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Transport Infrastructure Act 1994

DECLARATION AND NOTIFICATION OF TOLLS UNDER SECTION 93

Department of Transport and Main Roads
Brisbane, 16 December 2016

I declare under Section 93 of the *Transport Infrastructure Act 1994* (the Act) that a toll is payable for the use of the State toll road corridor land which comprises the Gateway Motorway, Logan Motorway and Gateway Extension Motorway toll roads.

Notice is also given under section 93 of the Act for the matters prescribed in Schedule 5 of the Act for use of the Gateway Motorway, Logan Motorway and Gateway Extension Motorway toll roads.

The definitions at the end of this declaration are common to all of the conditions to this declaration.

MARK BAILEY MP
MINISTER FOR MAIN ROADS, ROAD SAFETY AND PORTS
AND MINISTER FOR ENERGY, BIOFUELS AND WATER SUPPLY

Schedule 5 Conditions

1. Vehicle Classes

1.1 The following types of vehicles are liable for tolls:

- Class 1: Motor Cycles
- Class 2: Cars
- Class 3: Light Commercial Vehicles
- Class 4: Heavy Commercial Vehicles.

2. The maximum toll payable for use of the Gateway Motorway, Logan Motorway and Gateway Extension Motorway toll roads for each type of vehicle liable to pay a toll

2.1 The maximum toll payable for each type of vehicle is the amount specified in clause 2.2 as modified from time to time by operation of the formulae contained in clause 3, provided that no toll is payable:

- (a) at the new south facing on and off ramps to the Gateway Extension Motorway at Compton Road to be developed as part of the Logan Motorway Enhancement Project until the LEP Toll Change Date; or
- (b) for or in connection with the use of the Gateway Motorway, Logan Motorway or Gateway Extension Motorway toll roads by any Exempt Vehicle.

2.2 The maximum toll for each category of Motor Vehicle at the Date of Commencement is the amount specified in the table below.

Toll Point	Vehicle Class	Maximum Toll (including GST)
Murarrie on the Gateway Motorway	Class 1	\$2.20
	Class 2	\$4.39
	Class 3	\$ 6.59
	Class 4	\$11.63
Kuraby/Compton Road on the Gateway Extension Motorway	Class 1	\$1.30
	Class 2	\$2.59
	Class 3	\$3.89
	Class 4	\$ 6.86
Loganlea on the Logan Motorway	Class 1	\$ 0.83
	Class 2	\$1.66
	Class 3	\$2.50
	Class 4	\$4.41
Heathwood/Paradise Road on the Logan Motorway	Class 1	\$1.37
	Class 2	\$2.74
	Class 3	\$4.10
	Class 4	\$7.25

3. The methodology to be used to decide indexed, and other periodic increases in the maximum toll payable for the use of the Gateway Motorway, Logan Motorway and Gateway Extension Motorway toll roads

3.1 Subject to clause 3.2 and clause 3.3, on each Toll Review Date after the Date of Commencement, the maximum toll for the Toll Year for the Gateway Motorway, Logan Motorway and Gateway Extension Motorway toll roads shall be the amount calculated in accordance with the following formula:

$$A = B \times C$$

Where:

A = the maximum toll applicable to the Toll Year commencing from the relevant Toll Review Date, rounded to the nearest whole cent (rounding upwards amounts ending in 0.5 cents);

B = the maximum toll for the Toll Year immediately prior to the relevant Toll Review Date, but disregarding any rounding that was applied in the calculation of the maximum toll for that prior Toll Year;

On any Toll Review Date when CPI_n is less than CPI_{n-1} , $C = 1.00$; and

On every other Toll Review Date, $C = CPI_n / CPI_{n-1}$.

- 3.2 If the LEP Toll Change Date occurs on or before 30 June 2019, from the LEP Toll Change Date until the next Toll Review Date, the maximum toll for Class 4 vehicles shall be the amount calculated in accordance with the following formula:

$$A = B \times 3.0725$$

Where:

A = the maximum toll for Class 4 vehicles for the Gateway Motorway, Logan Motorway and Gateway Extension Motorway toll roads from the LEP Toll Change Date until the next Toll Review Date to occur rounded to the nearest whole cent (rounding upwards amounts ending in 0.5 cents);

B = the maximum toll for Class 2 vehicles applicable in the same Toll Year as calculated in accordance with clause 3.1 but disregarding any rounding applied under that clause.

