

1 Purpose

The purpose of this Council policy is to support the growth of the Toowoomba Region's economy by incentivising non-residential development.

This policy aims to:

- Attract, retain, and expand high-value investment in the region.
- Encourage commercial and industrial development.
- Create significant employment opportunities.
- Contribute to regional economic diversification and competitiveness.

Through this Development Incentive, Council seeks to foster job growth, enhance the region's attractiveness to investors, and promote sustainable economic development by providing discounts to infrastructure charges that would otherwise be payable.

Note: It is not the purpose of this policy to enhance the viability of marginal or speculative developments.

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

Council has allocated \$5 million per year across all Development Incentive Policies, including this one.

- Development incentives are available on a 'first come, first served' basis until the annual budget cap is reached.
- Incentives, where successful, will be captured via an Infrastructure Agreement (IA) between Toowoomba Regional Council and the applicant. The IA will specify the purpose of the agreement, the amount of the incentive, and any conditions associated with same.
- If the remaining annual budget is insufficient to cover the full incentive amount for a development, only the available funds in the annual pool will be offered.
- Discounts to infrastructure charges will be applied at the time of payment, provided all conditions of the Infrastructure Agreement (IA) have been met. The appropriate Producer Price Index (PPI) adjustments will be calculated and applied at the time of payment.
- This Development Incentive cannot be used in conjunction with any other Development Incentive policies offered by Council.

3 Principles

Council is committed to:

- **Strategic Urban Growth:** Supporting high-quality urban and economic outcomes aligned with regional planning priorities.
- **Transparency:** Ensuring a fair and consistent assessment process.
- **Economic Activation:** Encouraging business investment and job creation across the region.
- **Regional Competitiveness:** Enhancing the attractiveness of the region to high-value enterprises.
- **Employment Generation:** Promoting local job growth and skills 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 and where:

- MCU - Within the Toowoomba Regional Council Urban Charge area
- RAL - Within zones where industrial uses are envisaged

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 involve the creation, establishment or expansion of one or more of the following:

- MCU – for an approved use in Commercial (bulk goods), Industry or High Impact Industry development category on land in the industry zone or in a rural charge area that creates more than ten (10) full-time equivalent (FTE) jobs per tenancy.
- RAL - Non-Residential Development on land zoned for industrial (eg High Impact Industry, Medium Impact Industry Zone etc.).

4.2 Incentives Available Under this Policy

This policy makes provision for discounts on infrastructure charges as set out in the table below:

Development Type	Discount	Maximum Cap per Development
Reconfiguring a Lot (RAL) within zones where industrial uses are envisaged	70% discount of the applicable charge	\$250,000
MCU in Urban Charge Area	50% discount of the applicable charge	\$100,000
High-Value Investment Projects	Parameters to be determined upon application	

4.3 Application Process

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

4.3.1 Application Requirements

Applications must be submitted using the [approved form](#) (link to online form) and accompanied by the required fee.

An application for a Development Incentive may be made any time after a Decision Notice and Infrastructure Changes Notice (ICN) is issued and before the payment is due.

4.3.2 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 consider the following:

- A Development Incentive will only be applied after all applicable infrastructure credits, offsets, or other reductions have been deducted. Development Incentives will apply only to the net payable infrastructure charges.
- Only one Development Incentive Policy may be applied to a development.
- Council reserves its right to approve or refuse any application under this policy at its sole discretion.
- All developments must comply with relevant planning, building, and environmental regulations.

If an application for a discount 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.

An applicant may choose to pay the discounted infrastructure charges at any time after receiving the Infrastructure Agreement; however, the discount is conditional on full compliance with all terms of the Agreement, and the discount may be revoked if these conditions are not met.

4.4 Applicant Responsibilities to Complete Development within four (4) Years

4.4.1 Timeframe to Complete Development

Discounts to infrastructure charges are given on the proviso that the development is **completed within four years** of the Infrastructure Charges Notice being issued.

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.

