

Moreton Bay Regional Council – Redcliffe City

Planning Scheme Policy

PSP4 Part 8.4.1 Development Contributions for Trunk  
Infrastructure – Administration Policy

# Moreton Bay Regional Council – Redcliffe City

## PSP4 Part 8.4.1 Development Contributions for Trunk Infrastructure – Administration Policy

### ADOPTION

Moreton Bay Regional Council adopted this planning scheme policy on 28 November 2005.

### COMMENCEMENT

This planning scheme policy took effect from 12 December 2005.

### **Amendment**

#### ADOPTION OF AMENDMENT

Moreton Bay Regional Council adopted this amendment to the planning scheme policy on 8 September 2009.

#### COMMENCEMENT OF AMENDMENT

This amendment to the planning scheme policy took effect from 29 October 2009.

This document contains the corrections identified in the "Planning Scheme Policies List of Corrections" document, and reflects the directive by the CEO to implement those corrections. The adopted version of the PSPs and the "Planning Scheme Policies List of Corrections" document can be accessed at Council's webpage.

I, Daryl Hitzman, A/Chief Executive Officer, of the Moreton Bay Regional Council, hereby certify that this document is a true copy of the original.



Daryl Hitzman  
A/Chief Executive Officer

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## PSP4 Part 8.4.1 –DEVELOPMENT CONTRIBUTIONS FOR TRUNK INFRASTRUCTURE – ADMINISTRATION POLICY

### Head of Power

This document is a Planning Scheme Policy for the purposes of the *Integrated Planning Act 1997* (the Act) and is made in compliance with the process prescribed in Schedule 3 of the Act.

### Objective

The objective of this policy is to apportion the cost of trunk infrastructure over all benefiting development (existing and future) commensurate with the demand or load that existing and future development will place on existing and planned future infrastructure, clarify the administrative provisions for the Trunk Infrastructure Contributions Policies and assist the formulation of Infrastructure Agreements in accordance with the provisions of the *Integrated Planning Act 1997*, as amended.

### Definitions/Application

#### Application

This policy is to be read in conjunction with the other Development Contributions Policies, which set out the detailed provisions for the determination of Infrastructure Contributions for development. It applies to all assessable development which will utilise any of the following Infrastructure Networks:

- Water Supply Trunk Infrastructure;
- Sewerage Trunk Infrastructure;
- Stormwater Quality and Quantity Trunk Infrastructure;
- Council Trunk Road and Pathways Infrastructure;
- Public Open Space and Community Purpose Trunk Infrastructure.

#### Definitions

Schedule A “Definitions” provides the meaning for a number of critical terms used in this policy and in the other Development Contributions Policies. For the meaning of terms not included in Schedule A, refer to Schedule 10 of the *Integrated Planning Act* and Part 7 of the *Redcliffe City Planning Scheme*.

Note that all references in this policy to “City”, “Redcliffe City” and “local government area” relate to the former area of Redcliffe City prior to amalgamation with the former local government areas of Caboolture Shire and Pine Rivers Shire to form the Moreton Bay Regional Council Local Government Area.

### Policy Statement

## 1 Scope

This planning scheme policy sets out:

- the overall outcomes sought for trunk infrastructure provision in the former Redcliffe City;
- how to determine if a proposal is Consistent or Unanticipated Development;
- the procedures for determining Infrastructure Contributions (including contributions for additional Trunk Infrastructure Costs) for various scenarios;
- times for payment of Infrastructure Contributions;
- alternatives to paying Infrastructure Contributions;
- the procedure for entering into Infrastructure Agreements;
- the procedures for determining and dealing with Infrastructure Credits and existing demand/entitlements;
- instances in which securities will need to be lodged with Council;
- procedures for recording Infrastructure Contributions and maintaining Contributions Registers; and
- critical trunk infrastructure related information to be provided with development applications.

This policy only deals with infrastructure provided for, or on behalf of, Council. It specifically does not deal with the policies and procedures of State Government infrastructure providers.

This policy is not to be construed, in any way, to limit the Assessment Manager’s powers in deciding a development application.

## **2 Trunk Infrastructure Provision**

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### **Trunk Infrastructure Provision**

Under normal arrangements, Trunk Infrastructure which is consistent with the Plans for Trunk Infrastructure will be provided for in Council's budget and constructed by the Council as programmed in the Council's Capital Works Program.

The Plans for Trunk Infrastructure do not represent the Council's Capital Works Program. They do, however, form a direct input into the determination of the Capital Works Program. For the purpose of clarity, the Plans for Trunk Infrastructure are not meant in any way to place a rigid obligation on the Council as to the amount and timing of the construction of Trunk Infrastructure.

Where a development is undertaken and the infrastructure required by the development is anticipated to be available within the timeframe proposed by the development proponent, the responsibility of the development proponent in regard to the provision of Trunk Infrastructure will generally be limited to the payment of Infrastructure Contributions.

The imposition of an Infrastructure Contribution condition in a development approval does not automatically entitle a development proponent to the immediate construction of any Trunk Infrastructure as may be necessary to service the development.

The provision of infrastructure not identified as Trunk Infrastructure will generally be the responsibility of the development proponent. Contributions for Trunk Infrastructure will apply to a development irrespective of the conditions imposed for the provision of Non-Trunk Infrastructure.

Where the Council agrees to the provision of Trunk Infrastructure by the development proponent in lieu of payment of Infrastructure Contributions, an Infrastructure Agreement will be required.

The items of Trunk Infrastructure used in determining Infrastructure Contribution Rates are listed out in the Plans for Trunk Infrastructure.

### **Alternative Infrastructure**

Alternative infrastructure may be provided with Council's agreement in lieu of that identified in the Plans for Trunk Infrastructure, provided that:-

- a written report describing the alternative infrastructure, examining the costs and benefits to the community, along with economic, social, environmental and operational considerations has been lodged with Council for consideration (specifically, the impact of alternative infrastructure on the roll out of Council's planned infrastructure program must be addressed);
- the development proponent can prove by appropriate studies that the alternative infrastructure can provide at least the same Desired Standard of Service as that previously planned;
- the service provided to existing and other anticipated development will not be compromised in respect of quantity, quality nor the timing of service;
- the operating, maintenance and other life cycle costs will not place an unacceptable cost burden on Council; and
- the proponent meets all costs incurred by Council in assessing and testing the alternative infrastructure proposal, and the amendment of all planning documents, as well as all necessarily associated costs (these costs must be agreed and paid to Council before it undertakes the assessment of the alternative proposal).

### **Temporary Infrastructure**

It is the Council's intention to minimise the use of temporary works. The use of temporary infrastructure will only be permitted in exceptional circumstances, and only after Council has considered a written report examining the costs and benefits to the community, along with economic, social, environmental and operational considerations. Specifically, the impact of temporary works on the roll out of Council's planned infrastructure program must be assessed.

Where the Council determines that no viable arrangement for providing trunk infrastructure to service the development currently exists, it may permit the development proponent to construct temporary external Non-Trunk Infrastructure to connect the development to existing Trunk Infrastructure of sufficient capacity at the development proponent's cost.

The construction of temporary works in such instances would ordinarily be required by the Council as a condition of development approval.

All costs associated with the construction, maintenance and subsequent removal, where required, of the temporary works are to be borne by the development proponent, and the development proponent will not be eligible for Infrastructure Credits for these temporary works.

The Council may require the lodgement of a specified security to cover the payment of operation and maintenance costs of the temporary infrastructure, as well as the subsequent removal of that infrastructure.

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### 3 Assumptions in the Plans for Trunk Infrastructure

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A number of critical issues have been examined and used by Council in the development of the Plans for Trunk Infrastructure. The primary issues that have shaped those Plans are:-

- the Designated Infrastructure Service Area (DISA); and
- the Planning Assumptions.

#### 3.1 The Designated Infrastructure Service Area (DISA)

The DISA generally defines those areas within the City where Council is supportive of urban development. It indicates where provision of development infrastructure is anticipated in order to enable development of land for purposes consistent with the projections and assumptions about future development under the *Redcliffe City Planning Scheme*. The DISA for Redcliffe City includes the entire local government area.

Wherever the DISA includes some areas where Infrastructure Agreements are in place, the future growth within those areas will be in accordance with the terms and conditions of the infrastructure agreements, and this has been taken into account in the assessment of future infrastructure and revenue projections for Council.

All areas identified for urban development in the *Redcliffe City Planning Scheme* and located within the DISA are within the Urban Footprint of the SEQ Regional Plan.

#### 3.2 Planning Assumptions - General

The Planning Assumptions detail the type, scale and timing of future development anticipated for Redcliffe City under the current version of the *Redcliffe City Planning Scheme*. This exceeds the life expectancy of the Planning Scheme which must be reviewed every 8 years.

The Planning Assumptions are made in quantitative terms and address the various components for each form of development infrastructure. They include, but are not confined to, assumptions in respect of:

- population growth;
- lot or dwelling yield;
- employment growth; and
- demand generation.

The Planning Assumptions were prepared in a form that allows consistent planning of infrastructure required to service a development site or service catchment to the level prescribed by the Desired Standards of Service.

#### 3.3 Population Estimates

The growth projections for population have been compiled by cadastrally mapping the Planning Information and Forecasting Unit (PIFU) medium series projections for the 100 Census Collection Districts (CCDs) within Redcliffe, based on occupancy rates derived in the 2006 Census. With a few exceptions, the PIFU projections were adopted across the City. The exceptions were:

- growth predicted for Rothwell was shifted to the higher density intensification areas along the coastline (particularly within Urban Villages).
- growth predicted in CCD 3121611 was also moved to the coastal areas as this CCD contains a primary school with very little potential for further development.