Where the LEP Toll Change Date occurs on or after 1 July 2019, from the LEP Toll Change Date until the next Toll Review Date to occur, the maximum toll for Class 4 vehicles for the Gateway Motorway, Logan Motorway and Gateway Extension Motorway toll roads shall be the amount calculated in accordance with the following formula:

$$A = B \times C$$

Where:

A = the maximum toll for Class 4 vehicles for the Gateway Motorway, Logan Motorway and Gateway Extension Motorway toll roads from the LEP Toll Change Date until the next Toll Review Date to occur rounded to the nearest whole cent (rounding upwards amounts ending in 0.5 cents);

B = the maximum toll for Class 2 vehicles applicable in the same Toll Year as calculated in accordance with clause 3.1 but disregarding any rounding applied under that clause;

C = the Class 4 Multiplier identified in the table in clause 3.3 for the Toll Year in which the LEP Toll Change Date occurs.

- 3.3 On each of the Toll Review Dates in the table below that occurs after the LEP Toll Change Date, the maximum toll for Class 4 vehicles shall be the amount calculated in accordance with the following formula:

$$A = B \times C$$

Where:

A = the maximum toll for Class 4 vehicles applicable to the Toll Year commencing from

the relevant Toll Review Date rounded to the nearest whole cent (rounding upwards amounts ending in 0.5 cents);

B = the maximum toll for Class 2 vehicles applicable to that Toll Year calculated in accordance with clause 3.1 but disregarding any rounding applied under that clause;

C = the Class 4 Multiplier applicable to the applicable Toll Year as specified in the table below.

Toll Review Date	Toll Year	Class 4 Multiplier
1 July 2019	1 July 2019 – 30 June 2020	3.0725
1 July 2020	1 July 2020 - 30 June 2021	3.1468
1 July 2021	1 July 2021 - 30 June 2022	3.2229
1 July 2022	1 July 2022 - 30 June 2023	3.3009
1 July 2023	1 July 2023 - 30 June 2024	3.3807
1 July 2024	1 July 2024 - 30 June 2025	3.4624

3.4 The Toll Road Operator must make a public notice at least five Business Days prior to any change to a toll taking effect with respect to the Gateway Motorway, Logan Motorway or Gateway Extension Motorway by placing a notice in a newspaper circulating in Brisbane.

3.5 On the Termination Date for a toll road, the maximum toll becomes fixed at \$Nil for the use of that toll road by all types of vehicles unless these conditions are varied to increase the toll following the relevant procedures of the Act.

4. The day the toll becomes payable by each type of vehicle liable to pay a toll for use of the Gateway Motorway, Logan Motorway and Gateway Extension Motorway toll roads

The tolls, Administration Charges and User Administration Charges with respect to the Gateway Motorway, Logan Motorway and Gateway Extension Motorway toll roads in clauses 2, 5 and 7 are payable from the Date of Commencement.

5. The Administration Charge payable for issuing a notice for, and collecting, an unpaid toll for use of the Gateway Motorway, Logan Motorway or Gateway Extension Motorway toll roads

5.1 The maximum Administration Charge is \$23.46 (including GST) as modified from time to time by operation of the formula contained in clause 5.2.

5.2 On each Toll Review Date after the Date of Commencement, the maximum Administration Charge shall be the amount calculated in accordance with the following formula:

$$A = B \times C$$

Where:

A = the maximum Administration Charge applicable to the Toll Year commencing from the relevant Toll Review Date, rounded to the nearest whole cent (rounding upwards amounts ending in 0.5 cents);

B = the maximum Administration Charge applicable to the Toll Year immediately prior to the relevant Toll Review Date, but disregarding any rounding that was applied in the calculation of the maximum Administration Charge for that prior Toll Year;

On any Toll Review Date when CPI_n is less than CPI_{n-1} , $C = 1.00$; On every other Toll Review Date, $C = CPI_n / CPI_{n-1}$.

