

PSP 7
INFRASTRUCTURE

Planning Scheme Policy No.7 – Infrastructure Provisions

1.0 PRELIMINARY

1.1 *Infrastructure Provisions*

The following sections comprise the Planning Scheme Policy for the provision of infrastructure:

- (1) General Provisions for Infrastructure Contributions (Section 2.0);
- (2) Water Supply Trunk Infrastructure (Section 3.0);
- (3) Sewerage Trunk Infrastructure (Section 4.0);
- (4) Public Parks Infrastructure (Section 5.0);
- (5) Temporary Works (Section 6.0);
- (6) Infrastructure Agreements (Section 7.0);
- (7) Register of Infrastructure Contributions and Credits (Section 8.0);
- (8) Connecting Works and Internal Works (Section 9.0); and
- (9) Glossary of Terms (Section 10.0).

2.0 GENERAL PROVISIONS FOR INFRASTRUCTURE CONTRIBUTIONS

2.1 Determining Infrastructure Contribution

- (1) Infrastructure contributions within the Shire are derived by application of a **regulated infrastructure charges schedule** as prescribed in the *Integrated Planning Act 1997*. Such a schedule and the ability for it to be applied in order to determine infrastructure contributions within the Shire is got from section 5.1.4 and 5.1.15 of the *Integrated Planning Act 1997* and Schedule 13 Trunk infrastructure Charge Rates of the *Integrated Planning Regulation 1998* and under Part 2, Chapter 14 of the *Local Government Act 1993*.

2.2 Extent of Trunk Infrastructure

- (1) Trunk infrastructure as referred to in this Planning Scheme Policy includes those projects necessary to serve the relevant planned population of the Shire, in respect of works (including land acquisition) necessary for the provision of trunk infrastructure within the Shire, including works carried out or land acquired by other local governments, statutory bodies or other entities (only with Council approval) and works carried out or land acquired within other local government areas for which Council is liable.
- (2) Trunk infrastructure generally includes only those:
 - (a) existing items of trunk infrastructure;
 - (b) proposed upgrading of existing items of trunk infrastructure; and
 - (c) proposed future items of trunk infrastructure;to enable the development or relevant planned/ultimate population to be served in respect of the trunk infrastructure items detailed in this Planning Scheme Policy.

2.3 Lodgement of Securities

- (1) Council may require an applicant, following a development approval, to enter into an infrastructure agreement and lodge a specified security for the payment of infrastructure contributions.

NOTE P7-2:

- (1) Such security may be required on developments as determined by Council, to allow Council to program and construct trunk infrastructure or acquire land with an assurance that the funds will be available.
- (2) The amount of the security bond is not to exceed the amount of the infrastructure contribution as outlined in the condition requiring an infrastructure contribution.
- (3) The amount of the security bond is to be subject to adjustment at the time of partial or full call-up in respect of the amounts attributable to infrastructure contributions, in line with increases in the infrastructure unit charges.
- (4) The security bond is to be lodged at the time stated in the infrastructure agreement or as otherwise stipulated by Council or where no infrastructure agreement exists, the bond is to be lodged at the time stated in the conditions of the development approval.
- (5) Security bonds lodged in respect of infrastructure contributions are to be either in cash or in the form of an irrevocable Bank Guarantee from a bank registered under the Banking Act, a finance company which is predominantly owned by such bank or banks or from such other company as may be determined by Council from time to time, and are to state the

purpose of the guarantee and the real property description of the land containing the development to which it applies.

- (6) The Bank Guarantee is to be open-ended with no lapse date during the currency period of the approval.
- (7) A security bond held by Council may be called up by Council either on the date stipulated in the infrastructure agreement establishing the bond, or on the date when infrastructure contributions are payable, whichever occurs first.
- (8) At the time when payment of all or part of the infrastructure contribution is due, and a security bond is still held by Council, the Developer is to pay the amount due at the infrastructure unit charges applicable at the time of payment, whereupon the bond or part thereof will be surrendered by Council.
- (9) If the payment in cash is not made by the due date, Council may call up the security bond.
- (10) Any balance due after the calling up of the security bond is to be payable in cash by the Developer.

3.0 WATER SUPPLY TRUNK INFRASTRUCTURE

3.1 Water Supply Trunk Infrastructure

The provisions in this section (including the Infrastructure Unit Rates for Water Supply Trunk Infrastructure) are as follows:

- (1) the details of existing trunk infrastructure (see section 3.2);
- (2) the trunk infrastructure to be funded by the contribution (see section 3.3);
- (3) each area in which the contribution applies (see section 3.4);
- (4) type of lot, work or use, for which the contribution applies (see section 3.5); and
- (5) infrastructure contribution calculations (see sections 3.6 and 3.7).

