

**#1 Policy**



Policy: 2150-096

## Incentivising Infill Development

### Head of Power

*Local Government Act 2009*

#### Related Legislation

*Sustainable Planning Act 2009*  
*Sustainable Planning Regulation 2009*

*Planning Act 2016*  
*Planning Regulation 2017*

*Economic Development Act 2012*  
*Economic Development Regulation 2013*

### Objective

The objectives of this Policy are to:

- (1) establish Council's policy position on incentivising infill development;
- (2) establish the incentives to be offered;
- (3) set out the circumstances and development types that are to be targeted under this policy; and
- (4) establish the procedure for identifying and assessing potential applicants.

### Application

1. Council will refund/discount the **defined charges** within the **defined areas** for the **defined uses** where the following conditions are met:
  - a) Development approval that:
    - (i) took effect between 1 February 2016 and 30 June 2021 inclusive, and was assessed and approved under the MBRC Planning Scheme that commenced on 1 February 2016 or The Mill at Moreton Bay PDA Development Scheme; or
    - (ii) is pending approval where the only reason it has not been decided is due to ongoing infrastructure negotiations involving the State Government and/or the Council.
  - b) Application for the refund/discount of the defined charges is made to Council on or prior to 30 June 2021.
  - c) Building work is to be substantially commenced by 31 December 2022.
  - d) Applications decided by the Planning and Environment Court are ineligible for consideration under this policy.
2. The following are additional requirements that are specific for the uses identified:
  - a) Multiple Dwelling
    - Contain a minimum of 20 units;
    - Be at least three storeys in height; and
    - Be designed, finished and maintained to a very high visual design standard as determined in the Council's sole discretion.



*Policy: 2150-096 - Incentivising Infill Development*

- b) Rooming Accommodation (Student accommodation)
    - Is for either Rooming accommodation (off-site student accommodation) or Educational establishment (on-site student accommodation);
    - Provide accommodation for students enrolled at a tertiary or higher education campus, including university and TAFE colleges and private educational establishments providing nationally accredited courses;
    - Contain a minimum of 20 bedrooms;
    - Contain an ancillary communal recreation space to be shared by the students with a minimum area of 30 square metres;
    - Be designed, finished and maintained to a very high visual design standard as determined in the Council's sole discretion;
    - Include an active onsite management regime and presence, to control day-to-day activities on the site and ensure that standards of amenity, maintenance and behaviour are maintained; and
    - Be operated and actively managed by a bona fide and experienced tertiary or higher education student accommodation provider.
  - c) Mixed Use Development
    - Containing a combination of residential and non-residential uses; and
    - Be designed, finished and maintained to a very high visual design standard as determined in the Council's sole discretion.
  - d) Short Term Accommodation
    - Be designed, finished and maintained to a very high visual design standard as determined in the Council's sole discretion.
  - e) Retirement facility
    - Be designed, finished and maintained to a very high visual design standard as determined in the Council's sole discretion.
  - f) Residential care facility
    - Be designed, finished and maintained to a very high visual design standard as determined in the Council's sole discretion.
  - g) Office
    - Containing a minimum of 2,000m<sup>2</sup> gross floor area; and
    - Be designed, finished and maintained to a very high visual design standard as determined in the Council's sole discretion.
3. Council at its discretion can consider any matter relevant to this Policy.

### Policy Statement

1. To incentivise infill development projects for specific uses in the Moreton Bay Regional Council Local Government Area by:
  - a. Refunding application fees; and
  - b. Discounting infrastructure chargeswhere the proposed development meets the conditions of this Policy. The application fees and infrastructure charges that would usually be applied are referred to as the **defined charges**.
2. The total value pool for the incentive projects during the term of the policy is limited to \$10,000,000 or as otherwise determined by Council.



Policy: 2150-096 - Incentivising Infill Development

3. This Policy commences on 1 July 2017 and is valid for four years or as otherwise determined by Council.
4. This Policy applies for the following **defined uses** that have been assessed and approved under the MBRC Planning Scheme (commenced on 1 February 2016) or The Mill at Moreton Bay PDA Development Scheme:
  - a) Rooming Accommodation (Student accommodation);
  - b) Mixed use development (must include a combination of residential and non-residential uses);
  - c) Multiple dwelling, excluding townhouses, row housing, triplex or the like;
  - d) Short term accommodation;
  - e) Retirement facility;
  - f) Residential care facility; and
  - g) Office
5. This Policy applies to the following **defined areas**:
  - a) the Redcliffe Peninsula Rail Corridor as identified on Map 1;
  - b) the Centre Zone, Caboolture precinct and within 800m walking distance from the Caboolture train station as identified on Map 2;
  - c) the Centre Zone, Strathpine precinct and within 800m walking distance of the Strathpine train station as identified on Map 3; and
  - d) the Arana Hills Centre Incentives Area as identified on Map 4.

