

# **MACKAY REGIONAL COUNCIL – Adopted Charges Resolution December 2023**

## **1. Relevant legislation**

- (a) This resolution is made in accordance with section 113 of the *Planning Act 2016* (PA) to adopt a charges resolution.

## **2. Application to local government area**

- (a) This resolution declares that an adopted charge applies to the entire Mackay Regional Council local government area however, in accordance with section 113(3) of the PA, this resolution does not apply to:
  - (i) Works or use of premises authorised under the Greenhouse Gas Storage Act 2009, the Mineral Resources Act 1989, the Petroleum Act 1923 or the Petroleum and Gas (Production and Safety) Act 2004;
  - (ii) Development in a priority development area under the Economic Development Act 2012; or
  - (iii) Development by a department, or part of a department, under a designation; or
  - (iv) Development for a non-State school under a designation.
- (b) In relation to 2.(a)(ii), in accordance with the *Economic Development Act 2012* a special rate or charge may be levied in a priority development area in a way the Minister for Economic Development Queensland considers appropriate. In these circumstances, the charge may be based on the local government infrastructure charges instrument in force at that time.

## **3. When resolution has effect**

- (a) This resolution has effect on and from 18 December 2023.
- (b) This resolution replaces Council's *Adopted Charges Resolution – December 2020*, which took effect 14 December 2020.

## **4. Relationship to Local Government Infrastructure Plan**

- (a) This resolution includes references to the Local Government Infrastructure Plan (LGIP) which is included as part of the Mackay Region Planning Scheme 2017. The LGIP includes the following information:
  - (i) Planning assumptions;
  - (ii) Priority Infrastructure Area (PIA);
  - (iii) Desired standards of service; and
  - (iv) Plans for trunk infrastructure including schedules of works.

## **5. Levying of charges**

- (a) Infrastructure charges will be levied by Council based on the following calculation method for the total development:

- (i) **LC = sum (AC x (1 – SD)) – C**, where:

LC = Levied charge for the total development inclusive of all development types

AC = Adopted infrastructure charge for each development type

SD = Service discount (%)

C = Credit

### **5.1. Adopted charge**

- (a) The adopted charge will be calculated for the total development in accordance with the calculation methods included in section 5.1.1 and 5.1.2 below.
- (b) For the calculation methods, the adopted charge for development approved under the Mackay Region Planning Scheme 2017 will be based on the use identified in Schedule 1.
- (c) For development applications approved under the superseded planning schemes, Schedule 2 will be used to determine the equivalent SPRP use category to be applied in Schedule 1.

#### **5.1.1. Material change of use**

- (a) For development that is a material change of use, the adopted infrastructure charge will be determined based on the following calculation method:

- (i) **AC<sub>MCU</sub> = sum (GFA x UR) + (IA x IR)**, where:

AC<sub>MCU</sub> = Adopted charge for the sum of all uses

GFA = Gross floor area for each applicable use (m<sup>2</sup>)

UR = Applicable use rate shown in Schedule 1, column 3 (\$/m<sup>2</sup>) for each applicable use in Schedule 1, column 2, or as determined by council where not specified.

IA = Impervious area for the total development (m<sup>2</sup>)

IR = Applicable impervious rate shown in Schedule 1, column 3 (\$/m<sup>2</sup>) for each applicable use, or as determined by council where not specified.

#### **5.1.2. Reconfiguring a lot**

- (a) For development that is reconfiguring a lot, the adopted infrastructure charge will be determined based on the following calculation method:

- (i) **AC<sub>ROL</sub> = sum (UR<sub>3+dwelling</sub> x LSF)**, where:

AC<sub>ROL</sub> = Adopted charge for the sum of all lots

UR<sub>3+dwelling</sub> = Adopted charge shown in Schedule 1, column 3, for a 3 or more bedroom residential dwelling, for each lot that will generate demand on any trunk infrastructure network.

LSF = Lot Size Factor as per table below.

Lot size	Lot Size Factor
> 550m <sup>2</sup>	1
450 ≥ 550m <sup>2</sup>	0.50
300 ≥ 450m <sup>2</sup>	0.25
≤ 300m <sup>2</sup>	0.1

## 5.2. Service discount

- (a) A service discount (SD) will be applied to the calculation for both Material Change of Use and Reconfiguration of a lot development where there is no access to, or no planned local government provision for reticulated water or sewerage service. The SD will be calculated as follows:
- (i) Development with access to, or planned access to reticulated water infrastructure and sewerage infrastructure – SD = 0
  - (ii) Developments with no access or planned access to reticulated water infrastructure – **SD = 10%;**
  - (iii) Developments with no access or planned access to reticulated sewerage infrastructure – **SD = 20%;**
  - (iv) Developments with no access or planned access to reticulated water infrastructure and sewerage infrastructure – **SD = 30%.**

## 5.3. Credits

- (a) Section 120 of the PA provides that a levied charge may be only for additional demand placed upon trunk infrastructure that the development will generate. Subject to section 5.3(b) below, in working out additional demand the demand on trunk infrastructure generated by the following must not be included:
- (i) An existing use on the premises, if the use is lawful and already taking place on the premises;
  - (ii) A previous use that is no longer taking place on the premises, if the use was lawful at the time it was carried out;
  - (iii) Other development on the premises if the development may be lawfully carried out without the need for a further development permit.
- (b) The demand generated by:
- (i) A use or development stated in section 5.3(a)(i) and 5.3(a)(ii) may be included in a levied charge if an infrastructure requirement that applies, or applied to the use or development, has not been complied with; and
  - (ii) Development stated in section 5.3(a)(iii) may be included in a levied charge if an infrastructure requirement applies to the premises on which the development will be carried

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

- (c) To ensure that only additional demand is levied as part of a charge, a credit (C) will be applied to a levied charge, as calculated in accordance with section 5.3.1.
- (d) The credit amount applied to the calculation of the Levied Charge (LC) at 5.3.1 cannot be greater than the adopted charge taking into account any service discounts, i.e.  $C \leq (AC \times (1 - SD))$ .