3.2 Existing and Future Trunk Infrastructure

- (1) The existing and future water supply infrastructure is shown on Map 3.1-A (Kilkivan) and B (Goomeri).

3.3 Trunk Infrastructure for Water Supply Infrastructure Contributions

- (1) The trunk infrastructure to be funded by an infrastructure contribution for water supply infrastructure is shown on Maps 3.1-A to B

3.4 Areas where Infrastructure Contributions Apply

- (1) The areas of the Shire subject to water supply infrastructure contributions and the boundaries of the water supply zones and contribution sectors are shown on Map 3.1-A (Kilkivan) and B (Goomeri).

3.5 Application of Contribution

- (1) Water Supply Infrastructure contributions apply to every development application that involves the following in the contribution sector:
 - (a) reconfiguring a lot; or
 - (b) making a material change of use.

3.6 Determination of Water Supply Infrastructure Unit Rates

- (1) The Water Supply Infrastructure Unit Rates for the purposes of calculating water supply infrastructure contributions is to be determined in respect of trunk infrastructure as prescribed in Schedule 13 Trunk infrastructure Charge Rates of the *Integrated Planning Regulation 1998*.

3.7 Determination and Calculation of Water Supply Infrastructure Contributions

- (1) The water supply infrastructure contribution for any proposed development will be calculated as prescribed in Schedule 13 Trunk infrastructure Charge Rates of the *Integrated Planning Regulation 1998*.

4.0 SEWERAGE TRUNK INFRASTRUCTURE

4.1 Sewerage Trunk Infrastructure

- (1) The provisions in this section (including the Infrastructure Unit Rates for Sewerage Infrastructure) are as follows—
 - (a) the details of existing trunk infrastructure (see section 4.2);
 - (b) the trunk infrastructure to be funded by the contribution (see section 4.3);
 - (c) each area in which the contribution applies (see section 4.4);
 - (d) type of lot, work or use, for which the contribution applies (see section 4.5); and
 - (e) infrastructure contribution calculations (see section 4.6 and 4.7).

4.2 Existing Trunk Infrastructure

- (1) The existing sewerage infrastructure is shown on Map 4.1-A (Kilkivan) or B (Goomeri).

4.3 Trunk Infrastructure for Sewerage Infrastructure Contributions

- (1) The trunk infrastructure to be funded by an infrastructure contribution for sewerage infrastructure is shown on Map 4.1-A or B.

4.4 Areas where Infrastructure Contributions Apply

- (1) The area of the Shire subject to the sewerage infrastructure contributions and the boundary of the sewerage contribution sector are shown on Map 4.1A or B.

4.5 Application of Contribution

- (1) Sewerage infrastructure contributions apply to every development application that involves the following in the contribution sector:
 - (a) reconfiguring a lot; or
 - (b) making a material change of use.

4.6 Determination of Sewerage Infrastructure Unit Rates

- (1) The Sewerage Infrastructure Unit Rates for the purposes of calculating sewerage infrastructure contributions is to be determined in respect of trunk infrastructure as prescribed in Schedule 13 Trunk infrastructure Charge Rates of *the Integrated Planning Regulation 1998*.

4.7 Determination and Calculation of Sewerage Infrastructure Contributions

- (1) The sewerage infrastructure contribution for any proposed development will be calculated as prescribed in Schedule 13 Trunk infrastructure Charge Rates of the *Integrated Planning Regulation 1998*.

5.0 PUBLIC PARKS INFRASTRUCTURE

5.1 Public Parks Infrastructure

The provisions in this section relate to public parks infrastructure as follows:

- (1) the existing trunk infrastructure (see section 5.2);
- (2) the details of future trunk infrastructure (see section 5.3);
- (3) each area in which the contribution applies (see section 5.4);
- (4) type of lot, work or use, for which the contribution applies (see section 5.5); and
- (5) infrastructure contribution calculations (see section 5.6 and 5.7).

5.2 Existing Trunk Infrastructure

- (1) The existing public parks infrastructure is shown on Map 5.1-A (Kilkivan) and B (Goomeri). Park type and performance guidelines are included in Table 5 below.

5.3 Future Trunk Infrastructure

- (1) The future trunk infrastructure to be provided for public parks infrastructure is generally limited to the additional embellishment of existing reserves or the embellishment of currently unused reserves.