**Review Triggers**

This Policy will be reviewed for applicability, continuing effect and consistency with related documents and the Law when any of the following occurs:

- (1) The related documents are amended.
- (2) The related documents are replaced by new documents.
- (3) Amendments are made to the head of power which affect the scope and effect of a Policy of this nature are made to the Law.

Otherwise, this Policy is to be reviewed annually for relevance and effectiveness.

**Responsibility**

This Policy is to be:

- (1) implemented by the Director Planning and relevant Development Services employees.
- (2) reviewed and amended in accordance with the "Review Triggers" by the authorised Development Services employees at the direction of the Director Planning.

<b>Policy: 2150-096</b>		<b>Official Version: 62425959</b>	
<b>Incentivising Infill Development</b>			
<b>Document Control</b>			
<b>Version / Reviewed</b>	<b>Version Adoption (Council meeting / Minute Page) Reviewed (revision comment)</b>	<b>Date</b>	<b>Word version reference</b>
Version 1	Coordination Committee (17/1315)	27.6.2017	A15465953
Version 2	Coordination Committee (17/2230)	28.11.2017	A15700318
Version 3	Coordination Committee (19/1072)	4.6.2019	A16776093
Version 4	General Meeting (19/1816)	20.8.2019	A18980199
Version 5			



---

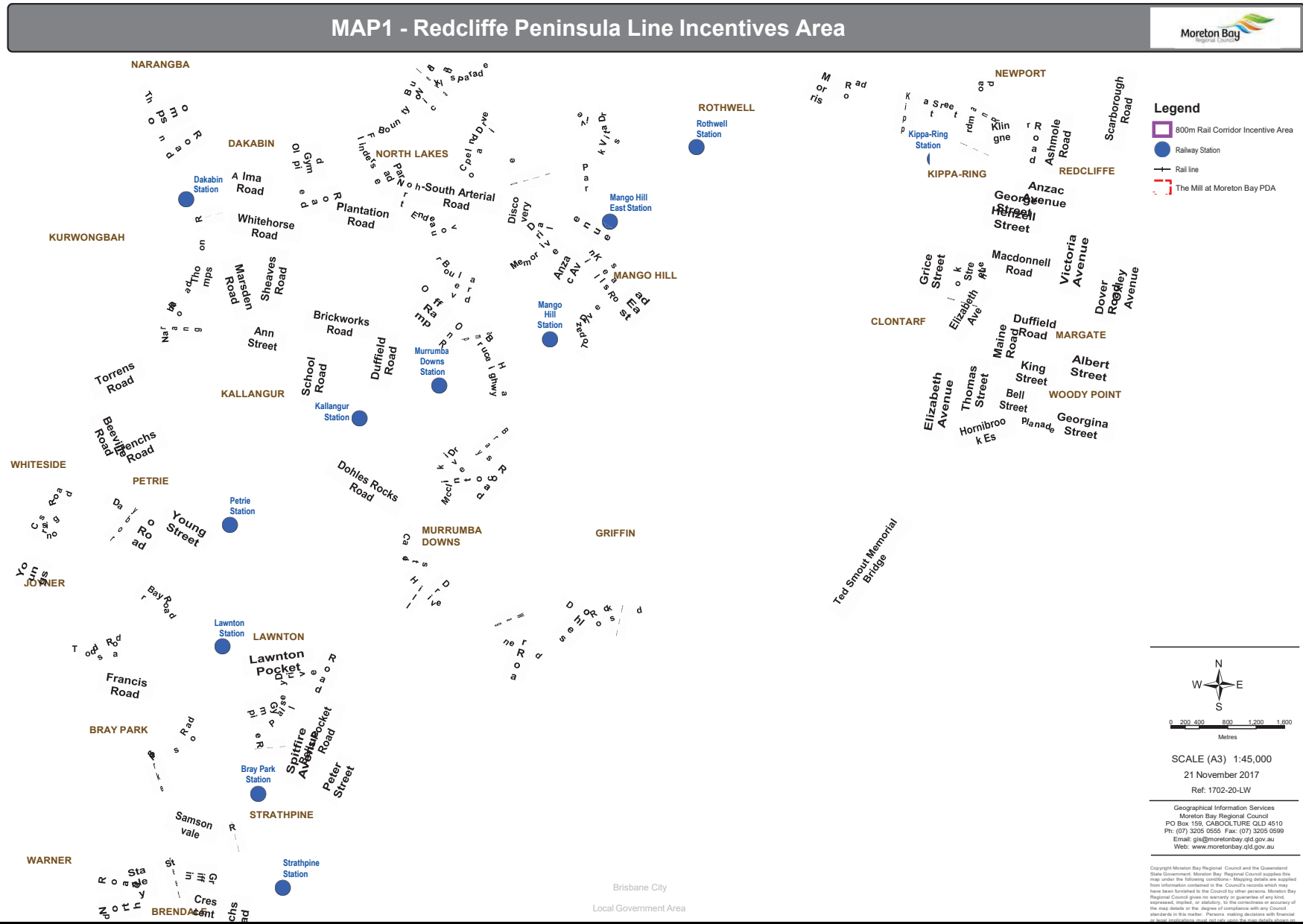
*Policy: 2150-096 - Incentivising Infill Development*

