

1 Purpose

The purpose of this policy is to support economic development and population growth across the region by offering the ability to defer infrastructure charges.

The policy aims to:

- Offer, at Council's discretion and in defined circumstances, a deferral of infrastructure charge payments.
- Provide financial flexibility to eligible developments.
- Enable projects to proceed during critical stages of delivery.

Through this policy, Council seeks to promote economic resilience, liveability, and long-term sustainability across the region by providing a deferred payment on infrastructure charges.

2 Scope and applications

2.1 Effective Period

This policy is effective from 1 July 2025 to 30 June 2028. Council reserves the right to amend this policy at any time in response to changes in strategic priorities, budget allocation, or operational outcomes.

Council reserves the right to amend this policy in response to changes in Council's strategic priorities.

2.2 Program Budget and Discount Structure

This policy cannot be applied in conjunction with any of Council's other development incentive policies.

3 Principles

Council is committed to:

- **Strategic Urban Growth:** Supporting development that delivers long-term planning outcomes and aligns with Toowoomba Regional Council's strategic growth framework.
- **Transparency:** Ensuring a fair and consistent assessment process.
- **Economic Activation:** Enabling investment and business expansion by providing financial flexibility that supports development viability.
- **Regional Competitiveness:** Increasing the appeal of the Toowoomba Region as a destination for high-value enterprise and population growth.
- **Employment Generation:** Facilitating developments that stimulate local job creation, training opportunities, and workforce retention.

These principles align with key objectives from the Toowoomba Regional Council Corporate Plan 2024–2029, including:

- 1.1 Encourage initiatives that address community health and wellbeing
- 2.7 Ongoing advancement and promotion of the Toowoomba Region
- 2.8 The uniqueness of our townships and villages throughout the region is understood and valued
- 4.3 Delivery of community and customer-focused service

In addition to upholding the Corporate Plan principles outlined above, Council is committed to upholding the obligations within the *Human Rights Act 2019* by giving proper consideration to the provisions of the Act when making decisions relevant to this policy.

4 Content

4.1 Eligibility Criteria

To qualify for this policy, developments must meet the eligibility requirements contained in the criteria below:

4.1.1 Location

This policy applies to developments located throughout the Toowoomba Region.

4.1.2 Development Types

Development must have a valid development approval for which a Decision Notice and an Infrastructure Charges Notice has been issued.

Eligible development types must meet one or more of the following criteria:

- Applies to all development types that incur infrastructure charges under a current development approval.
- Intended only for projects where deferral is demonstrably necessary and will assist business development or strategic project viability.
- Must be supported by a bank guarantee or a security arrangement deemed satisfactory by Council in accordance with Council's 5.28 Management of Financial Security Procedure.
- The agreed deferral period will be up to two (2) years.

4.2 Application Process

The process for seeking and obtaining a deferral under the provisions of this policy is set out below.

4.2.1 Application Requirements

Applications must be submitted using the approved form and accompanied by the required fee. <Link to application form>

An application for a deferral of charges may be made any time after a Decision Notice and Infrastructure Charges Notice (ICN) is issued and before the payment is due.

4.2.2 Assessment Process

Where an application meets the eligibility criteria, Council will assess the application against the provisions of this policy. In assessing the application, Council will:

- Apply only one Development Incentive Policy to the development (i.e. this policy cannot be applied in conjunction with any other Council incentive).
- Council reserves its right to approve or refuse any application under this policy at its sole discretion.
- Ensure compliance with planning, building, and environmental regulations.

If an application for a deferral of infrastructure charges under the provisions of this policy is approved, Council will enter into an **Infrastructure Agreement** with the applicant, outlining the terms and conditions of the arrangement.

4.3 Applicant Responsibilities to Complete Development

4.3.1 Timeframe to Complete Development

Development is considered complete when:

- For RAL: a survey plan has been sealed and endorsed by Council; or
- For building work: a Final Inspection Certificate or Certificate of Occupancy has been issued; or

- For MCU: the change happens; or
- Where for other development: as specified in the Infrastructure Charges Notice.

5 Responsibilities/accountabilities

The Economic Development Branch is responsible for administering this policy.

The Infrastructure Charges team within the Development, Infrastructure and Growth Branch will be responsible for the assessment of the requests, and the administration of the Development Incentive agreements.