5.4 Areas where Infrastructure Contributions Apply

- (1) The areas of the Shire subject to public parks infrastructure contributions and the boundaries of the contribution sectors are shown on Map 5.1-A (Kilkivan) and B (Goomeri).

5.5 Application of Contribution

- (1) Public Parks Infrastructure contributions apply to every development application that involves reconfiguring a lot for residential, commercial or industrial purposes in the contribution sector.

5.6 Public Parks Infrastructure Unit Rates

- (1) The public parks infrastructure unit rates for Kilkivan and Goomeri prescribed in Schedule 13 Trunk infrastructure Charge Rates of the *Integrated Planning Regulation 1998*.

5.7 Determination and Calculation of Public Parks Infrastructure Contributions

- (1) The public parks infrastructure contribution for any proposed residential, commercial or industrial reconfiguration will be calculated as prescribed in Schedule 13 Trunk infrastructure Charge Rates of the *Integrated Planning Regulation 1998*.

Table 5 – Park Type and Performance Guideline¹

Park Type	Suggested Performance Guideline	Function/Role
High Order Parks – Regulated by Zone Provisions and Not Forming Part of Infrastructure Contributions		
National Park and Conservation Reserve	Areas declared under the <i>Nature Conservation Act</i>	Conservation with secondary tourism and outdoor recreation
Regional Parks	Parks declared under <i>Forestry Act</i> or <i>Water Act</i> or the <i>Recreation Area Management Act</i>	Multiple use
Medium Order Parks – Refer Map 5.1-A or B		

¹ Source: *Recreation and Open Space Plan, Queensland Government, May, 2001 (Table 8.3)* as modified to provide for a framework for public parks infrastructure contributions.

District Park (Town/Village Recreation Park)	Intensively managed flat terrain with good road exposure generally larger than 1ha in area that caters to a range of informal, social and cultural recreational activities for residents and visitors to the Shire (including the surrounding rural localities) and supported by appropriate amenities. Includes botanic gardens, town commons and urban environmental reserves.	Recreation
District Sports (Town/Village Sports Park)	Intensively managed flat terrain with good road exposure generally larger than 3ha in area that caters to formal/organised and informal sporting activities, both indoor and outdoor, including associated amenities and that services residents and visitors to the Shire (including surrounding rural localities).	Sports
Special District Sports Park	Large areas for special sports involving clubs such as equestrian, rifle shooting, swimming pools, tennis courts, motor sports, showgrounds, golf courses, racecourses	Sports
Low Order Parks – Refer Map 5.1-A or B		
Local Park	A “walk or ride to park” catering to local urban residents on a typical area of 0.5-2ha with play equipment, shaded areas and amenities. Some parks include waterway corridors and other linear spaces performing access, hydraulic, and other roles as well as trails or landscape enhancement	Neighbourhood recreation
Local Sports	Small areas assigned to clubs such as tennis and bowls, which have a local membership	Neighbourhood sports

6.0 TEMPORARY WORKS

6.1 General

NOTE P7-3:

It is the Council's practice to minimise the incidence of temporary works within the Shire and such works will be required or permitted only in exceptional circumstances.

- (1) The construction of temporary works by a Developer may be required by the Council as a condition of approval of a development application.
- (2) All cost of temporary works are borne by the Developer.
- (3) If the Council approves the construction of temporary works, all operation and maintenance costs are to be paid by the Developer until such time as the permanent works are constructed.
- (4) If approvals are required for temporary works from other statutory bodies or other landholders, these are the sole responsibility of the Developer.

7.0 INFRASTRUCTURE AGREEMENTS

7.1 General

- (1) If an Infrastructure Agreement is required by the Council, details to be assessed and covered by the infrastructure agreement are to include, as a minimum, the following matters (as applicable):
 - (a) The calculated demand factor (e.g. equivalent population) applying to the development.
 - (b) The applicable networks of trunk infrastructure.
 - (c) The required infrastructure contributions.
 - (d) The date by which infrastructure contributions are to be paid.
 - (e) The nature and amount of security to be lodged and details of the use and release of such security.
 - (f) Details of the trunk infrastructure to be provided, including programming of such trunk infrastructure.
 - (g) Details of the responsible entity for the funding, design and construction of the trunk infrastructure, including any easement or land acquisition.
 - (h) Details of any infrastructure credit to be accrued to the Developer.
 - (i) Whether or not Council will permit the early accrual of infrastructure credits if a Developer does not have any accrued infrastructure credits but has substantially completed infrastructure work that upon completion will entitle the Developer to accrue infrastructure credit.
 - (j) Whether or not Council will cash reimburse the Developer for accrued infrastructure credits.
 - (k) Details of any estimated 'refunds' to be paid from other users who will benefit from the trunk infrastructure the subject of the infrastructure agreement.
 - (l) Details of any approved temporary works, including programming of such works.
 - (m) Any other details deemed appropriate by Council.
- (2) Any infrastructure agreement required under this division is to be in writing and prepared by the Council at the Developer's cost or by the Developer at the Developer's cost (subject to such agreement being to the satisfaction of the Council).

