leases, licences and other dealings whether or not registered on title; and
- (iv) contain relevant sales evidence and clear analysis of how those sales and any other information was relied upon in forming the valuation assessment;
- (c) the valuation is to be undertaken by a certified practising valuer who must act professionally as a neutral and independent expert (*independent valuation expert*).

26. Recalculation of the establishment cost for required works

Market cost

- (1) The establishment cost for required works may be recalculated by the local government at the request of the applicant by using the market cost for the required works which is to be worked out in accordance with this section 26.

Editor's note—See section 137 (Process) of the Planning Act.

- (2) The **market cost** for the required works is the estimate of the cost of the design and construction of the required works stated in the contract for construction for the required works:
- (a) including the following:
 - (i) the direct construction cost or the direct embellishment cost of plant, material and labour for the required works;
 - (ii) the indirect construction cost or the indirect embellishment cost for the required works limited to the contractor overheads related to the required works which do not exceed the maximum indirect construction cost and the maximum embellishment cost stated in [schedule 7](#);
 - (iii) project costs for the required works which do not exceed the maximum project costs stated in [schedule 7](#) for the following:
 - (A) the cost of survey for the required works;
 - (B) the cost of geotechnical and other engineering and environmental investigations for the construction of the required works;
 - (C) the cost of only detailed design for the required works;

- (D) the cost of project management, engineering supervision and contract administration for the required works;
- (b) excluding the following:
- (i) a cost of the planning of the required works;
 - (ii) a cost of providing temporary infrastructure;
 - (iii) a cost of providing other infrastructure which is not part of the required works;
 - (iv) a cost of the decommissioning, removal and rehabilitation of infrastructure identified in subsections (ii) and (iii);
 - (v) a part of the required works provided by:
 - (A) the local government; or
 - (B) a person, other than the applicant or a person engaged by the applicant;
 - (vi) a cost to the extent that GST is payable and an input tax credit can be claimed for the required works;
 - (vii) 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 required works;
Editor's note—A relevant approval is a development approval under the Planning Act.
 - (viii) a cost caused or contributed to by a negligent or wilful act or omission by the applicant or a person engaged by the applicant;
 - (ix) a cost of providing development infrastructure which is only made necessary by the development and does not contribute to the function of the required works;
 - (x) a cost of providing trunk infrastructure which relates to another development infrastructure network;
 - (xi) a cost of providing development infrastructure which is replacing existing infrastructure with different infrastructure in another development infrastructure network;
 - (xii) a cost of providing development infrastructure in excess of the desired standards of service for the network of development infrastructure stated in the local government infrastructure plan;

- (xiii) a cost of existing development infrastructure which services or is planned to service existing or future demand that is replaced by the required works;
- (xiv) a cost of maintaining an infrastructure asset where required by a condition of approval;
- (xv) a cost associated with risk and contingencies for the required works.

Determining the market cost

(3) The local government is to, prior to the applicant starting the construction of the required works, determine the market cost for the required works as follows:

- (a) the applicant is to undertake an open tender process for the required works;
- (b) the applicant is to:
 - (i) give to the local government 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 required works;
 - (F) a plan for each development infrastructure network clearly showing the extent of the required works for which the recalculated establishment cost is sought;
 - (G) the applicant's calculation of the market cost for the required works; and
 - (ii) pay the prescribed fee;

Editor's note—The prescribed fee may include the local government's costs for determining the market cost.

- (c) the local government may, within 15 business days of the date the notice under subsection (b) is received by the local government, give a notice to the applicant which states that the applicant is to provide to the local government a document to enable the local government to determine the market cost including without limitation the following:
 - (i) details in respect of a construction contract for the required works; and

- (ii) a plan for each development infrastructure network clearly showing the scope of the required works for which the recalculated establishment cost is sought;
 - (d) the applicant is to comply with a notice given by the local government to the applicant under subsection (c);
 - (e) the local government is to as soon as reasonably practicable determine the market cost acting reasonably having regard to the matters in subsections (a) to (d);
 - (f) the local government, after determining the market cost, is to as soon as reasonably practicable:
 - (i) give to the applicant a notice which states the following:
 - (A) the local government's calculation of the market cost for the required works and the reason for any difference from the applicant's calculation;
 - (B) the establishment cost for the required works; and
 - (ii) issue an amended infrastructure charges notice.
- (4) To avoid any doubt, the local government may issue the amended infrastructure charges notice using the establishment cost in section 26(3)(f)(i)(B) even where it is lower than the original establishment cost.

Adjustment of the establishment cost

- (5) The local government is to, after the completion of the construction of the required works and prior to the date for the payment of a levied charge, determine an adjustment to the establishment cost as follows:
- (a) this subsection only applies to a cost of required works (***prescribed cost***) if the cost:
 - (i) would have formed part of the market cost used to work out the establishment cost for the required works; and
 - (ii) was not included in the market cost used to work out the establishment cost or was included in the market cost used to work out the establishment cost but was for an amount less than the prescribed cost;
 - (b) the applicant, prior to 15 business days after the applicant has completed the required works:
 - (i) may give to the local government a single written notice which is to state the following:
 - (A) that the applicant requests that the local government adjust the establishment cost to take account of the prescribed cost;

- (B) all information reasonably necessary to establish the calculation of the prescribed cost and that the cost is a prescribed cost, including evidence satisfactory to the local government, to demonstrate that the prescribed cost has been incurred by the applicant;
- (C) the applicant's calculation of the prescribed cost; and
- (D) satisfactory evidence to demonstrate that the establishment cost for the required works specified in a notice given under subsection (3)(f) has been incurred by the applicant in completing the required works;

Note –Satisfactory evidence may be in the form of a bill of quantities for the required works certified by a registered quantity surveyor, or an alternative form of evidence agreed to by the local government.

- (ii) must pay the prescribed fee if subsection (i) applies;

Editor's note—The prescribed fee may include the local government's costs for determining whether the establishment cost is to be adjusted.

- (c) the local government may, within 15 business days of the date the notice under subsection (b) is received by the local government, give a notice to the applicant which states that the applicant is to provide to the local government a document to enable the local government to determine the value of an adjusted establishment cost;
- (d) the applicant is to comply with a notice given by the local government to the applicant under subsection (3)(c);
- (e) the local government is to as soon as reasonably practicable determine whether the establishment cost is to be adjusted acting reasonably having regard to the matters in subsections (a) to (d);
- (f) the local government, after determining whether the establishment cost is to be adjusted, is to as soon as reasonably practicable:
 - (i) give to the applicant a notice which states the following:
 - (A) the local government's calculation of the adjusted establishment cost for the required works and the reason for any difference from the applicant's calculation;
 - (B) the establishment cost for the required works; and
 - (ii) issue an amended infrastructure charges notice.

Dispute process

- (6) An applicant, within 10 business days of the date of a notice under subsections (3)(f) or (5)(f):
- (a) may give to the local government a notice in the prescribed form stating that it disputes the local government's recalculation of the establishment cost for the required works; and
 - (b) must pay the prescribed fee if subsection (a) applies.

Editor's note—The prescribed fee may include the local government's costs for the dispute process including the cost of the independent registered quantity surveyor.

- (7) The local government and the applicant are to take the following action to resolve the dispute:
- (a) the local government is to appoint an independent registered quantity surveyor to determine the establishment cost for the required works in accordance with this section;
 - (b) the local government and the applicant are to cooperate in good faith with the independent registered quantity surveyor;
 - (c) the local government and the applicant are to accept the independent registered quantity surveyor's determination of the establishment cost for the required works;
 - (d) the local government is to, as soon as reasonably practicable:
 - (i) give to the applicant a notice which states the establishment cost for the required works determined by the independent registered quantity surveyor; and
 - (ii) issue an amended infrastructure charges notice.

27. Recalculation of the establishment cost for required land

Current market value

- (1) The establishment cost for required land may be recalculated by the local government at the request of the applicant by using the current market value of the required land determined by using the before and after method of valuation prescribed in [section 25](#) in accordance with this [section 27](#).

Editor's note—See section 137 (Process) of the Planning Act.

Applicant's submission of current market value

- (2) The applicant is to give to the local government the following:
- (a) a notice in the prescribed form requesting the recalculation of the establishment cost for the required land which is accompanied by the following documents prepared in accordance with [section 25](#):

- (i) a valuation of the required land undertaken by an independent valuation expert (***applicant's valuation***);
 - (ii) a report prepared by an appropriately qualified town planner regarding the highest and best use of the original land and the remaining land on which the applicant's valuation is based (***applicant's highest and best use advice***);
- (b) the prescribed fee.