#### **5.3.1. Calculating a credit**

- (a) The credit (C) amount to be applied to the calculation will be determined as per the below method.
  - (i) Where the premises is subject to an existing lawful use taking place on the premises (as per 5.3(a)(i)), or a previous lawful use that is no longer taking place (as per 5.3(a)(ii)), the greater of the following:
    - i. The same calculation method as  $AC_{MCU}$  at section 5.1.1 including any applicable service discount as per section 5.2; or
    - ii. The amount of previously paid contributions or infrastructure charges for development of the premises.
  - (ii) For other development on the premises, if the development may be lawfully carried out without the need for a further development permit (as per 5.3(a)(iii)), the greater of the following:
    - i. The same calculation method as  $AC_{MCU}$  at section 5.1.1 for the use including any applicable service discount as per section 5.2; or
    - ii. The same calculation method as  $AC_{ROL}$  at section 5.1.2 including any applicable service discount as per section 5.2; or
    - iii. The amount of previously paid contributions or infrastructure charges for development of the premises.
  - (iii) For other development on the premises that requires a further development permit, the Applicant may seek a credit for previously paid contributions or infrastructure charges relating to the premises, where there has been no increase in demand for infrastructure as a result of the use of the premises.
- (b) Where the applicant is seeking a credit to be calculated based on an amount of previously paid contributions or infrastructure charges, the onus is on the Applicant to provide all necessary information to support their request. In calculating the credit, previously paid contributions or infrastructure charges that are eligible to be used in the calculation will be subject to indexation in using the CPI (Consumer Price Index – Brisbane), adjusted to the 3-yearly CPI moving average quarterly percent change, for the period:
  - (i) starting on the day of the contribution or infrastructure charge was previously paid; and
  - (ii) the day of the current calculation.

## **6. Automatic increase provision**

- (a) The levied charge may be increased after the charge is levied and before the levied charge is paid to the local government, provided the charge does not exceed the maximum adopted charge that the local government could have levied for the development when the charge is paid.
- (b) Council will calculate the increase using the PPI (Road & Bridge Construction Index – Queensland, index 3101), adjusted to the 3-yearly PPI moving average quarterly percent change, for the period:
  - (i) starting on the day the levied charge was levied; and
  - (ii) ending on the day the charge is paid.
- (c) Council will calculate the automatic increase based on the DILGP – PPI index calculation spreadsheet, available at: <http://www.dilgp.qld.gov.au/resources-ilgp/forms-templates-checklists/infrastructure-charges.html> or an equivalent method developed by Mackay Regional Council.

## **7. Establishment costs**

- (a) For trunk infrastructure subject of a necessary infrastructure condition that is the same as infrastructure identified in the LGIP, the establishment cost will be as identified in the LGIP or as recalculated in accordance with section 7.1 of this resolution.
- (b) Where the trunk infrastructure subject of a necessary trunk infrastructure condition is different to the infrastructure identified in the LGIP or is not identified, the establishment cost will be calculated in accordance with section 7.1 of this resolution.
- (c) The establishment cost will be stated in the Infrastructure Charges Notice (ICN), except where the Applicant has notified the local government in writing under section 121(2) PA that the information stated in section 121(1)(f) is not required.

### **7.1. Calculating establishment cost**

- (a) This section provides the method that local government will use to calculate the establishment cost for trunk infrastructure for the purposes of section 116 of the PA, for working out the cost of trunk infrastructure that is the subject of an offset or refund.
- (b) The local government will calculate the establishment cost using the following methods as appropriate:
  - (i) A first principles estimate for the cost of designing, constructing and commissioning the trunk infrastructure based on the scope of works and bill of quantities; or
  - (ii) A contract price method which determines the establishment cost for the supply of the trunk infrastructure based on the scope of works using an open tender process.
- (c) The establishment cost calculated at paragraph 7.1(b) is the establishment cost of the trunk infrastructure that is works.
- (d) The local government will appoint a certified practicing valuer at its cost to prepare a valuation of the trunk infrastructure that is land. The valuer will apply the valuation methodology in accordance with sections 7.2.4(b) to (e).

- (e) The amount of the valuation referred to in paragraph 7.1(d) is the establishment cost of the trunk infrastructure that is land.

## **7.2. Recalculating establishment cost**

- (a) This section outlines the method in accordance with section 116 of the PA for recalculating the establishment cost of trunk infrastructure for an offset or refund included in an ICN where the Applicant does not agree with the amount of the establishment cost that is the subject of the offset or refund.

### **7.2.1. When this section applies**

- (a) In accordance with section 137 of the PA, the Applicant can require the local government to recalculate the establishment cost, where:
  - (i) A development approval requires the applicant to provide trunk infrastructure; and
  - (ii) The local government has given the applicant an ICN that includes information about an offset or refund under this part relating to the establishment cost of the trunk infrastructure; and
  - (iii) The applicant does not agree with the amount of the establishment cost.

### **7.2.2. Applicant gives notice**

- (a) The Applicant must provide a notice to the local government under section 137(2) of the PA, before the levied charge under the ICN becomes payable in accordance with the ICN, requiring the local government to recalculate the establishment cost of trunk infrastructure using the method in this resolution.

### **7.2.3. Method for infrastructure that is works**

- (a) The Applicant must at their cost, submit to the local government a proposed revised establishment cost using one of the following methods:
  - (i) A cost estimate for the works based on a first principles estimate for the cost of designing, constructing and commissioning the trunk infrastructure based on the scope of works and the bill of quantities; or
  - (ii) A contract price method which determines the establishment cost for the supply of the trunk infrastructure based on the scope of works using an open tender process; or
  - (iii) By agreement between both parties.
- (b) For the method identified in 7.2.3(a)(i), the following applies:
  - (i) The local government must provide to the Applicant the scope of works.
  - (ii) The local government will review the proposed *bill of quantities* against the scope of works and the *cost estimate* for the works;
  - (iii) If the local government accepts the proposed *bill of quantities* and *cost estimate*, the *cost estimate* is the establishment cost for the infrastructure that is works.