The estimated residential population for each Statistical Local Area (SLA) at the 2006 base year and the growth expected within the planning horizon are outlined in Table 3.3A. Those population figures were subsequently converted to a corresponding number of dwellings by applying the residential occupancy rates calculated from the Australian Bureau of Statistics (ABS) data. The resulting figures showing the corresponding number of dwellings within the City for the 2006 base year and the expected growth over time are also outlined in Table 3.3A.

**Table 3.3A – Population Estimates to 2021**

SLA No	Location	Dwelling Type	Estimated Population (persons)				Average Household Size (persons)	Estimated Dwellings				
			2006	2011	2016	2021		(2011-2021)	2006	2011	2016	2021
6201	Clontarf	Single	7046	7539	7878	8154	2.51	2572	3004	3139	3249	
		Multiple	709	759	793	821	1.63	413	466	487	504	
		Other	121	129	135	140	1.3	88	100	104	108	
		TOTAL	7,876	8,427	8,806	9,115		3,073	3,570	3,730	3,861	
6204	Margate-Woody Point	Single	8425	9015	9510	9938	2.4	3218	3757	3963	4141	
		Multiple	2275	2434	2568	2683	1.62	1362	1503	1586	1657	
		Other	16	17	18	19	1.67	9	11	11	12	
		TOTAL	10,716	11,466	12,096	12,640		4,589	5,271	5,560	5,810	
6206	Redcliffe-Scarborough	Single	15380	16457	17362	18143	2.55	5539	6454	6809	7115	
		Multiple	3758	4021	4242	4433	1.55	2204	2595	2737	2860	
		Other	204	218	230	240	1.61	109	136	143	150	
		TOTAL	19,342	20,696	21,834	22,816		7,852	9,185	9,689	10,125	
6208	Rothwell-Kippa-Ring	Single	12824	13401	13803	14217	2.81	4188	4770	4913	5060	
		Multiple	1733	1811	1866	1922	1.75	905	1035	1067	1099	
		Other	27	28	29	30	1.55	14	19	19	20	
		TOTAL	14,584	15,240	15,698	16,169		5,107	5,824	5,999	6,179	
Inside DISA		Single	43675	46412	48553	50452	2.58	15517	17985	18824	19565	
		Multiple	8475	9025	9469	9859	1.61	4884	5599	5877	6120	
		Other	368	392	412	429	1.48	220	266	277	290	
		TOTAL	52,518	55,829	58,434	60,740		20,621	23,850	24,978	25,975	

### 3.4 Employment Estimates

- The estimated number of jobs in non-residential activities at the base year of 2006 is outlined in Table 3.4A. This information was sourced from a Council database of existing businesses within the City.
- Floor space utilisation per employee is subsequently used to determine typical gross floor area totals for each non-residential activity type by ANZSIC code. An interpolated average relative to population growth is then used to predict the change in job numbers, and therefore Gross Floor Area (GFA), over time (also shown in Table 3.4A).



**Table 3.4A – Assumptions about Future Employment and Floorspace to 2021**

SLA No	Location	Land Use Type	Estimated Employment (jobs)				Floor Area per Employee (m <sup>2</sup> )	Estimated GFA (m <sup>2</sup> )			
			2006	2011	2016	2021		2006	2011	2016	2021
6201	Clontarf	Commercial	486	501	516	532	25	12,150	12,525	12,900	13,300
		Retail	413	426	439	452	35	14,455	14,910	15,365	15,820
		Industry	2,710	2,792	2,876	2,962	120	325,200	335,040	345,120	355,440
		Community	242	250	257	265	35	8,470	8,750	8,995	9,275
		Other	518	534	550	567	0	0	0	0	0
		<b>TOTAL</b>	<b>4,369</b>	<b>4,503</b>	<b>4,638</b>	<b>4,778</b>		<b>360,275</b>	<b>371,225</b>	<b>382,380</b>	<b>393,835</b>
6204	Margate-Woody Point	Commercial	535	552	568	585	25	13,375	13,800	14,200	14,625
		Retail	694	715	737	759	35	24,290	25,025	25,795	26,565
		Industry	29	30	31	32	100	2,900	3,000	3,100	3,200
		Community	164	169	174	180	35	5,740	5,915	6,090	6,300
		Other	111	115	118	122	0	0	0	0	0
		<b>TOTAL</b>	<b>1,533</b>	<b>1,581</b>	<b>1,628</b>	<b>1,678</b>		<b>46,305</b>	<b>47,740</b>	<b>49,185</b>	<b>50,690</b>
6206	Redcliffe-Scarborough	Commercial	2,364	2,435	2,508	2,584	25	59,100	60,875	62,700	64,600
		Retail	1,839	1,895	1,951	2,010	35	64,365	66,325	68,285	70,350
		Industry	227	234	241	249	100	22,700	23,400	24,100	24,900
		Community	481	496	511	526	35	16,835	17,360	17,885	18,410
		Other	185	191	197	203	0	0	0	0	0
		<b>TOTAL</b>	<b>5,096</b>	<b>5,251</b>	<b>5,408</b>	<b>5,572</b>		<b>163,000</b>	<b>167,960</b>	<b>172,970</b>	<b>178,260</b>
6208	Rothwell- Kippa-Ring	Commercial	1,683	1,734	1,786	1,840	25	42,075	43,350	44,650	46,000
		Retail	1,877	1,934	1,992	2,052	35	65,695	67,690	69,720	71,820
		Industry	1,258	1,296	1,335	1,375	100	125,800	129,600	133,500	137,500
		Community	721	743	765	788	35	25,235	26,005	26,775	27,580
		Other	145	150	154	159	0	0	0	0	0
		<b>TOTAL</b>	<b>5,684</b>	<b>5,857</b>	<b>6,032</b>	<b>6,214</b>		<b>258,805</b>	<b>266,645</b>	<b>274,645</b>	<b>282,900</b>
Total		Commercial	5,068	5,222	5,378	5,541	25	126,700	130,550	134,450	138,525
		Retail	4,823	4,970	5,119	5,273	35	168,805	173,950	179,165	184,555
		Industry	4,224	4,352	4,483	4,618	100-120	476,600	491,040	505,820	521,040
		Community	1,608	1,658	1,707	1,759	35	56,280	58,030	59,745	61,565
		Other	959	990	1,019	1,051	0	0	0	0	0
		<b>TOTAL</b>	<b>16,682</b>	<b>17,192</b>	<b>17,706</b>	<b>18,242</b>		<b>828,385</b>	<b>853,570</b>	<b>879,180</b>	<b>905,685</b>

## **4 Determination of Infrastructure Contributions for Assessable Development**

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Infrastructure Contributions are determined in accordance with the principles outlined in this policy and those Development Contributions Policies applicable to the Trunk Infrastructure Networks which serve the development.

### **4.1 Application**

This policy applies to all development on land within the City which has been made assessable against the *Redcliffe City Planning Scheme* and for which trunk infrastructure service capacity is either sought or has been allocated.

Infrastructure Contributions deemed applicable by Council will be calculated using the Development Contributions Policies and will be imposed as conditions of development approval for such development.

### **4.2 Assessment of Development Applications against Assumptions**

Applications will be assessed against the Assumptions on which planning of the Trunk Infrastructure networks was based.

A proposal is considered consistent with the planning assumptions if it is not specifically labeled as “inconsistent” in the zone assessment tables applicable to the land and it meets all of the following criteria (If it does not meet that criteria it is considered unanticipated development):-

- (1) The proposal meets all of the applicable development requirements prescribed for that land use in the *Redcliffe City Planning Scheme*.
- (2) The proposal is generally consistent with the projected growth assumptions for the SLA given within Tables 3.3A and 3.4A.
- (3) The proposed demand imposed on each of the applicable infrastructure networks is no more than that indicated in the planning assumptions. (However, for the water supply network alone, the proposal is still considered to be consistent provided that the proposed demand as calculated in accordance with section 5 of this policy does not exceed that assumed for the site by more than 5 %.)
- (4) All of the Trunk Infrastructure needed to service the development is anticipated to be available within the timeframe in which it is required by the development.

#### **Consistent Applications**

A development proposal, which is found to be consistent with the planning assumptions, will be subject to Type 1 Assessment only for the calculation of applicable infrastructure contributions.

#### **Unanticipated Development**

Council may be prepared to support a development application for Unanticipated Development, if the approval would not result in an inefficient or deficient infrastructure network and is not likely to create an adverse cost impact for the Council. The entrepreneurial risk associated with such development is not to be transferred to Council under any circumstance.

In those instances where Council is prepared to approve unanticipated development, it would normally require the development proponent to enter into an Infrastructure Agreement in accordance with Section 6 of this document prior to issuing an approval.

For the determination of Infrastructure Contributions for such applications, Council will undertake both Type 1 Assessment and Type 2 ATIC (Additional Trunk Infrastructure Cost) Assessment.

### **4.3 Type 1 Assessment**

The base level Infrastructure Contributions are calculated using a Type 1 assessment and the Calculation Formula set out in Section 5.

Since Council's Infrastructure Contribution Regime is based on the assumptions set out in Section 3 of this policy, development proponents should note that development proposals which under-develop the site will be charged for the Trunk Infrastructure Demand assumed for the networks.

