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| Template: Infrastructure charges resolution  | NOVEMBER 2019 |

## Resolution template

[All text in this template can be edited to suit the specific requirements of each local government. Text in square brackets is for guidance only and must be deleted in the final document.]

### Introduction

This resolution is made under section 113 of the *Planning Act 2016* (the Act).

### Application of the resolution to the local government area

[Delete points and/or subsection if not applicable.]

This resolution declares that an adopted charge does not apply for:

* the entire [insert local government area name] local government area
* that part of [insert local government area name] local government area
* shown on Map [insert map number/s reference and attach map/s to the resolution].
1. **When the resolution has effect**

This resolution has effect from [insert date].

1. **Priority infrastructure area**

The priority infrastructure area for [insert local government area name] is identified in the local government infrastructure plan in [insert name of local government planning scheme].

1. **Comparison of planning scheme uses and Planning Regulation uses**

[Section only applies if the scheme has not been developed in accordance with the regulated requirements under Schedules 2 to 4 of the Planning Regulation 2017*.* Delete section if not applicable.]

To assist in applying Schedule 16 of the Planning Regulation 2017(the Regulation), Table 1 provides a guide to the uses under the planning scheme that come within the uses mentioned in column 1 of schedule 16.

**Table 1: Planning scheme use categories and the Regulation uses**

| Current planning scheme uses  | Regulation uses  |
| --- | --- |
| **Residential**  |
| [Insert planning scheme use types that correspond to the uses to which adopted charges apply][e.g. relatives accommodation] | [Delete row if not applicable]Dwelling house  |
|  | Dual occupancy  |
|  | Caretaker’s accommodation |
|  | Multiple dwelling  |
| **Accommodation (short term)** |
|  | Tourist park |
|  | Hotel  |
| [e.g. accommodation unit] | Short-term accommodation |
|  | Resort complex  |
| Accommodation (long term) |
|  | Relocatable home park |
|  | Community residence  |
| [e.g. special needs housing] | Retirement facility  |
|  | Rooming accommodation  |
| **Places of assembly**  |
|  | Club |
|  | Community use  |
|  | Function facility |
|  | Funeral parlour  |
|  | Place of worship  |
| **Commercial (bulk goods)** |
|  | Agricultural supplies store  |
|  | Bulk landscape supplies  |
|  | Garden centre |
|  | Hardware and trade supplies  |
|  | Outdoor sales  |
|  | Showroom  |
| **Commercial (retail)** |
|  | Adult store |
| [e.g. food service] | Food and drink outlet  |
|  | Service industry  |
|  | Service station  |
|  | Shop |
|  | Shopping centre  |
| **Commercial (office)** |
|  | Office  |
|  | Sales office  |
| **Educational facility**  |
|  | Childcare centre |
|  | Community care centre  |
|  | Educational establishment  |
| **Entertainment** |
|  | Hotel  |
|  | Nightclub entertainment facility |
|  | Theatre |
|  | Resort complex |
| **Indoor sport and recreation**  |
|  | Indoor sport and recreation  |
| **High impact industry or special use**  |
|  | High impact industry  |
|  | Special industry  |
| **Other industry**  |
|  | Low impact industry  |
|  | Medium impact industry  |
|  | Research and technology industry  |
|  | Rural industry |
|  | Warehouse  |
|  | Marine industry  |
| **High impact rural**  |
|  | Cultivating, in a confined area, aquatic animals or plants for sale  |
|  | Intensive animal industry  |
|  | Intensive horticulture  |
|  | Wholesale nursery  |
|  | Winery  |
| **Low impact rural** |
|  | Animal husbandry  |
|  | Cropping  |
|  | Permanent plantation  |
|  | Wind farm  |
| **Essential services**  |
| [e.g. institutional residential] | Correctional facility  |
|  | Emergency services  |
|  | Health care services  |
|  | Hospital  |
|  | Residential care facility  |
|  | Veterinary service  |
| **Minor uses**  |
|  | Advertising device  |
|  | Cemetery  |
|  | Home-based business |
|  | Landing  |
|  | Market  |
|  | Outdoor lighting  |
|  | Park |
|  | Roadside stall |
|  | Telecommunications facility  |
|  | Temporary use  |
| **Other uses** |
|  | Air service |
|  | Animal keeping  |
|  | Car park |
|  | Crematorium |
|  | Extractive industry  |
|  | Major sport, recreation and entertainment facility  |
|  | Major sport facility  |
|  | Non-resident workforce accommodation  |
|  | Outdoor sport and recreation  |
|  | Port service  |
|  | Tourist attraction  |
|  | Utility installation  |

1. **Application of adopted charges**

The [insert local government name] Council resolves to adopt the charges mentioned in Table 2, Column 3, for development of a use mentioned in Table 2, Column 2.

