



Queensland

# Planning (Infrastructure Charges Register and Other Matters) Amendment Regulation 2019

## Subordinate Legislation 2019 No. 196

made under the

*Planning Act 2016*

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## **Part 1 Preliminary**

### **1 Short title**

This regulation may be cited as the *Planning (Infrastructure Charges Register and Other Matters) Amendment Regulation 2019*.

### **2 Commencement**

Part 3 commences on 1 January 2020.

### **3 Regulation amended**

This regulation amends the *Planning Regulation 2017*.

## **Part 2 Amendments commencing on notification**

### **4 Amendment of sch 6 (Development local categorising instrument is prohibited from stating is assessable development)**

Schedule 6, section 4—  
*omit.*

### **5 Amendment of sch 16 (Prescribed amount)**

Schedule 16, after heading—  
*insert—*

*Notes—*

- 1 This schedule was inserted by amending legislation that commenced on 1 July 2019.
- 2 See also section 112(2) of the Act.



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local government if its planning scheme includes an LGIP.

- (5) Schedule 22, section 1(1)(ya) to (zk)—  
*renumber* as section 1(1)(z) to (zm).
- (6) Schedule 22, section 1(5), ‘subsection (1)(zj)’—  
*omit, insert*—  
subsection (1)(zl)
- (7) Schedule 22, section 1(6)—  
*insert*—

***appointed reviewer statement*** means an appointed reviewer statement prepared in accordance with the Minister’s rules.

***review checklist*** means a review checklist prepared in accordance with the Minister’s rules.

***schedule of works model*** means a schedule of works model prepared in accordance with the Minister’s rules.

## 7 **Amendment of sch 22, s 3 (Documents local government must or may publish on website)**

- (1) Schedule 22, section 3(1), from ‘(n)’ to ‘(v)’—  
*omit, insert*—  
(l), (n), (p), (r) to (v), (z) and (za)
- (2) Schedule 22, section 3(1), note, after ‘Act’—  
*insert*—  
and section 3A of this schedule
- (3) Schedule 22, section 3(4)(a), from ‘(y)’ to ‘(zg)’—  
*omit, insert*—  
(zd) or (ze) to (zi)

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## 8 Insertion of new sch 22, ss 3A and 3B

Schedule 22, after section 3—

*insert—*

### **3A Additional documents local government with LGIP must publish on website**

- (1) This section applies in relation to a local government if its planning scheme includes an LGIP.
- (2) The local government must publish on its website a register that—
  - (a) includes the information that, immediately before 1 January 2020, the local government was required to keep available as part of its infrastructure charges register under section 1(1)(y), other than infrastructure charges information; and
  - (b) is updated at least monthly to include any information the local government is required to keep available as part of its infrastructure charges register under section 1(1)(y), other than infrastructure charges information; and
  - (c) is updated at least annually, before 1 December each year, to include the infrastructure charges information the local government is required to keep available as part of its infrastructure charges register under section 1(1)(y); and
  - (d) can be electronically searched by a person for information in the register about a levied charge and the trunk infrastructure to which the charge relates; and
  - (e) enables a person to download the results of an electronic search; and
  - (f) states the day the information in the register was last updated.

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- (3) Subsection (4) applies if—
- (a) the estimated infrastructure charges to be levied by the local government in a financial year, stated in the local government’s annual budget or annual report for the financial year, is \$20M or more; or
  - (b) the local government’s forecast of future spending on trunk infrastructure for a financial year, stated in the local government’s annual budget for the financial year, is \$20M or more.
- (4) As soon as practicable after the end of each quarter in the financial year, the local government must include in its register under subsection (2) trunk infrastructure information about trunk infrastructure provided during the quarter—
- (a) by the local government; or
  - (b) under an infrastructure agreement or condition of a development approval.
- (5) If subsection (4) does not apply, the local government must, when it publishes its annual report for a financial year on its website under the *City of Brisbane Regulation 2012* or the *Local Government Regulation 2012*, include in its register under subsection (2) trunk infrastructure information about trunk infrastructure provided during the previous financial year—
- (a) by the local government; or
  - (b) under an infrastructure agreement or condition of a development approval.
- (6) In this section—
- quarter**, for a financial year, means a period of 3 months starting on 1 January, 1 April, 1 July or 1 October.

