

Policy Title:	INFRASTRUCTURE CHARGES INCENTIVES POLICY 2019
Policy Subject:	Development
Policy No.:	#2437134v8 – CP047
Directorate:	Development & Community
Department:	Planning & Growth
Section:	Development Assessment
Responsible Officer:	Executive Manager, Planning and Growth
Authorised by:	Director, Development & Community
Adopted date:	12/02/2014
Review date:	01/09/2019
Amended date:	18/12/2018
Risk Assessment:	High

This policy commences on 14 February 2019 and will be reviewed on 1 September 2019. Incentives under this Policy are not retrospective.

1.0 OBJECTIVE:

The objective of this policy is to provide subsidised infrastructure charges as an incentive for development within the Fraser Coast Regional Council area.

2.0 POLICY:

This policy outlines the financial incentives that are available to developers and establishes the criteria for eligibility according to the type of development and its location within the Fraser Coast Regional Council area. The policy will ensure consistency in application and provide certainty to applicants.

Development that is ineligible for any subsidies will be subject to Council's *Adopted Infrastructure Charges Resolution*, pursuant to the *Planning Act 2016*.

3.0 APPLICABILITY:

Developments that are subject to infrastructure agreements with Council are ineligible for further incentives under this Policy.

Otherwise, the Policy is applicable to developments that meet one or more of the following Incentives as detailed in Section 4.0 - Assessment Criteria:

Incentives	The maximum amounts of subsidy available for each Incentive are as follows:
Incentive 1 – Residential, Commercial and Industrial Delayed Payment	Delayed payment of Reconfigure A Lot Infrastructure charges until the sale of the lots created or 2 years whichever is earlier, subject to agreement to the terms and conditions
Incentive 2 – Residential Affordability (a) Infill residential development (b) Over 50's Lifestyle Village (c) Tourist Parks and Tourist Attraction (d) Small Lot Residential Development	20%; or 20%; or 20%; or 20%; or
Incentive 3 – Employment Generating Businesses (a) Industry Activities (b) Medical Related (c) Business Activities (d) Tourism Activities (e) Rural Industry	50%; or
Incentive 4 - Central Business District development, Hervey Bay Nodal development ,and, Commercial zoned land in a Rural or Coastal township	100%
Incentive 5 – Maryborough and Hinterland, and townships of Howard and Torbanlea	<p>a. Preservation of existing charges for Material Change of Use; and</p> <p>b. Flat rate charge for Reconfiguring a Lot applications:</p> <ul style="list-style-type: none"> - \$10,000 per lot if serviced with reticulated water & sewerage; or - \$7,500 per lot if not serviced by reticulated water and/or sewer <p>Lots to be completed within 2 years of the commencement of this policy.</p>
Incentive 6 – Development considered to be of Special or significant benefit	Up to 100%

Where compliance with two or more of the Incentive Groups is achieved, only the highest subsidy shall apply, i.e. Subsidies are not cumulative. However, **Incentive 2(a)** - Infill Residential Development may also be eligible for the **Incentive 1** - Residential Delayed payment.

The subsidy applies to the applicable infrastructure charges calculated pursuant to Council's *Adopted Infrastructure Charges Resolution* (i.e. the infrastructure charges less any applicable credits or offsets).

Incentives will only apply to charges that are paid in accordance with the timeframes for payment as indicated on the relevant infrastructure charges notice.

An application for a development incentive will be subject to assessment against this policy (*Infrastructure Incentives Policy 2019*) and if further consideration for eligibility is required, determination will be at the discretion of Council and/or the Chief Executive Officer.

Developers or landowners who wish to determine whether their development is eligible for a subsidy in accordance with this Policy should apply in writing using the prescribed form. The form should be submitted to Council's Planning and Development Department and addressed to:

Physical Submissions:
Chief Executive Officer
Fraser Coast Regional Council
PO Box 1943
HERVEY BAY QLD 4655

Electronic Submissions:
development@frasercoast.qld.gov.au

Where a development permit provides for staging, the assessment criteria below can be applied to individual stages.

