

Advice to local governments

Applying for an extension of the timeframe to prepare a local government infrastructure plan (LGIP)

JANUARY 2016

The *Sustainable Planning Act 2009* (SPA) was amended in November 2015 to extend the timeframe for the preparation of an LGIP from **before 1 July 2016** to **before 1 July 2018** for a local government that has received the approval of the Planning Minister to an application for an extension of its LGIP preparation timeframe.

A local government will not be able to levy infrastructure charges or impose conditions about trunk infrastructure if it either:

- does not have an LGIP in its planning scheme **before 1 July 2016**; or
- has not received the Planning Minister's approval **before 1 July 2016** for an extension of its LGIP preparation timeframe.

A local government that is seeking to extend the timeframe for the preparation of its LGIP must apply to the Planning Minister for the extension in accordance with the following requirements.

Requirements for making an extension application

Section 997 of SPA sets down the requirements for making an application for an extension of the LGIP preparation timeframe.

An application must be accompanied by evidence of the local government resolution to make the application and a project plan that demonstrates how the local government will finalise the LGIP within the extended timeframe.

After receiving the extension application the Planning Minister will decide whether to approve or refuse the application. An extension of the timeframe beyond **30 June 2018** cannot be given.



Preparing an extension application

The process for preparing an application for an extension to the LGIP preparation timeframe should involve the following actions:

1. The local government should consider whether it intends to levy infrastructure charges or impose conditions about trunk infrastructure charges from **1 July 2016** onwards. If this is the case and the local government considers it will not have adopted its LGIP by that date, it needs to prepare an application for an extension of its LGIP preparation timeframe.
2. The local government should prepare a project plan that shows how the LGIP will be able to be adopted **before 1 July 2018**. The project plan should set down:
 - a. The steps that need to be completed to enable the adoption of the LGIP, the timeframe associated with each step and the intended adoption date. These steps should include the following:
 - i. The local government resolves to prepare an LGIP.
 - ii. The draft LGIP is prepared.
 - iii. The draft LGIP is reviewed and the LGIP checklist is completed by the appointed independent reviewer.
 - iv. The draft LGIP is submitted for the approval of the Planning Minister to proceed to public consultation.
 - v. The draft LGIP is subject to public consultation, the submissions received are evaluated and the LGIP is updated as necessary.
 - vi. The updated LGIP is reviewed by the appointed independent reviewer.
 - vii. The finalised LGIP is submitted for the approval of the Planning Minister to proceed to adoption.
 - viii. The local government resolves to adopt the LGIP and include it in the planning scheme.
 - b. The budget and resources needed to carry out the above steps including, as necessary, externally sourced expertise.
 - c. The parts of the local government that will be involved in the preparation and adoption of the LGIP including, for example, staff responsible for managing:
 - i. land use planning and planning scheme preparation
 - ii. the water supply infrastructure network
 - iii. the wastewater infrastructure network
 - iv. the stormwater infrastructure network
 - v. the transport infrastructure network

Note: The information provided in the project plan, for example, proposed timelines, should be provided electronically, and any scanned documents should be at a resolution suitable for consideration by the Planning Minister.

- vi. the recreational parkland infrastructure network
 - vii. asset management and maintenance
 - viii. long term financial planning.
- d. The arrangements that will be put in place to ensure the project plan is being delivered, including clear reporting processes and management accountabilities.
3. The local government should resolve to apply to the Planning Minister for an extension to the LGIP preparation timeframe. The resolution should make reference to:
- a. the provisions of SPA relating to the extension of the LGIP preparation timeframe (section 997)
 - b. the project plan that demonstrates how the local government will finalise the LGIP within the extended timeframe.

Submitting an extension application

By **no later than 27 May 2016**, the local government should submit the application for the extension of its LGIP preparation timeframe together with a copy of the local government's resolution to make the application and its project plan to:

The Honourable Jackie Trad MP
Deputy Premier
Minister for Infrastructure, Local Government and Planning
and Minister for Trade and Investment
PO Box 15009
CITY EAST QLD 4002