1 Purpose

The purpose of this policy is to support high-quality medium-density residential development across the Toowoomba Region (excluding the Central Toowoomba Incentive Area as per *policy 2.50 Development Incentive – Central Toowoomba Incentive Area*) by:

- Encouraging increased dwelling diversity.
- Promoting improved liveability.
- Supporting efficient use of existing urban infrastructure.

Through this Development Incentive, Council seeks to promote economic resilience, liveability, and long-term sustainability across our 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 Growth**: Supporting development aligned with Council's long-term vision.
- **Transparency**: Ensuring a fair and consistent assessment process.
- **Economic Activation**: Encouraging investment in infill areas and efficient use of infrastructure.
- **Liveability and Sustainability**: Promoting medium-density housing that supports walkability, access to services, and public green spaces.
- **Efficient Land Use**: Avoiding unnecessary urban sprawl by promoting development in serviced areas.

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 Conditions

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 within the Urban Charge Area identified in the Council's Infrastructure Charges Resolution.

Note: Developments in the Central Toowoomba Incentive Area are covered under Policy 2.50 and are excluded from this policy and development in the Township and Rural Charge Area are covered under Policy 2.32.

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 either the creation or expansion of:

- Multiple Dwellings (eg, townhouses, apartments); or
- Dual Occupancies.

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
Multiple Dwelling	60% discount of the applicable charge	$500,000
Dual Occupancy	30% discount of the applicable charge	$30,000

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 Charges 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 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 administration of the Development Incentive agreements.

6 Relevant laws

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

2.50 Development Incentive – Central Toowoomba Incentive Area

Other documents

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

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

Corporate Plan 2024 - 2029

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

- Charge Areas - Planning Scheme – LGIP – AIC Charge Areas

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; a. a certificate about its BCA classification in force under section 106; or 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 of approval.
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.
Dual occupancy	As defined in the *Toowoomba Regional Planning Scheme 2016 Schedule 1* means - a. a residential use of premises for 2 households involving i. 2 dwellings (whether attached or detached) on a single lot or 2 dwellings (whether attached or detached) on separate lots that share a common property; and ii. any domestic outbuilding associated with the dwellings; but

Term	Definition
	b. does not include a residential use of premises that involves a secondary dwelling
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.
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: 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.
Multiple Dwelling	As defined in the *Toowoomba Regional Planning Scheme 2016 Schedule 1* means - a residential use of premises involving 3 or more dwellings, whether attached or detached, for separate households.
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.
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]:**	4.00
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	15 November 2022	10626335v2
1.00	19 January 2023 (immaterial changes only)	10626335v2a
2.00	28 May 2024 (expiry date change only)	10626335v3
3.00	10 December 2024	11367430v2
4.00	17 June 2025	12138649v2

[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