



Activate Cassowary Coast Development Incentives – Reduction in Infrastructure Charges Scheme

To encourage development that achieves certain strategic objectives for the Cassowary Coast by allowing a reduction in the infrastructure charges payable in relation to certain developments

Category	Planning & Regional Development	Policy number: PRD005
Related forms, policies and procedures	Reduction in Infrastructure Charges Scheme Guidelines Reduction in Infrastructure Charges Scheme Application Form	
Key words	Activate, incentive scheme	
Relevant legislation	<ul style="list-style-type: none"> • <i>Local Government Act 2009 (Qld)</i> • <i>Planning Act 2016 (Qld)</i> 	
References and resources	Planning Scheme	

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ACTIVATE CASSOWARY COAST DEVELOPMENT INCENTIVES – REDUCTION IN INFRASTRUCTURE CHARGES SCHEME

1. Objective

Council is committed to achieving a growing economy by encouraging new development. It recognises however that the cost of undertaking development in the Cassowary Coast local government area must be regionally competitive if that investment is to be secured. One way of enhancing that competitiveness is to reduce the infrastructure charges that are levied on new development.

Infrastructure charges are levied on development to pay for the provision of trunk infrastructure networks for water supply, sewerage, transport, stormwater, and public parks and land for community facilities. Council has invested heavily in these infrastructure networks in the past when population and employment growth were strong. With population and employment growth within the inland towns having slowed in recent years, some of the infrastructure networks in these areas are now underutilised. With low growth and spare capacity in the networks, there is little or no need for new trunk infrastructure to be provided.

Council recognises that the underutilised capacity within its existing infrastructure networks is an underutilised economic resource. It also recognises that reducing the cost to developers of accessing this existing infrastructure capacity can stimulate development without additional cost to its ratepayers.

To encourage new development in those parts of the local government area which have underutilised capacity in existing trunk infrastructure networks, Council will consider discounting the infrastructure charges payable for development.

This policy sets out the circumstances in which Council may do so.

The aim of this policy is to encourage development that achieves certain strategic objectives for the Cassowary Coast by allowing a reduction in the infrastructure charges payable in relation to certain developments that are completed within three (3) years of the date on which the development approval in respect of the development starts to have effect under the Act.

In providing these reductions, Council is seeking to deliver significant and sustainable growth, diversity and value-adding that is aligned to Council's planning and economic objectives and meet the objectives of the policy.

2. Term

This policy is applicable from 16 December 2019 to 30 March 2022 unless otherwise amended or repealed by Council resolution.

3. Implementation

3.1 Eligibility criteria

To be eligible to request a discount on the infrastructure charges payable under an infrastructure charges notice, a proposed development must comply with all of the following criteria:

- (a) The land on which the development is proposed must already be serviced by both the trunk water supply and trunk sewerage infrastructure networks.
- (b) The proposed development must be development in respect of which an infrastructure charge has been adopted pursuant to Council's infrastructure charges resolution and in respect of which a development approval and infrastructure charges notice is required to be given.
- (c) The development must be capable of being completed within three (3) years of the date on which the development approval in respect of the development starts to have effect under the Act.
- (d) The development provides for capital investment in accordance with the planning scheme.
- (e) The development generates growth and new opportunities for investment within the region.

3.2 Amount of discount

A discount of up to 100% on infrastructure charges payable under an infrastructure charges notice may be applied by Council to Eligible development under this policy.

3.3 Request for discount

A request for a discount on infrastructure charges under this Policy must be made to Council in writing and must demonstrate compliance with all of the eligibility criteria in section 5.1.

The request may be lodged with Council:

- (a) In association with a properly made application received by Council during the term of the Policy;
or
- (b) At any later date prior to the time for payment of any infrastructure charges levied in respect of the development under the Act.

3.4 Consideration of request

Council will consider the request against the eligibility criteria. If Council is not satisfied that the eligibility criteria have been or can be complied with, the request will be refused.

If Council is satisfied that the eligibility criteria have been or can be complied with, Council will consider the request having regard to any matter Council considers relevant, including:

- (a) Any infrastructure agreement or proposed infrastructure agreement in respect of the development;
- (b) Any conditions of approval or proposed conditions of approval in respect of infrastructure for the development;
- (c) Any infrastructure works to be funded by the applicant or Council;

- (d) Whether the applicant has any outstanding debts payable to Council;
- (e) Whether the applicant has any outstanding compliance issues in Council's local government area.

The request may be approved, approved in part (by approving a reduced discount) or refused. Council's decision will be made prior to the time for payment of the infrastructure charges to which the application relates.

It is at the absolute discretion of Council whether a discount on infrastructure charges is granted for a particular development, and to what percentage, notwithstanding that the proposed development may be an Eligible development.

There is no right of appeal should Council in its discretion decide to refuse or approve in part the request.

3.5 Notification and Implementation of Decision

An applicant who has made a request for a discount on infrastructure charges will be advised in writing of Council's decision in relation to their request, prior to the time for payment of the infrastructure charges to which the application relates.

If Council agrees to discount infrastructure charges, the discounted amount will be subtracted from the infrastructure charge payable under the infrastructure charges notice levied in respect of the development, after taking into account an offset or refund applicable under the Act for the development.

3.6 Infrastructure Agreement

If the request is approved, and before the discount can apply, Council and the applicant must enter into an infrastructure agreement prepared by Council under the Act. The agreement will include the following terms:

- (a) The proposed development must be completed within three (3) years of the date on which the development approval for the proposed development starts to take effect under the Act.
- (b) In the event that the proposed development is not completed within three (3) years of the date on which the approval starts to take effect under the Act, the discount will not apply and infrastructure charges are payable in accordance with the infrastructure charges notice and the Act.
- (c) In the event that the proposed development is completed within three (3) years of the date on which the approval starts to take effect under the Act:
 - (i) any discounted infrastructure charge will be payable in accordance with the timing provided for in the Act, unless a full discount is provided, in which case a charge is not payable; and
 - (ii) Council waives its rights of recovery to the extent of the discount provided.

3.7 Definitions and Interpretation

<i>Building work</i>	is defined in the Act.
<i>Completed (Building work)</i>	when the final inspection certificate for the Building work, or the certificate of classification for the building, is given under the <i>Building Act 1975</i> .
<i>Completed (Material Change of Use)</i>	when the change happens.
<i>Completed (Reconfiguring a Lot)</i>	the plan of subdivision has been approved by Council under Schedule 18 of the <i>Planning Regulation 2017</i> .
<i>Council</i>	means the Cassowary Coast Regional Council.
<i>Eligible development</i>	means development that meets the eligible criteria in section 5.1.
<i>Infrastructure charges notice</i>	is defined in the Act.
<i>Material change of use</i>	is defined in the Act.
<i>Planning Scheme</i>	means the Cassowary Coast Regional Council Planning Scheme.
<i>Properly made application</i>	is defined in the Act
<i>Reconfiguring a lot</i>	is defined in the Act.
<i>Trunk infrastructure</i>	is defined in the Act.