Editor's note—The prescribed fee may include the local government's costs of the recalculation process including the costs of the independent valuation expert nominated by the local government and the town planner engaged by the local government.

Local government's determination of current market value

- (3) Within 20 business days after the notice and accompanying documents under subsection (2) are received by the local government:

- (a) the local government is to refer the applicant's valuation to its registered valuer to:
- (i) assess whether the applicant's valuation is consistent with the current market value;
 - (ii) assess whether the applicant's valuation is correctly determined using the before and after method of valuation prescribed in [section 25](#);

Note—The local government may request additional information from the applicant in order to undertake the assessment.

- (b) if the registered valuer's determination is that the applicant's valuation is not consistent with the current market value or is not correctly determined using the before and after method of valuation prescribed in [section 25](#) then the registered valuer must:
- (i) provide the reasons for the registered valuer's determination; and
 - (ii) either:
 - (A) provide a valuation using the before and after method of valuation stated in [section 25](#) (***amended valuation***); or
 - (B) recommend that the valuation be referred to an independent valuer.

- (4) The local government is to decide whether to:

- (a) accept the applicant's valuation; or
- (b) propose an amended valuation based on subsection (3)(b)(ii)(A); or

- (c) refer the valuation to an independent valuer based on subsection (3)(b)(ii)(B).
- (5) If the local government accepts the applicant's valuation, it is to:
- (a) give written notice to the applicant stating that it has agreed to the applicant's valuation (***accepted valuation***);
 - (b) index the establishment cost for the required land using the CPI from the date of the accepted valuation to the date stated in the amended infrastructure charges notice; and
 - (c) issue an amended infrastructure charges notice to the applicant stating the establishment cost for the required land.

Amended valuation

- (6) If the local government proposes an amended valuation, it is to give a written notice to the applicant stating:
- (a) that it rejects the applicant's valuation and give reasons for doing so;
 - (b) the proposed amended valuation.
- (7) Within 20 business days of receipt of the local government's written notice proposing the amended valuation under subsection (6), the applicant must give written notice to the local government that it:
- (a) accepts the amended valuation; or
 - (b) rejects the amended valuation and its reasons for doing so.
- (8) If the applicant accepts the amended valuation, the local government must:
- (a) index the establishment cost for the required land using the CPI from the date of the amended valuation to the date stated in the amended infrastructure charges notice; and
 - (b) give an amended infrastructure charges notice to the applicant stating the establishment cost of the required land.
- (9) If the applicant rejects the amended valuation, then within 20 business days after receipt of a notice under subsection (7)(b), the local government is to refer the applicant's valuation to an independent valuation expert nominated by the local government from its list of certified practising valuers as per subsection (11).

Independent valuation

- (10) The local government may not refer the applicant's valuation to an independent valuation expert if the applicant has not paid to the local government the prescribed fee under subsection (2)(b) including the costs of the independent valuation expert nominated by the local government and the town planner engaged by the local government.

- (11) If the local government refers the applicant's valuation to an independent valuation expert nominated by the local government from its list of certified practising valuers, the local government is to:
- (a) give written notice to the applicant that it rejects the applicant's valuation and give reasons for doing so;
 - (b) give written notice to the applicant stating that it has referred the applicant's valuation to an independent valuation expert;
 - (c) give the following to the independent valuation expert:
 - (i) the applicant's valuation and the applicant's highest and best use advice;
 - (ii) the highest and best use advice prepared by an appropriately qualified town planner engaged by the local government regarding the highest and best use of the original land and the remaining land if the local government does not accept the applicant's highest and best use advice;
 - (iii) the valuation of the required land, if the local government used the before and after method of valuation prescribed in section 25 for the initial calculation of the establishment cost for the required land and considers that it is relevant to the independent valuation expert's assessment.
- (12) Within 20 business days after the independent valuation expert has been given the information under subsection (11)(c) (or a longer period as extended by the local government in subsection (13)(a)), the independent valuation expert is to (a ***local government's valuer's determination***):
- (a) provide the independent valuation expert's determination in relation to the matters stated in subsection (3)(a); and
 - (b) if the independent valuation expert's determination is that the applicant's valuation is not consistent with the current market value or is not correctly determined using the before and after method of valuation prescribed in [section 25](#):
 - (i) provide the reasons for the independent valuation expert's determination; and
 - (ii) provide a valuation using the before and after method of valuation stated in [section 25](#).
- (13) If the local government's valuer's determination is not provided in accordance with the time prescribed in subsection (12), the local government is to do one of the following:
- (a) extend the time for providing the local government's valuer's determination stated in subsection (12), in consultation with the applicant; or

- (b) refer the applicant's valuation to another independent valuation expert nominated by the local government from its list of certified practising valuers and repeat the process stated in subsections (11)(b) and (c) as soon as reasonably practicable.
- (14) If the local government forms a reasonable opinion that there is an error in the local government's valuer's determination, the local government is to within 15 business days after its receipt of the local government's valuer's determination under subsection (12):
 - (a) give written notice to the applicant stating:
 - (i) the error in the local government's valuer's determination; and
 - (ii) that the local government is to repeat the process stated in subsections (11)(b) and (c); and
 - (b) within 10 business days after the date of a notice under subsection (a) is given to the applicant, refer the applicant's valuation to another independent valuation expert nominated by the local government from its list of certified practising valuers and repeat the process stated in subsections (11)(b) and (c).
- (15) Within 10 business days after its receipt of the relevant subsequent local government's valuer's determination, subject to subsection (14), the local government is to give written notice to the applicant stating that it adopts the applicable local government's valuer's determination (***revised local government's valuation***).
- (16) If the local government adopts the revised local government's valuation, the local government is to:
 - (a) index the establishment cost for the required land using the CPI from the date of the revised local government's valuation to the date stated in the amended infrastructure charges notice; and
 - (b) issue an amended infrastructure charges notice to the applicant stating the establishment cost for the required land.

28. Application of an offset and refund

The following applies if a trunk infrastructure contribution services or is planned to service premises other than premises the subject of the relevant approval and an adopted charge applies to the development the subject of the relevant approval:

Editor's note—A relevant approval is a development approval under the Planning Act.

- (a) an ***offset***—where the establishment cost for the trunk infrastructure contribution is equal to or less than the levied charges for the development;
- (b) a ***refund***—where the establishment cost for the trunk infrastructure contribution is more than the levied charges for the development.

29. Details of an offset and refund

- (1) If an offset applies, the establishment cost for the trunk infrastructure contribution is to be worked out by the local government in accordance with [section 21](#).
- (2) If a refund applies, the refund amount will be the establishment cost for the trunk infrastructure contribution less the levied charge for the development worked out in accordance with [section 14](#).

30. Timing of an offset and refund

- (1) An applicant entitled to an offset or refund for the trunk infrastructure contribution is to:
 - (a) give to the local government a notice in the prescribed form which states the following:
 - (i) the date the trunk infrastructure contribution the subject of an offset or refund was lawfully completed;
 - (ii) that the trunk infrastructure contribution has been provided in accordance with the relevant approval for the trunk infrastructure contribution;
Editor's note—A relevant approval is a development approval under the Planning Act.
 - (b) for a refund—in addition to subsection (a), if the applicant is not the owner of the premises the subject of the relevant approval requiring the trunk infrastructure contribution, give to the local government a written consent of the owner at the time the notice is given agreeing to the payment of the refund amount being made to the applicant, unless the applicant demonstrates to the reasonable satisfaction of the local government that:
 - (i) the owner of the premises has unreasonably withheld consent; or
 - (ii) because of the number of owners, it is impracticable to get their consent; and
 - (c) pay the prescribed fee.
Editor's note—The prescribed fee may include the local government's costs for determining the matters in subsections (1)(a) and (b).
- (2) The local government is to as soon as is reasonably practicable after receiving a notice and, if required, the written consent of the owner under subsection (1):
 - (a) determine whether the trunk infrastructure contribution has satisfied the matters in subsection (1)(a); and
 - (b) give to the applicant a notice stating the outcome of the local government's determination.