Notwithstanding the above, Council recognises that the assumptions have been derived using an averaging process, and as such may not be achievable for every development proposal given the constraints of planning

scheme requirements for site specific issues. If the applicant can demonstrate to Council's satisfaction that the level of assumptions for the site can not reasonably be achieved, Council will take this into account when determining the amount of any infrastructure contributions to be imposed.

#### **Determining the Quantum of Contributions:-**

The demand factor tables for each network as shown in the Development Contribution Policies are used to determine the demand for both the proposal and the overall development. If the proposal is for a land use not listed in those tables, the applicant is required to demonstrate which land use the proposal most closely aligns with.

Applications will be assessed against the Planning Assumptions. The assumed demand has been determined from the figures set out in tables 3.3A and 3.4A.

If the demand determined for the proposal is higher than that assumed, the amount of the required contribution will be determined using the proposed level of demand.

If the demand calculated for the actual proposal is less than the assumed demand or that is reasonably achievable for the site, the amount of the required contribution will be determined using the lesser of:

- (a) the assumed demand; and
- (b) that is reasonably achievable for the site.

#### **Payment of Contributions:-**

Nothing in these policies precludes the development proponent from entering into an infrastructure agreement with Council to address staged payment of contributions for what is clearly staged development of land.

Unless otherwise determined in an Infrastructure Agreement, Infrastructure contributions are payable at the Infrastructure Contribution Rate applicable at the time that the contribution is paid.

### **4.4 Type 2 Additional Trunk Infrastructure Cost (ATIC) Assessment**

#### **General Requirements**

Unanticipated Development as described in Section 4.2 of this document will generally attract a contribution for Additional Trunk Infrastructure Cost (ATIC), assuming Council decides to approve the development. In any case, Council will require that the development proponent enter into an Infrastructure Agreement with Council prior to the issue of a development approval.

Applications for development proposals that vary from the planning assumptions are required to contain detailed infrastructure reports that enable the impact of the development on the Trunk Infrastructure networks, and in particular the effect on the capacity and timing of infrastructure provision stated in the Plans for Trunk Infrastructure, to be determined.

Assuming that Council is prepared to issue a development approval for the proposal, it will undertake Type 1 assessment and also determine whether or not the requirement for payment of an ATIC is warranted in the context. These may be included as conditions of subsequent development approval or be addressed through some similar mechanism in the Infrastructure Agreement.

Any development approval requiring the payment of an ATIC will normally include conditions requiring the construction of any Trunk Infrastructure needed to ensure the proposed development does not adversely impact upon, or compromise, the ability of Council to provide a service (at the Desired Standard of Service) to both existing development and other development provided for in the Plans for Trunk Infrastructure, which has not yet been established.

#### **Calculation of ATIC**

For unanticipated development requiring the provision of new or upgraded Trunk Infrastructure, the scope of a contribution for ATIC may include, but not be limited to:-

- the additional financing costs for the Trunk Infrastructure as brought forward in time;
- the establishment cost of the additional Trunk Infrastructure required to service the development; and
- the cost of amending the Plans for Trunk Infrastructure.

The Council may also require the development proponent to enter into an Advance Funding Infrastructure Agreement in accordance with Section 6 of this document to cover such costs.

#### **4.5 Infrastructure Specific Information to be supplied with Development Applications**

This subsection details the extent of Infrastructure specific information which must be provided as part of any Development Application to allow the assessment of the proposal against the Planning Assumptions for Trunk Infrastructure, and the calculation of Trunk Infrastructure Contributions.

Development applications must include sufficient information to allow determination of the scope and extent of new infrastructure required to service the development. Such information is to include a detailed program of development showing the timing and sequencing of development activities. Council will use that information to determine the new Trunk Infrastructure, if any, required to service the development, the appropriate timing for the provision of the Trunk Infrastructure and the manner in which it is to be funded.

Information that needs to be provided with the development application includes (but is not limited to):-

- a comparison of the proposed development against the planning assumptions, i.e. the density and development demands proposed under the development application;
- the Trunk Infrastructure requirements to service the development to the Desired Standards of Service identified in the Development Contributions Policies;
- documented details of consultation already undertaken with Infrastructure Providers (including State and other), if undertaken;
- complete details of any probable variation from the extent, scale, form or timing of infrastructure detailed within the Plans for Trunk Infrastructure that is likely to arise as a result of the establishment of the development;
- an accurate schedule of development implementation in regard to the provision of trunk infrastructure;
- complete details of any existing demand generated on the site;
- complete details of any Infrastructure Credits applicable;
- complete details of any proposed Non-Trunk Infrastructure external to the development site; and
- identification of those Trunk Infrastructure Items “Critical” to the commencement of the use and those that could be “Deferred”.

#### **4.6 Time for Payment of Infrastructure Contributions including Contributions for ATIC**

The times for payment of Base Level Infrastructure Contributions and any contributions for ATIC under this policy are the same as those times established for payment of Infrastructure Contribution and Additional Trunk Infrastructure Costs under Chapter 5 of the *Integrated Planning Act 1997* as in force on 25 March 2005, unless some different time for payment is prescribed in either a condition of development approval or an Infrastructure Agreement.

##### **Time for Payment of Base Level Infrastructure Contributions**

Unless some different time for payment is prescribed in either a condition of development approval or an Infrastructure Agreement, the time for payment of Base Level Infrastructure Contributions under this policy is:-

- (a) if the contribution applies to Reconfiguring a Lot – before Council approves the plan of subdivision;
- (b) if the contribution applies to a Material Change of Use involving assessable building work – before the Certificate of Classification or other clearance certificate for the building work is issued; and
- (c) if the contribution applies to a Material Change of Use (not followed by an application for Reconfiguring a Lot or involving assessable building work) – before the change of use happens.

##### **Time for Payment of Contributions for Additional Trunk Infrastructure Cost (ATIC)**

The time for payment of an Additional Trunk Infrastructure Cost is as stated in either a condition of development approval or an Infrastructure Agreement.

## 5 Calculation of Infrastructure Contributions

Infrastructure Contributions are determined using the Calculation Formula in Section 5.1 below and the data obtained from the Development Contributions Policies.

### 5.1 Calculation Formula

The amount of each required Infrastructure Contribution is determined using the following equation:-

$$\text{Infrastructure Contribution} = \{A - B - C\} \times D \times E \quad \text{where } A = (P \times F)$$

This equation considers and utilises a number of logical assessment steps relating to the existing development site and the proposed use including:-

- (1) the size/scale of the proposal – Demand Parameter (**P**);
- (2) the Demand Assumption (Demand Factor) relevant to the type of development (**F**) as listed in the demand factor tables in Schedule A of each of the Development Contributions Policies for each network;
- (3) total Demand of Proposal expressed in Demand Units (**A**);
- (4) any existing demand/entitlements for the site (**B**) expressed in Demand Units; and
- (5) any Infrastructure Credits (**C**) expressed in Demand Units.

The net demand is determined by deducting an allowance for any previous payments and existing lawfully established uses on the land (**B**) as well as any Infrastructure Credits applying to the development site (**C**) from the total demand determined for the development (**A**). The actual amount of any required infrastructure contribution is then determined by applying the following to the net demand:-

- the appropriate Infrastructure Contribution Rate (**D**) for the Network, Network Component Level, Service Catchment and Land use as listed in the Infrastructure Contribution Rates tables for each network in the Development Contributions Policies; and
- the current Escalation Factor (**E**) calculated in accordance with Section 5.4 of this Planning Scheme Policy.

**Table 5.1A – Contribution Calculation Definitions**

Variable		Units	Role
Demand Factor	<b>F</b>	Demand Factors are provided for residential and non-residential land uses. For any land use not specifically covered, the Demand Factor applicable to the development will be as determined by Council having regard to the nature of the use in relation to its potential load on the relevant Trunk Infrastructure.	The demand factor is a conversion factor to equate the demand parameter with demand units commonly used in defining infrastructure demand for a particular network. The demand factors are derived from the demand assumptions for a stated equivalent demand for Land Uses and Zones within the Planning Scheme. These planning assumptions are used to ensure that a development's use of Trunk Infrastructure is accounted for and that appropriate contributions for the delivery of Trunk Infrastructure are obtained from the approved development.
Demand Parameter for determining Total Demand of Proposal	<b>P</b>	The denomination of the scale of development, specified in lots, dwelling units, m <sup>2</sup> GFA, ha et al.	Used to measure or define the scale or intensity of the proposed or existing use in common defined units.
Total Demand of Proposal	<b>A</b>	Total Demand after completion of the development, expressed as Standard Units of Demand and derived as the product of P x F. These are expressed as follows:- <b>Water Supply:</b> Equivalent Person Water Supply (EPW) <b>Sewerage:</b> Equivalent Person Sewerage (EPS) <b>Stormwater Quantity:</b> Equivalent Contributing Area Quantity (ECAQty) <b>Stormwater Quality:</b> Equivalent Contributing Area Quality (ECAQal) <b>Roads:</b> CTE (Chargeable Trip End) <b>Pathways:</b> Equivalent Tenements (ET)	After the completion of the development and payment of Contribution, this is the demand entitlement which will ultimately be recorded in Council's Infrastructure Charges Register.

