# 1 Purpose

The purpose of this Council policy is to stimulate high-quality urban renewal and development within the Central Toowoomba Incentive Area.

The policy aims to:

- Increase the supply of residential and short-term accommodation within the CBD;
- Facilitate the development of 4 or 5 star hotels with conference and function facilities to support the visitor economy and events such as the Brisbane 2032 Olympic and Paralympic Games; or
- Encourage adaptive reuse of heritage-listed buildings for accommodation activities.

Through this Development Incentive, Council seeks to promote economic resilience, liveability, and long-term sustainability across the region 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 outcomes aligned with the Central Toowoomba planning framework.
- **Transparency**: Ensuring a fair and consistent assessment process.
- **Economic Activation**: Encouraging investment and visitation through premium accommodation and amenity.
- **Liveability and Sustainability**: Encouraging density and vibrant community use.
- **Heritage Reuse**: Valuing the reuse and activation of historically significant buildings.

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

The policy applies to developments within the area defined as the Central Toowoomba Incentive Area, mapped in Appendix A.

### 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:

- Construction of a 4 or 5-star hotel (as classified under international accommodation standards).
- Medium-density residential development comprising ten (10) or more units.
- Development that reuses a Heritage Listed Building for accommodation activities.
- A 4 or 5-star Hotel or, medium-density development comprising ten (10) or more dwellings that amalgamates four (4) or more land parcels for a single development outcome.
- A conference centre with a minimum capacity of 2000 people.

## 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 |
|---|---|---|
| Single developments that amalgamate four (4) or more parcels meeting maximum developable capacity | 100% discount of the applicable charge | $1,000,000 |
| Reuse of a Heritage Listed Building for a 4 or 5-star Hotel or, Medium-density development comprising ten (10) or more dwellings. | 100% discount of the applicable charge | $1,000,000 |
| A 4 or 5-star Hotel or, Medium-density development comprising ten (10) or more dwellings that does not involve the reuse of a Heritage Listed Building. | 80% discount of the applicable charge | $1,000,000 |

### 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.

### 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**

Nil

**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/

- 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 *Building Act 1975,* refers to:<br>a. a certificate about its BCA classification in force under section 106; or<br>b. an interim certificate of occupancy in force under section 104. |
| Council | Toowoomba Regional Council. |
| Decision Notice | A written notice issued by Council under the *Planning Act 2016 or the Economic Development Act 2012* that confirms the outcome of a development application, including any conditions. |

| Term | Definition |
|---|---|
| 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 *Building Act 1975*, a certificate (a *final inspection certificate*) in the approved form for the final stage of the building work. |
| Heritage listed building | Refers to a building:<br>a. Listed in *Planning Scheme Policy No 6* – Heritage Places, or<br>b. Listed on the Queensland Heritage Register under the *Queensland Heritage Act 1992*, or<br>c. Listed as a PDA Significant Heritage Site under the *Toowoomba Railway Parklands PDA Development Scheme*. |
| 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, eg *Toowoomba Region Charges Resolution* |
| Material Change of Use (MCU) | As defined under the *Planning Act 2016*, 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:<br>a. the start of a new use of the premises;<br>b. the re-establishment on the premises of a use that has been abandoned;<br>c. a material increase in the intensity or scale of the use of the premises. |
| PDA | Means Priority Development Area |
| 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 *Planning Act 2016 m*eans —<br>a. creating lots by subdividing another lot; or<br>b. amalgamating 2 or more lots; or<br>c. rearranging the boundaries of a lot by registering a plan of subdivision under the Land Act or Land Title Act; or<br>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— |

| Term | Definition |
|---|---|
| | i. a lease for a term, including renewal options, not exceeding 10 years; or<br>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<br>e. creating an easement giving access to a lot from a constructed road. |
| Revocation | Refers to the formal withdrawal or cancellation of a previously granted Development Incentive, approval, or agreement. |

## 10 Policy details

| | | | |
|---|---|---|---|
| **Policy category:** | Council Policy | **Policy version number[1]:** | 9.00 |
| **Date adopted/approved:** | 17 June 2025 | **Effective date:** | 1 July 2025 |
| **Approval authority:** | Council | | |
| **Policy Owner:** | Economic Development Branch | | |
| **Contact officer:** | Manager Economic Development | | |
| **Review date:** | 30 June 2028 | | |

## 11 Revision history

| Policy version | Approval date | DM Reference |
|---|---|---|
| 1.00 | 17 March 2015 | 6423731v1 |
| 2.00 | 11 July 2016 | 6899821v1 |
| 3.00 | 21 March 2017 | 7340966v1 |
| 4.00 | 20 November 2018 | 8327183v3 |
| 5.00 | 16 April 2019 | 8569576v2 |
| 6.00 | 17 August 2021 | 9768593v3 |
| 7.00 | 28 May 2024 (change of expiry date only) | 9768593v4 |
| 8.00 | 10 December 2024 | 11053826v2 |

