


## Organisational Policy DELAYED STAGED PAYMENTS OF INFRASTRUCTURE CHARGES

<b>Corporate Plan Reference:</b>	<i>Long term planning for Noosa Shire – Priority 4</i>	
<b>Endorsed by Chief Executive Officer:</b>		1/07/2021
<b>Policy Author:</b>	Infrastructure Assessment Coordinator	

### POLICY BACKGROUND

In some instances, the issue of an infrastructure charge requiring a single upfront payment by a due date may cause undue hardship on the person/organisation to whom the infrastructure charge applies.

Council seeks to provide assistance on a "needs" basis by allowing delayed staged payments of infrastructure charges over a set period of time in lieu of the single payment required by the due date specified in the issued Infrastructure Charges Notice.

This policy provides staff with the basis and methodology for allowing and administering delayed staged payments under a Council "Letter of Agreement".

### ORGANISATIONAL POLICY

#### Applications

Persons/organisations seeking to enter into a delayed staged payment plan must apply in writing to Council and provide sufficient details to enable consideration under this policy.

#### Criteria for Special Consideration of Relief

Council will only give special consideration to applications for delayed staged payments where the following criteria are met:

1. An application in writing is made to Council requesting to delay payment of the infrastructure charge; and
2. The infrastructure charge was triggered by and issued on a development permit granted for:
  - a. Material Change of Use; or
  - b. Building Work; and
3. The infrastructure charge amounts to \$5,500.00 or greater.

### **Details of Assistance**

Assistance will be given by allowing delayed staged payments as specified under a Council “Letter of Agreement” derived in the following way:

1. An administration fee of **5%** will apply and be added to the current indexed amount payable to cover additional administration, further indexation and partial costs associated with delayed revenue funding of infrastructure.
2. A first **delayed staged payment no.1** amounting to **25%** of the total adjusted amount is payable within 20 business days from the date approved for making delayed staged payments of the infrastructure charge.
3. The remaining **delayed staged payment balance** amounting to **75%** of the total adjusted amount is payable and completed within 12 months from staged payment no.1 due date.

**Note:**

- *Partial payments may be made at any time earlier at the applicant’s discretion.*
  - *Application for special consideration (due to extenuation hardship) to partially extend the “delayed staged payment balance” must be received by Council prior to the due date specified in the original agreement. Full details as to why further special consideration should be granted must be provided in the application.*
4. The delayed staged payment agreement commences on Council’s written approval to the applicant.
  5. Non-compliance with any component of the above is:
    - a) A breach of the delayed staged payment agreement; and
    - b) Will trigger the default compound interest rate specified in Council’s Revenue Statement calculated daily to apply immediately on the outstanding amount from the original date the infrastructure charge first became due for payment and the debt transferred to Property Rates for recovery.
  6. All remaining staged payment balances will require settlement with full payment to Council on any subsequent sale of the property.

### **ROLES AND RESPONSIBILITIES**

The Infrastructure Assessment Coordinator and/or Infrastructure Charges Administration Officer will:

1. Assess and determine applications under the specified criteria;
2. Issue Council’s “Letter of Agreement” with “Notice of Amount Due” for Staged Payments detailing the amounts and due dates for making payment in accordance with the policy; and
3. Administer the financial transactions associated with the Delayed Staged Payment Agreements.

The Manager Development Assessment will have discretion to determine:

1. Non-compliant applications; and
2. Applications for special consideration to further extend the balance payment.

### **RELEVANT LEGISLATION**

Planning Act 2016

**Version control:**

Version	Reason/ Trigger	Change (Y/N)	Endorsed/ Reviewed by	Date
1.0	Create new		Kim Rawlings	24/05/2019
2.0	AMENDED DUE TO COVID-19 Business Support Initiatives	Y	Kerri Coyle	26/03/2020
3.0	End COVID-19 Business Support Initiatives for infrastructure charges	Y	Kerri Coyle	30/05/2021