- (iv) If the local government does not accept the proposed *bill of quantities* and the *cost estimate*, the local government will notify the Applicant in writing that it will have an assessment undertaken at its own cost by an appropriately qualified person to:
  - i. Determine whether the bill of quantities is in accordance with the scope of works;
  - ii. Determine whether the costs estimate is consistent with current market costs calculated by applying a first principles estimating approach to the bill of quantities; and
  - iii. Provide an amended cost estimate using a first principles estimating approach.
- (v) Council will provide the assessment undertaken under 7.2.3(b)(iv) to the Applicant for consideration to negotiate the cost estimate;
- (vi) If agreement is reached about the cost estimate, the agreed cost estimate is the establishment cost for the infrastructure that is works.
- (vii) If agreement is not reached, the local government will consult with the Applicant to appoint an independent qualified person to:
  - i. Determine whether the bill of quantities is in accordance with the scope of works;
  - ii. Determine whether the cost estimate is consistent with current market costs calculated by applying a first principles estimating approach to the bill of quantities; and
  - iii. Provide an amended cost estimate using a first principles estimating approach.
- (viii) Where an independent qualified person is required to be appointed, the costs will be shared equally between the Applicant and the local government;
- (ix) Following the receipt of the amended cost estimate, the value of the amended cost estimate is the establishment cost for the infrastructure that is works.
- (c) For the method identified in 7.2.3(a)(ii), the following applies:
  - (i) The proposed open tender methodology and process for assessment is to be accepted by Council prior to being undertaken by the Applicant;
  - (ii) Prior to entering into any contract for the trunk infrastructure, the Applicant is to provide Council a summary of their open tender process and assessment and identify their preferred tenderer outlining the reasons for their preference and a copy of the terms of the proposed work contract;
  - (iii) Where Council accepts the preferred tenderer, the preferred tender amount for the trunk infrastructure is the establishment cost for the infrastructure that is works;
  - (iv) Where Council does not accept the preferred tender, reasons will be provided in writing to the Applicant and the Applicant can either re-assess their preferred tenderer at 7.2.3(b)(c)(ii), restart the tender process or undertake a different method (see 7.2.3(a)).

- (d) For the method identified in 7.2.3(a)(iii)(ii), the following applies:
  - (i) The Applicant and Council enter into a written agreement, to the satisfaction of both parties, about the establishment cost for the infrastructure that is works.

#### **7.2.4. Method for infrastructure that is land**

- (a) For trunk infrastructure that is land, the Applicant at their own cost must provide to the local government a *valuation* for the specified land in accordance with the following requirements:
  - (i) The *valuation* must be prepared by a *certified practicing valuer*;
  - (ii) The *certified practicing valuer* must act professionally as a neutral and independent expert;
  - (iii) The *certified practising valuer* is to provide to Council evidence of their current certification with the Australian Property Institute.
- (b) If the land infrastructure has been identified in the LGIP – a valuation must be undertaken to determine the market value that would have applied on the day the development application, which is the subject of a condition to provide trunk infrastructure, first became properly made.
- (c) If the land infrastructure has not been identified in the LGIP – a valuation must be undertaken to determine the market value that would have applied on the day the development application that resulted in a condition to provide trunk infrastructure was approved.
- (d) The *valuation* of land infrastructure must be undertaken using the before and after method of valuation by:
  - (i) Determining the value of the original land before any land is transferred to a local authority;
  - (ii) Determining the value of the remaining land that will not be transferred to a local authority; and
  - (iii) Subtracting the value determined for the remaining land that will not be transferred to a local authority from the value determined for the original land.
- (e) A supporting *valuation report* must be provided as part of the *valuation*. The *valuation report* must:
  - (i) Include supporting information regarding the highest and best use of the land which the valuer has relied on to form an opinion about the value;
  - (ii) Identify the area of land that is above the Q100 (1% AEP) flood level and the area that is below the Q100 (1% AEP) flood level;
  - (iii) Identify and consider all other real and relevant constraints including:
    - i. vegetation protection;
    - ii. ecological values including riparian buffers and corridors;
    - iii. stormwater or drainage corridors;
    - iv. slope;

- v. bushfire and landslide hazards;
  - vi. heritage
  - vii. airport environs;
  - viii. coastal erosion;
  - ix. extractive resources;
  - x. flooding;
  - xi. land use buffer requirements;
  - xii. tenure related constraints; and
  - xiii. restrictions such as easements, leases, licences and other dealings whether or not registered on title; and
  - xiv. contain relevant sales evidence and clear analysis of how those sales and any other information was relied upon in forming the valuation assessment
- (f) The local government will review the valuation of the land and the supporting valuation report;
  - (g) If the local government accepts the valuation, the value will be the establishment cost of the infrastructure that is land;
  - (h) If the local government does not accept the valuation provided by the Applicant, the local government must engage an alternate certified practicing valuer, at its own cost, to prepare an alternate valuation and alternate valuation report in accordance with the same requirements identified in section 7.2.4(d) and (e).
  - (i) Council will provide the Applicant with a copy of the alternate valuation and alternate valuation report for consideration to negotiate any outstanding matters relating to the alternate valuation;
  - (j) If agreement is reached about the alternate valuation, then the agreed value will be the establishment cost of the infrastructure that is land;
  - (k) If agreement is not reached in relation to the value of the land, the Council will consult with the Applicant to appoint an independent certified practicing valuer to prepare an independent valuation and independent valuation report. The independent valuation must be prepared in accordance with the requirements identified in section 7.2.4(d) and 7.2.4(e).
  - (l) Where an independent certified practicing valuer is required to be appointed, the costs will be shared equally between the Applicant and the local government.
  - (m) Following the receipt of the independent valuation and independent valuation report, the value of the independent valuation will be the establishment cost of the land.