6. The ways of making payment of the toll liability for use of the Gateway Motorway, Logan Motorway or Gateway Extension Motorway toll roads

6.1 The way of making payment of the toll liability for use of the Gateway Motorway, Logan Motorway or Gateway Extension Motorway toll roads is by use of the E toll system or by use of the video tolling system.

6.2 One or more video products will be provided by or on behalf of the Toll Road Operator for purchase up to 30 days prior to and up to 72 hours after (or such longer periods as may be permitted by the Toll Road Operator) travel on the Gateway Motorway, Logan Motorway or Gateway Extension Motorway toll roads. Video products may be made available through various distribution channels including customer service centre, call centre and retail outlets.

7. The User Administration Charge payable for persons making payment of the toll other than by use of the E toll system

7.1 The User Administration Charge consists of one or more of the following:

- (a) An Image Processing Fee, per Toll Point, of not more than \$0.47 (including GST);
- (b) A Retail Purchase Fee, per video product purchased at a retail outlet, of not more than \$1.17 (including GST); and
- (c) A Casual User Invoice Fee, per invoice issued in relation to travel on the Gateway Motorway, Logan Motorway or Gateway Extension Motorway toll roads for which payment is not made by use of the E toll system or a video product, of not more than \$8.21 (including GST),

as modified from time to time by operation of the formula contained in clause 7.2, provided that no User Administration Charge is payable for or in connection with the use of the Gateway Motorway, Logan Motorway or Gateway Extension Motorway toll roads by any Exempt Vehicle.

7.2 On each Toll Review Date after the Date of Commencement, the components of the User Administration Charge shall be the amounts calculated in accordance with the following formula:

$$A = B \times C$$

Where:

A = the maximum Image Processing Fee, Retail Purchase Fee or Casual User Invoice Fee component of the User Administration Charge applicable to the Toll Year commencing from the relevant Toll Review Date, rounded to the nearest whole cent (rounding upwards amounts ending in 0.5 cents);

B = the relevant component of the User Administration Charge applicable to the Toll Year immediately prior to the relevant Toll Review Date, but disregarding any rounding that was applied in the calculation of that component of the User Administration Charge for that prior Toll Year;

On any Toll Review Date when CPI_n is less than CPI_{n-1} , $C = 1.00$; On every other Toll Review Date, $C = CPI_n / CPI_{n-1}$.

7.3 On the Termination Date for a toll road, each component of the User Administration Charge in relation to that toll road becomes fixed at \$Nil unless these conditions are varied to increase one or more of the components of the User Administration Charge following the relevant procedures of the Act.

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- 8. A description of the arrangements that will be used to allow users of the Gateway Motorway, Logan Motorway or Gateway Extension Motorway toll roads to satisfy the liability to pay tolls on the Gateway Motorway, Logan Motorway and Gateway Extension Motorway toll roads and tolls on other toll roads or tollways in the State or another State**
- 8.1 The Toll Road Operator must use all reasonable endeavours to ensure that the E toll system in use on the Gateway Motorway, Logan Motorway and Gateway Extension Motorway toll roads is interoperable with the equivalent transponder-based systems in operation on other Australian toll roads.
- 8.2 The Toll Road Operator must use all reasonable endeavours to ensure that the video tolling system in use on the Gateway Motorway, Logan Motorway and Gateway Extension Motorway toll roads is interoperable with the equivalent image-based systems in operation on other Queensland toll roads.
- 8.3 Nothing in this Notification permits a toll, Administration Charge or User Administration Charge to be levied on a user of the Gateway Motorway, Logan Motorway or Gateway Extension Motorway toll roads in excess of the parameters established in the Act and this Notification.

Definitions for Schedule 5 Conditions**1. Definitions**

1.1 In these Conditions:

“**Act**” means the *Transport Infrastructure Act 1994* and includes any amendment or replacement of this Act.

“**Administration Charge**” has the same meaning as is provided in the Act.

“**Bus**” means a Motor Vehicle having more than 12 seating positions (including that of the driver).

“**Business Day**” means a day in Brisbane that is not a Saturday, Sunday or a public holiday and on which banks are generally open for business.

“**Car**” means a four-wheeled Motor Vehicle, including taxis, which is not a Commercial Vehicle (and includes such Motor Vehicle even if it is towing a trailer or caravan).