- (3) The local government, if satisfied of the matters in subsection (1)(a), is to, unless otherwise provided for in an infrastructure agreement:
- (a) for an offset—set off the establishment cost for the trunk infrastructure contribution against the levied charge when the levied charge stated in the infrastructure charges notice is payable under the Planning Act;
 - (b) for a refund—give the refund to the applicant giving the notice under subsection (1)(a) when stated in the infrastructure charges notice.
- (4) The local government has adopted a position in relation to the determination in an infrastructure charges notice of when a refund is to be given by the local government to achieve the following objectives:
- (a) to seek to integrate the local government's land use and infrastructure plans;
 - (b) to implement the local government infrastructure plan as the basis for the local government's trunk infrastructure funding;
 - (c) to implement infrastructure funding which is equitable, accountable and financially sustainable for the local government.
- (5) The local government's position in relation to the determination in an infrastructure charges notice of when a refund is to be given by the local government and related matters is as follows:
- (a) for a trunk infrastructure contribution for identified necessary trunk infrastructure or different necessary trunk infrastructure which is provided before or in the planned period for the trunk infrastructure contribution stated in the local government infrastructure plan:
 - (i) the following payment triggers achieve the local government's objectives:
 - (A) for a refund which is an amount that is \$1 million or less—the refund is to be given by the later of:
 - (I) 31 December of the financial year following the end of the relevant planned date or period for the trunk infrastructure contribution; and
 - (II) 18 months from the date of the relevant infrastructure charges notice;
 - (B) for a refund which is an amount that is more than \$1 million but not more than \$10 million—the refund is to be given annually over three financial years in equal payments by the later of:
 - (I) 31 December in each financial year commencing in the financial year following the end of the relevant planned date or period for the trunk infrastructure contribution; and

- (II) 18 months from the date of the relevant infrastructure charges notice;
 - (C) for a refund which is more than \$10 million—the refund is to be given annually over five financial years in equal payments by the later of:
 - (I) 31 December in each financial year commencing in the financial year following the end of the relevant planned date or period for the trunk infrastructure contribution; and
 - (II) 18 months from the date of the relevant infrastructure charges notice; and
 - (ii) each amount to be paid under subsection (i) is to be increased by the CPI from the date of the infrastructure charges notice for the refund to the date that the amount is paid;
- (b) for a trunk infrastructure contribution for identified necessary trunk infrastructure or different necessary trunk infrastructure which is provided after the planned period for the trunk infrastructure contribution stated in the local government infrastructure plan:
- (i) the following payment triggers achieve the local government's objectives:
 - (A) for a refund which is an amount that is \$1 million or less—the refund is to be given by the later of:
 - (I) 31 December of the financial year following the completion of the trunk infrastructure contribution; and
 - (II) 18 months from the date of the relevant infrastructure charges notice;
 - (B) for a refund which is an amount that is more than \$1 million but not more than \$10 million—the refund is to be given annually over three financial years in equal payments by the later of:
 - (I) 31 December in each financial year commencing in the financial year following the completion of the trunk infrastructure contribution; and
 - (II) 18 months from the date of the relevant infrastructure charges notice;
 - (C) for a refund which is more than \$10 million—the refund is to be given annually over five financial years in equal payments by the later of:

- (I) 31 December in each financial year commencing in the financial year following the completion of the trunk infrastructure contribution; and
 - (II) 18 months from the date of the relevant infrastructure charges notice; and
 - (ii) each amount to be paid under subsection (i) is to be increased by the CPI from the date of the infrastructure charges notice for the refund to the date that the amount is paid;
- (c) for a trunk infrastructure contribution for other necessary trunk infrastructure:
 - (i) the local government is to estimate the period in which the trunk infrastructure contribution would have been planned to be provided had it been included in the local government infrastructure plan having regard to the method used by the local government to work out the relevant planned date or period of items of identified necessary trunk infrastructure for the network of development infrastructure stated in the extrinsic material for the local government infrastructure plan **(specified date or period)**;
 - (ii) the local government may upon the completion of the trunk infrastructure contribution include the trunk infrastructure as existing trunk infrastructure in the local government infrastructure plan;
 - (iii) the following payment triggers achieve the local government's objectives:
 - (A) for a refund which is an amount that is \$1 million or less—the refund is to be given by the later of:
 - (I) 31 December of the financial year following the end of the specified date or period for the trunk infrastructure contribution; and
 - (II) 18 months from the date of the relevant infrastructure charges notice;
 - (B) for a refund which is an amount that is more than \$1 million but not more than \$10 million—the refund is to be given annually over three financial years in equal payments by the later of:
 - (I) 31 December in each financial year commencing in the financial year following the end of the specified date or period for the trunk infrastructure contribution; and

- (II) 18 months from the date of the relevant infrastructure charges notice;
 - (C) for a refund which is more than \$10 million—the refund is to be given annually over five financial years in equal payments by the later of:
 - (I) 31 December in each financial year commencing in the financial year following the end of the specified date or period for the trunk infrastructure contribution; and
 - (II) 18 months from the date of the relevant infrastructure charges notice; and
 - (iv) each amount to be paid under subsection (iii) is to be increased by the CPI from the date of the infrastructure charges notice for the refund to the date that the amount is paid;
- (d) for a trunk infrastructure contribution for prescribed trunk infrastructure:
 - (i) the local government may upon the completion of the trunk infrastructure contribution include the trunk infrastructure as existing trunk infrastructure in the local government infrastructure plan;
 - (ii) the payment trigger for a refund of 31 December of the financial year following the end of the planning horizon of the respective local government trunk infrastructure network in the local government infrastructure plan achieves the local government's objectives; and
 - (iii) the amount to be paid under subsection (ii) is to be increased by the CPI from the date of the infrastructure charges notice for the refund to the date that the amount is paid.

Part 5 Eligible organisation charges reduction

31. Purpose of part 5

Part 5 states the following:

- (a) the method to be applied by the local government for working out the eligible organisation charges reduction for development where:
 - (i) the applicant is an eligible community organisation; and
 - (ii) the development is an eligible community development;
- (b) whether the eligible organisation charges reduction applies and, if so, the timing of the reduction.

32. Eligible community organisation and eligible community development

The eligible organisation charges reduction for the development is to be worked out by the local government prior to the time for the giving of the relevant approval to which the levied charge applies as follows:

Editor's note—A relevant approval is a development approval under the Planning Act.

- (a) an applicant which is seeking the eligible organisation charges reduction is to provide satisfactory evidence of the applicant's basis for seeking the eligible organisation charges reduction and the calculation of the amount of the eligible organisation charges reduction, which may be requested by giving a notice in the prescribed form to the local government;
- (b) the local government is to:
 - (i) determine whether:
 - (A) the applicant is an eligible community organisation; and
 - (B) the development is an eligible community development;
 - (ii) if the local government is satisfied that the applicant is an eligible community organisation and the development is an eligible community development, work out the amount of the eligible organisation charges reduction (***approved eligible organisation charges reduction***); and
 - (iii) give a notice to the applicant stating the outcome of the local government's determination.

Editor's note—The notice may be given in an infrastructure charges notice.

33. Working out an eligible organisation charges reduction

The amount of the eligible organisation charges reduction for the development is to be worked out by the local government as follows:

$$EOCR = LC \times PE$$

Where:

EOCR is the eligible organisation charges reduction, which cannot be more than \$45,000, less any eligible organisation charges reduction (previously approved by the local government for the premises the subject of the development) which has been, or may be, applied to reduce a levied charge and relates to a development approval which has not lapsed.

LC is the levied charge for the development worked out in accordance with [section 14](#).

PE is the percentage of reduction being 75%.

34. Timing of an eligible organisation charges reduction

An approved eligible organisation charges reduction for the development is to apply to reduce the levied charge for the development at the time of payment of the levied charge only if payment is made prior to the earlier of the following:

- (a) the commencement of the use under the development approval;
- (b) six years after the development approval is given.

35. Expiry

- (1) Sections 31 to 34 expire on 30 September 2022, subject to subsection (2).
- (2) Any approved eligible organisation charges reduction that is approved by the local government prior to 30 September 2022 remains valid and can be applied in accordance with [section 34](#).

Part 6 Extra trunk infrastructure costs

36. Purpose of part 6

Part 6 states the method to be applied by the local government for working out extra trunk infrastructure costs.

37. Payment of extra trunk infrastructure costs

The payment of extra trunk infrastructure costs for development is to be worked out and required in accordance with the Planning Act.

Editor's note—See Subdivision 2 (Conditions for extra trunk infrastructure costs), Division 3 (Development approval conditions about trunk infrastructure), Part 2 (Provisions for local governments), Chapter 4 (Infrastructure) of the Planning Act.

