



Somerset

REGIONAL COUNCIL

Policy Subject/Title: Tourist Accommodation Development
Incentivisation (Infrastructure Charges)
Policy

Policy Number: PED/003

Responsible Officer: Director Planning and Development

Legislative or Regulatory Reference: *Local Government Act 2009*
Planning Act 2016
Somerset Regional Council Charges
Resolution (No. 1) 2021

Authorised by: Somerset Regional Council

Authorised on: 8 December 2021 [Doc Id 1353535]

Amendments: 26 June 2024 [Doc Id 1636816]

1. OBJECTIVE

Council seeks to incentivise well planned development throughout the Somerset Region. This policy sets out the circumstances under which Council may reduce Levied Charges for development for tourist accommodation and outlines the processes for managing the reduction.

2. BACKGROUND

2.1 Background

Council levies infrastructure charges on development in accordance with Chapter 4 of the *Planning Act 2016* and the Charges Resolution.

2.2 Definitions

Applicable Networks means the stormwater network, public parks and community lands network, and transport network under the Local Government Infrastructure Plan and Charges Resolution.

Charges Resolution means Somerset Regional Council Charges Resolution (No. 1) 2021, or as amended/replaced.

Eligible Use means the following as defined in the Somerset Region Planning Scheme:

- (a) Home-based business (Bed and breakfast only);
- (b) Hotel (accommodation component only);
- (c) Nature-based tourism (accommodation component only);
- (d) Resort complex (accommodation component only);
- (e) Short-term accommodation;
- (f) Tourist park.

Incentive means a reduction or refund of Levied Charges calculated in accordance with this policy.

Infrastructure Charges Notice see Schedule 2 of the *Planning Act 2016*.

Levied Charge has the meaning given by the Charges Resolution.

Qualifying Development means a development of one or more Eligible Uses that complies with the circumstances set out in this policy.

3. PURPOSE

The purpose of this policy is to outline the reduction provided by Council for Levied Charges on eligible tourist accommodation development.

4. SCOPE

This policy applies to Levied Charges on an Infrastructure Charges Notice for a material change of use for one or more Eligible Uses for the Applicable Networks.

This policy does not apply to Levied Charges that are for a reconfiguring a lot, or for the water network or sewerage network.

This policy does not apply to Levied Charges that are offset or refunded for the delivery of trunk infrastructure under Chapter 4 of the *Planning Act 2016*.

This policy does not apply to extra payment conditions under Chapter 4 of the *Planning Act 2016*.

The maximum Incentive under this policy for each Qualifying Development is \$50,000.00 and cannot exceed the value of Levied Charges for the Applicable Networks.

5. POLICY

5.1 Eligibility for the Incentive

An Incentive only applies to Levied Charges payable to Somerset Regional Council for material change of use development where:

1. a development permit for material change of use takes effect between 8 December 2021 and 30 June 2028;
2. the development will commence within two years from the date that the development permit takes effect;
3. all conditions of the relevant development permit have been satisfied prior to the commencement of the use;
4. the development is not subject to an infrastructure agreement for the supply of infrastructure or the payment of infrastructure charges, other than in relation to an Incentive under this policy; and
5. the development has not been subject to compliance or enforcement action for a development offence under Chapter 5 of the *Planning Act 2016* for which the relevant development permit remedies the offence.

5.2 Incentive amount

The Incentive which will be accepted by Council is 100% of the Levied Charges shown on the Infrastructure Charges Notice, other than where excluded under section 4 of this policy.

5.3 Application for the Incentive

Applicants shall make a written request seeking an Incentive under this policy after the development permit takes effect but prior to the development commencing.

The request must demonstrate that the development is a Qualifying Development, including by demonstrating that the proposal satisfies the criteria in section 5.1 and is not excluded under section 4.

Council, in its sole discretion, may enter into an agreement with the applicant about the payment of the Levied Charges by reducing the amount payable in accordance with this policy.

The agreement will require compliance with the conditions of the development approval, as well as the conditions of this policy. Noncompliance with the either conditions will result in the Incentive being withdrawn, and the Levied Charges becoming payable as required by the Infrastructure Charges Notice.

6. DATE OF RESOLUTION

This policy was approved by the Chief Executive Officer and adopted by the Somerset Regional Council at the Ordinary Meeting of 8 December 2021. This policy was last reviewed and amended on 26 June 2024.

Signed:

Date: 26 June 2024