Where completion within four years is not achievable, applicants may request an extension if they can demonstrate reasonable grounds for delay. Council will assess such requests on a case-by-case basis to ensure fairness while maintaining policy integrity.

4.4.2 Revocation of the Development Incentive discount

If the development is not completed within four years of the Infrastructure Charges Notice being issued, Council has the right to revoke the Development Incentive.

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

2.32 Development Incentive - Regional Townships and Communities Policy

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](#)

Mapping - <https://maps.tr.qld.gov.au/WAB/PlanningScheme/>

- Charge Areas - Planning Scheme – LGIP – AIC Charge Areas
- Land Use Zones – Planning Scheme – Land Use Zones - Zones

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
Commercial (Bulk Goods)	As defined in the <i>Toowoomba Regional Council Charges Resolution No 6 -</i>

2.80 Development Incentive - Non-Residential Development Policy

Term	Definition
	Means agricultural supplies store, bulk landscape supplies, garden centre, hardware and trade supplies, outdoor sales, showroom.
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.
Development Incentive	A reduction or discount in infrastructure charges granted subject to meeting the requirements set out in this policy and specified in an Infrastructure Agreement.
Final Inspection Certificate	As defined under the <i>Building Act 1975</i> , a certificate (<i>a final inspection certificate</i>) in the approved form for the final stage of the building work.
Full-Time Equivalent (FTE)	Is a measure of the total combined staff resources used. Staff hours are converted to 'full-time equivalent' and are calculated based on the equivalent of 1 person working full-time for not less than 35 hours per week.
High Impact Industry	As defined under the <i>Toowoomba Regional Planning Scheme Schedule 1</i> – means the use of premises for an industrial activity— a. that is the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring or treating of products; and b. that a local planning instrument applying to the premises states is a high impact industry; and c. that complies with any thresholds for the activity stated in a local planning instrument applying to the premises, including, for example, thresholds relating to the number of products manufactured or the level of emissions produced by the activity.
Industry	As defined in the <i>Toowoomba Regional Council Charges Resolution No 6</i> - means low impact industry, marine industry, medium impact industry, research and technology industry, rural industry, warehouse
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.
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: a. the start of a new use of the premises; b. the re-establishment on the premises of a use that has been abandoned;

Term	Definition
	c. a material increase in the intensity or scale of the use of the premises.
Medium impact industry	As defined under the <i>Toowoomba Regional Planning Scheme Schedule 1</i> – means the use of premises for an industrial activity – a. that is the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring or treating of products; and b. that a local planning instrument applying to the premises states is a medium impact industry; and c. that complies with any thresholds for the activity stated in a local planning instrument applying to the premises, including, for example, thresholds relating to the number of products manufactured or the level of emissions produced by the activity.
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, eg <i>Toowoomba Region Charges Resolution</i>
Non-residential	Development not intended for permanent living, including commercial, industrial, retail, tourism, medical, educational, and recreational uses. It excludes all residential accommodation.
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)	The process of subdividing, amalgamating, or realigning property boundaries, as defined under the <i>Planning Act 2016</i> .
Revocation	Refers to the formal withdrawal or cancellation of a previously granted Development Incentive, approval, or agreement.
Rural Charge Area	The geographical area identified in Council's current approved Infrastructure Charges Resolution as "Rural," typically comprising low-density, non-urban land uses.

10 Policy details

Policy category:	Council Policy	Policy version number ¹ :	5.00
Date adopted:	17 June 2025	Effective date:	1 July 2025

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

Approval authority:	Council
Policy Owner:	Economic Development Branch
Contact officer:	Manager Economic Development
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11 Revision history

Policy version	Approval date	DM Reference
1.00	15 December 2020	9473116v5
2.00	23 June 2022	10404974v2
2.00	19 January 2023 (immaterial change)	10404974v2A
3.00	28 May 2024 (expiry date change only)	10404974v3
4.00	10 December 2024	11056438v2
5.00	17 June 2025	12137736v2