4.0 ASSESSMENT CRITERIA:

INCENTIVE 1 – RESIDENTIAL, COMMERCIAL & INDUSTRIAL DELAYED PAYMENT OPTION; SUBJECT TO AGREEMENT TO TERMS AND CONDITIONS

Purpose:

The purpose of this incentive is to provide an incentive for development that reduces the upfront costs of development at sealing of survey plan by delaying the payment of infrastructure charges until such time as the lots provided are on sold or a period of two years expires whichever is the sooner.

Eligibility Criteria:

- (a) A current development permit to Reconfigure a Lot (RAL) for Residential, Commercial or Industrial allotments must be in place, which includes Building Format Plan and Standard Format Plan Reconfigure Developments.
- (b) Prior to the Sealing of Survey plan for the RAL, the applicant enters into an Infrastructure Agreement (IA) with Council. The IA will include the following schedule of conditions:
 - Infrastructure Charges are to be applied in accordance with the Adopted Infrastructure Charges Resolution and applicable Incentive Policy at the time;

- Upon sealing of the Survey Plan by Council the Plan of Survey is to be lodged with Department Natural Resources ,Mines and Energy (Titles Office) within a period of 2 months, or as otherwise approved by the delegated Council Officer;
 - Upon receipt by Council of the titles notification for each lot created, Council will attach the value of the Infrastructure Charge (IC) to each lot as a rate pursuant to section [144 Planning Act 2016](#);
 - The Infrastructure Charge attached to the property pursuant to the Infrastructure Agreement shall be paid when the subject Lot is transferred in ownership, or within two years of the issuance of a title whichever is the sooner;
 - Interest on the outstanding Infrastructure Charge will not be applied by Council for the first 2 year period. Interest will however be applied to any outstanding IC after this period; and
 - Should Infrastructure Charges not be paid within a period of three years, Council will exercise its rights pursuant to the *Local Government Act 2009* to recover the outstanding infrastructure charges as if the amount constitutes an outstanding rate which levied against the property.
- (c) The Applicant must apply in writing on the prescribed form for this Incentive; and
- (d) The Engineering Works associated with the RAL must be accepted “on maintenance” prior to the entering into the Infrastructure Agreement. In this regard, no works are to remain outstanding.

INCENTIVE 2 – RESIDENTIAL AFFORDABILITY; INCLUDES INFILL RESIDENTIAL DEVELOPMENT, OVER 50’S LIFESTYLE VILLAGE, TOURIST PARKS AND SMALL LOT RESIDENTIAL DEVELOPMENT

The purpose of this Incentive is to encourage development that meets the eligibility criteria for at least one of the following:

(a) Infill residential development

Purpose:

The purpose of this Incentive is to foster the efficient use of small areas of existing zoned and serviced residential land.

Council considers that there are advantages to the wider community in ensuring the development of this land, such as better utilisation of existing infrastructure.

Eligible development:

Eligible development must meet all of the following requirements:

- (a) The development is classified “infill residential development” as defined in this Policy; and
- (b) The Development Permit for reconfiguring a lot has taken effect;

“Infill residential development” for the purposes of this Policy means land which –

- is situated within an established suburb;

- is substantially surrounded by existing urban development;
- is serviced by urban roads, water and sewer supply and is within 500 metres of a park;
- is less than 1 hectare in area;
- is capable of producing no more than 10 residential lots/dwellings or involves a multiple dwelling development that exceeds a minimum residential density target of 40 dwelling units per hectare for Medium Density development or 85 dwelling units per hectare for High Density development;
- is located within the identified Priority Infrastructure Area (PIA) as identified in the State Planning Regulatory Provision (Adopted Charges); and
- is generally consistent with the intended density.

For the purposes of clarity, “infill residential development” does not include land zoned “Emerging Communities”, “Rural Residential” or “LDR 1 Precinct” of the “Residential Zone” in the *Fraser Coast Planning Scheme 2014*.

Amount of subsidy:

A 20% subsidy on applicable infrastructure charges pursuant to Council’s *Adopted Infrastructure Charges Resolution*. This Incentive may be eligible for delayed payment.

(b) Over 50’s Lifestyle Village

Purpose:

The purpose of this Incentive is to encourage new Over 50’s residential retirement villages which by their built form and available facilities will provide a residential product targeting self-funded retirees.