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**3B Additional document local government with LGIP must keep available for inspection and purchase**

- (1) This section applies in relation to a local government if its planning scheme includes an LGIP.
- (2) The local government must keep available for inspection and purchase a document that includes the trunk infrastructure information the local government publishes on its website from time to time under section 3A(4) or (5).

**9 Amendment of sch 22, s 14 (Prescribed documents)**

Schedule 22, section 14(a), '(ze) to (zj)'—

*omit, insert—*

(zg) to (zl)

**10 Amendment of sch 24 (Dictionary)**

(1) Schedule 24—

*insert—*

***annual budget*** means—

- (a) for the Brisbane City Council—its annual budget under the *City of Brisbane Regulation 2012*, chapter 5, part 2, division 3; or
- (b) for another local government—its annual budget under the *Local Government Regulation 2012*, chapter 5, part 2, division 3.

***annual report*** means—

- (a) for the Brisbane City Council—its annual report under the *City of Brisbane Regulation 2012*, chapter 5, part 3, division 3; or

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- (b) for another local government—its annual report under the *Local Government Regulation 2012*, chapter 5, part 3, division 3.

***infrastructure charges information***, for a local government, means the following information—

- (a) the charges, stated in the local government’s annual budget or annual report, that may be levied by the local government during the current financial year and the next 3 financial years;
- (b) a forecast of future spending by the local government on trunk infrastructure for the current financial year and the next 3 financial years;
- (c) each of the following for the previous financial year—
  - (i) the total amount of charges levied by the local government and the total amount of charges paid;
  - (ii) the total amount of offsets given by the local government;
  - (iii) the total amount of levied charges that were refunded by the local government;
  - (iv) the total amount of levied charges spent by the local government on providing trunk infrastructure;
  - (v) the total amount of levied charges that were not spent by the local government.

***trunk infrastructure information***, in relation to trunk infrastructure provided by a local government, or under an infrastructure agreement or condition of a development approval, means



the following information—

- (a) a description of the trunk infrastructure;
- (b) whether the trunk infrastructure is included in the local government’s LGIP;
- (c) if the trunk infrastructure is included in the local government’s LGIP—any LGIP reference number for the trunk infrastructure;
- (d) the trunk infrastructure network that the trunk infrastructure is associated with;
- (e) whether the trunk infrastructure was provided by the local government, or under an infrastructure agreement or condition of a development approval;
- (f) the suburb or other locality in which the trunk infrastructure is situated;
- (g) the cost of providing the trunk infrastructure;
- (h) if the trunk infrastructure is provided under a condition of a development approval—the development approval number.

- (2) Schedule 24, definition *infrastructure charges register*—  
*omit, insert—*

***infrastructure charges register***, for a local government, means a register that—

- (a) includes the following information for each charge levied by the local government—
  - (i) the real property description of the premises to which the charge applies;
  - (ii) the charges resolution under which the charge was levied;
  - (iii) the amount of the charge levied;

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- (iv) how the charge was worked out;
  - (v) if an automatic increase provision applies to the charge—that the charge is subject to automatic increases and how the increases are worked out under the provision;
  - (vi) if all or part of the charge has been paid—the amount paid and the day on which it was paid;
  - (vii) if the charge has not been paid in full—the amount of the charge unpaid;
  - (viii) details of any offset or refund given;
  - (ix) if the charge was levied as a result of a development approval—the approval reference number and the day the approval will lapse;
  - (x) if infrastructure is to be provided instead of paying the charge—details of any infrastructure still to be provided; and
- (b) includes the following additional information for each charge levied by the local government on or after 1 January 2020—
- (i) the suburb or other locality in which the premises the charge applies to are situated;
  - (ii) if the levied charge is the subject of an infrastructure agreement—any reference number given to the agreement and the day the agreement was entered into;
  - (iii) if the charge was levied as a result of a development approval—the day the

development application was approved;

- (iv) if the levied charge is the subject of an infrastructure charges notice—the notice reference number and the day the local government gave the notice; and
- (c) includes infrastructure charges information for the local government.

ENDNOTES

- 1 Made by the Governor in Council on 1 October 2019.
- 2 Notified on the Queensland legislation website on 4 October 2019.
- 3 The administering agency is the Department of State Development, Manufacturing, Infrastructure and Planning.

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