101. DEVELOPMENT INCENTIVES POLICY NO. 1 (HOUSING DIVERSITY)

1. Purpose

1.1 The purpose of this policy is to offer incentives for development in the Douglas Shire that will:

a. Contribute to the delivery of new permanent housing supply and increased housing diversity including attached and semi-attached dwellings, retirement facilities and other infill development.
b. Stimulate development activity in the local government area including by enticing existing approved housing development to commence construction and become realised.

2. Scope

2.1 This policy:

a. Details the circumstances where Douglas Shire Council (Council), at its discretion, may agree to vary the amount of levied charges payable (the **Development Incentive**) for certain development types that meet the eligibility criteria set out in Clause 5 of this policy.
b. Is effective from 1 December 2026 to 30 November 2028 and will expire on 30 November 2028 unless otherwise extended.
c. Is a discretionary policy that will inform Council's decision whether to approve a development incentive under this policy and to enter into an infrastructure agreement to give effect to the development incentive.

2.2 Nothing in this policy is intended to or will influence Council's determination of a development application under the *Planning Act 2016* (Qld).

Note: Being eligible for an incentive under this policy does not guarantee an approval for a development application.

3. Policy Statement

Council is committed to enhancing the liveability of the shire, pursuing opportunities to improve housing outcomes by promoting increased housing diversity. Council recognises that incentivising the delivery of certain development types will assist in realising these outcomes in the short and longer term.

Council is able to reduce the amount of infrastructure charges payable as targeted incentives to encourage and attract new development. The community benefits of increased development activity are considered to offset the revenue lost by not levying the full amount of infrastructure charges payable. Additionally, encouraging development in specific locations (e.g. infill areas) utilises existing infrastructure including spare capacity in the networks for which charges are levied.

This policy supports the key focus areas of 1. Liveability and 2. Prosperity under Council's 2025 – 2030 Corporate Plan.

4. Eligible Development Types and Incentives

4.1 Subject to Clause 4.2 and Clause 5 (Eligibility Criteria), the following development types and incentives may be approved in accordance with Clause 8 of this policy:

HOUSING DEVELOPMENT INCENTIVES	
Development Type	**Discount on Infrastructure Charges (Development Incentive)**
Material change of use for: • Dual occupancy. • Multiple dwelling.	• For dual occupancy – **100% discount**. • For multiple dwelling – **100% discount for up to 4 dwellings**. *For example: A multiple dwelling involving six dwellings will attract a charge for one dwelling (noting credit applied for single land use / lot).*
Reconfiguring a lot (infill development that creates two lots or less).	• **100% discount**.
Greenfield development that incorporates integrated higher density housing. *Note: An amendment to an existing approval to achieve compliance with this policy may be considered under this development type.*	• **100% discount** for the integrated higher density housing component of the development (**Maximum $500,000**).
Material change of use for a retirement facility (within an existing urban area).	• **Discount of up to $1,000,000**.
EXISTING APPROVED DEVELOPMENT INCENTIVES	
A development type listed above (Housing Development Incentives) approved under an existing development permit and subject to an infrastructure charges notice issued from 5 June 2018 to 1 December 2026.	The discount on infrastructure charges (development incentive), as listed above (Housing Development Incentives), for the development type approved under the existing development permit.

4.2 The following development is not eligible for a development incentive under this policy:

a. Development that has commenced or has been completed under an existing development permit.
b. Development subject to an Infrastructure Charges Notice where the statutory payment date was prior to the commencement date of this policy (e.g. overdue or outstanding charges).
c. Development subject to compliance and enforcement.
d. Development that is inconsistent with the planning scheme or subject to an appeal.
e. Development undertaken by or on behalf of State or Federal Government Departments, Agencies or Government Owner Corporations.
f. Development located on land subject to outstanding rates and charges or debts payable to Council.

5. Eligibility Criteria

5.1 To be eligible for a development incentive under this policy, the development type must meet the eligibility criteria set out below and Clause 6 of this policy.

Housing Development Incentives

5.1.1 For material change of use for a dual occupancy, the development:

a. is located in the Low-Density Residential Zone, Low-Medium Density Residential Zone, Medium Density Residential Zone or Tourist Accommodation Zone, and
b. is capable of being completed within 2 years after the date the development incentive is approved under Clause 8.

5.1.2 For material change of use for multiple dwellings, the development:

a. is located in the Centre Zone (Sub-Precinct 1a of Precinct 1 Town Centre Precinct of the Port Douglas / Craiglie Local Plan), Low-Medium Density Residential Zone, Medium Density Residential Zone or Tourist Accommodation Zone
b. must include ground floor centre activities when located on land within the Centre Zone (Sub-Precinct 1a of Precinct 1 Town Centre Precinct of the Port Douglas / Craiglie Local Plan), and
c. is capable of being completed within 4 years after the date the development incentive is approved under Clause 8.

5.1.3 For reconfiguring a lot, the development:

a. is located in the Low-Density Residential Zone, Low-Medium Density Residential Zone or Medium Density Residential Zone
b. is for infill development that creates two lots or less, for example a one into two lot subdivision that subdivides an existing dwelling to create a vacant lot, and
c. is capable of being completed within 2 years after the date the development incentive is approved under Clause 8.

5.1.4 For greenfield development that incorporates integrated higher density housing:

a. the development is located on greenfield development land within the area shown on Local Plan Map Sheet – LPM-004 as Precinct 7 – Emerging Community (Mossman) or within the Low-Density Residential Zone in Craiglie
b. a structure plan (or equivalent) approved by Council as part of the proposed development:
    i. identifies land dedicated for integrated higher density housing
    ii. shows the sequencing of the integrated higher density housing within four years of the development approval taking effect, and
c. is capable of being completed within 4 years after the date the development incentive is approved under Clause 8.