Eligible development:

Eligible development must meet all of the following requirements:

- (a) The Applicant must demonstrate that the development will provide new permanent employment for six (6) or more full time employees or equivalent after the construction stage is complete or in the case of an existing small business (i.e. with less than 20 employees) the development will provide new permanent employment for two (2) or more full time employees or equivalent; and
- (b) A Development Permit for a Retirement Facility or Relocatable Home Park as defined by the *Fraser Coast Planning Scheme 2014* has taken effect not before the commencement date and the Development Permit has taken effect when construction has lawfully commenced or sealing of survey plan for RAL; and
- (c) The Over 50’s Lifestyle village contains independent living units, serviced units and may contain a Residential Care Facility component. The development must provide for an integrated resort style residential community specifically built and designed to cater for active retirement including; communal buildings sporting/recreational facilities health care and may include a food and drink outlet/ restaurant /bar; and
- (d) The Applicant must demonstrate that the development is limited to Over 50’s retirement lifestyle living.

Amount of subsidy:

A 20% subsidy on applicable infrastructure charges pursuant to Council's *Adopted Infrastructure Charges Resolution*. This incentive is not eligible for delayed payment, however, Council may upon application, agree to a payment plan on a per dwelling basis at issuance of Certificate for Final Classification for individual buildings.

(c) Tourist Park**Purpose:**

The purpose of this Incentive is to encourage new Tourist Parks developments as defined by the *Fraser Coast Planning Scheme 2014* to expand the tourism opportunities on the Fraser Coast.

Eligible development must meet all of the following requirements:

- (a) The Development Permit for short term accommodating in the form of a Tourist park, Nature Based Tourism or Farm Stay as defined by the *Fraser Coast Planning Scheme 2014* has taken effect not before the commencement date and the Development Permit has taken effect when construction has lawfully commenced or sealing of survey plan for RAL; and

Amount of subsidy:

A 20% subsidy on applicable infrastructure charges pursuant to Council's *Adopted Infrastructure Charges Resolution*. This Incentive is not eligible for delayed payment.

(d) Small Lot Residential Development**Purpose:**

The purpose of this incentive is to encourage the diversity of new residential development that incorporates innovated urban design small lot configurations.

Eligible development:

Eligible development must meet all of the following requirements:

- (a) The Development Permit for reconfiguring a lot takes effect.

"Small Lot Residential Development" for the purposes of this Policy means land which –

- is situated within an established medium or high density zoned land;
- is substantially surrounded by existing urban development;
- is serviced by urban roads, water and sewer supply;
- is less than 450m² in area;
- is capable of being occupied by only one (1) household;
- is contained within a defined building envelope which specifies requirements for the height, setbacks of the dwelling, and outcomes for built to boundary walls;
- is located within the identified Priority Infrastructure Area (PIA) as identified in the State Planning Regulatory Provision (Adopted Charges); and

- is generally consistent with the intended density for the zone.

For the purposes of clarity, “small lot residential development” does not include land zoned “Emerging Communities”, “Rural Residential” or “LDR 1 Precinct” of the “Residential Zone” in the *Fraser Coast Planning Scheme 2014*.

Amount of subsidy:

A 20% subsidy on applicable infrastructure charges pursuant to Council’s *Adopted Infrastructure Charges Resolution*. This Incentive is not eligible for delayed payment.

INCENTIVE 3 - EMPLOYMENT GENERATING BUSINESS

Purpose:

The purpose of this Incentive is to encourage for new businesses or existing businesses including, Industrial activities, Medical related activities, Business activities, Tourism activities and Rural industries to establish or expand, which generate additional employment opportunities after the construction stage.

Eligible development:

Eligible development must meet all of the following requirements:

- (a) The Applicant must demonstrate that the development will provide new permanent employment for six (6) or more full time employees or equivalent after the construction stage is complete or in the case of an existing small business (i.e. with less than 20 employees) the development will provide new permanent employment for two (2) or more full time employees or equivalent; and
- (b) The Development Permit has taken effect not before the commencement date and the Development Permit has taken effect when construction has lawfully commenced or sealing of survey plan for RAL; and

Amount of subsidy:

A 50% subsidy on applicable infrastructure charges pursuant to Council’s *Adopted Infrastructure Charges Resolution*. This Incentive is not eligible for delayed payment.

