

# Infrastructure Charges Incentives Application

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**Council is offering infrastructure charges incentives to encourage increased development activity and job creation. To see if your development is eligible for infrastructure charges incentives, please refer to Attachment A. To apply, please complete this form and return to Council. Please email directly to [info@sbrc.qld.gov.au](mailto:info@sbrc.qld.gov.au).**

## Developer details

Name/s (individual or company name in full)					
Contact name					
Postal address					
	Suburb		State		Postcode
Contact phone			Mobile phone		
Email address					

## Owner details

Name/s (individual or company name in full)					
Postal address					
	Suburb		State		Postcode
Contact phone			Mobile phone		

## Description of land

Property address					
Property description	Lot		Plan type and No.		
	Lot		Plan type and No.		
	Lot		Plan type and No.		

## Declaration

In lodging this request for an infrastructure charge discount, I/We declare that the owner/s of the property have consented to enter into an infrastructure agreement subject to the rules and procedures of the development incentive scheme.

Given/Surname		Signature		Date	
Given/Surname		Signature		Date	

**Application details**

Which of the following categories of incentivised development are you applying for (please see definitions);

- Any Commercial use or industrial activity (50%)
- Long-term employment generating development (50%)
- Residential development (excluding in the rural residential zone) (75%)
- Reconfiguration a lot for residential development (75%)
- Residential development in the rural residential zone (100%)
- Rural or tourist activity (e.g., Short-term accommodation) in the rural zone (100%)

**Note:** If the proposed development does not fit within the above descriptions, the development may not be eligible for this scheme but may be eligible for other incentives offered by Council. Please contact Council's Planning Team on 4189 9100 for further information about how we can assist with your development. Please see definitions in **Attachment B** for assistance in determining what category your development may fit within. Refer to the *Planning Act 2016* and *Planning Regulation 2017* for terms used herein.

**Details of the development permit or compliance permit**

Application number	
Type of approval	
Date approval took affect	

**Have the adopted Infrastructure charges or Infrastructure contribution/s been paid?**

- Yes     No

**Proposed details**

What is the proposed value of works for the development?    \$

What is the anticipated number of jobs to be created by this development? (If known/applicable)

If the development is for residential development, please provide the following:

Number of dwelling units		Number of lots	
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If the development is for a commercial use or industrial activity, please provide the following:

Gross floor area (GFA)

**Staged development**

Is the development a staged development?     Yes     No

Is it proposed that a discount apply to certain stages of the development and not the whole of the development?

- Yes     No

**Note:** If development is to be staged, the application needs to be accompanied by a staging plan.

**Office Use Only****Manager Recommendation**

This application for reduction of infrastructure charges is compliant with the rules and procedures of the Development Incentive Scheme. An infrastructure charges discount of \_\_\_\_\_ % is recommended.

Given/Surname		Signature		Date	
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**CEO Approval**

Given/Surname		Signature		Date	
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## Attachment A: Rules and Procedures

### 1. Background

On 25 November 2020 Council launched a development incentive scheme to stimulate increased development and economic activity in the region. As part of this initiative, Council is offering a range of discounts for infrastructure charges on certain developments. Council has resolved to develop these rules and procedures to guide its decision-making in assessing applications for the infrastructure charges incentives. The incentives scheme will be extended to 31 December 2025.

### 2. Eligibility for infrastructure charges incentives

- 2.1 A development approval exists for the development.
- 2.2 The Council has either:
  - Issued an Infrastructure Charges Notice (ICN) in relation to the development approval; or
  - Imposed an infrastructure contribution condition on the development approval; and
  - The development is not subject to an existing infrastructure agreement that varies the amount of infrastructure charges payable (except where the infrastructure agreement relates to an extension of the relevant period for the development approval or a recalculation of the charges under a new charge resolution).
- 2.3 The development is eligible if located within the South Burnett Regional Council area;
- 2.4 The development was not completed before 1 December 2020. For staged development, the stage being applied for was not completed before 1 December 2020.
- 2.5 The development is not eligible for a refund for the provision of trunk infrastructure pursuant to section 129 of the Planning Act 2016 (PA), as amended. If through a conversion application (section 139 PA) or a recalculation of the establishment cost of trunk infrastructure (section 137 PA) a development that at the time an application under this policy was made was not subject to a refund becomes subject to a refund, then the development will no longer be eligible for a discount under this scheme.
- 2.6 Development that does not meet the above criteria is not eligible for the infrastructure charges incentives.

### 3. Rules

- 3.1 Developments seeking to take advantage of the infrastructure charges incentives must make application to Council for a discount using the approved form.

- 3.2 Only one infrastructure charges incentives offer can apply to a development.
- 3.3 The infrastructure charges incentives will not apply to any development that has been completed on or before 1 December 2020.
- 3.4 Discounts for the infrastructure charges are listed below and would remain valid if development requirements are met and substantially complete:
  - 50% discount for any commercial use or industrial activity;
  - 50% discount for long-term employment generating development;
  - 75% discount for Reconfiguring a lot for Residential development;
  - 75% discount for Residential development; (excluding in the Rural Residential Zone)
  - 100% discount for Residential development in the Rural Residential zone;
  - 100% discount for Rural or Tourist activity (e.g., Short-term accommodation) in the rural zone.

The above discounts are taken to be discounts off the applicable infrastructure charges specified in an ICN or conditioned in a development approval (as varied by any infrastructure agreement relating to an extension of the relevant period of the development approval, where one exists). To be clear, no other discounts either under an adopted infrastructure charges resolution or other policy will apply (other than the rules specified in section 3.14 for community groups).

