



# **Forbes Shire Council Residential Development Incentive Policy**

Policy No: CS/014  
Minute No: 40/2008  
Date Approved: 21 February 2008  
Effective: 21 February 2008  
Authority: General Manager  
Contact Officer: Carissa Bywater

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## FORBES SHIRE COUNCIL – RESIDENTIAL INCENTIVE POLICY

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### Revision History

Version	Amended	Authorised by	Approved by	Revision Date
V1.1	19/04/2007	General Manager	Council	19/04/2008
V1.2	21/02/2008	Director Corporate Services	Council	21/02/2010

### Change History

Version	Change Details
V.1.1	Initial Policy
V.1.2	Amendment

### Related Documents

Document Title	Location
File reference:	E05/005
Related Policy:	

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### 1. OBJECTIVE:

Council recognises the importance of new residential development within the Shire of Forbes. This Policy seeks to encourage and promote development of marketable residential land within Forbes.

#### **Essential Eligibility Criteria:**

To be eligible under the terms of this policy, residential subdivision developments must take place within land zoned as 2a Residential in accordance with the Land Use Map of the in force Forbes Local Environmental Plan.

#### **Incentives:**

- Forbes Shire Council will allow the *Section 94* contributions, sewer and water headworks charges accruing to the development to be paid upon the earlier of the sale of each block or two years from the date of development application consent. This offer is limited to two (2) years, that is, once two (2) years has lapsed any remaining liabilities accruing to Council from the development must be paid within thirty (30) days. This concession is extended on the condition the developer advises Council of the sale of each block and remits these funds accordingly as part of the settlement process. Any liabilities remaining on settlement will be applied as a section 603 liability against the land.
- Fees payable at the time of full settlement will be those that apply at that time of payment not the date of development consent.

### 2. DEFINITIONS:

Development: for the purpose of this policy development is defined as the registration of the linen plans with the Lands Titles Office of NSW.

### 3. CONDITIONS OF POLICY:

- Successful applicants under this policy must return a signed Residential Development Incentive Offer Agreement to Council within thirty (30) days of the date of the letter of offer extended by Council.
- Development of the Residential Land must take place within twelve (12) months from the date of development application approval by Council.

### 4. ADMINISTRATION:

- Written applications for assistance under this Incentive Policy should be addressed to the General Manager.
- Applications will be assessed and approved by Council.
- Council's Director Corporate Services will issue written notification to applicants regarding the outcome of Council's assessment.

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## FORBES SHIRE COUNCIL – RESIDENTIAL INCENTIVE POLICY

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- Council's Director Corporate Services will issue written notification to the Manager of Development and Regulatory Control of the acceptance of an offer for deferral.
- Council's Corporate Services Department with assistance from Council's Environmental Services and Planning Department will be responsible for monitoring compliance of accepted offers.
- Non-compliance with the conditions of this policy will render the Residential Incentive Agreement void.



**FORBES SHIRE COUNCIL  
RESIDENTIAL INCENTIVE OFFER AGREEMENT**

We, XXX accept Council's residential development incentive offer for development of DAXXXX (*Minute XXX*) and hereby agree to **ensure** that payment of the *Section 94 contributions, sewer and water headworks charges (based on the fees applying at the time of payment)* accruing to this development and deferred under this agreement is made in full to Council on the sale of the first block or the earlier of two (2) years from the date of development application approval by Council.

This offer is subject to development (as defined in the policy) being undertaken within a period of twelve (12) months from the date of development application approval by Council.

We understand that it is our responsibility to advise Council of the sale of each block and remit these funds accordingly upon settlement.

We further understand that this offer will expire thirty (30) from the date of the attached covering letter of offer.

Signed: \_\_\_\_\_

Applicant:

Dated this ..... day of ..... 200x.