The local government declares that an adopted charge in Table 2, Column 3, applies to that part of the local government area mentioned for that charge in Table 2, Column 4.

[Insert following statement if applicable]

The area in which the adopted charge applies is identified in Map [insert map number/s reference and attach map/s to the resolution].

[For South East Queensland local governments, adopted charges associated with distributer-retailers (which are in accordance with the ‘charges breakup’ agreement under section 115 of the Act) may be incorporated into the adopted charges table.]

**Table 2: Adopted charges**

| Column 1Adopted charge category | Column 2Use | Column 3Adopted charges | Column 4Part of local government area (LGA) to which charge applies |
| --- | --- | --- | --- |
| **Residential uses**  | * Dwelling house
* Dual occupancy
* Caretaker’s accommodation
* Multiple dwelling
 | **Adopted charge** | **Adopted charges for stormwater network** | [Insert applicable area (i.e. specific locality or across LGA) and cross reference to attached map number where required] |
| [Insert adopted charge] for each dwelling with 2 or less bedrooms [Insert adopted charge] for each dwelling with 3 or more bedrooms  | N/A |
| **Accommodation (short-term)**  | * Tourist park
 | If the tourist park has tent or caravan sites–(a) [Insert adopted charge] for each group of 2 sites or less(b) [Insert adopted charge] for each group of 3 sitesIf the tourist park has cabins–1. [insert adopted charge] for each cabin with 2 or less bedrooms
2. [Insert adopted charge] for each cabin with 3 or more bedrooms
 | N/A |  |
| * Hotel
* Short-term accommodation
* Resort complex
 | [Insert adopted charge] for each suite with 2 or less bedrooms[Insert adopted charge] for each suite with 3 or more bedrooms[Insert adopted charge] for each bedroom that is not part of a suite |  |
| **Accommodation (long-term)** | * Relocatable home park
 | [Insert adopted charge] for each relocatable dwelling site for 2 or less bedrooms[Insert adopted charge] for each relocatable dwelling site for 3 or more bedrooms | N/A |  |
| * Community residence
* Retirement facility
* Rooming accommodation
 | [Insert adopted charge] for each suite with 2 or less bedrooms[Insert adopted charge] for each suite with 3 or more bedrooms[Insert adopted charge] for each bedroom that is not part of a suite |  |
| **Places of assembly**  | * Club
* Community use
* Function facility
* Funeral parlour
* Place of worship
 | [Insert adopted charge] for each square metre of gross floor area (GFA) | [Insert adopted charge for stormwater network] for each square metre impervious to stormwater  |  |
| **Commercial bulk goods**  | * Agricultural supplies store
* Bulk landscape supplies
* Garden centre
* Hardware and trade supplies
* Outdoor sales
* Showroom
 | [Insert adopted charge] for each square metre of GFA | [Insert adopted charge for stormwater network] for each square metre impervious to stormwater |  |
| **Commercial (retail)** | * Adult store
* Food and drink outlet
* Service industry
* Service station
* Shop
* Shopping centre
 | [Insert adopted charge] for each square metre of GFA | [Insert adopted charge for stormwater network] for each square metre impervious to stormwater |  |
| **Commercial (office)**  | * Office
* Sales office
 | [Insert adopted charge] for each square metre of GFA | [Insert adopted charge for stormwater network] for each square metre impervious to stormwater |  |
| **Educational facility**  | * Childcare centre
* Community care centre
* Educational establishment
 | [Insert adopted charge] for each square metre of GFA | [Insert adopted charge for stormwater network] for each square metre impervious to stormwater |  |
| **Entertainment** | * Hotel
* Nightclub entertainment facility
* Theatre
* Resort complex
 | [Insert adopted charge] for each square metre of GFA, other than areas for providing accommodation | [Insert adopted charge for stormwater network] for each square metre impervious to stormwater |  |
| **Indoor sport and recreation**  | * Indoor sport and recreation
 | [Insert adopted charge] for each square metre of GFA, other than court areas[Insert adopted charge] for each square metre of GFA that is a court area | [Insert adopted charge for stormwater network] for each square metre impervious to stormwater |  |
| **High impact industry or special industry**  | * High impact industry
* Special industry
 | [Insert adopted charge] for each square metre of GFA | [Insert adopted charge for stormwater network] for each square metre impervious to stormwater |  |
| **Other industry**  | * Low impact industry
* Medium impact industry
* Research and technology industry
* Rural industry
* Warehouse
* Marine industry
 | [Insert adopted charge] for each square metre of GFA | [Insert adopted charge for stormwater network] for each square metre impervious to stormwater |  |
| **High impact rural** | * Cultivating, in a confined area, aquatic animals or plants for sale
* Intensive animal industry
* Intensive horticulture
* Wholesale nursery
* Winery
 | [Insert adopted charge] for each square metre of GFA | N/A  |  |
| **Low impact rural** | * Animal husbandry
* Cropping
* Permanent plantation
* Wind farm
 | Nil charge  |
| **Essential services**  | * Correctional facility
* Emergency services
* Healthcare services
* Hospital
* Residential care facility
* Veterinary services
 | [Insert adopted charge] for each square metre of GFA | [Insert adopted charge for stormwater network] for each square metre impervious to stormwater |  |
| **Minor uses** | * Advertising device
* Cemetery
* Home-based business
* Landing
* Market
* Outdoor lighting
* Park
* Roadside stall
* Telecommunications facility
* Temporary use
 | Nil charge  |
| **Other uses**  | * Air service
* Animal keeping
* Car park
* Crematorium
* Extractive industry
* Major sport, recreation and entertainment facility
* Motor sport facility
* Non-resident workforce accommodation
* Outdoor sport and recreation
* Port service
* Tourist attraction
* Utility installation
* Any other use not listed in column 2
 | The adopted charge is the charge (in Column 3) for another use (in Column 2) that the local government decides to apply to the use. [Note: the charge allocated to a development which is ‘any other use’ must not be more than the relevant maximum adopted charge in schedule 16 of the Planning Regulation.] |