<i>Variable</i>		<i>Units</i>	<i>Role</i>
		<b>Public Open Space and Community Purpose: Equivalent Person (EP)</b>	
Existing Demand/Entitlements	<b>B</b>	Demand of any existing lawfully established use of the land and previous payments expressed in Standard Units of Demand as per <b>A</b> .	In order to ensure fair charging, allowance is made for previous trunk infrastructure payments and the load already imposed by any existing use by subtracting it from any future liability for Infrastructure Contributions. The existing use demand is calculated in the same manner as the demand for a new use of the land would be calculated under this policy.
Infrastructure Credit	<b>C</b>	Credits expressed in Standard Units of Demand as per <b>A</b> .	Credit accrued for the provision of Trunk Infrastructure Assets by the development proponent as previously defined in an agreement.
Infrastructure Contribution Rate	<b>D</b>	Infrastructure Contribution Rate (ICR) per Equivalent Demand Unit, Network and Network Component.	Allows for a charge to be fairly based by determining a scale of use and applying a common contribution rate per “demand unit” for the network.
Escalation	<b>E</b>	Escalation to current values using the indexation method described in Section 5.4 (Escalation).	Allows for the Infrastructure Contribution Rates to be indexed regularly, to adjust for fluctuations in construction and land prices.

## **5.2 Determination of Total Demand of Proposal (A)**

The Total Demand of the Proposal is determined pursuant to the Developer Contributions Policies for each network, using the Demand Factor Tables in Schedule A of each of those policies and giving due consideration to the principles stated in Section 4 of this Policy.

## **5.3 Determination of Existing Demand / Entitlements (B)**

Infrastructure Contributions are calculated by using the existing demand of on-site activities, any previous trunk infrastructure payments, any Infrastructure Credits applicable to the development site and the total demand of the development proposal to determine the net demand generated by the proposed development.

Where an existing building or work is proposed to be extended, or a new building or work is proposed to be undertaken on land occupied by an existing lawful use, Infrastructure Contributions will only apply to the proposed extension of the existing building or existing work or to the new building or work and only to the extent that there is an increase in demand.

Existing demand for each Infrastructure Network and its components in this context is determined using one of the following with (1) taking precedence over (2) and (3), and (2) taking precedence over (3):-

- (1) any existing demand recorded within Council's Infrastructure Charges/Contributions Register for all applications received by Council after the adoption of the Development Contributions Policies;
- or
- (2) where Infrastructure Contributions have previously been made to the Council in respect of the land, the demand on which those Infrastructure Contributions were based;
- or
- (3) the equivalent demand of each lawful use undertaken on the land prior to the application being made, expressed in demand units and calculated as follows:-
  - (a) where the mechanism for the determination of contributions is based on site area alone – the demand for the minimum equivalent site area, which would be required under the current provisions of Council's Planning Scheme for the existing lawful use on the land, if it was to be established at the time that this application was made;
  - (b) for vacant residential zoned land not addressed in (a) - the demand allowed for a single detached house. However, there will be no demand allowance for Water or Sewerage Infrastructure if the lot has access but is not connected to those Infrastructure Networks and is not subject to a vacant water supply or sewerage charge; and
  - (c) where an existing building or work is proposed to be changed - the demand for that part of the existing use proposed to be changed.

## 5.4 Escalation

The Infrastructure Contribution Rates applicable for each service catchment and each Infrastructure Network at 01 January 2009 are set out in the Development Contributions Policies for each Infrastructure Network.

To enable contributions to reflect the fluctuations in the costs of construction and land acquisition for each Infrastructure Network, the Infrastructure Contribution Rates will be subject to adjustment through escalation.

Unless otherwise prescribed in an infrastructure agreement or a condition of development approval, the amount of any contribution payable will be at the escalated rate applicable at the date that payment is made.

The infrastructure contribution rates will be adjusted at quarterly intervals commencing 01 July 2009.

Escalation of the works component of the charge will be in accordance with the "Building Price Index" for Brisbane listed in the most recent edition of Rawlinson's "Australian Construction Handbook". Escalation of the land acquisition component of the charge will be in accordance with the Council's adopted "Land Value Index".

### Land Value Index

The "Land Value Index" is a measure of the fluctuations in the market value of vacant residential land within the former local government area of Redcliffe City over time and is compiled on behalf of Council by a Certified Practising Valuer, or some other entity having equivalent qualifications, using the following industry accepted methodology:-

- (a) a review of land types is undertaken;
- (b) suitable land types are identified and selected for indexation calculation;
- (c) selected data is retrieved from "RP Data" (The Real Estate Institute of Queensland's database);
- (d) the selected data is "cleansed" for incorrect entries and "outliers";
- (e) the "cleansed" data is loaded onto spreadsheets for analysis;
- (f) the "cleansed" data is analysed to produce periodic averages; and
- (g) index increases or decreases are calculated using the data averages.

The Land Component of all Networks is escalated by the average change across the local government area.

## 5.5 Administrative Component

Council is entitled to recover costs associated with the collection, expenditure and administration of funds collected pursuant to the Development Contributions Policies (such costs fall within the scope of the term "establishment cost"). A separate contribution for the administration of this infrastructure contributions regime will therefore be imposed on all development to which the Development Contributions Policies apply.

The extent of contributions to cover those administration costs is calculated in the following manner:-

<b><math display="block">\text{Administrative Contribution} = \{A - B\} \times D \times E \times \%Admin</math></b>
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Refer to Table 5.1A for the meaning of A, B, D and E and how they are determined.

For the purposes of this provision, the %Admin has been set at 2% (exclusive GST).

## 5.6 Aggregating Contributions

For each development proposal to which this infrastructure contributions regime applies, there will be separate contributions for the different Network Component Levels, as well as the "Administrative component". These amounts are to be aggregated to determine the overall contribution payable for any particular development proposal.

The Network Component Levels are as follows:-

**Table 5.6A – Contribution Components**

<b>Water Supply</b>	Local Government Area
<b>Sewerage</b>	Local
<b>Stormwater Quantity</b>	Creek
<b>Stormwater Quality</b>	Creek
<b>Trunk Roads</b>	Local
<b>Pathways</b>	Local Government Area
<b>Public Open Space and Community Purpose</b>	Local Government Area

### **5.7 Capping Methodology**

A capping regime applies to Infrastructure Contributions for the net demand of new “residential development”. For payments made prior to 1 July 2009, the aggregate amount payable for the base level contribution after existing demand/entitlements and credits have been distributed is:-

- (a) \$20,000 for each additional freehold lot created pursuant to a development approval for reconfiguring a lot (excluding any lot which is required to be transferred to a public sector entity for community purpose); and
- (b) \$16,000 for each new dwelling unit or community title lot created pursuant to a development approval for either a material change of use or reconfiguring a lot.

The aggregate amount payable on or after 1 July 2009 is not to exceed the pre-July 2009 capped limit escalated from the base date of 1 July 2009 by the greater of the following as they are released:-

- (a) the quarterly movements in the “Building Price Index” for Brisbane as listed in the most recent edition of Rawlinsons “Australian Construction Handbook (including quarterly updates)”; and
- (b) the movements in the “Land Value Index” as defined in Section 5.4.

The adjusted amount is not to exceed the aggregate of the uncapped contributions which would otherwise be payable. (For purposes of clarity, the adjusted amount is deemed to already include the administrative component described in section 5.5 of this policy.)

#### **Exclusions from Capping Program**

The capping of trunk infrastructure contributions does not apply to:-

- (1) any development which is not “residential development”;
- (2) payments made after 30 June 2013;
- (3) additional trunk infrastructure contributions ATIC imposed on unanticipated development;
- (4) the dedication of land and/or the completion of works in lieu of making a cash payment for the trunk infrastructure;
- (5) instances where alternative arrangements have been made through an infrastructure agreement;
- (6) non-trunk infrastructure; or
- (7) trunk infrastructure for which Council has no maintenance responsibilities.

#### **Exclusion from Capping Program for water and sewerage trunk infrastructure**

It is acknowledged that control of, and responsibility for, water and sewerage trunk infrastructure may be transferred from Council to a new authority (“the new authority”).

Where Council is required by the new authority to charge and/or recover the full contribution for the supply of water and sewerage trunk infrastructure, the capping program will not apply to those items. The capping program will apply to the other trunk infrastructure components for which a contribution is applicable. How the capping is to be calculated for the other trunk infrastructure items will be at Council’s absolute discretion.

#### **Allocation of Infrastructure Entitlement for Reduced Contributions**

Despite the fact that the effect of the capping of contribution rates may result in a lesser amount being paid to Council during the transition period, the development proponent is to be allocated the full trunk infrastructure entitlement in demand units on payment in full of the reduced contribution applicable to the development.

#### **Allocation of Reduced Contributions to Infrastructure Networks**



Payments received under Council's trunk infrastructure charging regime are to be distributed across all of the trunk infrastructure networks contributing to the calculation of the payment due in direct proportion to the amount that the contribution for each network contributed to the uncapped charge which would otherwise have applied to the development. However, that distribution is only to take place following deduction of the full administrative component which would otherwise have applied to the uncapped charge.

#### **Dealing with Infrastructure Credits under the Capping Regime**

Unless otherwise stipulated in an infrastructure agreement, an infrastructure credit accrued by whatever means in relation to a specific trunk infrastructure network is to be:-

- (1) applied as a credit against any infrastructure contributions payable for that same network, but within subsequent stages or later intensification of the same development; or
- (2) in those instances where (1) can not be applied or infrastructure credits still remain even after allocation to subsequent stages, refunded to the development proponent or such other entity nominated for that purpose in a valid deed of assignment.