Defined area maps attached:

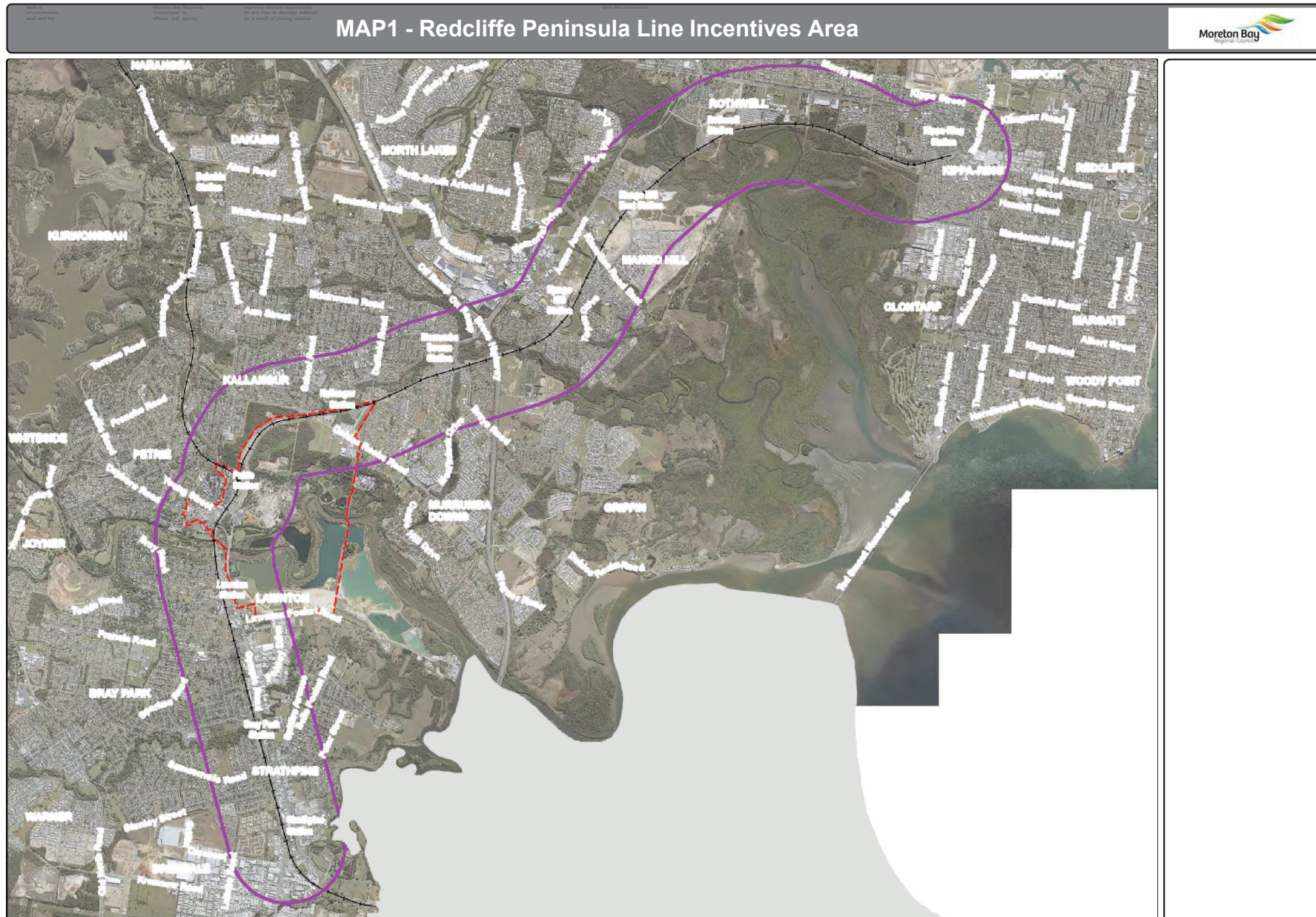
- a) the Redcliffe Peninsula Rail Corridor as identified on Map 1;
- b) the Centre Zone, Caboolture precinct and within 800m walking distance from the Caboolture train station as identified on Map 2;
- c) the Centre Zone, Strathpine precinct and within 800m walking distance of the Strathpine train station as identified on Map 3; and
- d) the Arana Hills Centre Incentives Area as identified on Map 4.