5.1.5 For a material change of use for retirement facility, the development:

a. is located within an existing urban area in Mossman or Port Douglas / Craiglie, and
b. is capable of being completed within 4 years after the date the development incentive is approved under Clause 8.

Existing Approved Development

5.1.6 For existing approved development, the development:

a. must be approved under an existing development permit and subject to an infrastructure charges notice
b. must be for a development type under this policy, and
c. is capable of being completed within 2 years after the date the development incentive is approved under Clause 8.

6. Infrastructure Agreement

6.1 The landowner/s the subject of the development approval must be willing to enter into an infrastructure agreement reflecting the landowner/s and Council's agreement to apply this policy including terms to ensure compliance with the eligibility criteria under Clause 5.

For example: The development must be completed within 4 years of the date of the policy to receive the discount on infrastructure charges.

7. Application for Development Incentive

7.1 An application for a development incentive under this policy:

a. can only be for an eligible development type and incentive included under Clause 4.1 of this policy
b. must be submitted using the approved form including the submission of any supporting material required
c. may be made at any time after a Decision Notice and Infrastructure Charges Notice (ICN) is issued, and
d. must be made at least 30 business days prior to the statutory payment date for the infrastructure charges.

8. Assessment and Decision

8.1 All applications will be assessed against the eligibility criteria in Clause 5 of this policy and the applicant advised in writing of the outcome.

8.2 Where the application is for a development incentive that:

a. is not greater than $500,000, the request will be eligible for consideration under delegated authority
b. exceeds $500,000, the request will be presented to Council for consideration.

8.3 In excising discretion under this policy, the delegate will have regard to the purpose of this policy and the policy statement in Clause 3.

9. General Development Incentives

9.1 Council offers a 50% reduction in infrastructure charges for not-for-profit community associations.

9.2 Council offers a free planning enquiry and pre-lodgement meeting service to members of the public and those with an interest in development.

9.3 Council is currently undertaking amendments to the Douglas Shire Planning Scheme 2018, including "Red Tape" reduction initiatives that will streamline certain development with broader community benefits.

10. Definitions

10.1 A term used in this policy has its ordinary meaning unless that term:

a. is defined under Clause 10.2 of this policy
b. is defined under the Douglas Shire Planning Scheme 2018, or
c. otherwise defined under the *Planning Act 2016* (Qld) or *Acts Interpretation Act 1954* (Qld).

10.2 Terms defined in this policy.

TERM	DEFINITION
Approved Form	Means the application form for making an application for development incentive under the Development Incentives Policy (Housing Diversity) and published on Council's website.
Development Incentive	Means the discount on infrastructure charges as set out in the Table under Clause 4.1 of this Policy and as determined by Council in accordance with Clause 8.
Dual Occupancy	As defined under Schedule 24 of the Planning Regulation 2017: ***Dual occupancy***— (a) means a residential use of premises 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 (b) does not include a residential use of premises that involves a secondary dwelling.
Greenfield Development	Development of vacant land within a predominantly undeveloped area intended for urban development.
Infill Development	Development of a vacant or underdeveloped site within a predominantly developed urban area.
Infrastructure Agreement	Means an agreement under the *Planning Act 2016* (Qld).

TERM	DEFINITION
Infrastructure Charges	Charges imposed on development to contribute to the cost of providing trunk infrastructure. Infrastructure charges are also referred to as levied charges and are governed under section 119 of the *Planning Act 2016* (Qld).
Infrastructure Charges Notice	As defined under Schedule 2 of the *Planning Act 2016* (Qld).
Infrastructure Charges Resolution	Means the Douglas Shire Council Infrastructure Charges Resolution No. 2 (2021), or later resolution.
Integrated Higher Density Housing	For the purpose of this policy, integrated higher density housing means multiple dual occupancy, multiple dwelling or a retirement facility as defined under Schedule 24 of the Planning Regulation 2017 integrated within greenfield development.
Material Change of Use	As defined under Schedule 2 of the *Planning Act 2016* (Qld).
Multiple Dwelling	As defined under Schedule 24 of the Planning Regulation 2017: ***Multiple dwelling***— (a) means a residential use of premises involving 3 or more dwellings, whether attached or detached; but (b) does not include build to rent housing.
Reconfiguring a Lot	As defined under Schedule 2 of the *Planning Act 2016* (Qld).
Statutory Payment Date	The date infrastructure charges become payable as detailed under section 122 of the *Planning Act 2016* (Qld).

11. Related Legislation

- *Local Government Act 2009* (Qld)
- *Planning Act 2016* (Qld)
- *Planning Regulation 2017* (Qld)

12. Related Documents

- Douglas Shire Planning Scheme 2018
- Douglas Shire Council Infrastructure Charges Resolution No. 2 (2021)

13. Policy Review

This policy is to be reviewed whenever legislation changes, or every two (2) years if no changes have been required to be enacted, at the direction of the CEO.

14. Policy Details

Policy Name	Development Incentives Policy No. 1 (Housing Diversity)
Policy Number	101
Policy Version	1
Document Number	1406357
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Policy Department	Environment and Planning
Link to Corporate Plan	Strategic Theme 2 - Prosperity
Revoked/Superseded	Nil

This policy is to remain in force until otherwise determined by Council.