Where applied to subsequent stages of the development, the infrastructure credit, expressed in demand units, is to be subtracted from the units of net demand associated with the infrastructure contribution which would otherwise apply for those subsequent stages before the capping methodology is applied.

In those instances where infrastructure credits are refunded, the following process is to be applied despite the fact that the effect of the capping of contributions results in a lesser amount being paid to Council:-

- (a) establish the full monetary value of the excess infrastructure credits at the time that they were accrued; i.e. prior to the capping being applied; and
- (b) apply an indexing factor equivalent to the movements in the Consumer Price Index (All Groups) for Brisbane between the time that the credits are accrued and the time that they are paid out.

The above methodology is to be used for dealing with the refunding of infrastructure credits during the transition period of 1 July 2009 to 30 June 2011 despite what would otherwise apply under Section 6.6.

### **5.8 Exemptions from Imposition of Infrastructure Contributions**

The imposition of infrastructure contributions does not apply to any of the following:

- (1) exempt development;
- (2) self assessable development;
- (3) development that is assessable solely against the Building Act 1975;
- (4) any development undertaken by, or on behalf of Council for any of the land uses listed in Table 5.8A, unless the goods and/or services being offered:-
  - (a) are being charged for at a level which Council would reasonably be expected to know is significantly in excess of that required to meet the normal operating and lifecycle costs of the facility; or
  - (b) would normally be provided as part of a viable business concern in that context by private enterprise, including all government subsidies on offer.

**Table 5.8A – Council Activities Exempt From Infrastructure Contributions**

Reconfiguring a Lot
Car park
Caravan park
Community well-being facilities
Community well-being infrastructure
Education centre
Entertainment outdoor
Government Infrastructure
Indoor entertainment, sport or recreation
Market
Park
Sport and recreation outdoor
Transport interchange
Utility installation

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## **6 Agreements about, and Alternatives to, paying Trunk Infrastructure Contributions**

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Any Infrastructure Agreement must be in writing, be prepared at no cost to the Council and be in a form acceptable to Council.

### **6.1 Situations where Infrastructure Agreements are used**

An Infrastructure Agreement (IA) must be entered into in the following situations:

- (a) where Council agrees to the development proponent supplying all or part of the necessary infrastructure instead of making a monetary contribution; or
- (b) where Council is prepared to support a development application for unanticipated development to which an ATIC applies; or
- (c) where Council agrees to delayed payment of infrastructure contributions by development proponents; or
- (d) where otherwise required by Council.

### **6.2 Infrastructure Agreement Content**

Any Infrastructure Agreement must be in writing and be prepared either by the Council at the development proponent's cost, or by the development proponent using documents that are in a form acceptable to Council.

Every Infrastructure Agreement must adequately address those matters prescribed in Chapter 5, Part 2 of the *Integrated Planning Act 1997*, and unless otherwise agreed by Council, must:-

- (a) bind successors in title in the manner prescribed in Section 5.2.5 of IPA;
- (b) identify the applicable Networks of Trunk Infrastructure to which it applies;
- (c) state the planning assumptions used to determine the necessary infrastructure works;
- (d) contain a plan identifying the area to be serviced by the Trunk Infrastructure;
- (e) detail the anticipated staging of the development;
- (f) state the calculated equivalent demand imposed by the development on each network;
- (g) list the Trunk Infrastructure to be contributed for each component or hierarchy of the network;
- (h) prescribe the Trunk Infrastructure to be provided, including a detailed description, design criteria and construction details, and the works program for its provision;
- (i) prescribe the responsible entity for the funding, design and construction of the Trunk Infrastructure including land acquisition;
- (j) prescribe the date for payment/receipt of any contributions;
- (k) state the nature of any security to be lodged and the details of the subsequent use or release of such security;
- (l) provide details in relation to maintenance of the infrastructure, including responsibilities for general maintenance activities, anticipated maintenance costs and responsibility for maintaining infrastructure performance (rectification of defects);
- (m) state the Infrastructure Credits to be accrued by, and attributed to, the development as well as the extent of any that are in excess of the Infrastructure Contributions applicable to the development;
- (n) detail any estimated refunds to be paid from other users who will benefit from the Trunk Infrastructure the subject of the Infrastructure Agreement;
- (o) indicate:
  - (i) whether or not the Council will permit the early accrual of Infrastructure Credits where a development proponent does not have any Infrastructure Credits but has substantially completed infrastructure works; and
  - (ii) the process of dedicating land for infrastructure purposes which upon completion/registration will entitle the development proponent to accrue Infrastructure Credit;
- (p) provide details of any approved temporary works and the entity responsible for meeting the costs associated with the operation and maintenance of these items over a period of five years, as well as their subsequent removal;
- (q) make provision for modification to the agreement, at Council's discretion, where issues of timing, other development or another Infrastructure Agreement entered into by either party warrants such modification; and

- (r) include any other details considered appropriate by the Council.

### **6.3 Infrastructure Agreements for Advance Funding Arrangements**

Where Trunk Infrastructure is programmed in Council's Capital Works Program, but current funding from Infrastructure Contributions is insufficient for the purpose at the programmed construction date, or the construction of the Trunk Infrastructure needs to be brought forward, the Council at its sole discretion may require the development proponent to enter into an Infrastructure Agreement to provide advance funding for the infrastructure.

Such an Infrastructure Agreement is referred to for the purposes of this Planning Scheme Policy as an 'Advance Funding Infrastructure Agreement'.

Unless otherwise agreed between the parties to the agreement, funding arrangements will involve the full reimbursement by the Council or credit for the amount of advance funding for the purposes of constructing an Item of Trunk Infrastructure.

### **6.4 Infrastructure Agreements for Trunk Infrastructure Construction for Consistent Development**

Under the Council's preferred arrangements for consistent development, programmed Trunk Infrastructure will be constructed or acquired by the Council, and monetary contributions will be taken.

However, the Council at its sole discretion may enter into an agreement with the development proponent for that entity to construct or dedicate Trunk Infrastructure. The works constructed must be consistent with the Plans for Trunk Infrastructure.

The development proponent will be reimbursed for the provision of the Trunk Infrastructure through an Infrastructure Credit in accordance with Section 6.6 of this policy.

### **6.5 Infrastructure Agreements for Unanticipated Development**

#### **General Matters**

Where the Council supports a development proposal that is inconsistent with the Planning assumptions or outside of the DISA, it may refuse the application or make any approval conditional upon the development proponent and Council entering into an Infrastructure Agreement.

One of the primary purposes of the Infrastructure Agreement is to ensure the appropriate and timely provision of infrastructure to the development without compromising the Desired Standard of Service to existing and planned development allowed for in the Planning assumptions. The nature, extent, sequencing and timing of infrastructure works to meet these requirements is to be determined in detailed infrastructure reports provided by the development proponent.

In addition to those content issues outlined in Section 6.2 of this policy, the Infrastructure Agreement must include specific provisions aimed at ensuring that:-

- (a) existing and planned users within the DISA are not disadvantaged as a result of servicing the unanticipated development;
- (b) the strategy adopted for provision of infrastructure will result in no financial disadvantage to Council;
- (c) Council is indemnified against the risk associated with the expenditure that may be incurred by Council and any economic risk posed by the development;
- (d) the proposed infrastructure will be compatible with, and will form part of, the Council's scheme for the area;
- (e) the development proponent takes responsibility for the design and establishment of those parts of the systems required to service the development in accordance with relevant Council standards and a strategy approved from time to time by Council; and
- (f) the contributions for ATIC required under any condition of development approval are paid to Council.

#### **Accelerated Trunk Infrastructure required for Out of Sequence Development**

Where the relevant Trunk Infrastructure required to service the development is programmed in the Council's Capital Works Program but the development necessitates that its construction be brought forward, any development approval that may be issued will be conditional upon the development proponent entering into an Infrastructure Agreement for construction of the Trunk Infrastructure at the development proponent's cost.

The development proponent will be eligible for Infrastructure Credits determined in accordance with Section 6.6 of this policy.

The Council may impose the requirement for a contribution for ATIC to cover the cost impact of the “bring forward” of construction as a condition of development approval.

The Trunk Infrastructure to be provided may be required to also meet the demands of other anticipated development in the vicinity. In such instances, the development proponent will be required to fund all Trunk Infrastructure necessary to service that defined area or planned population of proposed and future development.

The Infrastructure Agreement may contain provision for refunding payments from future users of the infrastructure at the time the contributions are collected from those future users or at the time that the Item of Trunk Infrastructure subject of the Infrastructure Agreement was scheduled for construction in the Council's Capital Works Program, whichever is the later. Unless the payments made by future users are reduced contributions under Section 5.7 of this policy, the refunds, as determined by Council, will be generally:-

- (a) limited to the monetary equivalent of the excess Infrastructure Credits accrued by the development proponent for the provision of the Trunk Infrastructure at the time the excess Credits are accrued; and
- (b) indexed to values current at the time the refund is issued by applying the Consumer Price Index (All Groups) for the City of Brisbane as published by the Australian Bureau of Statistics.

Where the payments made by future users are reduced contributions, the monetary value of any refund made to the developer who provided the new infrastructure will be calculated using the methodology prescribed in Section 6.6 of this policy.

### **Land Transfers**

Under Council's regime for infrastructure contributions, land acquisition costs have been included in the establishment cost of Trunk Infrastructure, and the responsibility of the development proponent will be generally limited to payment of Infrastructure Contributions determined in accordance with the Development Contributions Policies.