INCENTIVE 4 - CENTRAL BUSINESS DISTRICT DEVELOPMENT AND HERVEY BAY NODAL DEVELOPMENT

Purpose:

The purpose of this Incentive is to encourage development within the Central Business Areas of Maryborough and Pialba, the Scarness, Torquay and Urangan Nodes in Hervey Bay, and, Commercial zoned land in the rural and coastal townships which will result in better utilisation of existing infrastructure; help to consolidate development within the centres/nodes; generate employment and increase opportunity, increase services and improve lifestyle, and, provide overall community benefits.

Eligible development:

Eligible development must meet all of the following requirements:

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- (a) Development must be on land located within “Maryborough Principal Activity Centre Local Plan Area” (*Attachment 1*) or the “Pialba Principal Activity Centre Local Plan Area” (*Attachment 2*) or the Scarness, Torquay and Urangan HDR1 Hervey Bay Tourism Nodes (*Attachment 3*); or, a Commercial zoned lot in a Rural or Coastal Township.
 - (b) The Development Permit has taken effect not before the commencement date and the Development Permit has taken effect when construction has lawfully commenced or sealing of survey plan for RAL; and

Amount of subsidy:

A 100% subsidy on applicable infrastructure charges pursuant to Council’s *Adopted Infrastructure Charges Resolution*. This Incentive is not eligible for delayed payment.

INCENTIVE 5 – PROVISIONS FOR DEVELOPMENT IN THE FORMER LOCAL GOVERNMENT AREAS OF MARYBOROUGH, TIARO AND WOOCOO AND THE TOWNSHIPS OF HOWARD AND TORBANLEA**Purpose:**

The purpose of this incentive is to provide subsidies for infrastructure charges applicable to development within the former local government areas of Maryborough City, Tiaro Shire (as administered by the Fraser Coast Regional Council), Woocoo Shire and the Howard and Torbanlea townships.

Eligible development:

This incentive is only applicable to;

- (a) Existing Material Change of Use development approvals that have been previously granted a subsidy under this incentive, but only for the life of the existing approval; or
- (b) Additional lots created by Reconfigure a Lot applications provided the ‘Plan of Subdivision’ is approved (plan sealed) prior to 14 February 2021.

INCENTIVE 6 – SPECIAL OR SIGNIFICANT BENEFIT**Purpose:**

The purpose of this Incentive is to promote development that provides special or significant benefit to the region.

Eligibility Criteria:

Eligible development may include:

- (a) Development that exhibits innovative or leading edge design as an example of ‘exemplar’ development, incorporates high levels of efficiency and/or sustainability, as determined by Council or the Chief Executive Officer or any other development that is considered by Council or the Chief Executive Officer to warrant special consideration; or

- (b) Development that is compliant with at least one of Incentives 2-3 and is of a type or scale that requires extended subsidy deadlines in consideration of the longer lead times.

Amount of subsidy:

The applicable subsidy and conditions will be determined by Council or the Chief Executive Officer, having regard to the significance of the development to the region as well as, the application of Council's *Adopted Infrastructure Charges Resolution*.

5.0 DEFINITIONS:

Terms used in this Policy are as defined in the *Planning Act 2016* and the *State Planning Regulatory Provision (Adopted Charges)*.

Land use definitions are as defined in the *Fraser Coast Planning Scheme 2014*.

"*Development Permit*" for the purpose of this policy, refers to a Development Permit for Reconfiguring a Lot; Material Change of Use; or Building Works, for which infrastructure charges are payable.

