

SCENIC RIM INVESTMENT ATTRACTION INCENTIVES PROGRAM - INFRASTRUCTURE CHARGES DEFERRAL GUIDELINE (CC03.02GL.01)

OBJECTIVES

The objectives of this Guideline are to:

1. Attract investment in qualifying developments in the Region.
2. Attract developments that will stimulate sustainable growth, diversify and value-add to our regional economy by:
 - a. Creating new valuable jobs and investment;
 - b. Value-add through enhanced service delivery or supply chains;
 - c. Generate growth in industry and commerce; and
 - d. Diversify and make the local economy more sustainable.
3. Encourage and support growth of existing business within the Region.
4. Assist new business cash flow through the staged deferral of infrastructure charges over an agreed period.
5. Ensure new developments continue to contribute to additional infrastructure required to support Regional growth.

SCOPE

This Guideline applies to infrastructure charges for approved eligible uses within the Region.
This Guideline does **not** apply to:

1. infrastructure charges associated with reconfiguring a lot, either at a Material Change of Use or Reconfiguring a Lot stage, or
2. contributions required as a condition of development approval.

GUIDELINE RESPONSIBILITIES

Policy Statement

The Scenic Rim Investment Attraction Incentives Program Policy (CC03.02CP) seeks to attract and support projects that will deliver the greatest economic benefits to the Region.

Application for Approval

To be considered under the Investment Attraction Incentives Program Policy, applications must be made on the prescribed form, Application Request Form together with the required supporting information.

Commencement of Scenic Rim Investment Attraction Incentives Program Policy

This Guideline will be applied to development applications approved by Council, where infrastructure charges are payable.

Council may at any time, revoke the Investment Attraction Incentives Program Policy and is not obligated to consider any applications not yet approved and an Infrastructure Agreement entered into.

Commencement of Use

To qualify for Infrastructure Charges Deferral, commencement of use must occur within **three years** of the properly made development application being approved by Council. For the avoidance of doubt, any approved incentive will be revoked and charges will revert to Council's Infrastructure Charges Notice or the Negotiated Infrastructure Charges Notice if the use is not commenced or building certificate of classification is not issued within three years of the properly made development application being approved by Council.

Commencement will be considered on a staged basis where the development has been approved with a staging program. Only those stages which have commenced within three years of the properly made development application being approved by Council will be eligible.

Government Development not Included

Development which is by or on the behalf of Queensland or Australian Government Departments, Agencies or Government Owned Corporations are not eligible under the Scenic Rim Investment Attraction Incentives Program Policy.

Prior Agreements

The Investment Attraction Incentives Program Policy is not available to developments which have previously entered into an infrastructure agreement for the development or have previously been granted a Council development incentive for the development.

Infrastructure Charges Deferral

This Guideline provides a deferred payment mechanism for infrastructure charges as an incentive for developments that will deliver sustainable economic development and growth outcomes in alignment with Council's planning objectives.

The infrastructure charges deferral provides for staged payments of infrastructure charges over an agreed period not exceeding three years from the commencement of use.

The deferral will be administered via an infrastructure agreement which reflects the Investment Attraction Incentives Program Policy and provides for:

1. The developer must notify Council immediately of the use commencing
2. Up to three equal yearly payments
3. Payments shall fall due at the end of each anniversary of the commencement date (for administrative purposes, dates will be rounded to the end of the next quarter)
4. Indexation will apply at the time of payment
5. Council may issue reminders (with indexation included) 8 weeks prior to payments falling due
6. The land owner will be a signatory to the infrastructure agreement
7. Outstanding charges will continue to be recovered as rate on the land (Planning Act s144)

Eligible Uses

A deferral on payment of infrastructure charges in accordance with the Adopted Infrastructure Charges Resolution (AICR) may apply to the all land uses **except** those identified in the following table.