However, land to service development would normally be required in instances where:-

- (a) Trunk Infrastructure including land is planned on the site of a development application and Council agrees to land being provided in lieu of a monetary contribution; or
- (b) Council specifically requires the transfer of part of that site to form part of the Trunk Infrastructure network.

The need for land transfers will be determined as part of the development assessment process.

Where transfer of land for Public Open Space and Community Purpose is either accepted or specifically required by Council, the development proponent may be eligible for Infrastructure Credits determined in accordance with Section 6.6 of this policy. In instances where the development proponent is likely to be eligible for Infrastructure Credits, the development proponent will need to enter into an Infrastructure Agreement confirming the precise extent of any credit and the method to be used for redeeming such credits.

Land transfers must be in fee simple and at no cost to the Council, unless otherwise agreed between the parties to the required Infrastructure Agreement.

## **6.6 Infrastructure Credits**

Infrastructure Credits are applicable where the Council:

- (a) requires or agrees to the construction of Trunk Infrastructure by the development proponent; and
- (b) determines that an allowance will be made for the development proponent to offset the costs of the Trunk Infrastructure against the Infrastructure Contributions payable; or
- (c) accepts or specifically requires the transfer of land for trunk infrastructure.

These allowances are referred to in this policy as Infrastructure Credits.

Infrastructure Credits are to be expressed in Equivalent Demand Units for each network and not in monetary terms.

Infrastructure Credits do not include allowances for existing entitlements on the land, or any previous payments made under this or a former charging regime. Those items are covered in Section 5.3 of this policy.

### **Credits Calculation**

Infrastructure Credits are calculated by:-

- (1) determining the cost of the works or dedications (net of GST) to be constructed or dedicated by reference to the Plans for Trunk Infrastructure and the cost schedule for each Item of Trunk Infrastructure comprising the works (V), including any land contained therein;
- (2) escalating the cost of the works to current day value using the same method as outlined in Section 5.4 of this policy;
- (3) determining the service catchment for the Infrastructure Network Component under which the asset is classified and establishing the Infrastructure Contribution Rate for that Infrastructure Network; and
- (4) dividing the escalated cost of the works determined from (1) and (2) above by the Infrastructure Contribution Rate for the applicable Component of the Infrastructure Network escalated to current day value.

Infrastructure Credits = V escalated to current day value / Infrastructure Contribution Rate for the Infrastructure Network Service Catchment in which the asset belongs escalated to current day value.

Credits 'accrue' to the development proponent either:-

- (i) following final inspection and acceptance by the Council of the works "On Maintenance"; or
- (ii) following the lodgement with Council of a security to cover the satisfactory completion of the works in accordance with Section 6.7 of this policy.

### **Deduction of Credits**

The Infrastructure Credit for constructed infrastructure, expressed as Equivalent Demand Units, will be deducted from the total demand calculated for each of the applicable networks pursuant to this and the other Development Contributions Policies. The Infrastructure Credit will only be applicable to that development and be both determined as part of the approval process and confirmed in the required Infrastructure Agreement.

The relevant Infrastructure Contributions payable will be deducted progressively from the Infrastructure Credit as they become due for each stage until the credit is reduced to zero. Once the Infrastructure Credit is reduced to zero, the development proponent must pay Infrastructure Contributions for any remaining balance of the development demand in accordance with this policy.

Where an Infrastructure Credit is allowed, it will be determined and applied to the infrastructure network component to which the credited component belongs (no cross-subsidisation of networks and network components will be permitted).

For the purpose of clarity, development proponents are advised that higher level Infrastructure Contributions (i.e. River Level for Stormwater, Regional Infrastructure for Water and Sewerage, Regional Parks and District Sports Facilities) must, unless otherwise permitted by Council, take the form of a monetary contribution and not be offset against a Credit obtained solely for the provision of lower level Infrastructure.

### **Excess Credits**

The Trunk Infrastructure constructed or provided by the development proponent may need to be designed to service areas other than, and additional to, the site of the development application. In such cases, the calculated amount of Infrastructure Credits may exceed the level of the Infrastructure Contributions otherwise anticipated for the development.

Unless otherwise permitted by Council, such excess Infrastructure Credits will not be transferable:-

- (a) to other Trunk Infrastructure Networks; or
- (b) to a different development;

BUT

- (c) may be transferred between different stages of an approved staged development of the land; or
- (d) may be applied to a subsequent intensification of use or higher density development at the site.

Under no circumstances will Infrastructure Credits be cash redeemable upon demand.

### **Refunding Excess Credits**

In some cases, Council may allow the refunding of an excess credit from contributions levied against future users of the constructed/dedicated infrastructure. However, arrangements for these refunds will need to be specifically addressed in an Infrastructure Agreement, and be stated as either:-

- (1) refunds from Infrastructure Contributions made for future development on identified properties; or
- (2) refunds from Infrastructure Contributions made for future development collected in a specific service catchment and expressed as a percentage of Contributions.

The Infrastructure Agreement would ordinarily contain a specified time for refunding excess credits from contributions levied on future users of the constructed/dedicated infrastructure. Unless otherwise stated in the agreement, that time would usually be the later of the following:-

- (1) as the contributions are collected from future users; or
- (2) when the item of Trunk Infrastructure which is the subject of the Infrastructure Agreement was scheduled for construction in the Council's Capital Works Program.

The refunds will be generally limited to the monetary equivalent of the excess Infrastructure Credits accrued by the development proponent for the provision of the Trunk Infrastructure at the time the excess Credits are accrued, but indexed to values current at the time the refund is issued by applying the Consumer Price Index (All Groups) for the City of Brisbane as published by the Australian Bureau of Statistics.

## **6.7 Lodgement of Securities**

Where security is required to ensure the due and punctual performance of obligations or payment of a monetary contribution, the security is to be provided at no cost to Council.

Council is prepared to accept security provided by financial institutions which are corporations authorised under the *Banking Act 1959* as well as building societies and credit unions regulated by the Australian Prudential Regulation Authority (APRA) in terms of the *Banking Act 1959* (a list of those institutions is displayed on APRA's website [www.apra.gov.au](http://www.apra.gov.au) under the List of Authorised Deposit-Taking Institutions), and:

- (a) where the documentation is in a form acceptable to the Council's legal advisors; and
- (b) the security documentation is duly executed by a person with authority to legally bind the financial institution.

The security will be released by Council when the obligation in respect of which the security has been given is satisfied or is no longer required by the Council. Further, the Council may, in its absolute discretion, when requested, release part of a security to the extent that it is no longer reasonably required.

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## **7 Financial Management of Infrastructure Contributions**

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### **7.1 Trunk Infrastructure Expenditure**

The Plans for Trunk Infrastructure and the estimated Establishment Costs for Trunk Infrastructure shown therein form the basis of the Infrastructure Contributions being levied.

For purposes of transparency, monetary Infrastructure Contributions collected by Council will be spent on the network for which they were collected.

The imposition of a condition requiring an Infrastructure Contribution does not automatically entitle a development proponent to the immediate construction of any Trunk Infrastructure as may be necessary to service the development.

The Plans for Trunk Infrastructure demonstrate the intention of infrastructure provision by Council. The Plans for Trunk Infrastructure and the estimated establishment costs for Trunk Infrastructure contained therein are readily accessible and form part of the Development Contributions Policies.

The Plans for Trunk Infrastructure do not represent the Council's Capital Work Programs. They do, however, form a direct input into the determination of the Capital Works Programs.

For the purpose of clarity, the Plans for Trunk Infrastructure are not meant in any way to place a rigid obligation on Council as to the amount and timing of the construction of Trunk Infrastructure.

### **7.2 Register of Infrastructure Contributions**

Council will maintain a Register of Infrastructure Contributions in respect of each parcel of land for which Infrastructure Contributions have been paid, a contribution has been imposed or an Infrastructure Agreement addressing the issue of Infrastructure Contributions has been entered into. The Register will contain a record of the contributions applicable in respect of each Infrastructure Network and include:-

- (a) the real property description of the land to which the contribution applies;
- (b) the reference number of the development approval requiring the payment of an Infrastructure Contribution;
- (c) the schedule under which the contribution was imposed;
- (d) the Infrastructure Networks and Network Components for which the contribution was imposed;
- (e) the amount of the contribution levied and whether that amount was a reduced contribution under Section 5.7 of this policy;
- (f) the amount of the contribution unpaid;
- (g) the number of units of demand charged for;
- (h) if infrastructure was to be provided instead of paying the contribution – details of any infrastructure still to be provided; and
- (i) details of any accrual, allowance and reduction of Infrastructure Credit.

The Infrastructure Contributions Register will be made available for inspection at the Council's Customer Service Centre.

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## Schedule A: Definitions

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Other critical terms having general application through both the Redcliffe City Planning Scheme and the Development Contributions Policies are contained in Schedule 6 to the Planning Scheme.

Terms having specific application to the Development Contributions Policies have the meanings indicated below. Terms which are already defined either in Schedule 6 of the Redcliffe City Planning Scheme or Schedule 10 of the *Integrated Planning Act 1997* have the meaning as stated therein unless a different meaning is given in this schedule.

**Assumed Demand** - The demand for a development proposal derived from the Planning Assumptions.

**Base Level Infrastructure Contribution** - Means the contribution amount calculated pursuant to a Type 1 Assessment as outlined in section 4.3 of this policy.

