

TRUNK V NON-TRUNK INFRASTRUCTURE FACTSHEET

The *Planning Act 2016* (the **Planning Act**) distinguishes between ‘trunk’ and ‘non-trunk’ infrastructure. Generally, trunk infrastructure can be understood as larger items of infrastructure which service multiple users (i.e. external to the subject development), whereas non-trunk infrastructure is generally smaller items servicing only a particular development. For example, whereas a large road may be trunk infrastructure, an access road to a particular development will usually be non-trunk.



Wastewater Treatment Plant (Trunk)

An important difference between ‘trunk’ and ‘non-trunk’ infrastructure is that Council is required to pay for the upfront cost of trunk infrastructure whereas Developer’s provide and pay for the upfront cost of non-trunk infrastructure.

Legal Definitions

Trunk Infrastructure

The legal definition of trunk infrastructure is provided under the *Planning Act* which defines ‘trunk infrastructure’ as development infrastructure that:

1. the Local Government Infrastructure Plan (LGIP) identifies as trunk infrastructure;
2. becomes trunk infrastructure through a ‘conversion application’; or
3. is required by a ‘necessary trunk infrastructure condition’ under section 128(3) of the *Planning Act*.

Generally, the legal definition of ‘trunk infrastructure’ is concerned with the formal mechanism (see 1 – 3 above) by which the infrastructure has been identified rather than its size, function or purpose.

Non-trunk infrastructure

The legal definition of ‘Non-trunk infrastructure’ is ‘development infrastructure that is not trunk infrastructure’. The *Planning Act* provides further clarification about what non-trunk infrastructure means by reference to the conditions Council can legally impose for non-trunk infrastructure. The *Planning Act* provides that Council can impose conditions about providing non-trunk infrastructure for 1 or more of the following –

1. a network, or part of a network, internal to the premises;
2. connecting the premises to external infrastructure networks;
3. protecting or maintaining the safety or efficiency of the infrastructure network of which the non-trunk infrastructure is a component.

Development Application involving Trunk Infrastructure

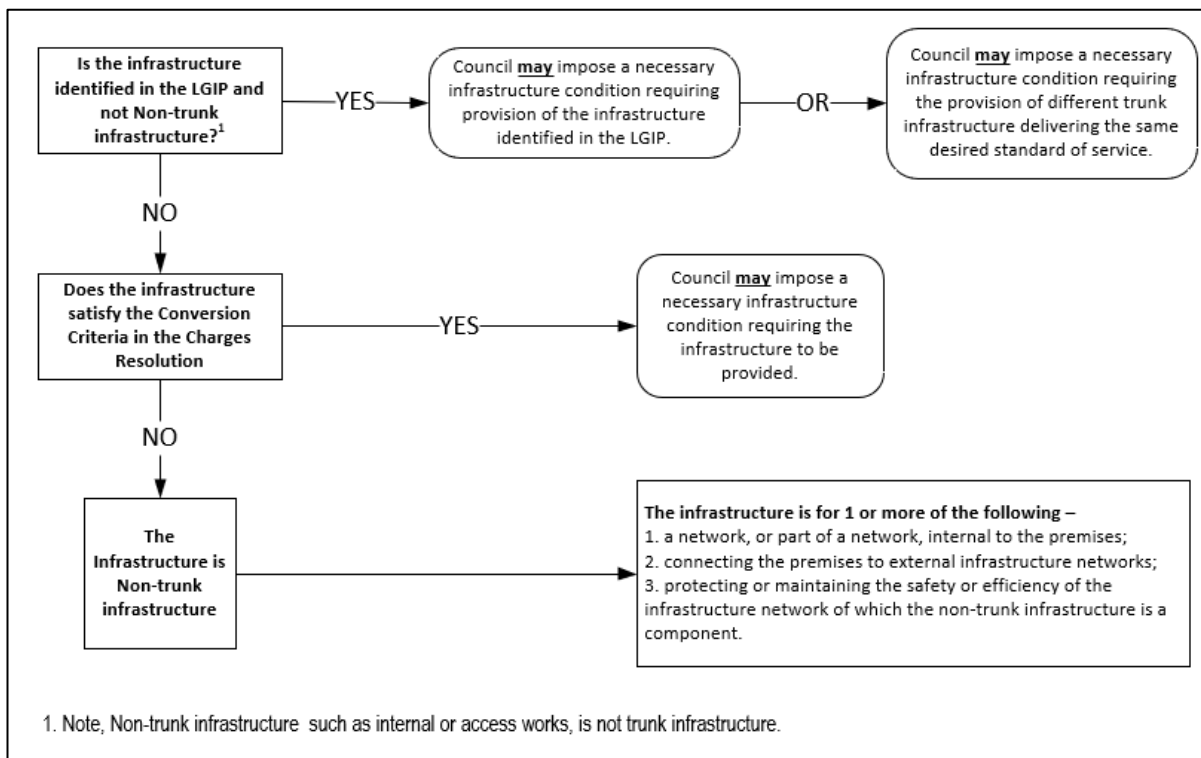
A Development Application that requires or proposes to provide trunk infrastructure as part of the development should include adequate information about the trunk infrastructure. Council has prepared an [Application Form](#) to assist Applicants in providing sufficient information and justification for proposed trunk infrastructure under a development application.

Trunk Infrastructure Conditions

The *Planning Act* provides Council with the power to impose conditions requiring the provision of trunk infrastructure by Developer's. These are called 'necessary infrastructure conditions'. This power is discretionary, meaning Council decides whether or not to impose a necessary infrastructure condition. Council's general decision-making process for whether or not to impose a necessary infrastructure condition is illustrated in **Flow Diagram One**.

Conversion Applications

If a development approval is subject to a non-trunk infrastructure condition, the *Planning Act* allows the developer to apply (within 1 year after the approval takes effect, and provided that construction of the infrastructure has not started) to apply to "convert" the non-trunk infrastructure to trunk infrastructure. In deciding a conversion application, Council is required to 'consider' the conversion criteria in the [Charges Resolution](#).



Flow Diagram One: General decision process – Trunk Infrastructure Condition