#### **7.2.5. Amended Infrastructure Charges Notice**

- (a) Following the recalculation of the establishment cost, Council will issue an amended ICN. The amended ICN will state the following:

- (i) The value of the establishment cost of the infrastructure which has been indexed to the date stated in the amended ICN;
- (ii) That the establishment cost of the infrastructure stated in the amended ICN is indexed from the date that it is stated in the amended ICN to the date it is to be offset against the levied charge. Indexation will be calculated using the same method as the automatic increase provision in section 6, for the relevant indexation period. If the indexation period includes any period prior to September 1998, (commencement of the PPI – Road & Bridge Construction Index, Queensland), the CPI Brisbane index will be used in the calculation for that part of the period.

### **7.3. Indexation of establishment cost**

- (a) The establishment cost will be subject to indexation from the date of the ICN.
- (b) Indexation will be calculated using the same method as the automatic increase provision in section 6, for the relevant indexation period. If the indexation period includes any period prior to September 1998, (commencement of the PPI – Road & Bridge Construction Index, Queensland), the CPI Brisbane index will be used in the calculation for that part of the period.

### **7.4. Determining the establishment cost by agreement**

- (a) Where the Applicant has notified the local government in writing under section 121(2) PA that the information stated in section 121(1)(f) is not required, the establishment cost may be determined in accordance with section 7.2.3 and 7.2.4 or an alternate methodology that is agreed between the Applicant and Council.

## **8. Refund payment timing**

- (a) To better integrate Council's land use and infrastructure planning and to implement the funding of trunk infrastructure in a financially sustainable manner, the timing of any refunds will be undertaken in accordance with this part of the resolution.

### **8.1. Refund eligibility**

- (a) Trunk infrastructure that is subject to an offset or refund, as identified in the ICN will be eligible for a refund payment:
  - (i) If the establishment cost of the trunk infrastructure required to be provided under the development approval is more than the levied charge for the development;
  - (ii) The trunk infrastructure that is works, has been completed in accordance with the requirements of the development approval and accepted 'on-maintenance' by Mackay Regional Council;
  - (iii) The trunk infrastructure that is land, has transferred to Council or is dedicated as reserve; and
  - (iv) An offset has been applied to the levied charge in relation to the development approval.

### **8.2. Refund payments**

- (a) The payment timing and scope of the eligible refund payment will be determined based on the following:

- (i) Where the scope of the subject works is consistent with the LGIP, or the scope is different but delivers the same standard of service as identified in the LGIP and is completed no earlier than identified in the LGIP –
  - i. For works having an establishment cost up to, or equal to \$3m – refund payment by 31 December of the financial year following the works being accepted ‘on-maintenance’;
  - ii. For works having an establishment greater than \$3m – two equal refund payments to be made annually over two financial years by 31 December in each financial year commencing in the financial year following the works being accepted ‘on-maintenance’.
- (ii) Where the scope of the subject works is consistent with the LGIP, or the scope is different but delivers the same standard of service as the LGIP and if required, an extra payment condition about a bring forward cost in relation to the works has been paid –
  - i. For works having an establishment cost up to, or equal to \$3m – refund payment by 31 December of the financial year following the works being accepted ‘on-maintenance’;
  - ii. For works having an establishment greater than \$3m – two equal refund payments to be made annually over two financial years by 31 December in each financial year commencing in the financial year following the works being accepted ‘on-maintenance’.
- (iii) Where the subject works have not been identified in the LGIP –
  - i. For works having an establishment cost up to, or equal to \$3m – refund payment in by 31 December in the financial year that Council estimates that the infrastructure would have been planned to be provided;
  - ii. For works having an establishment greater than \$3m –two equal refund payments to be made annually over two financial years by 31 December in each financial year commencing in the financial year that Council estimates that the infrastructure would have been planned to be provided.

### **8.3. Indexation of refund**

- (a) Any outstanding refund payments that have not yet been paid by Council to the Applicant will be subject to indexation, calculated between the time of the subject works being accepted ‘on maintenance’ and the time of the refund payment by Council is due.
- (b) Indexation will be calculated using the same method as the provisions in section 5.3.1(b).

## **9. Trunk conversions**

- (a) This section outlines:
  - (i) The process to apply for a conversion application where non-trunk infrastructure has been conditioned as part of a development application and the Applicant considers the non-trunk infrastructure to be trunk infrastructure; and

- (ii) The criteria for deciding a conversion application.

#### **9.1. Application to convert non-infrastructure to trunk infrastructure**

- (a) An application to convert particular non-trunk infrastructure to trunk infrastructure may be made to the Council only where the following applies:
  - (i) The Council has required non-trunk infrastructure to be provided in a particular condition of a development approval under section 145 of the PA; and
  - (ii) The construction of the non-trunk infrastructure has not started; and
  - (iii) The conversion application is made in writing to council, within one (1) year after the development approval starts to have effect, in accordance with section 139 of the PA.
- (b) When Council is deciding the application, Council must consider the decision criteria outlined in section 9.2 below, and section 140 and 141 of the PA.

#### **9.2. Criteria for deciding conversion application**

- (a) Under section 117 of the PA, the criteria that must be considered by Council when deciding a conversion application made under section 139 of the PA is outlined below:
  - (i) The infrastructure services premises in an area which is intended to be serviced with development infrastructure networks and that will accommodate growth up to 2031;
  - (ii) The infrastructure has capacity to service other developments in the area;
  - (iii) The function and purpose of the infrastructure is consistent with other trunk development infrastructure identified in the LGIP;
  - (iv) The infrastructure is not consistent with non-trunk infrastructure for which conditions may be imposed in accordance with section 145 of the PA;
  - (v) The type, size and location of the infrastructure is the most cost-effective option for servicing multiple users in the area; and
  - (vi) The infrastructure is consistent with the desired standards of service.

##### **9.2.1. Most cost-effective option**

- (a) The most cost effective option referred to at 9.29.2(a)(v) is the least cost option based upon the life cycle cost of the infrastructure required to service future urban development in the area at the desired standard of service.

## **10. Dictionary**

- (a) Where words and terms used in this resolution have the meaning given in the PA or the Minister's Guidelines and Rules or the Mackay Region Planning Scheme.
- (b) The following terms have specific meaning, as follows:
  - (i) *Amended ICN* – is the amended infrastructure charges notice issued after the recalculation of the establishment cost in accordance with this resolution.