Schedule 1 Dictionary

accepted valuation see section 27(5)(a).

adopted charge see section 6(a).

amended valuation see section 27(3)(b)(ii)(A)

applicable area see section 6(d).

applicable date see section 6(c).

applicable use see section 6(e).

applicant's highest and best use advice see section 27(2)(a)(ii).

applicant's valuation see section 27(2)(a)(i).

applied adopted charge see section 12(b)(i).

approved eligible organisation charges reduction see section 32(b)(ii).

automatic increase see section 12(c).

bedroom means an area of a building or structure which:

- (a) is used, designed or intended for use for sleeping but excludes a lounge room, dining room, living room, kitchen, water closet, bathroom, laundry, garage or plant room; or
- (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.

completion means the stage in the provision of a trunk infrastructure contribution by an applicant when the local government is satisfied that the trunk infrastructure contribution is complete other than for a minor omission and a minor defect which:

- (a) is not essential;
- (b) does not prevent the matter from being reasonably capable of being used for its intended purpose;
- (c) the local government determines the applicant has a reasonable basis for not promptly rectifying; and
- (d) the rectification of which will not prejudice the convenient use of the matter.

consistent land establishment cost see section 24(1)(b).

consistent works establishment cost see section 22(1)(b).

conversion application has the meaning in the Planning Act.

conversion criteria see section 19(a).

cost-based estimate for required works see section 23(2).

court area means the area of premises where the leisure, sport or recreation activity is conducted and excludes the area of the premises not used for conducting the leisure, sport or recreation activity, such as areas for spectators, office or administration, amenities or food and beverages.

CPI (an acronym for consumer price index) means the following:

- (a) the consumer price index 6401.0 All Groups Brisbane published by the Australian Bureau of Statistics;
- (b) if an index described in subsection (a) ceases to be published—another similar index prescribed by the local government.

Editor's note—Where the CPI has not been published for a calculation date the change in the CPI is to be determined by having regard to the index prior to the base date and the index prior to the calculation date.

current market value see section 25(2).

demand credit see section 16(1).

demand unit see section 16(2).

development demand see section 16(1).

different necessary trunk infrastructure see section 19(b)(ii).

distributor-retailer means the Central SEQ Distributor-Retailer Authority (trading as Queensland Urban Utilities) under the SEQ Water Act.

distributor-retailer trunk infrastructure networks see section 6(b)(ii).

dwelling has the meaning in the SPA planning scheme.

Editor's note—The term 'dwelling' is defined in the SPA planning scheme to mean "A building or part of a building used or capable of being used as a self-contained residence that must include the following:

- (a) food preparation facilities;
- (b) a bath or shower;
- (c) a toilet and wash basin;
- (d) clothes washing facilities.

This term includes outbuildings, structures and works normally associated with a dwelling."

eligible community development means development which provides facilities or services to the community and is not undertaken for commercial purposes or for the purposes of sale, approved by the local government.

eligible community organisation means one of the following:

- (a) a charitable organisation which is a charitable not-for-profit organisation registered with the Australian Charities and Not-for-profits Commission or Fair Trading Queensland and uses a volunteer or paid workforce;

*Examples of a charitable organisation—
Meals on Wheels, Australian Red Cross*

- (b) a community-based organisation which is an incorporated not-for-profit association that relies primarily on membership fees, fundraising activities, volunteer labour and government grants;

*Examples of a community-based organisation—
welfare organisations, cultural organisations, indigenous organisations, environmental organisations, rescue organisations, scouts and guides, youth organisations, senior citizens clubs, public halls and men's sheds which may have a restricted liquor or gaming licence.*

- (c) a sporting or recreation organisation which is an incorporated not-for-profit association that:

- (i) is constituted to undertake a community-based sporting or recreation activity;
- (ii) primarily relies on membership fees, games fees, fundraising activities and government grants;
- (iii) depends mainly on unpaid volunteer labour; and
- (iv) may have a restricted liquor or gaming licence;

*Examples of a sporting or recreation organisation—
junior and senior sports clubs*

- (d) a religious organisation which is recognised by the Australian Tax Office as being eligible for a charity tax concession;

- (e) a school which is recognised by the Queensland Department of Education and Training including a parents and citizens association associated with the school;

- (f) another not-for-profit organisation approved by the local government which:

- (i) provides a service to the community; and
- (ii) does not normally have an income stream or is otherwise able to demonstrate its status as non-profit through an external source such as the Australian Taxation Office.

establishment cost, for trunk infrastructure, means the following:

- (a) for existing infrastructure:
- (i) the current replacement cost of the infrastructure as reflected in the local government's asset register; and
 - (ii) the current value of the land acquired for the infrastructure; or

- (b) for future infrastructure—all costs of land acquisition, financing, and design and construction, for the infrastructure.

existing lawful use means an existing use which is lawful and already taking place on premises.

extra demand see section 12(b)(ii).

extrinsic material for the local government infrastructure plan means the following:

- (a) extrinsic material for the planning assumptions;
- (b) extrinsic material for the public parks and land for community facilities network;
- (c) extrinsic material for the schedule of works model;
- (d) extrinsic material for the stormwater network;
- (e) extrinsic material for the transport network.

extrinsic material for the planning assumptions means the *Brisbane City Plan 2014 Extrinsic material Planning assumptions*.

extrinsic material for the public parks and land for community facilities network means the *Brisbane City Plan 2014 Local Government Infrastructure Plan Extrinsic material Public parks and land for community facilities*.

extrinsic material for the schedule of works model means the *Brisbane City Plan 2014 Extrinsic material Schedule of works model*.

extrinsic material for the stormwater network means *Brisbane City Plan 2014 Local Government Infrastructure Plan Extrinsic material Stormwater network*.

extrinsic material for the transport network means the *Brisbane City Plan 2014 Local Government Infrastructure Plan Extrinsic material Transport network*.

financial year means a period of one year beginning on 1 July.

GFA (an acronym for gross floor area), for a building, means the total floor area of all storeys of the building, measured from the outside of the external walls and the centre of any commons walls of the building, other than areas used for:

- (a) building services, plant or equipment;
- (b) access between levels;
- (c) a ground floor public lobby;

*Examples of a public lobby—
hotel lobby, office lobby, exhibition centre lobby*

- (d) a mall;

- (e) parking, loading or manoeuvring vehicles; or
- (f) unenclosed private balconies, whether roofed or not.

highest and best use advice see section 25(3)(b)(i).

identified necessary trunk infrastructure see section 19(b)(i).

identified necessary trunk infrastructure criteria see section 20(1)(b).

impervious area means the area of the premises that is impervious to rainfall or overland flow.

Examples of areas which are not impervious to rainfall or overland flow—

An area which is not sealed and comprises of compacted dirt, crusher dirt, road base, gravel, limestone or loose stone.

independent valuation expert see section 25(3)(c).

IPA planning scheme means the *Brisbane City Plan 2000*.

levied charge see section 12(a).

local government infrastructure plan has the meaning in the Planning Act.

local government trunk infrastructure networks see section 6(b)(i).

local government's valuer's determination see section 27(12).

mall excludes a shaded walk area with a cover above all or part of the area.

Examples of a cover—

Shade sail, hard ceiling, roof.

market cost see section 26(2).

offset see section 28(a).

original land see section 25(2)(a).

original land value see section 25(2)(a).

other land see section 24(1)(b).

other necessary trunk infrastructure see section 19(b)(iii).

other works see section 22(1)(b).

planned cost means:

- (a) for works, see section 22(3)(a);
- (b) for land, see section 24(3)(a).

planned estimate—land see section 24(3).

planned estimate—works see section 22(3).

Planning Act see section 3(1).

Planning Regulation see section 3(2)(a).

prescribed amount means the prescribed amount in Schedule 16 of the Planning Regulation in force on 28 August 2020.

prescribed cost see section 26(5)(a).

prescribed fee means a cost recovery fee prescribed by the local government.

prescribed financial contribution see section 12(b)(iii).

prescribed form means a form prescribed by the local government.

prescribed trunk infrastructure see section 19(b)(iv).

previous lawful use means a previous use which was lawful at the time it was carried out and is no longer taking place on premises.

proportional value see section 24(1)(c).

rateable value has the meaning in section 67(2) (Rateable value of land) of the *City of Brisbane Regulation 2012*.

refund see section 28(b).

remaining land see section 25(2)(b).

remaining land value see section 25(2)(b).

required land see section 24(1).

required works see section 22(1).

revised local government's valuation see section 27(15).

SEQ Water Act means the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009*.

SPA planning scheme means the planning scheme which replaces the IPA planning scheme.

Editor's note—The SPA planning scheme is the Brisbane City Plan 2014, which was aligned with the Planning Act.

specified date or period see section 30(5)(c)(i).

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.

trunk infrastructure contribution see section 19(b).

trunk infrastructure networks see section 6(b).

Schedule 2 Adopted charges

Table A Adopted charge for reconfiguring a lot

Column 1 Demand unit	Column 2 Distributor-retailer proportion of prescribed amount (\$ per demand unit)	Column 3 Local government proportion of prescribed amount (\$ per demand unit)	Column 4 Local government adopted charge (\$ per demand unit) <i>Editor's note—This column represents the indexation of column 3 in accordance with section 7(3).</i>
Lot	15,113.36	15,113.34	15,270.71

Note – The prescribed amount for an adopted charge for reconfiguring a lot in table A is based on the prescribed amount for a dwelling house (3 or more bedroom dwelling).