Table of Non-Eligible Uses

Use Category (refer AICR)	Non-Eligible Use	Limitations
Residential	Dwelling house Caretaker's accommodation* Multiple dwelling Dual occupancy	*Caretaker's accommodation approved in association another Eligible use is eligible
Other uses	Any other use not listed in column 2 of Table 2 - Adopted charges schedule, including a use that is unknown, where the use is a; <ul style="list-style-type: none">• Dwelling house• Caretaker's accommodation*• Multiple dwelling• Dual occupancy	The use must demonstrate that the objectives of this Policy can be achieved by the inclusion of the use. This is to be demonstrated on a case by case basis. *Caretaker's accommodation approved in association another Eligible use is eligible

Ineligible Developments

The Infrastructure Charge Deferral shall **not** apply to the following developments;

1. Development previously or currently being the subject of enforcement action;
2. Development being conducted in a manner contrary to the conditions of approval.

Treatment of Credits and Offsets

The concession applies to the applicable net infrastructure charge payable, calculated pursuant to the relevant Scenic Rim Regional Council Adopted Infrastructure Charges Resolution being the infrastructure charges less any applicable credits or offsets.

Ongoing Eligibility

The following will be applied to Infrastructure Charge Deferrals:

- **Non-Commencement of Use**

In the event that the use is not commenced within three years of the development approval being issued by Council, the infrastructure charges deferral granted will be no longer apply and payment of the full value of infrastructure charges pursuant to the issued Adopted Infrastructure Charges Notice or Negotiated Adopted Infrastructure Charges Notice will be applicable should the use commence at a future time.

- **Non-Payment of Infrastructure Charges**

In the event that the infrastructure charges for a development are not received in accordance with the Infrastructure Agreement, the Infrastructure Charge Deferral granted will no longer apply and payment of outstanding charges shall be immediately due in accordance with the issued Adopted Infrastructure Charges Notice or Negotiated Adopted Infrastructure Charges Notice.

- **Cessation of Use**

Where the use ceases to operate during the deferral period, the following applies;

1. Payment is required for all part payments due while the use was operating, and
2. All remaining payments are due, unless the land owner cancels the development approval, and would then not be liable for any remaining payments.

DEFINITIONS

Commencement of use	The date the levied charge becomes payable as specified <i>in Section 122 Payment Triggers Generally</i> of the Planning Act 2016
Council	Scenic Rim Regional Council
Region / Scenic Rim Region	Scenic Rim Regional Area identified by the Local Government Areas of Queensland

RELATED DOCUMENTS

Planning Act 2016;

Planning Regulation 2017

Investment Attraction Incentives Program Policy - January 2020

Beaudesert Shire Planning Scheme 2007

Boonah Shire Planning Scheme 2006

Ipswich Planning Scheme 2006

Draft Scenic Rim Planning Scheme (and Policies) 2019

Scenic Rim Regional Council Adopted Infrastructure Charges Resolution (V10) July 2019

Scenic Rim Regional Council Adopted Infrastructure Charges Resolution (V09) July 2018

Scenic Rim Regional Council Adopted Infrastructure Charges Resolution (V08) June 2018

Scenic Rim Regional Council Adopted Infrastructure Charges Resolution (V07) Oct 2017

Scenic Rim Regional Council Adopted Infrastructure Charges Resolution (V06) Aug 2017

Scenic Rim Regional Council Fair Value Charges Resolution (V05) July 2016

Scenic Rim Regional Council Fair Value Charges Resolution (V04) May 2016

Scenic Rim Regional Council Fair Value Charges Resolution (V03) Oct 2015

Scenic Rim Regional Council Fair Value Charges Resolution (V02) July 2015

Scenic Rim Regional Council Fair Value Charges Resolution (V01) May 2015

State Planning Regulatory Provision (Adopted Charges) July 2012

This Guideline supports the Scenic Rim Regional Council Corporate Plan 2018-2023, in particular Themes:

- Sustainable and Prosperous Economy, and
- Open and Responsive Government

Approved By:

SCENIC RIM REGIONAL COUNCIL

Adopted 20/01/2020

Version Information

Version No.	Date	Key Changes
V1	20/01/2020	Original Document