



Gladstone Regional Council

Council Policy

Title	INFRASTRUCTURE CHARGES REBATE SCHEME
Policy Number	P-2019-28
Business Unit/s	STRATEGY AND TRANSFORMATION CUSTOMER EXPERIENCE
Date of Adoption	
Resolution Number	
Review Date	
Date Repealed	

1.0 PURPOSE:

This policy provides rebates on Levied Charges for developments proposing a Material Change of Use (other than for certain uses – ‘Excluded Use’), which deliver economic development and growth outcomes that align with Councils Economic Development Strategy and Planning Scheme.

2.0 SCOPE:

This policy applies to all land uses other than certain Excluded Uses within the Gladstone Regional Council Local Government area, within a Priority Infrastructure Area or Township Zone. Developments that qualify for rebates under this Policy are solely for a discount of Levied Charges. No other rebates are offered or borne by this policy.

This policy does not apply to Development Applications for a Reconfiguring of a Lot.

3.0 RELATED LEGISLATION:

- *Planning Act 2016*
- *Planning Regulation 2017*

4.0 RELATED DOCUMENTS:

- Gladstone Regional Council Adopted Infrastructure Charges Resolution (No. 1) – 2015 Amendment No. 2
- Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2
- Gladstone Regional Economic Development Strategy 2015

5.0 DEFINITIONS:

To assist in interpretation of this policy the following definitions apply:

“Infrastructure Agreement” has the same meaning as defined in the *Planning Act 2016*.

“Infrastructures Charges Notice” has the same meaning as defined in the Planning Act 2016.

“Levied Charge” has the same meaning as defined in the Planning Act 2016.

“Priority Infrastructure Area” identifies the area priorities for the provision of trunk infrastructure to service existing and assumed future urban development up to 2013. The Priority infrastructure area is identified in Schedule SC3 – Local government infrastructure plan maps within the Our Place Our Plan Gladstone Regional Council Planning Scheme V 2.

“Excluded Use” means the following land use definitions as defined in SC1.1 Use definitions within the Our Place Our Plan Gladstone Regional Council Planning Scheme V2:

Use:	Definition:
Dual Occupancy	Premises containing two dwellings, each for a separate household, and consisting of: <ul style="list-style-type: none"> • a single lot, where neither dwelling is a secondary dwelling or • two lots sharing common property where one dwelling is located on each lot.
Dwelling House	A residential use of premises for one household that contains a single dwelling. The use includes domestic out buildings and works normally associated with a dwelling and may include a secondary dwelling.
Dwelling Unit	A single dwelling within a premise containing non-residential use(s).
Multiple Dwelling	Premises containing three or more dwellings for separate households.
Relocatable Home Park*	Premises used for relocatable dwellings (whether they are permanently located or not) that provides long-term residential accommodation. The use may include a manager's residence and office, ancillary food and drink outlet, kiosk, amenity buildings and the provision of recreation facilities for the exclusive use of residents.
Rural Workers Accommodation	Any premises used as quarters for staff employed in the use of land for rural purposes, such as agriculture, intensive animal husbandry and forestry, conducted on a lot in the same ownership whether or not such quarters are self-contained.
Non-resident Workforce Accommodation	Premises used to provide accommodation for non-resident workers. The use may include provision of recreational and entertainment facilities for the exclusive use of residents and their visitors.

* Relocatable Home Park development that provides solely for residents over the age of 50 years, is not an excluded use, for the purposes of this Policy.

6.0 POLICY STATEMENT:

6.1 Application of Policy

This Policy applies to Development Applications for making a Material Change of Use of Premises which:

1. Have a current Material Change of Use application (ie. decided and not lapsed), and
2. Are for any land use as defined within SC1.1 Use definitions of the Our Place Our Plan Gladstone Regional Council Planning Scheme V2 other than an Excluded Use as defined herein; and

3. Are proposed to be located within a Priority Infrastructure Area or Township Zone as defined in the Our Plan Our Plan Gladstone Regional Council Planning Scheme V2.

This policy does not apply to any development application made by, or on behalf of a Federal or State Government agency.

Notwithstanding Clause 6.1(1) of this policy, Council may in its absolute discretion, at any time, resolve that this policy is not applicable to a Development Application.

6.2 Rebates

Upon receipt of a Development Permit and an Infrastructure Charges Notice, an Applicant may apply to Council to enter into an Infrastructure Agreement which reduces the Levied Charge by 50% based on the net charge amount identified within the Levied Charges Notice, up to a maximum concession value of \$500,000. In no case shall the reduction in the Levied Charge exceed \$500,000.

In addition, a concession for a Not for Profit organisation will incorporate concessions from other entitlements so that the value of the combined concessions does not exceed 50% of the net charge amount.

Applicants are to complete and lodge the Request – Levied Charge Rebate Form to Council. Upon receipt, an assessment and decision will be made under this policy. Should the application be successful, Council will prepare an Infrastructure Agreement which must be executed by the Applicant. That Infrastructure Agreement will reflect the discounted charge and the Rebate Conditions set out in Clause 6.3 of this Policy.

The terms of the Infrastructure Agreement will be determined by Council and are not negotiable. Council's costs with respect to the preparation and execution of the Infrastructure Agreement will be payable by the Applicant.

6.3 Rebate Conditions

To be eligible for a rebate under this Policy, developments must:

1. Be completed within two years of the Infrastructure Agreement referenced in Section 6.2 being fully executed; or
2. If staged, the first stage be completed within two years of the Infrastructure Agreement referenced in section 6.2 being fully executed and all stages completed within four years of the Infrastructure Agreement referenced in section 6.2 being fully executed; and
3. Should these Rebate Conditions not be met then no reduction in the Levied Charges shall be applicable and the balance of the Levied Charges then outstanding shall be immediately due and payable.

7.0 ATTACHMENTS:

Nil.

8.0 REVIEW MECHANISM:

This policy will be reviewed when any of the following occur:

1. The related legislation or governing documents are amended or replaced; or
2. Other circumstances as determined by resolution of Council or the CEO; or
3. One year from date of adoption.

TABLE OF AMENDMENTS			
Document History	Date	Council Resolution No.	Notes (including the prior Policy No, precise of change/s, etc)
Originally Approved	3 July 2018	G/18/3459	Prior Policy P-2018-03
Amendment 1			
Amendment 2			
Amendment 3			

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LEISA DOWLING
CHIEF EXECUTIVE OFFICER