Table B Adopted charge for a residential use

Column 1 Use under Planning Regulation <i>Editor's note—See table 1, column 1 of schedule 16 of the Planning Regulation.</i>	Column 2 Prescribed amount		Column 3 Distributor- retailer proportion of prescribed amount (\$) <i>Editor's note— See distributor- retailer's water netserv plan (part A) (charges schedule).</i>	Column 4 Local government proportion of prescribed amount (\$)	Column 5 Local government adopted charge (\$) <i>Editor's note— This column represents the indexation of column 4 in accordance with section 7(3).</i>
	Demand unit	(\$ per demand unit)			
Residential					
Dwelling house	1 or 2 bedroom dwelling	21,590.50	10,795.25	10,795.25	10,907.66
	3 or more bedroom dwelling	30,226.70	15,113.36	15,113.34	15,270.71
Dual occupancy	1 or 2 bedroom dwelling	21,590.50	10,795.25	10,795.25	10,907.66
	3 or more bedroom dwelling	30,226.70	15,113.36	15,113.34	15,270.71
Caretaker's accommodation	1 or 2 bedroom dwelling	21,590.50	10,795.25	10,795.25	10,907.66
	3 or more bedroom dwelling	30,226.70	15,113.36	15,113.34	15,270.71
Multiple dwelling	1 or 2 bedroom dwelling	21,590.50	10,795.25	10,795.25	10,907.66
	3 or more bedroom dwelling	30,226.70	15,113.36	15,113.34	15,270.71

Brisbane City Council
Brisbane Infrastructure Charges Resolution (No. 10) 2021

Column 1 Use under Planning Regulation	Column 2 Prescribed amount		Column 3 Distributor- retailer proportion of prescribed amount (\$)	Column 4 Local government proportion of prescribed amount (\$)	Column 5 Local government adopted charge (\$)
	Demand unit	(\$ per demand unit)			
<i>Editor's note—See table 1, column 1 of schedule 16 of the Planning Regulation.</i>			<i>Editor's note—See distributor-retailer's water netserv plan (part A) (charges schedule).</i>		<i>Editor's note—This column represents the indexation of column 4 in accordance with section 7(3).</i>
Accommodation (short-term)					
Hotel [areas for providing accommodation]	Suite with 1 or 2 bedrooms	10,795.20	5,397.60	5,397.60	5,453.80
	Suite with 3 or more bedrooms	15,113.30	7,556.66	7,556.64	7,635.32
	Bedroom that is not within a suite	10,795.20	5,397.60	5,397.60	5,453.80
Short-term accommodation	Suite with 1 or 2 bedrooms	10,795.20	5,397.60	5,397.60	5,453.80
	Suite with 3 or more bedrooms	15,113.30	7,556.66	7,556.64	7,635.32
	Bedroom that is not within a suite	10,795.20	5,397.60	5,397.60	5,453.80
Resort complex [areas for providing accommodation]	Suite with 1 or 2 bedrooms	10,795.20	5,397.60	5,397.60	5,453.80
	Suite with 3 or more bedrooms	15,113.30	7,556.66	7,556.64	7,635.32
	Bedroom that is not within a suite	10,795.20	5,397.60	5,397.60	5,453.80

Brisbane City Council
Brisbane Infrastructure Charges Resolution (No. 10) 2021

Column 1 Use under Planning Regulation <i>Editor's note—See table 1, column 1 of schedule 16 of the Planning Regulation.</i>	Column 2 Prescribed amount		Column 3 Distributor- retailer proportion of prescribed amount (\$) <i>Editor's note— See distributor- retailer's water netserv plan (part A) (charges schedule).</i>	Column 4 Local government proportion of prescribed amount (\$)	Column 5 Local government adopted charge (\$) <i>Editor's note— This column represents the indexation of column 4 in accordance with section 7(3).</i>
	Demand unit	(\$ per demand unit)			
Tourist park	1 or 2 tent or caravan sites	10,795.20	5,397.60	5,397.60	5,453.80
	3 or more tent or caravan sites	15,113.30	7,556.66	7,556.64	7,635.32
	1 or 2 bedroom cabin	10,795.20	5,397.60	5,397.60	5,453.80
	3 or more bedroom cabin	15,113.30	7,556.66	7,556.64	7,635.32
Accommodation (long-term)					
Community residence	Suite with 1 or 2 bedrooms	21,590.50	10,795.25	10,795.25	10,907.66
	Suite with 3 or more bedrooms	30,226.70	15,113.36	15,113.34	15,270.71
	Bedroom that is not within a suite	21,590.50	10,795.25	10,795.25	10,907.66
Relocatable home park	1 or 2 bedroom relocatable dwelling site	21,590.50	10,795.25	10,795.25	10,907.66
	3 or more bedroom relocatable dwelling site	30,226.70	15,113.36	15,113.34	15,270.71

Column 1 Use under Planning Regulation	Column 2 Prescribed amount		Column 3 Distributor- retailer proportion of prescribed amount (\$)	Column 4 Local government proportion of prescribed amount (\$)	Column 5 Local government adopted charge (\$)
	Demand unit	(\$ per demand unit)			
<i>Editor's note—See table 1, column 1 of schedule 16 of the Planning Regulation.</i>			<i>Editor's note—See distributor-retailer's water netserv plan (part A) (charges schedule).</i>		<i>Editor's note—This column represents the indexation of column 4 in accordance with section 7(3).</i>
Retirement facility	Suite with 1 or 2 bedrooms	21,590.50	10,795.25	10,795.25	10,907.66
	Suite with 3 or more bedrooms	30,226.70	15,113.36	15,113.34	15,270.71
	Bedroom that is not within a suite	21,590.50	10,795.25	10,795.25	10,907.66
Rooming accommodation	Suite with 1 or 2 bedrooms	21,590.50	10,795.25	10,795.25	10,907.66
	Suite with 3 or more bedrooms	30,226.70	15,113.36	15,113.34	15,270.71
	Bedroom that is not within a suite	21,590.50	10,795.25	10,795.25	10,907.66

Table C Adopted charge for a non-residential use

Column 1 Use under Planning Regulation	Column 2 Trunk infrastructure networks other than stormwater (\$ per demand unit of m ² of GFA)				Column 3 Stormwater trunk infrastructure network (\$ per demand unit of m ² of impervious area)	
	Prescribed amount	Distributor- retailer proportion of prescribed amount	Local government proportion of prescribed amount	Local government adopted charge	Prescribed amount	Local government adopted charge
<i>Editor's note—See table 1, column 1 of schedule 16 of the Planning Regulation.</i>		<i>Editor's note—See distributor-retailer's water netserv plan (part A) (charges schedule).</i>		<i>Editor's note—This column represents the indexation of the local government proportion of prescribed amount in column 2 in accordance with section 7(3).</i>	<i>Editor's note—See table 1, column 2 of schedule 16 of the Planning Regulation.</i>	<i>Editor's note—This column represents the indexation of the prescribed amount in column 3 in accordance with section 7(3).</i>
Places of assembly						
Club	75.60	38.88	36.72	37.10	10.80	10.91
Community use	75.60	38.88	36.72	37.10	10.80	10.91
Function facility	75.60	38.88	36.72	37.10	10.80	10.91
Funeral parlour	75.60	38.88	36.72	37.10	10.80	10.91
Place of worship	75.60	38.88	36.72	37.10	10.80	10.91
Commercial (bulk goods)						
Agricultural supplies store	151.15	38.86	112.29	113.45	10.80	10.91
Bulk landscape supplies	151.15	38.86	112.29	113.45	10.80	10.91
Garden centre	151.15	38.86	112.29	113.45	10.80	10.91
Hardware and trade supplies	151.15	38.86	112.29	113.45	10.80	10.91
Outdoor sales	151.15	38.86	112.29	113.45	10.80	10.91
Showroom	151.15	38.86	112.29	113.45	10.80	10.91
Commercial (retail)						
Adult store	194.30	38.86	155.44	157.05	10.80	10.91