6.0 TIMING

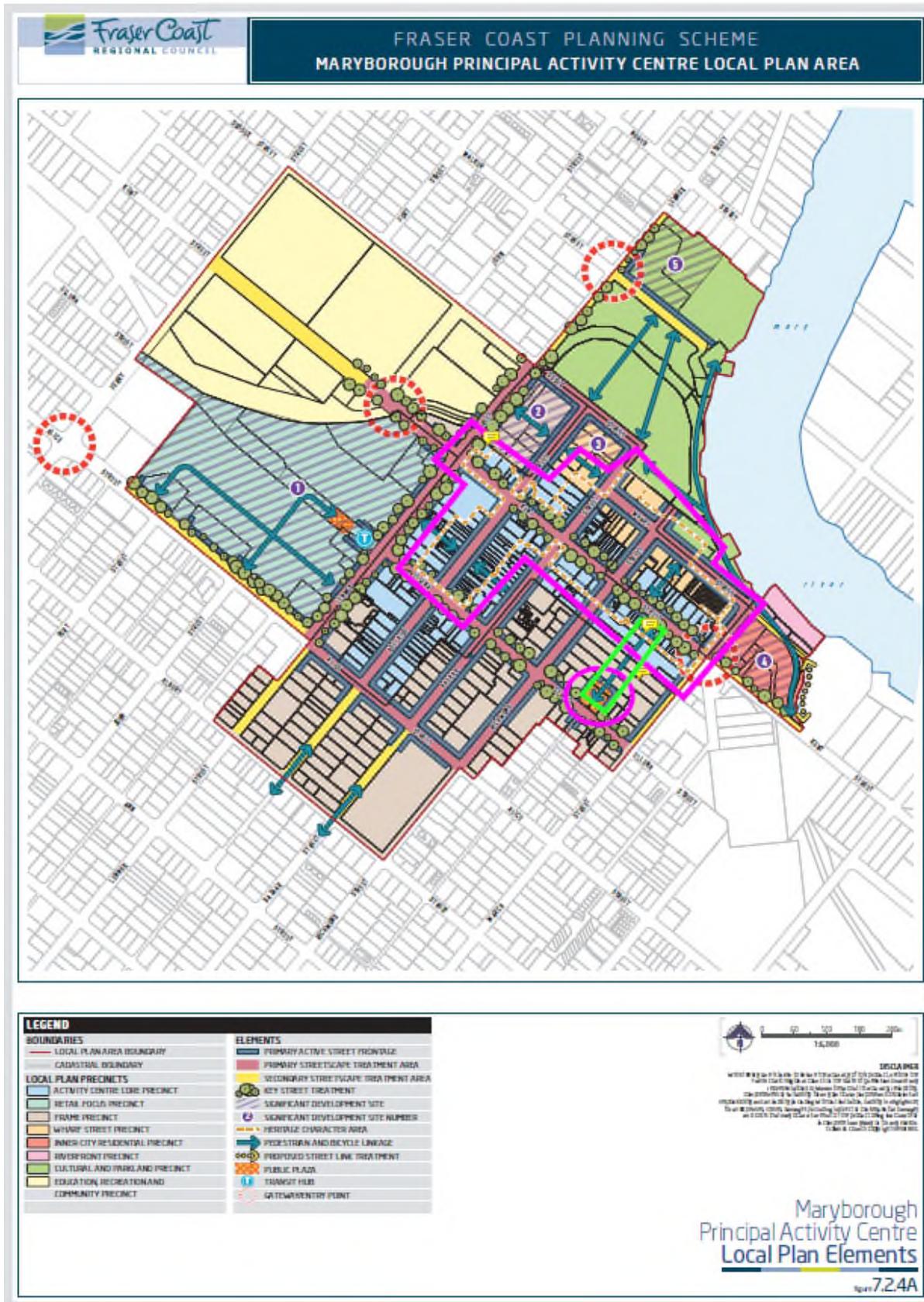
This policy commences on the 14 February 2019 and shall remain current until such time as Council resolves otherwise. The Incentives are not retrospective and Incentives do not apply to any development that has effectively commenced pursuant to the *Planning Act 2016*.

Applications in accordance with this policy shall detail the estimated time line to deliver the development. The currency for any Incentive 2, Incentive 3, Incentive 4, Incentive 5 or Incentive 6 approved by Council under this policy is two (2) years, unless otherwise established under schedule in an Infrastructure Agreement.