- 3.5 The discounts in Section 3.4 apply to infrastructure charges generated after the adoption of South Burnett Regional Council Charges Resolution (No. 3) 2019 dated 1 July 2019, or subsequent charges resolution.
- 3.6 Infrastructure Charges issued under previous Charges Resolutions (No. 1 (2013) and 2 (2015) also benefit under this scheme. Infrastructure Charges payable under Charges Resolutions No. 1 and 2, will be capped at the amount that would apply to charges issued under Charges Resolution No. 3 with the discounts in place.
- 3.7 The maximum discount under the incentives scheme is no more than \$500,000 for an eligible development.
- 3.8 Council may, in its absolute discretion, extend the date for any of the above discounts for a particular development where:
  - The applicant can show sufficient reason why the development cannot be completed by the original completion date; and

## Attachment A: Rules and Procedures

- The development has achieved substantial commencement prior to the original completion date.
- 3.9 Applications to extend the date by which development is to be completed for any particular discount must be made in writing and received prior to expiry of the completion date. Any extension to the date by which development is to be completed is at Council's absolute discretion.
- 3.10 Compliance with the completion date for receiving the incentive reduction in infrastructure charges is only achieved through full compliance with the following:
- For developments involving material change of use and building works, the issue of a certificate of classification for building works and/or issue of final inspection certificate by the completion date; or
  - For developments involving material change of use and no building works, the approved use is established by the Completion Date.
  - For developments involving reconfiguring a lot, submission of a survey plan to Council for sealing.
- 3.11 In all cases, Council must be satisfied that all applicable conditions of the development approval for the development completed have been satisfactorily complied with.
- 3.12 The discount will be applied at the time of payment of the infrastructure charges, but no discount is applicable if infrastructure charges are not paid when due.
- 3.13 Nothing stops a developer from making early payment of infrastructure charges payable after approval for discount has been given under this policy. However, early payment does not guarantee eligibility for any discount. Development must comply with the terms of the executed infrastructure agreement to secure approved discounts.
- 3.14 The discount applies to gross charges less credits but before offsets for the provision of trunk infrastructure have been deducted. To be clear, no discount given under this policy can result in a development receiving a refund.
- 3.15 Where a community group seeks a discount on infrastructure charges as part of an approved development, they may choose either this scheme or the Community Group Infrastructure Charges Policy. That is, whichever option is most advantageous to them.
- 4.1 Applicants must lodge the application on the approved form.
- 4.2 Council will assess the application, and if approved:
- (a) An infrastructure agreement will be issued identifying the discount available and must be signed by the applicant to acknowledge all terms applying to the incentive offer approved for the development;
  - (b) For the discounts to apply, the applicant must execute and return the infrastructure agreement to Council prior to the time for payment of the infrastructure charges;
  - (c) When the infrastructure agreement is executed by Council and the applicant, Council will issue a tax invoice for the amount of infrastructure charges to be paid, only when the requirements in section 3.10 have been complied.

## 4. Process

## Attachment B: Definitions

Below are the definitions for Council's development incentive scheme. If a word is not defined in this document, unless the context or subject matter otherwise indicates or requires, the word is to have a meaning given to it by the following:

- (a) the *Planning Act 2016*;
- (b) the South Burnett Regional Council Planning Scheme
- (c) the Macquarie Dictionary if the word is not defined in items (a) and (b) above.

### Definition

**Applicant** - means the applicant for the infrastructure charges incentive under this scheme.

**Commercial use** - includes the use of premises for selling goods or providing a service to the public.

### Completed

- means for a material change of use:
  - where involving building works, a certificate of classification or the final inspection certificate (for a single detached class 1a building or structure) has been issued; or
  - where not involving building works, the approved use has been established.
- means for building work, a certificate of classification or the final inspection certificate (for a single detached class 1a building or structure) has been issued.

### Completion date – means

- twelve months from the date of the email notice mentioned in in section 4.2 of Attachment A; or
- such date as extended by the Council pursuant to section 3.7 of Attachment A.

**Development Approval** – means a development permit for a material change of use or a development permit or compliance permit for reconfiguring a lot or a development permit for building work (where the material change of use is accepted development) that has not lapsed.

**Eligible development** – means proposed development that satisfies the requirements of section 2 of Attachment A.

**Industrial activity** – means the use of premises for the following terms (as defined):

- low impact industry;
- medium impact industry;
- high impact industry; or
- special industry.

**Infrastructure Charges** – means infrastructure charges or contributions for trunk infrastructure payable pursuant to a charges notice or a contribution condition in a development approval.

**Infrastructure Charges Notice** – means an infrastructure charges notice as defined in section 119 of the *Planning Act 2016*.

**Other eligible development** - means development for any material change of use or building works for which a charges notice has been issued.

**Reconfiguring a lot** – means creating lots by subdividing another lot.

**Residential development** - means the use of premises for the following accommodation activity:

- caretaker's accommodation;
- dual occupancy;
- dwelling house;
- dwelling unit;
- home-based business;
- multiple dwelling;
- non-resident workforce accommodation;
- relocatable home park;
- resort complex;
- retirement facility;
- rooming accommodation;
- short-term accommodation;
- a tourist park.

**Rural activity** – means an agricultural supplies store, animal husbandry, animal keeping, aquaculture, cropping, an intensive animal industry, intensive horticulture, a permanent plantation, a roadside stall, a rural industry, rural worker' accommodation, a wholesale nursery, or a winery.

**Substantial commencement** – means that the development under construction, or significant progress has been made, and will be completed in the near future.

**Tourist activity** – means nature-based tourism, a resort complex, a tourist attraction, a tourist park; tourist accommodation, or accommodation for employees, that is ancillary to a use stated or a commercial use that is ancillary to a use stated.