**Base year (for each of the networks)** - means the year in which the network planning and cost estimates were undertaken

**Bioretention basin** - means a vegetated area where runoff is filtered through a filter media layer (e.g. sandy loam) as it percolates downwards. It is then collected via perforated under-drains and flows to downstream waterways or to storages for reuse.

**Capital Works Program** - Means the infrastructure provider's schedule of works outlined over a period of time, generally coinciding with the budget cycle, which plans the implementation of Trunk and Non-trunk Infrastructure for the Local Government area.

**Census Collection District (CCD)** - The Census Collection District (CCD) is the smallest geographic area defined in the Australian Standard Geographical Classification (ASGC). It has been designed for use in the Census of Population and Housing as the smallest unit for collection, processing and output of data.

**Constrained Public Open Space and Community Purpose Land** - Means public open space and community purpose land which:

- (a) is below the flood level resulting from the run-off from a one in twenty year storm (for the fully developed catchment) calculated in a manner as agreed with Council's engineer assuming a naturally shaped and vegetated watercourse or gully; or
- (b) contains a stormwater detention/retention basin and associated works and has a planning scheme zone other than "Low Density Residential", "Mixed Residential" or "Medium Density Residential"; or
- (c) is required to be provided to attenuate transportation noise under Council's policies; or
- (d) is a proposed street; or
- (e) is required for stormwater drainage reserve; or
- (f) is within an easement for stormwater drainage purposes, power lines or any other purpose, unless in Council's opinion the area or part of the area covered by the easement is suitable for use as Public Open Space or for Community Purpose.

**Constructed Wetland (Wetland)** - A shallow lake or pond, characterised by extensive areas of emergent aquatic plants/macrophytes, designed to support a diverse range of micro-organisms and biota associated with the breakdown of organic material and the uptake of nutrients.

**CPTED principles** - Crime Prevention through Environmental Design (CPTED) is a crime prevention strategy that focuses on the planning, design and structure of cities and neighbourhoods. It reduces opportunities for crime by using design and place management principles that reduce the likelihood of essential crime ingredients from intersecting in time and space. CPTED employs four key strategies, these are: natural surveillance, territorial reinforcement, natural access control, and target hardening.

**Credit (also Infrastructure Credit)** - Means an amount (measured in demand units) credited by the Council to a development proponent which offsets capital expenditure by the development proponent on Development Trunk Infrastructure against Infrastructure Contributions payable by the development proponent in respect of a development.

**Demand** - The assumed planning or design load (or level of use) placed on an Infrastructure Item or Network by development (For the determination of infrastructure contributions, Demand is typically expressed in demand units).



**Demand Unit** - Standard units of demand on a network generated by or likely to be generated by a development. Examples for demand units used in the Development Contributions Policies are:

- Water Supply: Equivalent Person Water Supply (EPW);
- Sewerage: Equivalent Person Sewerage (EPS);
- Stormwater Quantity: Equivalent Contributing Area Quantity ( $ECA_{QTY}$ ) - Runoff Coefficient per Zone x Catchment Area;
- Stormwater Quality : Equivalent Contributing Area Quality ( $ECA_{QAL}$ ) - Annual Pollutant Export Rate per Zone x Catchment Area;
- Roads: Chargeable Trip Ends (CTE);
- Pathways: Equivalent Tenements (ET); and
- Public Open Space and Community Purpose: Equivalent Person (EP).

**Design ARI** - Means the chosen design level of average recurrence interval (ARI) - the average, or expected, value of the periods between exceedances of a given rainfall total accumulated over a given duration.

**Designated Infrastructure Service Area (DISA)** - For a local government Designated Infrastructure Service Area means the area that is used, or approved for use, for any or all of the following:

- residential purposes, other than rural residential purposes;
- retail and commercial purposes;
- industrial purposes;
- community and government purposes related to a purpose mentioned in subparagraphs (i) to (iii); and
- that will accommodate at least 10 years, but not more than 15 years, of growth for the purposes mentioned in paragraph (a).

**Desired standards of service (DSS)** - For a network of development infrastructure, means the standard of performance stated in a planning scheme policy.

**Detention Basin** - A pond or basin designed to temporarily detain storm or flood waters, in order to attenuate peak flows to acceptable levels downstream within a constructed drainage system or stream.

**Developable Area** - The area of a parcel of land minus the area subject to Q100 flooding, Steep Slope (>25% slope) and 'Of concern' and 'Endangered' VMA areas.

**Development Contributions Policies** - The following Planning Scheme Policies for Development Contributions for Trunk Infrastructure for the Redcliffe City Planning Scheme:

PSP4 Part 8.4.1 - Development Contributions for Trunk Infrastructure - Administration Policy

PSP4 Part 8.4.3 - Development Contributions for Trunk Infrastructure - Public Open Space & Community Purpose

PSP4 Part 8.4.5 - Development Contributions for Trunk Infrastructure - Water Supply

PSP4 Part 8.4.6 - Development Contributions for Trunk Infrastructure - Sewerage

PSP4 Part 8.4.7 - Development Contributions for Trunk Infrastructure - Transport

PSP4 Part 8.4.8 - Development Contributions for Trunk Infrastructure - Stormwater

**Development Proponent** - The entity proposing to undertake a Development.

**Development Proposal** - A proposal made by a development proponent which comprises one or more of the elements constituting Development as defined in the *Integrated Planning Act 1997*.

**Drainage Corridor Easement (Corridor - Easement)** - The area of land identified by a registered easement, specifically required for the lawful discharge of drainage from upstream urban catchments but where ownership of the land is not required to be vested in Council. The easement may contain such infrastructure works or revegetated buffers necessary to meet the desired outcomes.

**Drainage Corridor Reserve (Corridor - Reserve)** - The area of land acquired or transferred to Council and identified within the applicable property records or planning documents as being specifically required for the lawful discharge of drainage from upstream urban catchments, where ownership of the land and responsibility for maintenance of revegetated buffers and maintenance and operation of any drainage system lies with Council.

**Equivalent Contributing Area** - The Equivalent Contributing Area for a catchment is calculated by multiplying the area of all land of a given Planning Scheme Zone in a catchment by the contribution factor for the zone, and then aggregating the results for the catchment.

**Equivalent Person (EP)** - A unit of demand for different uses or services. An EP is equivalent to the service demand from an occupant of an average, occupied detached house. Demand from multi-unit or non-residential uses may also be expressed in EPs, based upon statistical data on average occupancy or other relevant data.

**Equivalent Tenement (ET)** - A unit of demand for different uses or services. An ET is equivalent to the service demand from an average, occupied detached house.

**Existing Demand / Entitlements** - Means the network demand a development proponent has already paid for in the past or is entitled to by way of existing use rights on the land subject to the development proposal (For example, a development proposal for reconfiguring a lot is received over a land parcel on which a detached house already exists and the property is already connected to water supply and sewerage - the existing demand on the property is the demand for a single detached house).

**Existing Development** - For the determination of Infrastructure Contributions, existing development is any lawfully established development for which a contribution towards infrastructure has already been made or for which no opportunity to obtain a contribution is anticipated, within the planning horizon set out in the Plans for Trunk Infrastructure.

**External Catchment** - The concept of external catchments is used to allow allocation of some demand on a Trunk Infrastructure Network to users located in areas external to the Service Catchments for those networks.

**Greenfield** - Areas of undeveloped land in the Urban Footprint suitable for urban development (SEQ Regional Plan).

**Gross Pollutant Trap (GPT)** - A structure designed to collect gross pollutants such as litter, debris and coarse sediments. The collection area is usually concrete-lined to allow for rubbish removal and a trash rack is normally located at the downstream end of the trap.

**Habitable area** - Means the area used for normal domestic activities associated with the habitable room defined in the building code.

**Infrastructure Contribution Rate** - The contribution rate applicable to a unit of demand in a service catchment and for an Infrastructure Network.

**Infrastructure Item (also Item of Trunk Infrastructure)** - Any agglomeration of works or property which is represented as a single entity for the purposes of calculating Infrastructure Contributions.

**Infrastructure Network** - A number of Infrastructure Items combined for a single purpose or which, by their nature, logically combine to form a network (A network comprises the primary infrastructure elements of the Plans for Trunk Infrastructure for which Council is empowered to impose infrastructure contributions e.g.

- Water Supply Trunk Infrastructure;
- Sewerage Trunk Infrastructure;
- Stormwater Quality and Quantity Trunk Infrastructure;
- Council Trunk Roads and Pathway Infrastructure; and
- Public Open Space and Community Purpose Trunk Infrastructure.

**Infrastructure Network Component** - An element or section of Infrastructure within an Infrastructure Network (For example, the Sewerage Network is further broken down into Regional and Local Components).

**Life Cycle Cost** - For a network of development infrastructure items, is the amount of the establishment cost of the network plus the amount representing the present value of operating, renewal and maintenance costs of the network.

**Local area drainage infrastructure** - Means stormwater infrastructure identified in a Local Area Drainage Plan.

**Major drainage system** - Component of the stormwater network designed to convey runoff during large infrequent storm events in excess of the minor drainage system capacity, typically comprising of open channels and roadways.

**Minor drainage system** - Component of the stormwater network designed to convey runoff during small frequent storm events, typically comprising kerb and guttering and underground pipe systems.

**Major Riparian Corridor Management Area (RCMA - Major)** - The area of land identified for establishment and / or protection of riparian vegetation generally located along major tributaries, creek and river systems conveying permanent or semi-permanent flow.