- (ii) *Annual Exceedance Probability (AEP)* – is the probability of the occurrence of a flood of a given discharge within a period of one year, generally expressed as a percentage.
- (iii) *Alternate certified practicing valuer* – the *certified practicing valuer* engaged by Council to prepare the *alternate valuation*.
- (iv) *Alternate valuation* – The value of establishment cost that is land, determined by the *alternate certified practicing valuer*.
- (v) *Alternate valuation report* – the report prepared by the *alternative certified practicing valuer*.
- (vi) *Amended cost estimate* – the estimate prepared by the appropriately qualified person.
- (vii) *Bill of quantities* – defines the scope of the infrastructure requirements based on the *scope of works* with sufficient detail to enable the preparation of the cost estimate for the infrastructure that is works,
- (viii) *Certified practicing valuer* – the *certified practicing valuer* engaged by the Applicant to prepare the *valuation*.
- (ix) *Cost estimate* – the estimate of the value of the establishment cost for infrastructure that is works based on the *first principles estimate*.
- (x) *First principles estimate* – the method used to determine the *cost estimate* using the market cost of infrastructure items using the *bill of quantities*.

The following items may be included in the *first principles estimate*:

- i. Design costs to facilitate the construction;
- ii. Construction costs at applicable market rates;
- iii. Contingency in accordance with Mackay Regional Council's *Cost Estimating Manual*;
- iv. Project owners' costs including project management, contract management and relevant approvals.

The following items cannot be included in the *first principles estimate*:

- i. GST, unless otherwise agreed
- (xi) *Impervious area* – an area within a site which does not allow natural infiltration of rainfall to the underlying soil and the majority of rainfall would become runoff. For example, roadways, car parks, footpaths, roofed area, hardstand area (sealed and unsealed), compacted and other such spaces.
- (xii) *Independent certified practicing valuer* – the *certified practicing valuer* engaged in consultation by Council and the Applicant to prepare the *independent valuation*.
- (xiii) *Independent valuation* – the value of establishment cost that is land, determined by the *independent certified practicing valuer*.

- (xiv) *Independent valuation report* – the report prepared by the *independent certified practicing valuer*.
- (xv) *ICN* - means the infrastructure charges notice, amended infrastructure charges notice, negotiated notice, or an infrastructure charges notice mentioned in section 301 of the Planning Act 2016, that applies to the development approval.
- (xvi) *Infrastructure requirement* – an infrastructure charges notice, or a condition of a development approval, that requires infrastructure or a payment in relation to demand on trunk infrastructure.
- (xvii) *LGIP* – means the Local Government Infrastructure Plan as adopted in the Mackay Region Planning Scheme 2017.
- (xviii) *Scope of works* – the required works for the trunk infrastructure including the standard to which the trunk infrastructure is to be provided and the location of the trunk infrastructure that does not include:
  - i. Non-trunk infrastructure;
  - ii. Works that are a requirement of an extra payment condition;
  - iii. Decommissioning, removal and rehabilitation of infrastructure not made necessary in the delivery of the *scope of works*; and
  - iv. Temporary works that are not made necessary in the delivery of the *scope of works*.
- (xix) *Valuation* – the value of establishment cost that is land, determined by the *certified practicing valuer*.
- (xx) *Valuation report* – the report prepared by the *certified practicing valuer*.

## Schedule 1 – Adopted infrastructure charges for Mackay Region Planning Scheme 2017

Column 1  Adopted infrastructure charge category	Column 2  Use	Column 3	
		Adopted infrastructure charge	Adopted infrastructure charges for stormwater network
<b>Residential</b>	<ul style="list-style-type: none"> <li>• Dwelling house</li> <li>• Dual occupancy</li> </ul>	\$21,590.50 per dwelling unit for a 1 or 2 bedroom dwelling	N/A
	<ul style="list-style-type: none"> <li>• Caretaker's accommodation</li> <li>• Multiple dwelling</li> <li>• Dwelling unit</li> </ul>	\$30,226.70 per dwelling unit for a 3 or more bedroom dwelling	N/A
<b>Accommodation (short term)</b>	<ul style="list-style-type: none"> <li>• Hotel</li> </ul>	For a tent or caravan site in a Tourist park or as part of Nature-based tourism: \$ \$5,037.77 for each tent/caravan site	N/A
	<ul style="list-style-type: none"> <li>• Short-term accommodation</li> <li>• Resort complex</li> <li>• Tourist park</li> <li>• Nature-based tourism</li> </ul>	For a cabin in a Tourist park or as part of Nature-based tourism:  \$10,795.20 per cabin with 1 or 2 bedrooms  \$15,113.30 per cabin with 3 or more bedrooms	
		For a hotel or short-term accommodation:  \$10,795.20 per suite with 1 or 2 bedrooms  \$15,113.30 per suite with 3 or more bedrooms  \$10,795.20 per bedroom when not within a suite	

Column 1  Adopted infrastructure charge category	Column 2  Use	Column 3	
		Adopted infrastructure charge	Adopted infrastructure charges for stormwater network
<b>Accommodation (long term)</b>	<ul style="list-style-type: none"> <li>• Community residence</li> <li>• Relocatable home park</li> <li>• Retirement facility</li> <li>• Rooming accommodation</li> <li>• Rural workers' accommodation</li> </ul>	For a community residence or retirement facility:  \$21,590.50 per suite with 1 or 2 bedrooms  \$30,226.70 per suite with 3 or more bedrooms  \$21,590.50 per bedroom when not within a suite	N/A
		For a relocatable home park:  \$21,590.50 per relocatable dwelling site with 1 or 2 bedrooms  \$30,226.70 per relocatable dwelling site with 3 or more bedrooms	N/A
		For rooming accommodation or rural workers' accommodation:  \$21,590.50 per suite with 1 or 2 bedrooms  \$30,226.70 per suite with 3 or more bedrooms	N/A
<b>Places of assembly</b>	<ul style="list-style-type: none"> <li>• Club</li> <li>• Community use</li> <li>• Function facility</li> <li>• Funeral parlour</li> <li>• Place of worship</li> </ul>	\$75.60 per m <sup>2</sup> of Gross Floor Area (GFA)	\$10. 80 per impervious m <sup>2</sup>
<b>Commercial (bulk goods)</b>	<ul style="list-style-type: none"> <li>• Agricultural supplies store</li> <li>• Bulk landscape supplies</li> <li>• Garden centre</li> <li>• Hardware and trade supplies</li> <li>• Outdoor sales</li> <li>• Showroom</li> </ul>	\$151.15 per m <sup>2</sup> of GFA	\$10. 80 per impervious m <sup>2</sup>