Column 1 Use under Planning Regulation	Column 2 Trunk infrastructure networks other than stormwater (\$ per demand unit of m ² of GFA)				Column 3 Stormwater trunk infrastructure network (\$ per demand unit of m ² of impervious area)	
	Prescribed amount	Distributor- retailer proportion of prescribed amount	Local government proportion of prescribed amount	Local government adopted charge	Prescribed amount	Local government adopted charge
<i>Editor's note—See table 1, column 1 of schedule 16 of the Planning Regulation.</i>		<i>Editor's note—See distributor-retailer's water netserv plan (part A) (charges schedule).</i>		<i>Editor's note—This column represents the indexation of the local government proportion of prescribed amount in column 2 in accordance with section 7(3).</i>	<i>Editor's note—See table 1, column 2 of schedule 16 of the Planning Regulation.</i>	<i>Editor's note—This column represents the indexation of the prescribed amount in column 3 in accordance with section 7(3).</i>
Food and drink outlet	194.30	38.86	155.44	157.05	10.80	10.91
Service industry	194.30	38.86	155.44	157.05	10.80	10.91
Service station	194.30	38.86	155.44	157.05	10.80	10.91
Shop	194.30	38.86	155.44	157.05	10.80	10.91
Shopping centre	194.30	38.86	155.44	157.05	10.80	10.91
Commercial (office)						
Office	151.15	38.86	112.29	113.45	10.80	10.91
Sales office	151.15	38.86	112.29	113.45	10.80	10.91
Educational facility						
Childcare centre	151.15	38.86	112.29	113.45	10.80	10.91
Community care centre	151.15	38.86	112.29	113.45	10.80	10.91
Educational establishment	151.15	38.86	112.29	113.45	10.80	10.91
Entertainment						
Hotel	215.90	64.78	151.12	152.69	10.80	10.91
Nightclub entertainment facility	215.90	64.78	151.12	152.69	10.80	10.91

Column 1 Use under Planning Regulation	Column 2 Trunk infrastructure networks other than stormwater (\$ per demand unit of m ² of GFA)				Column 3 Stormwater trunk infrastructure network (\$ per demand unit of m ² of impervious area)	
	Prescribed amount	Distributor- retailer proportion of prescribed amount	Local government proportion of prescribed amount	Local government adopted charge	Prescribed amount	Local government adopted charge
<i>Editor's note—See table 1, column 1 of schedule 16 of the Planning Regulation.</i>		<i>Editor's note—See distributor-retailer's water netserv plan (part A) (charges schedule).</i>		<i>Editor's note—This column represents the indexation of the local government proportion of prescribed amount in column 2 in accordance with section 7(3).</i>	<i>Editor's note—See table 1, column 2 of schedule 16 of the Planning Regulation.</i>	<i>Editor's note—This column represents the indexation of the prescribed amount in column 3 in accordance with section 7(3).</i>
Resort complex	215.90	64.78	151.12	152.69	10.80	10.91
Theatre	215.90	64.78	151.12	152.69	10.80	10.91
<i>Note—For the uses under the Entertainment heading, the prescribed amount and adopted charge is for each square metre of GFA, other than for areas for providing accommodation (Column 2, Table 1, Schedule 16, Planning Regulation)</i>						
Indoor sport and recreation						
Indoor sport and recreation	215.90	64.78	151.12	152.69	10.80	10.91
	21.55 for court areas	5.39	16.16	16.32	10.80	10.91
Other industry						
Low impact industry	54.00	38.87	15.13	15.28	10.80	10.91
Medium impact industry	54.00	38.87	15.13	15.28	10.80	10.91
Research and technology industry	54.00	38.87	15.13	15.28	10.80	10.91
Rural industry	54.00	38.87	15.13	15.28	10.80	10.91
Warehouse	54.00	38.87	15.13	15.28	10.80	10.91
Marine industry	54.00	38.87	15.13	15.28	10.80	10.91

Column 1 Use under Planning Regulation	Column 2 Trunk infrastructure networks other than stormwater (\$ per demand unit of m ² of GFA)				Column 3 Stormwater trunk infrastructure network (\$ per demand unit of m ² of impervious area)	
	Prescribed amount	Distributor- retailer proportion of prescribed amount	Local government proportion of prescribed amount	Local government adopted charge	Prescribed amount	Local government adopted charge
<i>Editor's note—See table 1, column 1 of schedule 16 of the Planning Regulation.</i>		<i>Editor's note—See distributor-retailer's water netserv plan (part A) (charges schedule).</i>		<i>Editor's note—This column represents the indexation of the local government proportion of prescribed amount in column 2 in accordance with section 7(3).</i>	<i>Editor's note—See table 1, column 2 of schedule 16 of the Planning Regulation.</i>	<i>Editor's note—This column represents the indexation of the prescribed amount in column 3 in accordance with section 7(3).</i>
High impact industry or special industry						
High impact industry	75.60	43.22	32.38	32.71	10.80	10.91
Special industry	75.60	43.22	32.38	32.71	10.80	10.91
Low impact rural						
Uses under the Low impact rural heading	The prescribed amount under the Planning Regulation and adopted charges under this resolution is \$0. <i>Editor's note—See Table 1, Column 2 of Schedule 16 of the Planning Regulation.</i>					
High impact rural						
Cultivating, in a confined area, aquatic animals or plants for sale	21.55	10.78	10.77	10.88	0	0
Intensive animal industry	21.55	10.78	10.77	10.88	0	0
Intensive horticulture	21.55	10.78	10.77	10.88	0	0
Wholesale nursery	21.55	10.78	10.77	10.88	0	0
Winery	21.55	10.78	10.77	10.88	0	0
Essential services						
Correctional facility	151.15	38.86	112.29	113.45	10.80	10.91

Brisbane City Council
Brisbane Infrastructure Charges Resolution (No. 10) 2021

Column 1 Use under Planning Regulation	Column 2 Trunk infrastructure networks other than stormwater (\$ per demand unit of m ² of GFA)				Column 3 Stormwater trunk infrastructure network (\$ per demand unit of m ² of impervious area)	
	Prescribed amount	Distributor- retailer proportion of prescribed amount	Local government proportion of prescribed amount	Local government adopted charge	Prescribed amount	Local government adopted charge
<i>Editor's note—See table 1, column 1 of schedule 16 of the Planning Regulation.</i>		<i>Editor's note—See distributor-retailer's water network plan (part A) (charges schedule).</i>		<i>Editor's note—This column represents the indexation of the local government proportion of prescribed amount in column 2 in accordance with section 7(3).</i>	<i>Editor's note—See table 1, column 2 of schedule 16 of the Planning Regulation.</i>	<i>Editor's note—This column represents the indexation of the prescribed amount in column 3 in accordance with section 7(3).</i>
Emergency services	151.15	38.86	112.29	113.45	10.80	10.91
Health care service	151.15	38.86	112.29	113.45	10.80	10.91
Hospital	151.15	38.86	112.29	113.45	10.80	10.91
Residential care facility	151.15	38.86	112.29	113.45	10.80	10.91
Veterinary service	151.15	38.86	112.29	113.45	10.80	10.91
Minor uses						
Uses under the Minor uses heading		The prescribed amount under the Planning Regulation and adopted charges under this resolution is \$0. <i>Editor's note—See Table 1, Column 2 of Schedule 16 of the Planning Regulation.</i>				
Other uses						
Uses under the Other uses heading		The prescribed amount under the Planning Regulation and adopted charges under this resolution are those for another similar use that the local government decides to apply to the use. <i>Editor's note—See Table 1, Column 2 of Schedule 16 of the Planning Regulation.</i>				

Schedule 3 Applicable uses under the IPA planning scheme and SPA planning scheme

Column 1 Use headings under the Planning Regulation	Column 2 Use under the Planning Regulation	Column 3 Use under the IPA planning scheme	Column 4 Use under the SPA planning scheme
<i>Editor's note—See table 1 of schedule 16 of the Planning Regulation.</i>	<i>Editor's note—See table 1, column 1 of schedule 16 of the Planning Regulation.</i>	<i>Editor's note—See IPA planning scheme.</i>	<i>Editor's note—See SPA planning scheme.</i>
Residential use			
Residential	Dwelling house	House; Single unit dwelling	Dwelling house
	Dual occupancy	Multi-unit dwelling	Dual occupancy
	Caretaker's accommodation	Caretaker's flat	Caretaker's accommodation
	Multiple dwelling	Multi-unit dwelling	Multiple dwelling
	Other use	No defined use	Dwelling unit
Accommodation (short-term)	Hotel	Short term accommodation (Hotel - residential component)	Hotel [areas for providing accommodation]
	Short-term accommodation	Short term accommodation (backpacker hostel, guesthouse, motel, serviced apartments)	Short-term accommodation
	Tourist park	Short term accommodation (caravan park, holiday cabins), Camping ground	Tourist park
	Resort complex	No defined use	Resort complex [areas for providing accommodation]
Accommodation (long-term)	Community residence	No defined use	Community residence
	Relocatable home park	Caravan park	Relocatable home park
	Retirement facility	Multi-unit dwelling (retirement village)	Retirement facility