“**Class 4 Multiplier**” means the multiplier set out in the table in clause 3.3.

“**Commercial Vehicle**” means a Motor Vehicle that is either a Light Commercial Vehicle or a Heavy Commercial Vehicle.

“**CPI**” means the Consumer Price Index (All Groups, Brisbane) index number as published by the Australian Bureau of Statistics.

“**CPI_n**” at any date is the CPI for the March quarter immediately prior to the relevant Toll Review Date.

“**CPI_{n-1}**” at any date is the CPI for the March quarter one year prior to the March quarter immediately prior to the relevant Toll Review Date.

“**Date of Commencement**” means the date on which this notice is published in the Queensland Government Gazette.

“**Exempt Vehicle**” means a vehicle utilised for any of the following purposes:

- (a) police;
- (b) ambulance;
- (c) fire services;
- (d) State emergency services as defined in the *Disaster Management Act 2003 (Qld)*;
- (e) the performance of other emergency services under authority of a State law or the State;
- (f) corrective services as defined in the *Corrective Services Act 2006*; and
- (g) TransLink bus services (provided that the vehicle, if required by the Toll Road Operator, is carrying an E toll transponder accepted by the Toll Road Operator for payment of tolls),

and any other vehicle that is prescribed under the law to be exempt from liability for payment of tolls.

“**Gateway Extension Motorway toll road**” means the major arterial road which connects the Logan Motorway toll road at Drewvale with the Gateway Motorway toll road at the Pacific Motorway interchange, Eight Mile Plains.

“**Gateway Motorway toll road**” means the major arterial road which connects the Gateway Motorway at Nudgee with the Port of Brisbane Motorway at Doboy and the Gateway Extension Motorway toll road at the Pacific Motorway interchange, Eight Mile Plains, but does not include the Old Gateway Motorway.

“**Heavy Commercial Vehicle**” means a Motor Vehicle that:

- (a) is a rigid Truck with 3 or more axles;
- (b) is an articulated Truck;
- (c) is a Bus;
- (d) is a two axle rigid Truck having a gross vehicle mass greater than 4.5 tonnes;
- (e) is a Motor Vehicle having a gross vehicle mass greater than 30 tonnes; or

- (f) has spatial dimensions which are substantially consistent with the criteria in any of paragraphs (a) to (e) above.

"LEP Construction Completion" means construction completion of the Logan Motorway Enhancement Project.

"LEP Toll Change Date" means the day after the date on which LEP Construction Completion occurs.

"Light Commercial Vehicle" means a Motor Vehicle that is registered for commercial use and:

- (a) is a two axle rigid Truck or load carrying van or utility, having a gross vehicle mass greater than 1.5 tonnes but not exceeding 4.5 tonnes, or
- (b) has spatial dimensions which are substantially consistent with the criteria in paragraph (a).

"Logan Motorway toll road" means the major arterial road which connects the Ipswich Motorway at Gailes with the Gateway Extension Motorway toll road at Drewvale and the Pacific Motorway at Loganholme.

"Motor Cycle" means a two-wheeled or three-wheeled Motor Vehicle (and includes such Motor Vehicle even if it has a trailer, fore car or side car attached).

"Motor Vehicle" has the meaning given to it in the *Transport Operations (Road Use Management) Act 1995* (Qld).

"Old Gateway Motorway" means the major arterial road which connects the Gateway Motorway toll road at Nudgee with the Gateway Motorway toll road at Eagle Farm.

"Taxi" means a Motor Vehicle registered with the Queensland Department of Transport and Main Roads for use as a taxi.

"Termination Date" for a toll road means 31 December 2051.

"Toll Review Date" means 1 July 2017 (being the first toll review date) and thereafter 1 July in each calendar year until the Termination Date.

"Toll Road Operator" has the same meaning as is provided in the Act.

"Toll Year" means the period from the Date of Commencement until the first Toll Review Date and thereafter each calendar year commencing on the relevant Toll Review Date.

"Toll Point" has the meaning given to the term "toll plaza" in the Act.

"Truck" means a Motor Vehicle other than a Bus which has a cab-chassis construction and a gross vehicle mass greater than 1.5 tonnes.

"User Administration Charge" has the same meaning as is provided in the Act.