Column 1  Adopted infrastructure charge category	Column 2  Use	Column 3	
		Adopted infrastructure charge	Adopted infrastructure charges for stormwater network
<b>Commercial (retail)</b>	<ul style="list-style-type: none"> <li>• Adult store</li> <li>• Food and drink outlet</li> <li>• Service station</li> <li>• Shop</li> <li>• Shopping centre</li> </ul>	\$194.30 per m <sup>2</sup> of GFA	\$10. 80 per impervious m <sup>2</sup>
<b>Commercial (office)</b>	<ul style="list-style-type: none"> <li>• Office</li> <li>• Sales office</li> </ul>	\$151.15 per m <sup>2</sup> of GFA	\$10. 80 per impervious m <sup>2</sup>
<b>Education facility</b>	<ul style="list-style-type: none"> <li>• Child care centre</li> <li>• Community care centre</li> <li>• Educational establishment</li> </ul>	\$151.15 per m <sup>2</sup> of GFA  No charge for an educational establishment for the Flying Start for Qld Children program	\$10. 80 per impervious m <sup>2</sup>
<b>Entertainment</b>	<ul style="list-style-type: none"> <li>• Bar</li> <li>• Hotel (non-residential component)</li> <li>• Nightclub entertainment facility</li> <li>• Theatre</li> <li>• Party house</li> </ul>	\$215.90 per m <sup>2</sup> of GFA	\$10. 80 per impervious m <sup>2</sup>
<b>Indoor sport and recreational facility</b>	<ul style="list-style-type: none"> <li>• Indoor sport and recreation</li> </ul>	\$215.90 per m <sup>2</sup> of GFA, court areas at \$21.55 per m <sup>2</sup> of GFA	\$10. 80 per impervious m <sup>2</sup>
<b>Industry</b>	<ul style="list-style-type: none"> <li>• Low impact industry</li> <li>• Medium impact industry</li> <li>• Research and technology industry</li> <li>• Rural industry</li> <li>• Warehouse</li> <li>• Marine industry</li> </ul>	\$54.00 per m <sup>2</sup> of GFA	\$10. 80 per impervious m <sup>2</sup>

Column 1  Adopted infrastructure charge category	Column 2  Use	Column 3	
		Adopted infrastructure charge	Adopted infrastructure charges for stormwater network
	<ul style="list-style-type: none"> <li>• Car Wash</li> </ul>		
<b>High impact industry</b>	<ul style="list-style-type: none"> <li>• High impact industry</li> <li>• Special industry</li> <li>• Service industry</li> <li>• Transport depot</li> </ul>	\$75.60 per m <sup>2</sup> of GFA	\$10. 80 per impervious m <sup>2</sup>
<b>Low impact rural</b>	<ul style="list-style-type: none"> <li>• Animal husbandry</li> <li>• Cropping</li> <li>• Permanent plantations</li> </ul>	Nil Charge	
<b>High impact rural</b>	<ul style="list-style-type: none"> <li>• Aquaculture</li> <li>• Intensive animal industries</li> <li>• Intensive horticulture</li> <li>• Wholesale nursery</li> <li>• Winery</li> </ul>	\$21.55 per m <sup>2</sup> of GFA	N/A
<b>Essential services</b>	<ul style="list-style-type: none"> <li>• Emergency services</li> <li>• Health care services</li> <li>• Hospital</li> <li>• Residential care facility</li> <li>• Veterinary services</li> </ul>	\$151.15 per m <sup>2</sup> of GFA	\$10.80 per impervious m <sup>2</sup>
<b>Specialised uses</b>	<ul style="list-style-type: none"> <li>• Air services</li> <li>• Animal Keeping</li> <li>• Brothel</li> <li>• Crematorium</li> <li>• Detention facility</li> <li>• Extractive industry</li> <li>• Environment facility</li> <li>• Major sport, recreation and entertainment facility</li> </ul>	The maximum adopted infrastructure charge is the charge (in column 3) for the charge category (in column 1) (other than this row) that the local government determines should apply for the use at the time of assessment.	

Column 1  Adopted infrastructure charge category	Column 2  Use	Column 3	
		Adopted infrastructure charge	Adopted infrastructure charges for stormwater network
	<ul style="list-style-type: none"> <li>• Major electricity infrastructure</li> <li>• Motor sport facility</li> <li>• Non-resident workforce accommodation</li> <li>• Outdoor sport and recreation</li> <li>• Outstation</li> <li>• Parking station</li> <li>• Port services</li> <li>• Renewable energy facility</li> <li>• Tourist attraction</li> <li>• Utility Installation</li> </ul>		
Minor uses	<ul style="list-style-type: none"> <li>• Cemetery</li> <li>• Home-based business</li> <li>• Landing</li> <li>• Market</li> <li>• Park</li> <li>• Roadside stall</li> <li>• Telecommunications facility</li> </ul>	Nil charge	
Any other use	A use not otherwise listed in column 2, including a use that is unknown because the development application does not specify a proposed use	The maximum adopted infrastructure charge is the charge (in column 3) for the charge category (in column 1) (other than this row) that the local government determines should apply for the use at the time of assessment.	