1. **Working out extra demand placed on trunk infrastructure that the development will generate**

Section 120 of the Act provides that a levied charge may be only for extra demand placed on trunk infrastructure that the development will generate. Demand for trunk infrastructure generated by the following must not be included in the extra demand calculation:

* an existing use on the premises if the use is lawful and already taking place on the premises
* a previous use that is no longer taking place on the premises if the use was lawful at the time it was carried out
* other development on the premises if the development may be lawfully carried out without the need for a further development permit.
1. **Trunk infrastructure**

Until a local government infrastructure plan is made:

[Delete points if not applicable.]

* the trunk infrastructure shown in Map [insert map number/s reference and attach map/s to the resolution] is identified as the trunk infrastructure for the local government area
* the trunk infrastructure network or trunk infrastructure networks to which the adopted charge applies are: [insert trunk infrastructure networks to which the adopted charge applies]
* the standard of service for each network or network mentioned above is stated to be the standard set out in attachment [x]
* the establishment cost of trunk infrastructure items is the cost shown in attachment [x].
1. **Automatic increases to levied charges**

[**Note**: Automatic increases to levied charges, between the levying and payment of the charge, cannot result in a charge that is greater than the maximum adopted charge that the local government could have levied for the development when the charge was paid; or result in an increase that is greater than the increase for the PPI index for the period starting on the day the charge was levied and ending on the day it was paid, adjusted by reference to the three-yearly PPI index average (section 114 of the Act).]

The levied charge for [insert development] may be increased after the charge is levied and before it is paid to the local government.

The increase must be calculated using the following method:

### [Insert methodology for calculating the increase.] Method for recalculating the establishment cost

The method used to recalculate the establishment cost when an application for an offset or refund is made under section 137 of the Act is outlined below:

[Insert recalculation method consistent with the requirements of section 116 of the Act, working out the cost of infrastructure for an offset or refund. Refer to Chapter 6, Part 1 of the Minister’s Guidelines and Rules (MGR) for the parameters and a default method.]

### Criteria for deciding conversion applications

Conversion criteria used for making a decision on a conversion application made under section 139 of the Act is outlined below:

[Insert conversion criteria consistent with the requirements of section 117 of the Act. Refer to Chapter 6, Part 2 of the MGR for the parameters.]

1. **Dictionary**

Words and terms used in this resolution have the meaning given in the Act or the Regulation.

If a word or term used in this resolution is not defined in the Act or the Regulation, it has the meaning given in this section.

[Insert critical terms used in this resolution.]

1. **Resolution attachments**

[Include applicable maps and other supporting information mentioned above.]

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