8.0 REGISTER OF INFRASTRUCTURE CONTRIBUTIONS AND CREDITS

8.1 General

NOTE P7-4:

All infrastructure contributions paid to the Council by Developers are to be subject to procedures prescribed under the *Integrated Planning Act, Local Government Act, Local Government Finance Standard* and *Finance Reference Manual*.

- (1) The Council is to maintain a register in which is recorded at least the following:
 - (a) all infrastructure contributions payable;
 - (b) all infrastructure contributions received;
 - (c) all securities lodged with the Council in respect of payment of such infrastructure contributions; and
 - (d) details of the accrual, variation, set-off, allocation and reduction of any infrastructure credit outlined in an Infrastructure Agreement.

9.0 CONNECTING WORKS & INTERNAL WORKS

9.1 *Connecting Works*

Extent of Works

- (1) Reticulation networks internal to the premises are to be connected to the Council's external infrastructure networks, systems or schemes by connecting works, at the point nominated by the Council.

NOTE P7-5:

- (1) The Council will define the nominated connection point for each item of infrastructure.
- (2) Subject to section 9.1(3), connecting works do not include works defined as trunk infrastructure.
- (3) Connecting works may include any augmentation of existing trunk infrastructure necessary to meet the Council's desired standard of service within the development.
- (4) The extent of connecting works is to be determined by the Council.
- (5) The cost of such determination, including the cost of providing to the Council any related information required by the Council, is to be borne by the Developer.

Funding of Connecting Works

- (2) Subject to section 9.1(3), the total cost of connecting works is the responsibility of the Developer.
- (3) The Council may require that a Developer increase the capacity of certain connecting works to enable them to also serve other developments in the vicinity, in which case such works are to be deemed to be trunk infrastructure.

Design and Construction of Connecting Works

- (4) Subject to section 9.1(3), connecting works are to be designed and constructed by the Developer so as to fully serve the area of land capable of being developed.

NOTE P7-6:

- (1) For the purposes of clarity it is recorded that:
 - (a) at the time part of any land is developed in accordance with an approval issued pursuant to the Act or the Planning Scheme, the connecting works for the land are to be designed and constructed to meet the reasonably anticipated level, nature and intensity of development capable of being established upon full development, even though the development approved by the relevant development approval does not require connecting works to that extent;
 - (b) the Council may require the submission by the Developer of information to determine the reasonably anticipated level, nature and intensity of development;
 - (c) except as provided in Section 9.1(3), the Council is not responsible for construction or the cost of any part of the connecting works; and
 - (d) any approvals of other statutory bodies and/or other landholders required of the Developer for connecting works are the Developer's sole responsibility.
- (2) The Council may permit the Developer to construct temporary connecting works at the Developer's cost and in accordance with section 6 of this Policy.

9.2 *Internal Reticulation Networks*

- (1) Internal reticulation networks do not include connecting works or works defined as trunk infrastructure.

- (2) The total cost of internal reticulation networks is the responsibility of the Developer.
- (3) Internal reticulation networks are to be designed and constructed by the Developer so as to fully serve the area of land capable of being developed.

NOTE P7-7:

- (1) For the purposes of clarity it is recorded that:
 - (a) at the time part of any land is developed in accordance with an approval issued pursuant to the Act or the Planning Scheme, the internal reticulation networks in that part of the land are to be designed and constructed to meet the reasonably anticipated level, nature and intensity of development capable of being established upon full development, even though the development approved by the relevant development approval does not require internal reticulation networks to that extent;
 - (b) the Council may require the submission by the Developer of information to determine the reasonably anticipated level, nature and intensity of development;
 - (c) the Council is not responsible for construction or the cost of any part of the internal reticulation networks; and
 - (d) any approvals of other statutory bodies or other landholders required of the Developer for internal reticulation networks are the Developer's sole responsibility.
- (2) The Council may permit the Developer to construct temporary internal reticulation networks at the Developer's cost and in accordance with section 6 of this Policy.