## Schedule 2 – Superseded planning scheme use categories and SPRP (adopted charges) charge categories

Superseded planning scheme use categories			Equivalent SPRP (adopted charge) categories – Schedule 1	
Column 1 Mackay City Planning Scheme 2006	Column 2 Sarina Shire Planning Scheme 2005	Column 3 Mirani Shire Plan 2007	Column 4 Use	Column 5 Adopted infrastructure charge category
Dwelling house	Dwelling house	Dwelling house	<b>Dwelling house</b>	<b>Residential</b>
Dependent person's accommodation	Relative's apartment	Dependent person's accommodation	<b>Dwelling unit</b>	
Residential storage shed	Second house Dwelling House (Outbuildings)	Oversized shed(s)		
Dual occupancy	Dual occupancy	Dual occupancy	<b>Dual occupancy</b>	
Caretaker's residence	Caretaker's residence	N/A	<b>Caretaker's accommodation</b>	
Multiple dwelling units	Multiple dwelling (town house, unit, apartment)	Multiple dwelling units	<b>Multiple dwelling</b>	
Hotel (accommodation component)	Licensed premises (accommodation component) Motel	Licensed premises (accommodation component)	<b>Hotel</b>	<b>Accommodation (short term)</b>
Accommodation units (temporary accommodation) Motel	Host home accommodation Motel Rural tourist facility (accommodation component)	Tourist accommodation	<b>Short-term accommodation</b>	
Caravan park (temporary accommodation) Tourist facility (including accommodation)	Caravan park (temporary accommodation) Camping ground	Tourist accommodation Caravan park	<b>Tourist park</b>	

Superseded planning scheme use categories			Equivalent SPRP (adopted charge) categories – Schedule 1	
Column 1 Mackay City Planning Scheme 2006	Column 2 Sarina Shire Planning Scheme 2005	Column 3 Mirani Shire Plan 2007	Column 4 Use	Column 5 Adopted infrastructure charge category
N/A	N/A	Accommodation units (works camp)	<b>Non-resident workforce accommodation</b>	
Accommodation units (permanent accommodation)	N/A	Accommodation units	<b>Community residence</b>	<b>Accommodation (long term)</b>
Accommodation units (permanent accommodation)	Multiple dwelling (hostel)	Accommodation units	<b>Rooming accommodation</b>	
Caravan park (permanent accommodation)	Caravan park (permanent accommodation)	N/A	<b>Relocatable home park</b>	
Accommodation units (permanent accommodation)	Multiple dwelling (retirement village)	Retirement housing (independent living)	<b>Retirement facility</b>	
N/A	N/A	Accommodation units	<b>Rural workers' accommodation</b>	
Indoor entertainment (Club)	Indoor entertainment (Club)  Licensed premises	Indoor recreation and entertainment (Club)  Licensed premises	<b>Club</b>	<b>Places of assembly</b>
Local community facility  Educational establishment (art gallery, cultural centre, museum, library, lecture hall)	Community facilities (community hall or centre, senior citizens centre, youth centre,)  Indoor entertainment (museum)	Community facilities (community centre / hall, library, museum)	<b>Community use</b>	
Indoor entertainment (convention centre)	Indoor entertainment (exhibition centre)  Licensed premises	Indoor recreation and entertainment (Convention centre)	<b>Function facility</b>	

Superseded planning scheme use categories			Equivalent SPRP (adopted charge) categories – Schedule 1	
Column 1 Mackay City Planning Scheme 2006	Column 2 Sarina Shire Planning Scheme 2005	Column 3 Mirani Shire Plan 2007	Column 4 Use	Column 5 Adopted infrastructure charge category
Cemetery (chapel, columbarium)  Commercial premises	Community facilities	Community facilities	Funeral parlour	
Place of worship	Community facilities (church, chapel, synagogue, temple)	Community facilities (place of worship)	Place of worship	
N/A	N/A	Rural business	Agricultural supplies store	Commercial (bulk goods)
Bulk landscape supplies	Warehouse (bulk landscaping supply)	Building or landscape supplies	Bulk landscape supplies	
Plant nursery (retail)	Plant nursery (retail)	Plant nursery (retail)	Garden centre	
Hardware store	Commercial premises (hardware)	Hardware shop	Hardware and trade supplies	
Outdoor sales premises  Vehicle hire	Vehicle showroom (where outdoors)	Outdoor sales premises	Outdoor sales	
Retail showroom  Machinery and vehicle sales showroom	Vehicle showroom (where indoors)	N/A	Showroom	
Shop	Commercial premises (adult store)	Shop/Shopping centre	Adult store	Commercial (retail)
Catering Shop	Commercial premises (restaurant, cafe)	Restaurant	Food and drink outlet	
Service industry	Industry (low impact)	Light industry	Service industry	
Service station	Service station	Service station	Service station	
Shop	Commercial premises (shop, detached bottle shop, local store, hairdressers, pharmacy)	Shop/Shopping centre	Shop	
Shopping centre	Commercial premises	Shop/Shopping centre	Shopping centre	

Superseded planning scheme use categories			Equivalent SPRP (adopted charge) categories – Schedule 1	
Column 1  Mackay City Planning Scheme 2006	Column 2  Sarina Shire Planning Scheme 2005	Column 3  Mirani Shire Plan 2007	Column 4  Use	Column 5  Adopted infrastructure charge category
Commercial premises	Commercial premises (professional offices)	Office building	Office	Commercial (office)
N/A	N/A	N/A	Sales office	
Child care centre	Community facilities (child care centre)	Community facilities (child care facilities)	Child care centre	Education facility
Local community facility	Community facilities	Community facilities	Community care centre	
Educational establishment (school, college, university, sheltered workshop)	Community facilities (school, college, university and other learning facilities)	Community facilities (educational facilities)	Educational establishment	
Hotel (non-residential component)	Licensed premises (non-accommodation component)	Licensed premises	Hotel (non-residential component)	Entertainment
Indoor entertainment (theatre)	Indoor entertainment (cinemas)	Indoor recreation and entertainment (cinema)	Theatre	
Hotel	Nightclub	Licensed premises	Nightclub	
Sport and recreation (where indoors)  Indoor entertainment (amusement parlour, gymnasium)	Indoor entertainment (amusement centres, indoor sporting centres, gymnasiums)	Indoor recreation and entertainment (amusement parlour or centre, indoor bowling, cinema, gymnasium, or sport and fitness centre, theatres)  Sport and recreation (where indoors)	Indoor sport and recreation	Indoor sport and recreational facility
Car repair workshop	Industry (low impact)	Repair workshop	Low impact industry	Industry
N/A	Industry (medium impact)	Commercial vehicle parking  Special purpose (depot or workshop facility)	Medium impact industry	