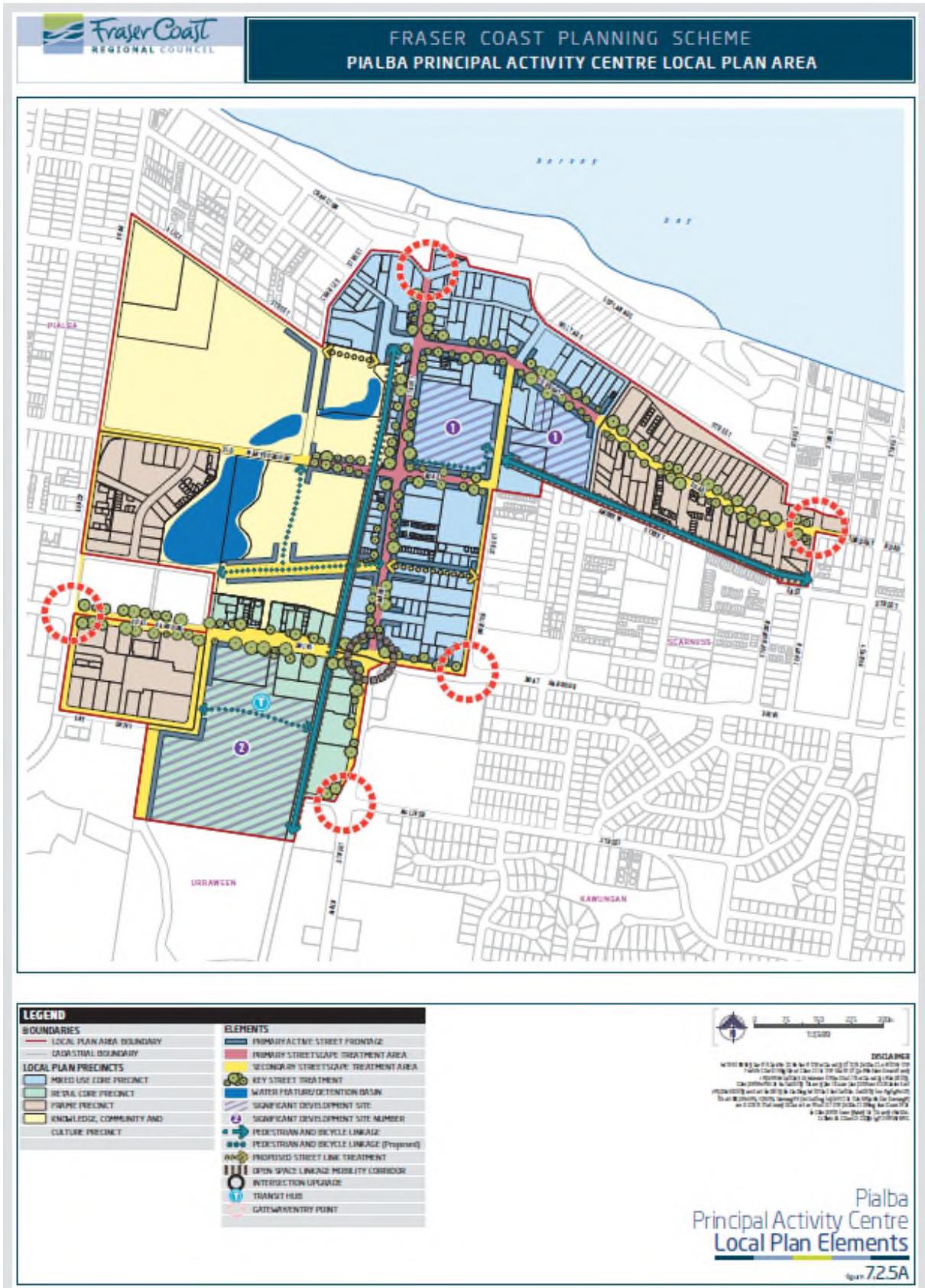
RELATED DOCUMENTS:

1. Adopted Infrastructure Charges Resolution September 2018: Docs #3264245
2. Adopted Infrastructure Charges - Management Policy: Docs #2461019

Attachment 1



Attachment 2



Attachment 3

Scarness, Torquay and Urangan HDR1 Hervey Bay Tourism Nodes



