



Wednesday, 9 April 2025

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## Representation ICN5138178

### Planning assumptions

My understanding is that a *Local Government Infrastructure Plan* (LGIP) is a mechanism to ensure that a local government makes provision to fund the **growth**, placed on certain infrastructure, by increasing population, driving the necessity for development which can cater for that increase.

A LGIP although considered an integral component of a local planning scheme, it is not mandatory.<sup>1</sup>

When desired, a LGIP must be prepared in accordance with the Minister's Guidelines and Rules (MGR) and incorporate, the following key functions:

1. **Identify** the potential for future population growth over a defined period; then
2. **Locate** and **document**, the existing local infrastructure networks expected to be impacted by this growth; then
3. **Access**
  - (a) the affordable aspirational standard expected by this future expanding population (DSS); and
  - (b) the type and capacity of that infrastructure's, to cater for this projected DSS and growth; and
4. Where it is identified that the existing capacity of that infrastructure's **is not adequate** to deliver; then
  - a. **Plan** to
    - i. upgraded or
    - ii. provide new infrastructure

to satisfy the needs of that expanded population.<sup>2</sup>

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<sup>1</sup> PA16 S111

<sup>2</sup> [Ref=R1](#) (p7)

Planning **assumptions** (*assumptions*) must form the basis for the process.<sup>3</sup>

Developing these *assumptions* requires an **understand** of the future for the:

- location,
- type,
- scale and
- timing

of development that will be required by this anticipated population growth.

These *assumptions* **must** be based on relevant **data**.

A local government must be able to explain variations between *assumptions*, represented by *projection areas* and their *Trunk infrastructure* networks, at a level of disaggregation.<sup>4</sup>

However, *Growth projections* and *assumptions* must ultimately be limited to a locality by the realistic physical capacity available to accommodate growth (*ultimate development*).<sup>5</sup>

## PIA

A *priority infrastructure area* (PIA) is an **urban area**, identified by a local government, and prioritised for the provision of *trunk infrastructure* to accommodate development, over a defined time line, that is driven by growth.

When determining a PIA, the local government should use an **iterative** process<sup>6</sup>

## Implications for RAL21-0138 (DA21)

What are the implications of these requirements for their application to Tuan and DA21

**Tuan** falls within a PIA

Councils should be able to produce, relative to **Tuan's** PIA, the:

1. Prepared planning assumptions; and
2. Projected infrastructure demand for each network;
3. Including
  - (a) What spare capacity, if any, is existing within the *trunk infrastructure* networks;
  - (b) the cost effectiveness and efficiency for delivering future *trunk infrastructure* for which *trunk infrastructure* charges have been levied; and

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<sup>3</sup> R1 (p8)

<sup>4</sup> R1 (p10)

<sup>5</sup> R1 (p9)

<sup>6</sup> R1 (p16)

- (i.) required to service the projected infrastructure demand at Tuan;  
and
  - (ii.) The detail the determined desired standard of service (DSS) ; and
4. A statement about Council capacity to be able to fund and supply adequate *trunk infrastructure* to service future development within Tuan and having regard to Fraser Coast Regional Councils financial sustainability.

I was unable to locate amongst the data provided in **Part 4** of Fraser Coast Regional Council's (FCRC) Planning Scheme (Scheme) any reference to Tuan

### Development assessment

Generally, new developments are likely to result in additional demand being placed on the existing trunk infrastructure servicing an area.

When this is the case, it is reasonable for a local government to levy infrastructure charges in order to cover costs associated with future expenditure on trunk infrastructure that is necessary to support the increased demand in that locality.<sup>7</sup>

However, during the development assessment process, a local government is **required** to determine whether the development **places additional demand** on *trunk infrastructure* by undertaking a *demand assessment* of the development to determine if an infrastructure charge is applicable and if required, **to what reasonable extent**.

Those Infrastructure charges **can only** be imposed for the **determined demand** generated by that development.<sup>8</sup>

### So, what demands does DA21 generate

**Part 4** of FCRC's Scheme deals with Council's LGIP.

Part 4 advises that the **purpose** of the *priority infrastructure plan* (Which I believe is probably the name the document had under the superseded *Sustainable Planning Act 2009*) is to provide, amongst other things:

- transparency regarding a local government's intentions for the provision of trunk infrastructure; and
- the bases for the imposition of conditions regarding infrastructure on a development approval.<sup>9</sup>

Section 4.2 provides that starting date for the scope of application of the LGIP is from 2011 and closing date 2031, with just over 10-year remaining. and

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<sup>7</sup> R1 (p33)

<sup>8</sup> R1 (p38)

<sup>9</sup> R4 (p4-1)

Section 4.3 advises that a PIA identifies an area, where the provision of *trunk infrastructure* to service the existing and assumed future urban development up to 2031 has been **prioritised**.

4.5.2 **Schedule of Works** contains details of the existing and **future** trunk infrastructure networks. These can be electronic down loaded in Excel format from <http://www.frasercoast.qld.gov.au/> **(Except you can't – locate them that is.)**

**Schedule 3** of the scheme identifies in Section 4.5 that *trunk infrastructure* as:

- A. water supply;
- B. sewerage;
- C. stormwater;
- D. transport; and
- E. parks and land for community facilities, networks.