**Minor Riparian Corridor Management Area (RCMA - Minor)** - The area of land identified for establishment and / or protection of riparian vegetation generally located along minor tributaries or flow paths, ephemeral in nature and lacking permanent or semi-permanent flow, and some parts of the major waterway system where development constraints exist.

**Net present value (NPV)** - The expression of future cash flow as an equivalent present day figure, found by discounting all present and future receipts and outgoings at an appropriate discount rate.

**Non-trunk infrastructure** - means development infrastructure that is not trunk infrastructure.

**Open Channel** - Excavated or formed channel used to collect and convey the design stormwater flow from an upstream catchment to discharge to a watercourse, wetland or detention basin. Characteristics normally include regular profile, full or partial lining of the channel invert and batters with concrete, rock or vegetation and downstream erosion protection works.

**Redcliffe City Planning Scheme** - The IPA compliant planning scheme for the former Redcliffe City within the Moreton Bay Regional Council local government area.

**Pipe Drainage System (Pipe drainage)** - A system of pipes, pits or chambers and inlets to collect and convey design flows from urban allotments and roadways to discharge to a watercourse, wetland or detention basin. Where the system traverses private property, the installed works are generally contained within a registered easement in favour of Council.

#### **Planning Horizon**

- Water Supply and Sewerage Planning Horizon - the period to full development of the former Redcliffe City assuming densities consistent with the Planning Scheme.
- Stormwater Planning Horizon - the period to full development of the City assuming densities consistent with the Planning Scheme.
- Public Open Space and Community Purpose Planning Horizon - the period from 2006-2021.
- Transport Planning Horizon - the period from 2006-2021.

**Planning Assumptions** - The statements within the supporting documents for the Development Contribution Policies that outline the basis for planning, designing and funding the networks of infrastructure that are to service development undertaken in the community.

**Redcliffe City Planning Scheme (the planning scheme)** - The IPA compliant planning scheme for the former Redcliffe City within the Moreton Bay Regional Council local government area.

**Plans for Trunk Infrastructure** - The part of a planning scheme policy that identifies the trunk infrastructure network that exists or may be supplied to service future growth in the local government's area to meet the desired standard of service stated in the plan.

**QDNRM guidelines** - Are guidelines prepared by the Queensland Department of Natural Resources and Mines.

**Rehabilitation** - Improving the geomorphologic and ecological conditions of a waterway to those more closely resembling natural conditions. This includes channel enhancement to minimise erosion and siltation, stream bank protection and improving the vegetation cover of the waterway channel and corridor.

**Residential zoned land** - Land allocated or identified as a zone or area in a planning scheme, including a strategic plan in a transitional planning scheme, for residential type uses (SEQ Regional Plan).

**Revegetation** - The re-establishment of plants on an area of channel or waterway corridor that has been depleted or is devoid of vegetation in order to provide protection against erosive agents and to improve the nutrient and sediment interception and filtration capacity as well as to provide improved fauna habitat. It is an integral part of erosion control and prevention. Preferred species for revegetation are those endemic to the area and those specific to creek and riverine corridors.

**Road Crossing Upgrade (Crossing Upgrade)** - Measures to improve the hydraulic conveyance or efficiency of a waterway or constructed channel at a road crossing. These may include the installation of additional pipes or box culverts and new or increased bridge waterway openings or spans. It also includes associated headwalls, wingwalls, concrete aprons and erosion protection and may also include limited channel re-alignment upstream and downstream of the crossing.

**Runoff Coefficient** - The ratio of the peak rate of water runoff per unit of catchment area to the average rainfall intensity during the critical rainfall event for a particular catchment (refer to Queensland Urban Drainage Manual).

**Sedimentation Basin** - A basin or large open structure designed for the temporary detention of stormwater flows to provide time for the settling of suspended sediments and other heavy pollutants prior to discharge into a watercourse, lake or other water storage. It is designed to promote low-velocity and low-turbulence flows to facilitate the settling process and is generally used as a pre-treatment upstream of other stormwater quality treatment measures such as wetlands.

**Service Catchment** - The area containing the demand units being serviced by a nominated infrastructure item or collection of nominated infrastructure items.

**Shared pathway** - Pathway utilised by more than one user group. i.e. cyclists and pedestrians.

**Spare Capacity** - The additional service function or “capacity” of a network that is built into the initial construction so that other or additional calculated demands can be incorporated into the system without the need for constant incremental augmentation.

**Statistical Local Area (SLA)** - The SLA is a general purpose spatial unit. It is the base spatial unit used to collect and disseminate statistics. An SLA consists of one or more whole Census Collection Districts.

**Stormwater quality improvement device (SQID)** - Means a device that temporarily captures part or all of the stormwater flowing off a catchment for the purpose of reducing pollutant concentration. Typically includes Gross Pollutant Traps, bioretention basins, vegetated swales and constructed wetlands.

**Stream Bank Protection or Stabilisation (Bank Stabilisation)** - Works implemented to protect or reinforce existing stream banks from erosion. Measures may include the installation of loose or anchored materials such as large boulders, geotextiles, gabions, mattresses, concrete or precast concrete units. They may also include the re-shaping of batters and the installation of soil stabilising plant species.

**Swale** - A shallow open drainage flow path constructed to collect, convey and treat stormwater flows. Characteristics include batters designed for ease of maintenance, vegetation to retard flow velocities and retain sediment and nutrient prior to discharge to a watercourse, wetland or detention basin.

**Trash Rack** - A series of metal bars located across a stormwater channel or pipe to trap litter and debris. The bars may be vertical or horizontal depending upon hydraulic, cleaning and/or environmental considerations (eg fish passage). Vertical bars are normally preferred to facilitate cleaning.

**Trip** - A one-way vehicular movement from one point to another excluding the return journey. Therefore a vehicle entering and leaving a land use is counted as two trips, from *page 10-7 RTA Issue 2.2 October 2002*.

**Trunk Infrastructure** - Means development infrastructure identified in a planning scheme policy as trunk infrastructure.

**Trunk Road Infrastructure** - The roads identified as such in the Plans for Trunk Infrastructure.

**Ultimate development** - means the likely maximum development yield of the planning area within the life of the planning scheme.

**Unanticipated Development** - Development which is inconsistent with the Planning assumptions in the Plans for Trunk Infrastructure (PFTI) in respect of location, type, scale, size, intensity or timing, or otherwise inconsistent with the stated outcomes of the Planning Scheme.

**Unmaintained channel** - Means a well defined natural or man-made depression that conveys stormwater during and after heavy rain not subject to regular clearing and debris control.

**Unmaintained flow path** - Means a shallow depression that conveys stormwater during and after heavy rain not subject to regular clearing and debris control.

**Urban Footprint** - Refers to the Urban Footprint as shown on Map2 in the SEQ Regional Plan.

**Weir Type Sediment and Trash Trap (Sediment Trap)** - A small open structure designed to collect sediment and trash and which is generally located at the discharge end of pipe systems serving catchments of between two (2) hectares and five (5) hectares. The device consists of a concrete apron of sediment collection area with weir boards mounted transverse to the stormwater flow to retain and slowly release runoff from minor storm events thus enabling the collection of trash, or litter and coarse sediment.

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## **Schedule B: References**

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PSP4 Part 8.4.3 - Development Contributions for Trunk Infrastructure - Public Open Space & Community Purpose

PSP4 Part 8.4.5 - Development Contributions for Trunk Infrastructure - Water Supply

PSP4 Part 8.4.6 - Development Contributions for Trunk Infrastructure - Sewerage

PSP4 Part 8.4.7 - Development Contributions for Trunk Infrastructure - Transport

PSP4 Part 8.4.8 - Development Contributions for Trunk Infrastructure - Stormwater

Rawlinson's "Australian Construction Handbook"

Planet Valuation Services, "Land Value Index Report" prepared for Redcliffe City

SEQ Regional Plan

Queensland Urban Drainage Manual

ANZSIC Code

2006 Census Data - Australian Bureau of Statistics

IPA Guidelines 1/04 and 2/04 (dated 4 October 2004)

### **Review Triggers**

This policy is reviewed internally for applicability, continuing effect and consistency with related documents and other legislative provisions when any of the following occurs:

- (1) The related documents are amended;
- (2) The related documents are replaced by new documents;
- (3) Amendments which affect the allowable scope and effect of a policy of this nature are made to the head of power; and
- (4) Other circumstances as determined from time to time by a resolution of Council.

### **Responsibility**

This policy is to be:

- (1) implemented by the Senior Manager Development Services; and
- (2) reviewed and amended in accordance with the "Review Triggers" by the Senior Manager Strategic Direction and Sustainability in consultation with the Senior Manager Development Services and the Senior Manager Regional and Environmental Planning.

### **Version Control**

<b>CEO Approval Date</b>	<b>15/09/2009</b>
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### **Related Links:**


## ENDNOTES

Amendment		Date Adopted – 8 September 2009	Effective Date – 29 October 2009
Planning Scheme Policy Reference	Description of Amendment		
PSP 4 Part 8.4.1	<ul style="list-style-type: none"><li>Existing Policy 8.4.1 Parkland Contributions is proposed to be replaced with a new policy that deals with the administration of contributions to all infrastructure networks, rather than just parks. This policy change aims to reflect the Administration Policy in effect in the former Pine Rivers Shire to ensure a common administrative regime across Moreton Bay Regional Council (MBRC).</li></ul>		