ITEM 4.4 INCENTIVISING INFILL DEVELOPMENT POLICY - 62321593 (Cont.)

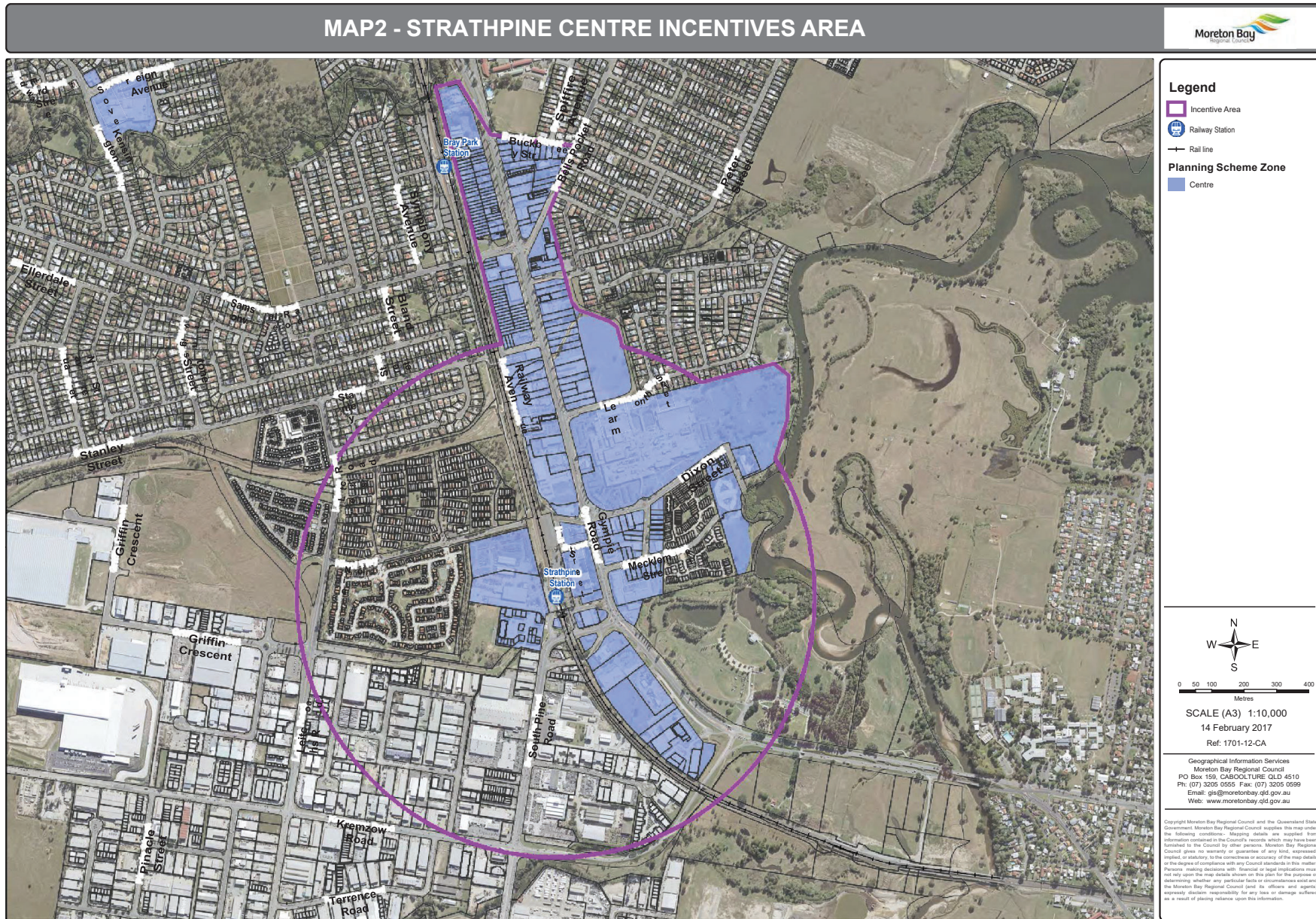


ITEM 4.4 INCENTIVISING INFILL DEVELOPMENT POLICY - 62321593 (Cont.)