*FRASER COAST REGIONAL COUNCIL Infrastructure Charges Resolution dated January 2025* in section 2.3 provides that:

The adopted charges for a development, for *trunk infrastructure* networks as cited in the LGIP, and confirmed them as above and prescribes a notional proportional breakup of the charge as follows:

- water supply– 7%
- sewerage – 21%
- stormwater – 7.5%
- transport – 53%
- parks and land for community facilities – 11.5%

ICN 5138178 levied a charge of \$54,720. This amount appears to match perfectly the application of this information.

-i.e.

Water	\$0
Sewerage	\$0
Stormwater	\$1,425
Transport	\$10,070

Parks and Land for Community Facilities	\$2,185
Sub Total per new lot	\$13,680
<b>TOTAL</b>	<b>\$54,720</b>

But then reveals that '*no part of the adopted charge is earmarked to any particular network*'

If this information is accurate, it means that not only can a charge, be levied in relation to the provisioning of infrastructure, say **transport** and having being proportionally calculated in the overall *Infrastructure Charge Notice* (ICN) and then collected from the developer for that purpose, it then can in actual fact, be spent **anywhere**, on any *trunk infrastructure*, say 'parks or community' facilities.

This raises a very serious issue about the predicated requirement for *infrastructure charging*.

Infrastructure charges under ICN 5138178 are levied to meet the costs of the *trunk infrastructure*, identified within DA21, that needs provisioning or upgrading. If those funds can then be redirected to some other infrastructure network expenditure. where does this leave the justification for raising those funds, in the first place, and what are the consequences for not providing the deemed required infrastructure - to the consequences of that development.

## Population Growth

The LGIP is predicated on one overarching premise-**population growth**.

Population growth is the MAJOR demand driver while the other is for increase in standards of services.

## Tuan

While difficult to locate accurate historical information on the **establishment** of **Tuan**, it would be reasonable to assume it did so in the last quarter of the 19th Century, particularly as a consequence of the discovery of gold in Gympie in **1867**

I think there would be little challenge to the assumption that it started as a fishermen camp for those plying their trade in the Great Sandy Strait, providing much-needed sea foods to the burgeoning population areas around Maryborough and Gympie.

We do know that the first deed of grant for freehold land in this location was issued in 1889 and the survey plan that established **lot 51 on MCH 567** was registered in **1908**

We also know that in the 2016 census, the locality of Tuan had a population of **153** people and in the 2021 census, the population was **140** people.

A **decline** of 13 people or **8.3%**

In the same period FCRC population increased from 103,291 to 111,037. An **increase** of 7,764 people or **7.5 %** and

Queensland went from 4,703,193 people to 5,156,138 million. An **increase** of 452,945 people or **9.7%**

We know there is approximately 154 parcels of land in Tuan ranging in size from 754 m<sup>2</sup> up to 4.01 ha. Of those 154 properties, **113** (73%) have structures erected on them. – Giving, in 2021, a occupancy density of **1.23 person** per structure. [FCRC ABS 2021= **2.3 persons** per unit of residential accommodation]

Occupying an estimated area of approximately **80ha** Tuan has has a spatial density of average property size = 5200m<sup>2</sup> – average population density of 1.75 pr/ha (**Schedule-3** [FCRC-ranging from 4.5 to 12 p/ha])

Tuan sits nestled between the 38,000ha of forestry reserve and the vast reaches of the Great Sandy Strait and located 25 kilometres and a 19-minute drive to the nearest service town.

Boasting, no shop or tourist accommodation facilities or employment opportunities, Tuan's only attraction remains the attention of persons interested in boating and fishing or living in a quite beach house location.

Only Council would know how many new dwellings have been constructed in Tuan since the 2021 Census. But if no new dwellings have been constructed in that period, then this subject development, (DA21) will be adding a population growth of estimated maximum 10 persons. This would still not return the population of people living in Tuan in 2016.

On that single factor alone, there is no real argument for this development (DA21) placing infrastructure pressure on the existing **Trunk Infrastructure** servicing the village of Tuan, or their population.

**Tuan is not a locality that presents as growth area within the FCRC boundaries.**

## Conclusion

Nobody would challenge that population growth brings demands particularly for housing and new housing brings demands for developments to provide not just spatial integrity for that population but the services required by the community

But not every development will pose such a demand.

The system where a universal charger is universally applied is, if nothing else, unethical and possibly unreasonable and breeds lack of respect for the institutions that deliver such outcome.

All that my client is requesting that you reconsider the infrastructure charges levied on the development in the light of what infrastructure services they really demand and what increase in infrastructure services is really required.

My client is not opposed to making a contribution to infrastructures that will benefits the local community but such contribution has to be **reasonably** proportional to any impacts the development will impose.

Therefore, in light of the material presented, we request a meeting to discuss/mediate in this regard, the quantum of the ICN.

Warren Bolton

Thursday, 10 April 2025

### References [R]

1.	GUIDANCE FOR THE MINISTERS GUIDELINES AND RULES, Guidance For Plan-Making - Queensland Treasury Planning Group. Invested in planning for the future - October 2020
2.	LOCAL INFRASTRUCTURE PLANNING- Guidance for local governments and applicants- August 2023
3.	MINISTER'S GUIDELINES AND RULES-Under the Planning Act 2016-Version 3.0- 22 July 2024
4.	Part 4 - Planning Scheme