Column 1 Use headings under the Planning Regulation <i>Editor's note—See table 1 of schedule 16 of the Planning Regulation.</i>	Column 2 Use under the Planning Regulation <i>Editor's note—See table 1, column 1 of schedule 16 of the Planning Regulation.</i>	Column 3 Use under the IPA planning scheme <i>Editor's note—See IPA planning scheme.</i>	Column 4 Use under the SPA planning scheme <i>Editor's note—See SPA planning scheme.</i>
	Rooming accommodation	Multi-unit dwelling (boarding house, community dwelling, hostel, orphanage, children's home)	Rooming accommodation
	Other use	Multi-unit dwelling (aged care accommodation, institution, nursing home); Multi-unit dwelling (off-site accommodation); On-site accommodation ancillary to Education purposes	Rooming accommodation (off-site student accommodation); On-site accommodation ancillary to Educational establishment; Non-resident workforce accommodation; Rural workers' accommodation
Non-residential use			
Places of assembly	Club	Club; Youth club	Club
	Community use	Community facilities	Community use
	Function facility	Convention centre	Function facility
	Funeral parlour	Cemetery (funeral chapel, parlour)	Funeral parlour
	Place of worship	Community facilities (church)	Place of worship
Commercial (bulk goods)	Agricultural supplies store	Display and sale activities	Agricultural supplies store
	Bulk landscape supplies	Display and sale activities	Bulk landscape supplies
	Garden centre	Garden centre	Garden centre
	Hardware and trade supplies	Display and sale activities	Hardware and trade supplies
	Outdoor sales	Display and sale activities	Outdoor sales
	Showroom	Shop (showroom)	Showroom
Commercial (retail)	Adult store	Shop	Adult store

Column 1 Use headings under the Planning Regulation	Column 2 Use under the Planning Regulation	Column 3 Use under the IPA planning scheme	Column 4 Use under the SPA planning scheme
<i>Editor's note—See table 1 of schedule 16 of the Planning Regulation.</i>	<i>Editor's note—See table 1, column 1 of schedule 16 of the Planning Regulation.</i>	<i>Editor's note—See IPA planning scheme.</i>	<i>Editor's note—See SPA planning scheme.</i>
	Food and drink outlet	Restaurant	Food and drink outlet, Bar
	Service industry	Shop	Service industry
	Service station	Service station	Service station
	Shop	Shop	Shop
	Shopping centre	Shop	Shopping centre
Commercial (office)	Office	Office	Office
	Sales office	Estate sales office; Display dwelling	Sales office
Educational facility	Childcare centre	Child care facility	Child care centre
	Community care centre	Health care purposes (maternal and child welfare centre, community health centre or respite care centre)	Community care centre
	Educational establishment	Education purposes	Educational establishment
Entertainment ¹	Hotel	Short term accommodation (Hotel - non-residential component)	Hotel
	Nightclub entertainment facility	Nightclub	Nightclub entertainment facility
	Resort complex	No defined use	Resort complex
	Theatre	Cinema, Indoor sport and recreation (theatre)	Theatre
Indoor sport and recreation	Indoor sport and recreation	Indoor sport and recreation (sports centre, gymnasium, snooker and pool centre, athletics)	Indoor sport and recreation

¹ Other than areas for providing accommodation (Column 2, Table 1, Schedule 16, Planning Regulation)

Column 1 Use headings under the Planning Regulation <i>Editor's note—See table 1 of schedule 16 of the Planning Regulation.</i>	Column 2 Use under the Planning Regulation <i>Editor's note—See table 1, column 1 of schedule 16 of the Planning Regulation.</i>	Column 3 Use under the IPA planning scheme <i>Editor's note—See IPA planning scheme.</i>	Column 4 Use under the SPA planning scheme <i>Editor's note—See SPA planning scheme.</i>
Other industry	Low impact industry	Industry not identified in Schedule 1 or Schedule 2 of the Industry Area in Chapter 3 of the IPA planning scheme	Low impact industry
	Medium impact industry	Industry not identified in Schedule 1 or Schedule 2 of the Industry Area in Chapter 3 of the IPA planning scheme	Medium impact industry
	Research and technology industry	Industry not identified in Schedule 1 or Schedule 2 of the Industry Area in Chapter 3 of the IPA planning scheme	Research and technology industry
	Rural industry	Industry not identified in Schedule 1 or Schedule 2 of the Industry Area in Chapter 3 of the IPA planning scheme	Rural industry
	Warehouse	Warehouse	Warehouse
	Marine industry	Industry not identified in Schedule 1 or Schedule 2 of the Industry Area in Chapter 3 of the IPA planning scheme	Marine industry
	Other use	No defined use	Transport depot
High impact industry or special industry	High impact industry	Industry identified in Schedule 1 or Schedule 2 of the Industry Area in Chapter 3 of the IPA planning scheme; Radioactive Industry	High impact industry
	Special industry	Industry identified in Schedule 1 or Schedule 2 of the Industry Area in Chapter 3 of the IPA planning scheme; Radioactive Industry	Special industry

Column 1 Use headings under the Planning Regulation <i>Editor's note—See table 1 of schedule 16 of the Planning Regulation.</i>	Column 2 Use under the Planning Regulation <i>Editor's note—See table 1, column 1 of schedule 16 of the Planning Regulation.</i>	Column 3 Use under the IPA planning scheme <i>Editor's note—See IPA planning scheme.</i>	Column 4 Use under the SPA planning scheme <i>Editor's note—See SPA planning scheme.</i>
Low impact rural	Animal husbandry	Farm (breeding, keeping and/or raising livestock or bees)	Animal husbandry
	Cropping	Farm (growing crops, trees, fruit, vegetables, flowers and turf)	Cropping
	Permanent plantation	Farm (growing crops, trees, fruit, vegetables, flowers and turf)	Permanent plantation
	Wind farm	No defined use	Renewable energy facility
High impact rural	Cultivating, in a confined area, aquatic animals or plants for sale	No defined use	Aquaculture
	Intensive animal industry	Use of premises for commercial rural activities where does not meet Farm definition <ul style="list-style-type: none"> • poultry farming of more than 20 birds • goat farming of more than 5 goats • pig farming of more than 5 pigs • cattle feed lotting of any number of cattle) 	Intensive animal industry
	Intensive horticulture	Use of premises for commercial rural activities where does not meet Farm definition <ul style="list-style-type: none"> • soil conditioner manufacture • mushroom growing substrate manufacture) 	Intensive horticulture
	Wholesale nursery	No defined use	Wholesale nursery
	Winery	No defined use	Winery
Essential services	Correctional facility	No defined use	Detention facility

Column 1 Use headings under the Planning Regulation <i>Editor's note—See table 1 of schedule 16 of the Planning Regulation.</i>	Column 2 Use under the Planning Regulation <i>Editor's note—See table 1, column 1 of schedule 16 of the Planning Regulation.</i>	Column 3 Use under the IPA planning scheme <i>Editor's note—See IPA planning scheme.</i>	Column 4 Use under the SPA planning scheme <i>Editor's note—See SPA planning scheme.</i>
	Emergency services	Emergency services	Emergency services
	Health care service	Medical centre	Health care service
	Hospital	Health care purposes (hospital)	Hospital
	Residential care facility	Multi-unit dwelling (Residential development for people with special needs)	Residential care facility
	Veterinary service	Veterinary facility	Veterinary service
Other uses	Air service	Utility installation (transport services - including an airstrip, air transport)	Air service
	Animal keeping	Cattery, Kennels, Utility installation (animal pound), Stable	Animal keeping
	Car park	Car park	Parking station
	Crematorium	Crematorium	Crematorium
	Extractive industry	Extractive industry	Extractive industry
	Major sport, recreation and entertainment facility	No defined use	Major sport, recreation and entertainment facility
	Motor sport facility	No defined use	Motor sport facility
	Non-resident workforce accommodation	No defined use	Non-resident workforce accommodation
	Outdoor sport and recreation	Outdoor sport and recreation	Outdoor sport and recreation
	Port service	Utility installation (transport services - including wharf, harbour)	Port service

Column 1 Use headings under the Planning Regulation <i>Editor's note—See table 1 of schedule 16 of the Planning Regulation.</i>	Column 2 Use under the Planning Regulation <i>Editor's note—See table 1, column 1 of schedule 16 of the Planning Regulation.</i>	Column 3 Use under the IPA planning scheme <i>Editor's note—See IPA planning scheme.</i>	Column 4 Use under the SPA planning scheme <i>Editor's note—See SPA planning scheme.</i>
	Tourist attraction	No defined use	Tourist attraction
	Utility installation	Utility installation	Utility installation
	A use not otherwise listed in column 2, including a use that is unknown because the development application does not specify a proposed use	Car wash; Centre activities; Container depot; Mixed use; Radio or television station; Railway activities; Riding school	Brothel; Car wash; Environment facility; Major electricity infrastructure; Nature-based tourism; Outstation; Substation
Minor uses	Advertising device	No defined use	No defined use
	Cemetery	Cemetery (graveyard, burial ground, columbarium, pet cemetery)	Cemetery
	Home-based business	Home business	Home-based business
	Landing	Landing	Landing
	Market	Shop (market)	Market
	Outdoor lighting	Outdoor lighting	No defined use
	Park	Park	Park
	Roadside stall	Shop (stall)	Roadside stall
	Telecommunications facility	Telecommunication tower	Telecommunications facility
Temporary use	No defined use	No defined use	

Schedule 4 Not Used

Editor's Note – This schedule has been intentionally left blank.