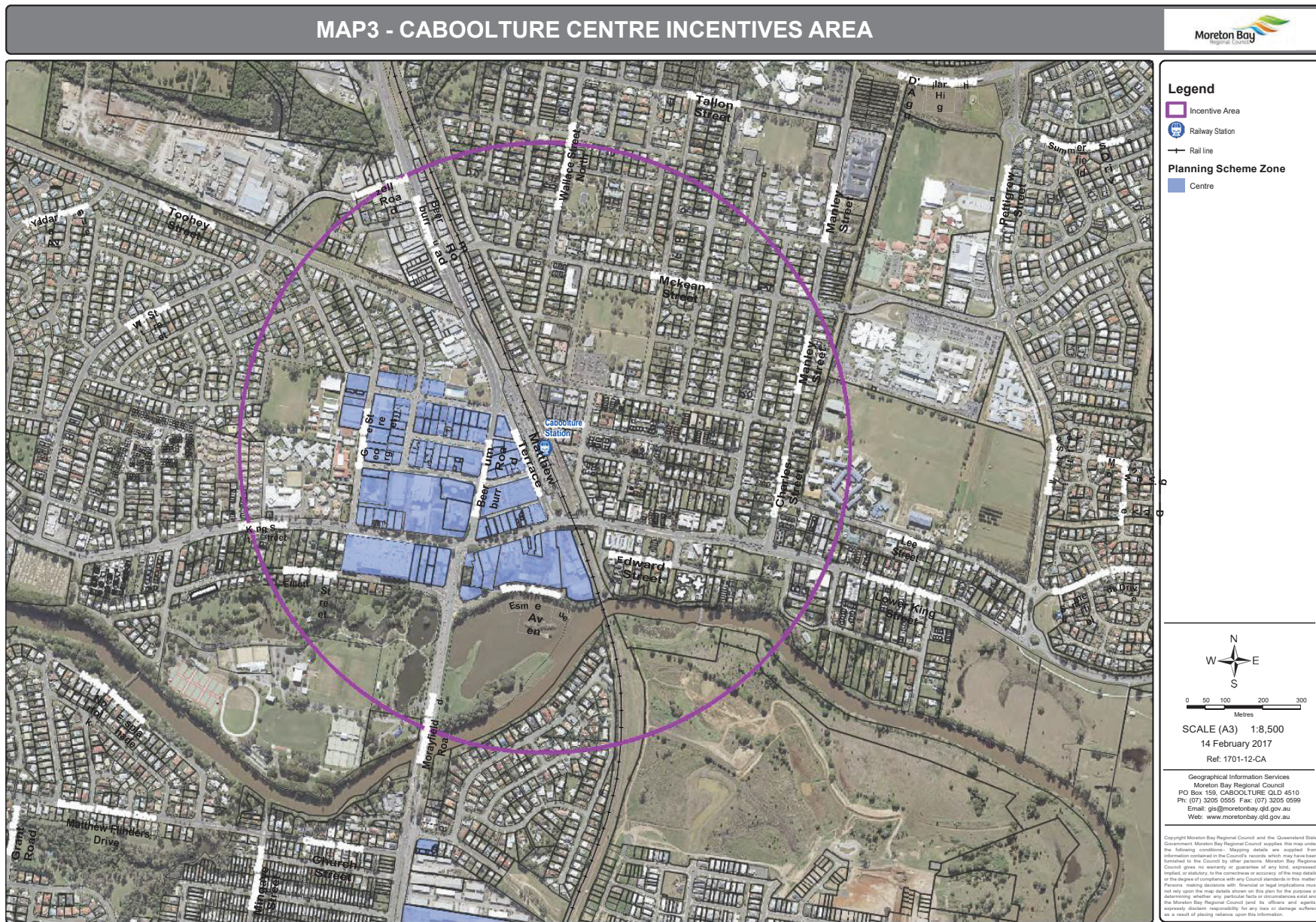


ITEM 4.4 INCENTIVISING INFILL DEVELOPMENT POLICY - 62321593 (Cont.)





ITEM 4.4 INCENTIVISING INFILL DEVELOPMENT POLICY - 62321593 (Cont.)







#2 Policy Directive



Policy Directive: 2160-025

## Incentivising Infill Development

### Head of Power

*Local Government Act 2009*

#### **Related Legislation**

*Sustainable Planning Act 2009*

*Sustainable Planning Regulation 2009*

*Planning Act 2016*

*Planning Regulation 2017*

*Economic Development Act 2012*

*Economic Development Regulation 2013*

### Objective

This Policy Directive sets out the operational requirements to support Council's agreement to incentivise infill development for defined uses within the defined areas in accordance with associated Policy 2150-096 Incentivising Infill Development.

### Definitions

**Application** - means Incentivising Infill Development Acceptance and Allocation Application form and supporting documentation.

**Applicant** - means the party signing the Incentivising Infill Development Acceptance and Allocation Application form declaration.

**Defined Areas** - means:

- a) The Redcliffe Peninsula Rail Corridor as identified on Map 1 attached to the Policy;
- b) The Centre Zone, Caboolture precinct and within 800m walking distance from the Caboolture train station as identified on Map 2 attached to the Policy;
- c) The Centre Zone, Strathpine precinct and within 800m walking distance of the Strathpine train station as identified on Map 3 attached to the Policy; and
- d) The Arana Hills Centre Incentives Area as identified on Map 4 attached to the Policy.

