

Infrastructure Charge Resolution (23 June 2015)



INFORMATION SHEET

CONTEXT

A new Infrastructure Charges Resolution, aligned with the new planning scheme, was adopted by council on 23 June 2015 and commenced effect on 1 July 2015.

PURPOSE

The resolution identifies which development is subject to infrastructure charges (charges) and specifies:

- how to, at the time of preparing an infrastructure charges notice:
 - calculate the charge for a land use, and;
 - give credit for land use entitlements on the land;
- how to re-calculate the establishment cost of trunk infrastructure eligible to offset charges, if applicable;

Did you know?

The charges set by the resolution do not exceed the statutory caps, and are fixed for the 2015-16 financial year.

APPLICABLE DEVELOPMENT

Development which does not require a development permit in Townsville will not be able to be levied charges. For those that do require a permit, charges under the new resolution could apply to developments approved after 30 June 2015, including:

Reconfiguration of a lot

Charges apply to all Reconfiguration of a Lot (ROL) development which generates additional allotments.

Material Change of Use

Charges apply to all Material Change of Use (MCU) development which generates additional infrastructure demand.

Building Work

Charges may apply to Building Work (BW) for self-assessable or exempt land uses that require a building permit, and are likely to generate additional infrastructure demand. Schedule 1 of the resolution provides guidance for such BW.

Did you know?

Self-assessable Dual Occupancy development in the residential land use zones are candidates to be levied infrastructure charges at BW stage.

TRANSITIONAL PROVISIONS

Undecided development applications that were properly made before 1 July 2015 are to be charged the lesser of that determined by the previous or new charge resolution. Building works will not be charged where the building certifier was engaged prior to the 1 July 2015.

This ensures that applications retain their feasibility as at the time they were lodged, or become more feasible.

BASE CHARGES

The infrastructure charges for developments within the fully serviced urban area are referred to in Schedule 3 of the resolution as 'base charges.'

Did you know?

The base charge for a 600m² vacant lot on residential land is \$26,900.

LOCATION EFFECTS

Infrastructure charges for a given type of development may vary depending on the combination of service connections and the service area in which it is located.

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In the fully serviced urban area, the charges at 100% of the base charges. In other locations, the charges are a proportion, as represented in Schedule 2 of the resolution. Where the map in Schedule 2 is not clear, the service area maps within the planning scheme will remove any ambiguity.

Did you know?

The charge for a rural residential lot in the water service area at Alligator Creek is 65.5% of \$26,900 = \$17,620

CHARGE CREDITS

When calculating the charge to levy, the applicable charge for the proposed use is to be 'credited' by the applicable charge for lawful uses on the land where they:

- presently exist;
- previously existed, or;
- could otherwise occur without need of a development permit.

The onus of evidence of previous uses will be on the applicant to demonstrate, and such uses may need to account for historical infrastructure demand rates rather than be the equivalent of a contemporary land use.

Uses that could otherwise occur without the need for a development permit exclude those that require permits for ROL, MCU, BW, operational works and plumbing and drainage work, as defined in the *Sustainable Planning Act 2009*.

Did you know?

A vacant allotment being subdivided can have the original vacant allotment as a credit use.

REVALUING ESTABLISHMENT COST

A developer who delivers trunk infrastructure is generally eligible to claim the cost as an offset to their infrastructure charges, or as a refund where the cost exceeds such charges.

Where the developer does not agree with the value of the establishment cost indicated by an associated infrastructure charge notice, they are eligible to have the cost re-valued in accordance with the method in the charges resolution.

The method emulates council's purchasing policy, generally requiring public tendering or written quotations depending on the expected value of the infrastructure.

TRUNK INFRASTRUCTURE CONVERSIONS

Where a developer has been conditioned to provide non-trunk infrastructure, and has not commenced work yet, they are able to apply to council for consideration to convert the infrastructure to 'trunk' status.

The resolution guides how this could be approved, and generally excludes situations where growth occurs in locations, times, intensities and types that do not align with the planning scheme. It also excludes situations where the infrastructure is less efficient than already planned, or otherwise achievable.

FURTHER INFORMATION

The following sources also provide relevant information:

- council's infrastructure charges resolution (23.6.15);
- Department of Infrastructure, Local Government and Planning fact sheets and statutory guidelines;
- *Sustainable Planning Act 2009* (Chapter 8 - Infrastructure)

DISCLAIMER

The contents of this information sheet have been prepared to assist in the understanding of how the infrastructure charges resolution applies to development. The information contained herein is not guaranteed for currency or accuracy, and does not replace the relevant provisions of the *Sustainable Planning Act 2009* and the infrastructure charges resolution.