Superseded planning scheme use categories			Equivalent SPRP (adopted charge) categories – Schedule 1	
Column 1 Mackay City Planning Scheme 2006	Column 2 Sarina Shire Planning Scheme 2005	Column 3 Mirani Shire Plan 2007	Column 4 Use	Column 5 Adopted infrastructure charge category
Transport depot Heavy vehicle parking	Transport depot	Commercial vehicle parking	Transport depot	
N/A	N/A	N/A	Research and technology industry	
Rural industry	N/A	Rural industry	Rural industry	
Warehouse Bulk store	Warehouse Self-storage	Warehouse	Warehouse	
Maritime Services	N/A	N/A	Marine Industry	
Noxious, offensive or hazardous industries	N/A	Noxious or hazardous industry	Special industry	High impact industry
General industry Concrete batching plant Junk yard	Industry (high impact)	General industry External storage yard	High impact industry	
Animal husbandry (excluding depasturing or stabling)	Animal husbandry (excluding depasturing or stabling)	Animal husbandry (excluding depasturing or stabling)	Animal husbandry	
Agriculture	Agriculture	Agriculture	Cropping	Low impact rural
Forestry	Agriculture	Forest plantation	Permanent plantations	
N/A	N/A	N/A	Renewable energy facility	
Aquaculture	Aquaculture (minor impact) Aquaculture (significant impact)	Aquaculture	Aquaculture	High impact rural
Intensive animal husbandry Stockyard Animal husbandry (including depasturing or stabling)	Intensive animal industry Animal husbandry (including depasturing or stabling)	Intensive animal husbandry Animal husbandry (including depasturing or stabling) Stock saleyard	Intensive animal industries	

Superseded planning scheme use categories			Equivalent SPRP (adopted charge) categories – Schedule 1	
Column 1 Mackay City Planning Scheme 2006	Column 2 Sarina Shire Planning Scheme 2005	Column 3 Mirani Shire Plan 2007	Column 4 Use	Column 5 Adopted infrastructure charge category
Agriculture	Agriculture	Agriculture	Intensive horticulture	
Plant nursery (wholesale)	Plant nursery (wholesale)	Plant nursery (wholesale)	Wholesale nursery	
Agriculture	Agriculture	Agriculture	Winery	
Special purpose	Community facilities (ambulance station, fire brigade, police station, emergency services depot)	Special purposes	Emergency services	Essential services
Public utility	Utility local Utility public	Major utility	Substation	
Special purpose Health care centre	Commercial premises (Medical clinic, pharmacy)	Health care centre	Health care services	
Hospital	Community facilities (hospital)	Community facilities (hospital)	Hospital	
Institution Hospital	N/A	Retirement housing (non-independent living)	Residential care facility	
Veterinary hospital	Commercial premises	Veterinary centre	Veterinary services	
Airport	N/A	N/A	Air services	Specialised uses
Kennels Stable	Kennels and catteries Stables	Kennels Stable	Animal keeping	
Car park	N/A	Car park	Parking station	
N/A	N/A	N/A	Car wash	
Crematorium	Community facilities (crematorium)	Community facilities (crematorium)	Crematorium	
Institution	Community facilities	Special purposes	Detention Facility	

Superseded planning scheme use categories			Equivalent SPRP (adopted charge) categories – Schedule 1	
Column 1 Mackay City Planning Scheme 2006	Column 2 Sarina Shire Planning Scheme 2005	Column 3 Mirani Shire Plan 2007	Column 4 Use	Column 5 Adopted infrastructure charge category
Park	Open space	Conservation area	Environment facility	
Extractive industry	Extractive industry	Extractive industry	Extractive industry	
Public utility	Utility local Utility public	Major utility	Major electricity infrastructure	
Outdoor entertainment	Outdoor entertainment	Sport and recreation	Major sport recreation and entertainment facility	
Outdoor entertainment	Outdoor entertainment	Sport and recreation	Motor sport facility	
Tourist facility	Rural tourist facility	Tourist accommodation	Nature based tourism	
Sport and recreation (where outdoors)	Outdoor entertainment	Sport and recreation (where outdoors)	Outdoor sport and recreation	
N/A	N/A	N/A	Outstation	
Marina Maritime services Transport terminal	Utilities public	Major utility	Port services	
N/A	N/A	N/A	Resort complex	
Tourist facility (excluding accommodation)	Rural tourist facility (excluding accommodation)	N/A	Tourist attraction	
Public utility Rail transport terminal	Utilities local Utilities public	Local utility Major utility	Utility installation	
Cemetery	Community facilities (cemetery)	Community facilities (cemetery)	Cemetery	Minor uses

Superseded planning scheme use categories			Equivalent SPRP (adopted charge) categories – Schedule 1	
Column 1 Mackay City Planning Scheme 2006	Column 2 Sarina Shire Planning Scheme 2005	Column 3 Mirani Shire Plan 2007	Column 4 Use	Column 5 Adopted infrastructure charge category
Home based business	Home based business	Home based business	<b>Home based business</b>	
Home occupation	Host home accommodation	Home occupation		
Bed and breakfast accommodation		Bed and breakfast accommodation		
Family day care				
N/A	N/A	N/A	<b>Landing</b>	
N/A	N/A	N/A	<b>Market</b>	
Park	Open space	Community facilities (park)	<b>Park</b>	
Roadside stall	Roadside stall	Produce Sales	<b>Roadside stalls</b>	
Telecommunications facilities	Telecommunications facility	Major Utility (telecommunications facilities)	<b>Telecommunications facility</b>	