**Defined Uses** - means uses that have been assessed and approved under the MBRC Planning Scheme (commenced on 1 February 2016) or The Mill at Moreton Bay Priority Development Area (PDA) Development Scheme:

- a) Rooming accommodation (Student accommodation):
  - i. Is for either Rooming accommodation (off-site student accommodation) or Educational establishment (on-site student accommodation).
  - ii. Provide accommodation for students enrolled at a tertiary or higher education campus, including university and TAFE colleges and private educational establishments providing nationally accredited courses.
  - iii. Contain a minimum of 20 bedrooms.
  - iv. Contain an ancillary communal recreation space to be shared by the students with a minimum area of 30 square metres.
  - v. Be designed, finished and maintained to a very high visual design standard.
  - vi. Include an active onsite management regime and presence, to control day-to-day activities on the site and ensure that standards of amenity, maintenance, and behaviour are maintained.





**Policy Directive: 2160-025 - Incentivising Infill Development**

- vii. Be operated and actively managed by a bona fide and experienced tertiary or higher education student accommodation provider.
- b) Mixed use development (must include a combination of residential and non-residential uses):
  - i. Be designed, finished and maintained to a very high visual design standard.
- c) Multiple dwelling:
  - i. Contain a minimum of 20 units.
  - ii. Be at least three storeys in height.
  - iii. Be designed, finished and maintained to a very high visual design standard.
- d) Short term accommodation:
  - i. Be designed, finished and maintained to a very high visual design standard.
- e) Retirement facility:
  - i. Be designed, finished and maintained to a very high visual design standard.
- f) Residential care facility:
  - i. Be designed, finished and maintained to a very high visual design standard.
- g) Office:
  - i. Containing a minimum of 2,000m<sup>2</sup> gross floor area; and
  - ii. Be designed, finished and maintained to a very high visual design standard.

**Defined Charges** - means MBRC development application fees in accordance with the schedule of Fees and Charges, and infrastructure charges in accordance with the current Infrastructure Charges Notice including relevant Producer Price Index (PPI) increase/s.

**Development Completed** - means all Conditions of an associated Material Change of Use - Development Permit or PDA Development Permit have been met and the use has commenced.

**Development Facilitator** - means Manager Development Services and/or Team Leader - Planning and/or Team Leader Development Services Innovation.

**Discounting of Infrastructure Charges** - means the discounting of the Infrastructure Charges as shown on the current Infrastructure Charges Notice from the Total Value Pool.

**Infrastructure Charges** - as defined in the *Sustainable Planning Act 2009* and Adopted Charges as defined in the *Planning Act 2016*.

**Policy** - means the associated Policy No. 2150-096 - Incentivising Infill Development.

**Qualified** - means acceptance letter issued in response to a successful Incentivising Infill Development Acceptance and Allocation Application.

**Refunding of Development Application Fees** - means the refunding of development application fees paid to obtain a Development Permit(s) when the project is completed or substantially commenced.

**Remission Policy** - means Policy 2150-015 - Remission of development application fees and Infrastructure Charges for Community Organisations and Charitable Groups.

**Substantially Commenced** - means Building work has substantially commenced meaning the project is essentially at lockup stage, or as otherwise determined by Council.



## Policy Directive: 2160-025 - Incentivising Infill Development

**Total Value Pool** - means the total capped value of all development application fees and infrastructure charges which is revenue ultimately not being received by Council for the development applications qualified and approved under the Policy.

### Application

This Policy Directive sets out the operational requirements for pre-approval eligibility enquires, applications received, qualifying assessment and approval for the incentivising infill development program.

### Directive

#### Eligibility Requests

Enquiries regarding the incentivising infill development program will be managed by the Development Services Specialist Assessment Team in the first instance with input from the applicable Planning Team Coordinator, the Divisional Management Team and Divisional Councillor, as required. The Development Services Specialist Assessment Team will keep a register of all eligibility requests and proposals eligible for acceptance under the Policy.

The appointed Development Facilitator will liaise with applicants to arrange a pre-lodgement meeting or consultation to discuss the proposal and eligibility.

To determine eligibility, the proposal will be assessed against the conditions listed within the Policy. If all conditions have been met, including the development being designed, finished and maintained to a very high visual design standard, the proposal is deemed to be eligible. In circumstances where one or more of the conditions have not been met, but the proposal is determined to still have merit, the Incentivising Infill Development Policy provides for a level of discretion. Where the proposal is determined to have merit and meet the intent of the Policy but not meet all of the conditions, comment must be sought from the Divisional Councillor prior to seeking approval from the Divisional Management Team. In certain circumstances it may also be necessary for the matter to be referred to the full Council for consideration, however this would be determined in cooperation with the Divisional Councillor and based on the level of compliance the proposal achieves.