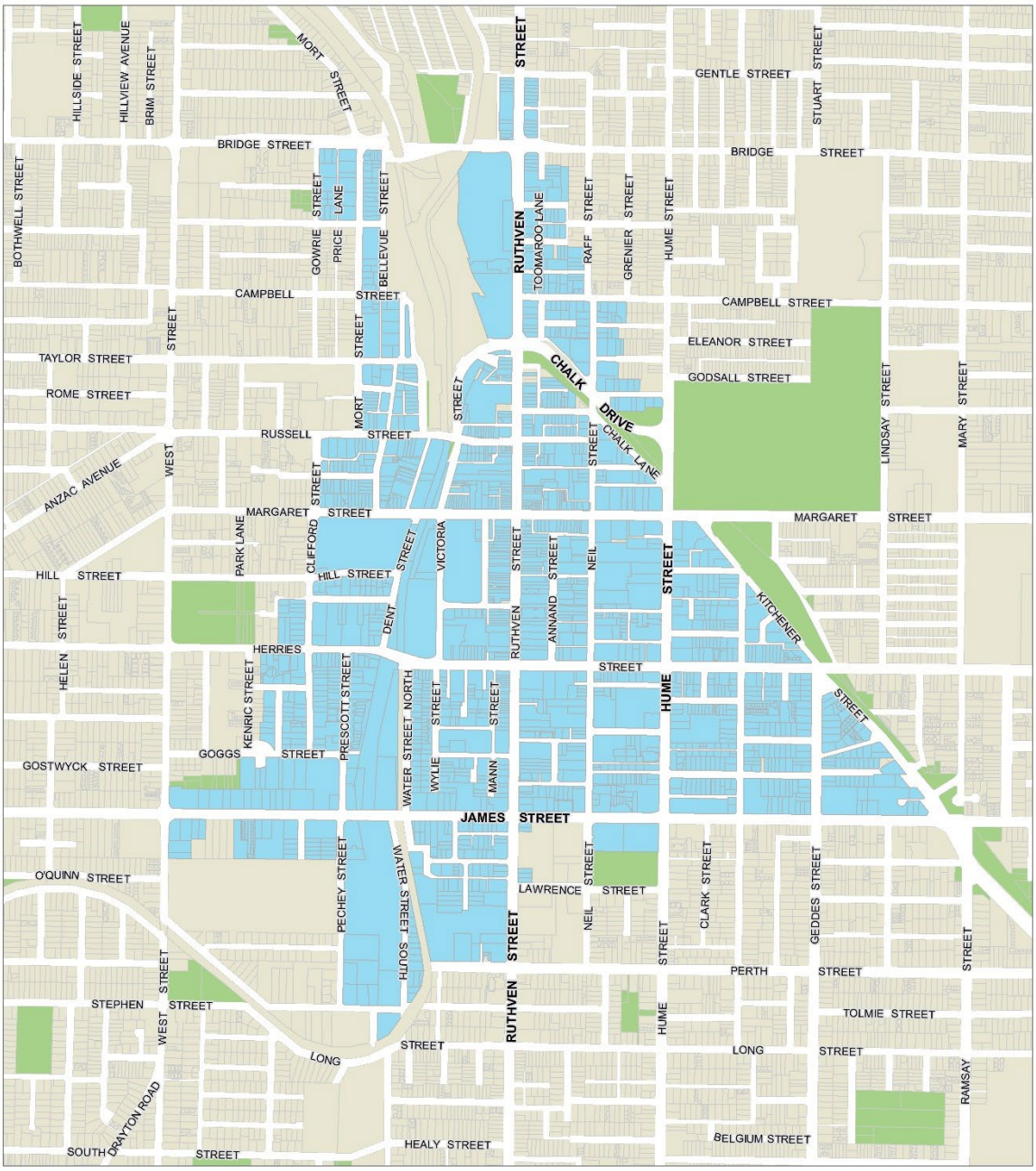
[1] Printed copies are uncontrolled. It is the user's responsibility to ensure that any copies of policy documents are the current issue. Any delegations should be verified via the relevant Delegation Register as it takes precedence if there is a conflict. The Chief Executive Officer will, if necessary,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

| Policy version | Approval date | DM Reference |
|---|---|---|
| 9.00 | 17 June 2025 | 12137666v2 |

## 12 Appendix A: Map 1

# Central Toowoomba Incentive Area

TOOWOOMBA REGION
Rich traditions. Bold ambitions.




While every care is taken by the Toowoomba Regional Council (TRC) to ensure the accuracy of the information contained in this document, Toowoomba Regional Council makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaim all responsibility and all liability whether in contract, negligence, tort or otherwise for all expenses, losses, damages (including indirect or consequential damage) and costs which may be incurred in any way and for any reason as a result of reliance on the information.
Coordinate system: GDA 1994 MGA Zone 56