

Proposed Planning Regulation 2017 amendments

Local government infrastructure planning and charging

Overview

In late 2017, the Queensland Government made an election commitment to improve efficiency and transparency in the delivery of local government infrastructure planning and processes.

To achieve this, amendments are proposed to the Planning Regulation 2017 (the Regulation) to improve the transparency and efficiency of local government infrastructure planning and charging.

Amendments relate to:

- infrastructure charges registers
- infrastructure charges notices
- the prescribed amount for infrastructure charges
- access to information.

New requirements for councils with an LGIP

Infrastructure charges registers

An infrastructure charges register provides the community and industry with the ability to view information about the infrastructure charges levied by the local government. Most registers are generally only available for inspection by the public on request rather than being accessible online.

Schedule 24 of the Regulation prescribes information a local government is required to include in their infrastructure charges register. Currently, information about the levied infrastructure charges is generally only available as hard copy, limiting the ability to interrogate the register.

Amendments are proposed to the Regulation to improve the accessibility and transparency of the infrastructure charges register through additional prescribed requirements and ensuring that the register is available online.

Amendments will also provide residents with greater visibility and understanding of what infrastructure charges local governments are collecting and how the money is being spent on trunk infrastructure.

The proposed new infrastructure charges register requirements include:

- creating the register in a form that enables users to search and extract data
- identifying the local infrastructure item(s) that the levied infrastructure charge contributes towards. The infrastructure item may be listed in the LGIP or included in an infrastructure agreement

- incorporating in the register:
 - the reference number and date of each infrastructure charges notice and infrastructure agreement issued
 - the suburb or township where the infrastructure charge was levied
 - the date the register was last updated.
- annual reporting which is to include:
 - LGIP revenue (based on infrastructure charges) and capital expenditure forecasts
 - actual infrastructure charges revenue and expenditure.

The new requirements would only apply to an infrastructure planning and charges register created after commencement of the provision.

Where council has a current infrastructure charges register in place, there is no obligation to retrospectively add the new requirements.

However, a current version of the register, prior to April 2019, is to be made publicly available on council's website.

Infrastructure charges notices

An infrastructure charges notice provides the community and industry with information about the infrastructure charge (payable to council) that applies to trunk infrastructure, which is to be provided as part of a development approval.

Schedule 22 of the Regulation does not prescribe any requirements about how the public can access infrastructure charges notices (and amended infrastructure charges notices). Amendments are proposed to the Regulation to improve the accessibility and transparency of infrastructure charges notices by requiring local governments to publish them on their website and make them available for inspection and purchase.

Prescribed amount for infrastructure charges

Schedule 16 of the Regulation currently identifies the prescribed maximum amount a local government can levy for infrastructure through an infrastructure charges resolution. Although these amounts are intended to be for the 2017-2018 financial year only, this is not clear in the Schedule. Amendments are proposed to the Regulation to clarify that the prescribed amounts are for the 2017-2018 financial year.

Establishing this base year will assist with future indexation of the charge.

New requirements for councils without an LGIP

For councils who have not or are not proposing to prepare an LGIP, the only proposed Regulation amendment requirement includes uploading the pre-30 June 2018 infrastructure charges register onto the council website.

Commencement of the new Regulation requirements

The new Regulation requirements are proposed to take effect on 1 July 2019 to give councils time to adjust their business systems to accommodate the operational changes.

Consultation

A series of information sessions regarding the proposed Regulation amendment will be held in early 2019 for those local governments with an LGIP in place or that are still to adopt their LGIPs.

More information

Local governments are encouraged to contact their local department office for further advice about the Regulation amendments. Contact details for the department's regional offices can be accessed here:

<http://www.dsdmip.qld.gov.au/regional-development/queenslands-regions.html>