10.0 GLOSSARY OF TERMS

10.1 Administrative Definitions

- (1) For the purpose of this Planning Scheme Policy, the following terms have the meanings respectively assigned to them:
- (a) “*Capital Cost*” of trunk infrastructure, means the sum of the current cost of infrastructure.
 - (b) “*Connecting Works*” means works required to connect the development to Council’s Trunk Infrastructure Systems or Networks. The term includes Water Supply Works External and Sewerage Works External.
 - (c) “*Current cost*” of trunk infrastructure means for the purpose of determining the infrastructure unit rates the cost of constructing infrastructure at current day values.
 - (d) “*Demand Factor*” means the attribute (expressed in population, equivalent persons or other terms outlined in this Infrastructure Planning Scheme Policy) generated by a development, determined according to the provisions of this Infrastructure Planning Scheme Policy.
 - (e) “*Developer*” means an entity that undertakes works pursuant to a development permit.
 - (f) “*Development Application*” has the meaning given to it in the *Integrated Planning Act*.
 - (g) “*Equivalent Person (EP)*” means the service demand created by an average occupant of an average occupied private residential dwelling.
 - (h) “*Equivalent Population*” of a development means for an area of land or a development, the service demand generated by the area of land or development, expressed in equivalent persons (EP).
 - (i) “*Establishment cost*” of trunk infrastructure means the capital cost.
 - (j) “*Infrastructure credit*” means for the relevant trunk infrastructure network an equivalent population credited by the Council to a Developer that offsets expenditure by the Developer on trunk infrastructure (including the dedication of land) against infrastructure contributions payable by the Developer consequent to an approval of a development application.
 - (k) “*Planned Population*” of an area of land means the estimated residential and non residential population of the area at full development of the land, as determined from Council’s planning scheme and expressed in equivalent population.
 - (l) “*Sewerage Works External*” means those works, structures or equipment necessary for the purpose of connecting sewerage reticulation networks internal to the premises to Council’s sewerage trunk infrastructure network.
 - (m) “*Trunk Infrastructure*” means:
 - (i) those works, structures or equipment which are part of the infrastructure networks outlined in this Planning Scheme Policy; or
 - (ii) those connecting works where the capacity is increased (at the request of Council) to enable them to also serve other developments in the vicinity.
 - (n) “*Water Supply Works External*” means those works, structures or equipment necessary for the purpose of connecting water reticulation networks internal to the premises to Council’s water supply trunk infrastructure network.
- (2) All other terms used in this Planning Scheme Policy are as defined in the Planning Scheme, Local Laws, Planning Scheme Policies or other relevant Acts.

APPENDIX 1: Land Use Equivalent Persons

Defined Uses and Use Classes		Unit	EP/Unit
Residential			
Caretakers residence & Annexed unit		1 bed	1.5
		2 beds	2.5
		3 beds	3.2
Multiple dwelling units (up to 2 units)		1 bed	1.5
		2 beds	2.4
		3 beds	3.2
Multiple dwelling units (3 + units)		1 bed	1.5
		2 beds	2.4
		3 beds	3.2
Bed and breakfast		Bed	1.6
Caravan park (inc camping sites)		Site	2.0
Dwelling house		Per dwelling	3.2
Accommodation building	Boarding/guest house/hostel	Bed	1.6
	Motel	per Unit	1.6
Commercial/Industrial			
Commercial Uses ⁽¹⁾	Sales or hire premises	per 100m ² (GFA)	0.5
	Shop	per 100m ² (GFA)	1.18
	Restaurant	per 100m ² (GFA)	4
	Take away food store	per 100m ² (GFA)	7.5
	Hotel	per 100m ² (GFA)	1.5
	All other uses	per 100m ² (GFA)	1.25
General industry ⁽¹⁾		per 100m ² (GFA)	0.75
Storage premises		per 100m ² (GFA)	0.25
Light industry ⁽¹⁾		per 100m ² (GFA)	0.75
Recreational			
Recreational Use	Indoor Entertainment	per 100m ² (GFA)	0.5
	All other uses	per 100m ² (GFA)	1.5
Community			
Community Use	Child care centre	Staff and Children	0.25
	Primary school	Staff and Pupils	0.25
	Secondary school	Staff and Pupils	0.5
	Tertiary use	Staff and Pupils	0.5
	Hospital	Bed	3.4
	All other uses	per 100m ² (GFA)	0.5

(1) These rates do not apply to water intensive establishments that are likely to significantly exceed the specified EP/unit rates. For infrastructure intensive establishments, an individual EP/unit rate is to be calculated based on the anticipated or actual water usage or effluent discharge.