Once it has been determined that the proposal has merit and either complies with the conditions or an acceptable level of discretion has been applied, an in-principle approval (pre-approval) letter must be issued. The letter will confirm whether a proposal has been determined to be eligible to apply for financial incentives under the Policy through lodging an "Incentivising Infill Development Acceptance and Allocation Application" form.

It is noted that an eligibility request is not a compulsory requisite of applying for an Incentivising Infill Development Application but indicates Council's support of the proposal prior to a formal application being lodged.

#### Incentivising Infill Development Application (Acceptance and Allocation) - Qualified Status

The final day for accepting an application under the Policy is 30 June 2021, or as otherwise determined by Council.

The Application is to include the Incentivising Infill Development Acceptance & Allocation Application Form and the identified supporting documentation, required to determine compliance with the conditions listed within the Policy (e.g. a works schedule outlining construction milestones). The minimum level of required supporting information is outlined on the Application form and may include (where applicable) a copy of Council's pre-approval letter.

As part of the application, the applicant must demonstrate that the development encompasses the required defined uses within the defined area and is to be constructed within the identified time period (e.g. building work substantially commenced by 31 December 2022).





## Policy Directive: 2160-025 - Incentivising Infill Development

The application must also be accompanied by an approved Material Change of Use - Development Permit issued under the MBRC Planning Scheme or PDA Development Permit.

Once an application has been received by the Development Services Innovation Team, the applicant will be notified.

Following a review of the application either:

- a) the applicant may be requested to provide further information prior to a decision being made; or
- b) an Acceptance Letter will be provided to the applicant to indicate their qualified status, and to confirm the funding allocation and the approved works schedule containing construction milestones.

Once a project has been accepted under the Policy, funds from the total value pool will be allocated to the applicable Infrastructure Charges and Development Permit application fees for the related Development Permit(s).

A register will be established and maintained to record all enquiries, applications, outcomes, and the details of funds allocated from the total value pool to each project, including the total value pool balance. Further information regarding the recording of allocated funds is discussed below within Financial Record Keeping.

### Development/Construction Updates

Throughout the construction period, and in accordance with the agreed works schedule, the applicant will provide progress updates to Council to ensure construction milestones are being achieved. Development updates will be recorded on the project file and provided to the Development Facilitator for review.

Non-compliance with construction milestones may trigger a review of the projects eligibility in the incentivising infill development program.

### Qualified Application Review

The qualified project must be finalised by 31 December 2022, or as otherwise determined by Council. A compliance audit inspection will occur by Council to confirm the development is complete or substantially commenced.

The finalisation of a project includes one of the following:

#### Option 1

Development has been completed and the applicant has provided a Certificate of Completion, or the equivalent final building document, to Council.

In this instance the refunding of development application fees and discounting of infrastructure charges occurs in accordance with the Incentivising Infill Development Acceptance and Allocation approval. Written confirmation will be provided to the applicant confirming they have successfully completed the incentivising infill development program, the refund fee, and the amount of charges discounted.

**OR**

#### Option 2

The applicant provides evidence that the development is substantially commenced.

In this instance written confirmation is provided to the applicant advising that the discounting of infrastructure charges will occur and application fees refunded once the development is completed.



## Policy Directive: 2160-025 - Incentivising Infill Development

### Financial Record Keeping

Allocation of funds from the total value pool is recorded in Council's Pathway / T1 application at the time the application is approved as qualified. A unique identifier (Consent Type) will be attached to the original development application to indicate the project is part of the incentivising program. A report over this unique Consent Type as well as the acceptance letters sent will be generated and circulated automatically half yearly. The report will display the development application fees paid and the outstanding infrastructure charges amounts.

The outstanding infrastructure charges and MBRC development application fees paid against a qualified application will be reported directly from Pathway / T1 in the form of a 'Commitment Report'. This report lists all the applications qualified under this program and the amount of the total value pool committed to be refunded/discounted upon finalisation of the application, and includes actual refunds occurred at any point in time.

A number of data integrity tasks within the records management system are able to be performed as a comparison check to ensure the Commitment Report is accurate.

### Reporting and Review of Applications

Reporting of pre-approval requests, as well as the received and approved applications is to be conducted on a half-yearly basis and distributed to Councillors, Director Planning & Economic Development, Manager Development Services, Manager Strategic Planning & Economic Development, and Team Leaders for review.

### Reporting and Review of Total Value Pool

A review of the total value pool must be completed prior to a new application being deemed qualified to ensure funding is available. The Commitment Report is to be generated on a half-yearly basis and distributed to the Councillors, Director Planning & Economic Development, Manager Development Services, Manager Strategic Planning & Economic Development, Team Leaders, Accounting Services Manager, and Coordinator Accounting Services for review.

### Reaching End of Total Value Pool

The total value pool for the Policy is a capped amount of \$10 million.