Schedule 5 Identified necessary trunk infrastructure criteria

Column 1 Local government trunk infrastructure networks	Column 2 Identified necessary trunk infrastructure criteria
Transport network	The criteria stated in the extrinsic material for the transport network.
Public parks and land for community facilities network	The criteria stated in the extrinsic material for the public parks and land for community facilities network.
Stormwater network	The criteria stated in the extrinsic material for the stormwater network.

Schedule 6 Planned cost for local government trunk infrastructure networks

Column 1 Local government trunk infrastructure networks	Column 2 Works	Column 3 Land
Transport network		
Road network	The value of the required works less the value of any existing road infrastructure which is replaced by the required works which are calculated by reference to the following stated in the extrinsic material for the transport network: (a) direct construction cost; (b) indirect construction cost; (c) project cost.	The value of the land cost of the required land stated in the extrinsic material for the transport network.
Pathways network	The value of the required works less the value of any existing pathways infrastructure which is replaced by the required works which are calculated by reference to the following stated in the extrinsic material for the transport network: (a) direct construction cost; (b) indirect construction cost; (c) project cost.	The value of the land cost of the required land stated in the extrinsic material for the transport network.
Public transport (ferry terminals) network	The value of the following stated in the extrinsic material for the transport network: (a) direct construction cost; (b) indirect construction cost; (c) project cost.	Note: the extrinsic material for the transport network does not contain planned costs for land for ferry terminals.
Public transport (bus stops) network	Note: the extrinsic material for the transport network does not contain planned costs for works for bus stops.	Not applicable

Column 1 Local government trunk infrastructure networks	Column 2 Works	Column 3 Land
Public parks and land for community facilities network		
Public parks network	<p>The value of the required works less the value of any existing public parks infrastructure which is replaced by the required works which are:</p> <ul style="list-style-type: none"> (a) calculated by reference to the following stated in the extrinsic material for the public parks and land for community facilities network: <ul style="list-style-type: none"> (i) direct embellishment cost; (ii) indirect embellishment cost; (iii) project cost; and (b) adjusted having regard to the level of embellishment cost that forms part of the required works. 	The value of the land cost of the required land stated in the extrinsic material for the public parks and land for community facilities network.
Land for community facilities network	<p>The value of the following stated in the extrinsic material for the public parks and land for community facilities network:</p> <ul style="list-style-type: none"> (a) site preparation and connection to services (direct construction) cost; (b) indirect construction cost; (c) project cost. 	The value of the land cost of the required land stated in the extrinsic material for the public parks and land for community facilities network.
Stormwater network		
Stormwater network	<p>The value of the required works less the value of any existing stormwater infrastructure which is replaced by the required works which are calculated by reference to the following stated in the extrinsic material for the stormwater network:</p> <ul style="list-style-type: none"> (a) direct construction cost; (b) indirect construction cost; (c) project cost. 	The value of the land cost of the required land stated in the extrinsic material for the stormwater network.

Schedule 7 **Maximum indirect construction/embellishment cost and project costs for works**

Column 1 Trunk infrastructure network	Column 2 Maximum indirect construction/embellishment cost for works (Percentage of the direct construction/embellishment cost for the works)	Column 3 Maximum project costs for works (Percentage of the direct and indirect construction/embellishment cost for the works)
Transport network		
Road network	17	13
Pathways network	17	13
Public transport (ferry terminals) network	17	13
Public transport (bus stops) network	Not applicable	Not applicable
Public parks and land for community facilities network		
Public parks network	17	13
Land for community facilities network	17	13
Stormwater network		
Stormwater network	17	13

Schedule 8 Infrastructure planning scheme policies

Column 1 Infrastructure planning scheme policy	Column 2 Date
Planning Scheme Policy 1 Development Contributions for Parks and Recreational Facilities Arising from Subdivision of Land and from Material Change of Use or Development of Land	IPA planning scheme
Planning Scheme Policy 2 Development Contributions for Water Supply and Sewerage Headworks Arising from Subdivision and Material Change of Use of Land	IPA planning scheme
Planning Scheme Policy 10 Paradise Road Interchange Infrastructure Charges	IPA planning scheme
Bulimba Industrial Area Infrastructure Charges Plan	4 December 2001
Planning Scheme Policy Supporting Information for the Bulimba Industrial Area ICP	4 December 2001
Australia Trade Coast South Infrastructure Charges Plan	4 December 2001
Planning Scheme Policy Supporting Information for the Australia Trade Coast South ICP	4 December 2001
Wakerley Infrastructure Charges Plan	4 December 2001
Planning Scheme Policy Supporting Information for the Wakerley ICP	4 December 2001
Richlands Area Infrastructure Charges Plan	4 December 2001
Planning Scheme Policy Supporting Information for the Richlands Area ICP	4 December 2001
Inner North-Eastern Suburbs Infrastructure Charges Plan	4 December 2001
Planning Scheme Policy Supporting Information for the Inner North-Eastern Suburbs ICP	4 December 2001
Fig Tree Pocket Infrastructure Charges Plan	3 December 2002

Column 1 Infrastructure planning scheme policy	Column 2 Date
Planning Scheme Policy Supporting Information for the Fig Tree Pocket ICP	3 December 2002
Wynnum West Infrastructure Charges Plan	22 July 2003
Planning Scheme Policy Supporting Information for the Wynnum West ICP	25 July 2003
Calamvale District Infrastructure Charges Plan	29 July 2003
Planning Scheme Policy Supporting Information for the Calamvale District ICP	29 July 2003
Doolandella Infrastructure Charges Plan	25 May 2005
Planning Scheme Policy Supporting Information for the Doolandella ICP	25 May 2005
Australia Trade Coast South Infrastructure Contributions Planning Scheme Policy	July 2007
Bulimba Infrastructure Contributions Planning Scheme Policy	July 2007
Calamvale Infrastructure Contributions Planning Scheme Policy	July 2007
Infill Community Purposes Infrastructure Contributions Planning Scheme Policy	July 2007
Doolandella Infrastructure Contributions Planning Scheme Policy	July 2007
Fig Tree Pocket Infrastructure Contributions Planning Scheme Policy	July 2007
Inner North Eastern Suburbs Infrastructure Contributions Planning Scheme Policy	July 2007
Richlands Area Infrastructure Contributions Planning Scheme Policy	July 2007
Sewerage Infrastructure Contributions Planning Scheme Policy	July 2007
Infill Transport Infrastructure Contributions Planning Scheme Policy	July 2007

Column 1 Infrastructure planning scheme policy	Column 2 Date
Wakerley Infrastructure Contributions Planning Scheme Policy	July 2007
Water Supply Infrastructure Contributions Planning Scheme Policy	July 2007
Infill Waterways Infrastructure Contributions Planning Scheme Policy	July 2007
Wynnum West Infrastructure Contributions Planning Scheme Policy	July 2007
West End Riverside Infrastructure Contributions Planning Scheme Policy	June 2008
Albion Infrastructure Contributions Planning Scheme Policy	July 2008
Rochedale Infrastructure Contributions Planning Scheme Policy	August 2008
Infill Community Purposes Infrastructure Contributions Planning Scheme Policy	July 2009
Infill Transport Infrastructure Contributions Planning Scheme Policy	July 2009
Infill Waterways Infrastructure Contributions Planning Scheme Policy	July 2009
Water Supply Infrastructure Contributions Planning Scheme Policy	July 2009
Sewerage Infrastructure Contributions Planning Scheme Policy	July 2009
Inner North-Eastern Suburbs Infrastructure Contributions Planning Scheme Policy	July 2009