6 Relevant laws

The legislation relevant to this Policy includes:

Planning Act 2016 (Qld)

Planning Regulation 2017 (Qld)

Building Act 1975 (Qld)

Economic Development Act 2012 (Qld)

7 Related policies/documents

Council policies are published on Council's website. If a policy listed below does not appear on the website please contact 131 872 or email info@tr.qld.gov.au to request a copy. Staff may access policies via the [Policy Register and Review Schedule](#).

Council policies

5.28 Management of Financial Security Procedure.

Other documents

Toowoomba Regional Council Charges Resolution (version in affect at time of applying for policy)

Toowoomba Regional Council Register of Fees and Charges (version in affect at time of applying for policy)

Toowoomba Regional Planning Scheme (version in affect at time of applying for policy)

Toowoomba Railway Parklands PDA Development Scheme

[Corporate Plan 2024 - 2029](#)

8 Related forms

Development Incentive Application Form [DM#12240924](#)

9 Definitions

Term	Definition
Certificate of Occupancy	As defined under the <i>Building Act 1975</i> , refers to: a. a certificate about its BCA classification in force under section 106 ; or b. an interim certificate of occupancy in force under section 104 .

Term	Definition
Council	Toowoomba Regional Council.
Decision Notice	A written notice issued by Council under the <i>Planning Act 2016</i> or the <i>Economic Development Act 2012</i> that confirms the outcome of a development application, including any conditions.
Final Inspection Certificate	As defined under the <i>Building Act 1975</i> , a certificate (a <i>final inspection certificate</i>) in the approved form for the final stage of the building work.
Infrastructure Charges	Charges imposed on development to contribute to the cost of trunk infrastructure such as roads, stormwater, parks, water supply, and sewerage networks.
Infrastructure Agreement (IA)	An agreement about the contribution towards trunk infrastructure that is made between a person or entity, and the Council.
Infrastructure Charges Notice (ICN)	A notice issued by Council specifying the amount of infrastructure charges levied for a development, calculated under the relevant charging instrument, e.g. <i>Toowoomba Region Charges Resolution</i>
Material Change of Use (MCU)	As defined under the <i>Planning Act 2016</i> , a material change of use , of premises, means any of the following that a regulation made under section 284(2)(a) does not prescribe to be minor change of use: <ul style="list-style-type: none"> a. the start of a new use of the premises; b. the re-establishment on the premises of a use that has been abandoned; c. a material increase in the intensity or scale of the use of the premises.
Producer Price Index (PPI)	An index published by the Australian Bureau of Statistics that measures the average change over time in the selling prices received by domestic producers for their output. The PPI is used to adjust the levied infrastructure charges in accordance with the relevant charges resolution.
Reconfiguring a Lot (RAL)	As defined under the <i>Planning Act 2016</i> means — <ul style="list-style-type: none"> a. creating lots by subdividing another lot; or b. amalgamating 2 or more lots; or c. rearranging the boundaries of a lot by registering a plan of subdivision under the Land Act or Land Title Act; or d. dividing land into parts by agreement rendering different parts of a lot immediately available for separate disposition or separate occupation, other than by an agreement that is— <ul style="list-style-type: none"> i. a lease for a term, including renewal options, not exceeding 10 years; or ii. an agreement for the exclusive use of part of the common property for a community titles scheme under the Body Corporate and Community Management Act 1997; or e. creating an easement giving access to a lot from a constructed road.

Term	Definition
Revocation	Refers to the formal withdrawal or cancellation of a previously granted development incentive, approval, or agreement.

10 Policy details

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Policy Owner:	Economic Development Branch		
Contact officer:	Principal Economic Development Officer		
Review date:	30 June 2028		

11 Revision history

Policy version	Approval date	DM Reference
1.00	16 June 2015	6395035v1
2.00	01 June 2017	6900020v2
3.00	17 December 2019	7839383v4
4.00	20 July 2021	9803486v2
5.00	28 May 2024 (change of expiry date only)	9803486v3
6.00	10 December 2024	11367625v2
7.00	17 June 2025	12172768v2

¹ Printed copies are uncontrolled. It is the user's responsibility to ensure that any copies of policy documents are the current issue. Any delegations should be verified via the relevant Delegation Register as it takes precedence if there is a conflict. The Chief Executive Officer will, if necessary, be the sole arbiter in resolving any issues of conflict