Based on qualified applications, should the total value pool be nearing depletion, a review of pre-approval requests and applications (received and approved) is to be conducted to ensure the total value pool is not over committed or expended.

Applications received following the determination of the depletion of the total value pool will be placed on hold and may be approved (subject to eligibility) should an existing application be deemed ineligible (due to non-compliance) or further funds are added to the total value pool.

### Application under Remission Policy No. 2150-015 verses Incentivising Infill Development Policy No. 2150-096

A project may be eligible for financial incentives under both the Incentivising Infill Development Policy and the Remission Policy. In these instances, the preference is for the proposal to be considered under the Incentivising Infill Development Policy.

### Staged Development

Should an applicant propose to stage a development, the refunding of development application fees and discounting of infrastructure charges are only applicable to the completed and/or substantially commenced stages of the development approved under the Policy.

### Multiple Dwelling - Townhouse Development

The intent of the Policy is to encourage infill development of a higher density in the form of multi-story apartments and units. In this regard generally three storey townhouse, row housing, individual villa type development, or the like is generally not accepted under this Policy.

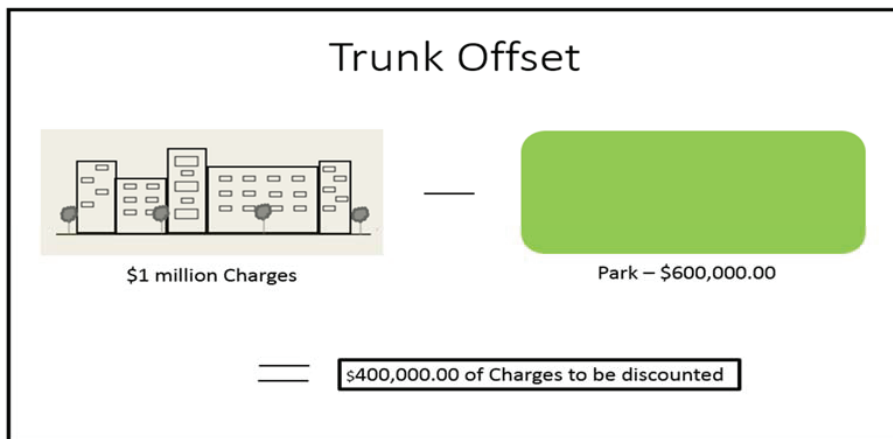


Policy Directive: 2160-025 - Incentivising Infill Development

**Trunk Offsets**

Where a development requires Trunk Infrastructure to be provided as identified within the Local Government Infrastructure Plan and a trunk offset is established, the amount to be discounted from the total value pool is the difference between the Infrastructure Charge and the value of the Trunk Infrastructure. Refer to Trunk Offset diagram below.

Where the value of the Trunk Infrastructure exceeds the total Infrastructure Charge there will be no discount applied under this Policy.



**Unitywater**

In accordance with Council's current Charges Resolution, the adopted charge is proportional to the trunk infrastructure networks identified by the Local Government and Distributor-retailer to service the planned development. The MBRC Charges Resolution establishes the proportional amounts of the total charge (percentage) to be distributed to Unitywater and MBRC. This Policy applies to the MBRC component of the charge only. Unitywater has also adopted a development incentives policy for their component of the charge. Refer to Unitywater directly for further information and eligibility.

**Related Documents**

This policy directive complements and is to be implemented in conjunction with other Council policies, directives and relevant documents published by other agencies including, but not limited to:

- Policy No. 2150-096 - Incentivising Infill Development
- Policy 2150-015 - Remission of development application fees and Infrastructure Charges for Community Organisations and Charitable Groups
- Incentivising Infill Development Timeline - refer to Attachment 1
- Applicant Process Flowchart - refer to Attachment 2
- Local Government Infrastructure Plan
- Charges Resolution Implementation Policy

**Review Triggers**

This policy directive will be reviewed for applicability, effectiveness, and consistency with relevant legislation, Council resolutions, and other Council documents. Reviews of this policy will occur as required, or at least once every two years.



Policy Directive: 2160-025 - Incentivising Infill Development

**Responsibility**

This Policy Directive is to be:

- (1) implemented by Development Services Department Officers; and
- (2) reviewed and amended in accordance with the "Review Triggers" by Manager Development Services after consultation with stakeholders.

Policy Directive: 2160-025 Incentivising Infill Development		Official Version: 62425847	
Document Control			
Version / Reviewed	Version Adoption (Council meeting-Minute Page / CEO-date) Reviewed (revision comment)	Date	Word version reference
Version 1	Chief Executive Officer Approval	19.12.2018	A15516352
Version 2	Coordination Committee (19/1072)	4.6.2019	A18595982
Version 3	General Meeting (19/1816)	20.8.2019	A18980197
Version 4			62425847