

INFRASTRUCTURE AGREEMENT POLICY

ADMINISTRATIVE POLICY



1 Scope

This policy applies to development within the Rockhampton Regional Council area. Qualifying developments will be eligible to negotiate and enter into an infrastructure agreement with Council in relation to trunk infrastructure works or infrastructure charges.

2 Purpose

The purpose of this policy is to provide guidance in relation to the types of trunk infrastructure works or infrastructure charges for developments that Council will consider entering into an infrastructure agreement with a developer and/or owner.

3 Related Documents

3.1 Primary

Nil

3.2 Secondary

Local Government Act 2009

Sustainable Planning Act 2009

Sustainable Planning Regulation 2009

Planning Act 2016

Planning Regulation 2017

Fitzroy Shire Planning Scheme 2005

Mount Morgan Shire Planning Scheme 2003

Rockhampton City Plan 2005

Rockhampton Regional Council Adopted Infrastructure Charges Resolution (No. 1) 2011

Rockhampton Regional Council Adopted Infrastructure Charges Resolution (No. 2) 2012

Rockhampton Regional Council Adopted Infrastructure Charges Resolution (No. 3) 2014

Rockhampton Regional Council Adopted Infrastructure Charges Resolution (No. 4) 2014

Rockhampton Regional Council Adopted Infrastructure Charges Resolution (No. 5) 2015

Rockhampton Region Planning Scheme 2015, including Part 4 Local Government Infrastructure Plan

State Planning Regulatory Provision (Adopted Charges) July 2012

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4 Definitions

To assist in interpretation, the following definitions apply:

Council	Rockhampton Regional Council
Infrastructure Agreement	As defined in the <i>Sustainable Planning Act 2009</i> and <i>Planning Act 2016</i> .
Infrastructure Charge	Infrastructure contributions relevant to a planning scheme policy for infrastructure, infrastructure charges relevant to an adopted infrastructure charges resolution, or infrastructure charges relevant to a priority infrastructure plan or Local Government Infrastructure Plan (including infrastructure charges or regulated infrastructure charges).
Qualifying Development	A development permit for a material change of use or reconfiguration of a lot in which either: (a) Conditions of the development permit require the construction of trunk infrastructure and the cost of works exceeds \$100,000; and/or (b) An infrastructure charges notice or negotiated infrastructure charges notice has been issued with the decision notice for the development permit.
Rockhampton Regional Council Area	Areas covered by the Rockhampton City Plan, Fitzroy Shire Planning Scheme, Mount Morgan Planning Scheme and Rockhampton Region Planning Scheme.
Trunk Infrastructure	As defined in the relevant planning scheme policies (also referred to as headworks infrastructure), adopted infrastructure charges resolution, priority infrastructure plan or Local Government Infrastructure Plan, and confirmed in Council's capital works program.

5 Policy Statement

This policy encourages the efficient delivery of trunk infrastructure within the Rockhampton Regional Council area and details the circumstances in which it is appropriate for Council to provide infrastructure charges offsets to developers in exchange for the delivery of trunk infrastructure.

5.1 Trunk Infrastructure

Examples of trunk infrastructure can be viewed in section 4.5 of Council's Local Government Infrastructure Plan.

5.1.1 Trunk Infrastructure Necessary for the Particular Development

When trunk infrastructure is necessary for a development, or is located on the development site, the trunk infrastructure delivery and acquisition details will be considered in the development assessment process and will be specified as conditions in the development permit.

An infrastructure agreement may be entered into at any stage to clarify the obligations specified under the conditions of approval.

5.1.2 A Portion of the Trunk Infrastructure is not Necessary for the Particular Development

When a portion of the trunk infrastructure is not necessary for the development and is not located within the development site, but there are efficiencies to be gained by Council through having the developer construct the trunk infrastructure, then the trunk infrastructure delivery and acquisition details will be defined in an infrastructure agreement to be entered into with the developer.

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5.2 Offsets for Networks

Council will recognise infrastructure charges offsets equal to the value of the trunk infrastructure delivered by the developer and it does not need to be within the same infrastructure network and hierarchy. For example, water distribution mains can be offset against charges for the transport network.

5.2.1 Calculation of Offsets

The valuation of the trunk infrastructure and value of any applicable offsets must be calculated in accordance with the Adopted Infrastructure Charges Resolution, Local Government Infrastructure Plan or other document regulating infrastructure that is made by Council that is applicable at the time the development permit to which the infrastructure obligations arise was issued by Council.

5.3 Other Circumstances

Council may enter into an infrastructure agreement under any other circumstances that it considers appropriate.

6 Review Timelines

This policy will be reviewed when any of the following occur:

- (a) The related information is amended or replaced; or
- (b) Other circumstances as determined from time to time by Council.

7 Document Management

Sponsor	Chief Executive Officer
Business Owner	General Manager Community Services
Policy Owner	Manager Planning and Regulatory Services
Policy Quality Control	Legal and Governance



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