

# HOUSING CONSTRUCTION GRANT POLICY

## COMMUNITY POLICY



### 1 Scope

This policy applies to residents living and constructing new homes in the Region.

### 2 Purpose

The purpose of this policy is to provide residents in the Region an incentive and support to build a new home in the Region with the aim of:

- (a) Increasing the number of new homes within the Region;
- (b) Stimulating activity across the building and construction industries; and
- (c) Facilitating future population growth in the Region.

### 3 Related Documents

#### 3.1 Primary

Nil

#### 3.2 Secondary

*Building Act 1975*

*Local Government Act 2009*

*Local Government Regulations 2012*

Housing Construction Grant Procedure

Rockhampton Region Planning Scheme 2015

### 4 Definitions

To assist in interpretation, the following definitions apply:

CEO	Chief Executive Officer A person who holds an appointment under section 194 of the <i>Local Government Act 2009</i> . This includes a person acting in this position
Comprehensive Home Building Contract	A contract under which a builder licensed with the Queensland Building and Construction Commission undertakes to build a new home from the start of building work to the point where the new home is ready for occupation and, if for any reason, the work to be carried out under the contract is not completed, includes any further contract under which the work is to be completed.

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Consideration	For an eligible transaction means: (a) For a contract to have a new home built — the total consideration payable for the building work; or (b) For the building of a new home by an owner builder — the actual costs to the owner of carrying out the work, excluding any allowance for the owner builder's own labour.
Council	Rockhampton Regional Council
Councillor/s	The Mayor and Councillors of Council, within the meaning of the <i>Local Government Act 2009</i> .
Dwelling	A building or part of a building used or capable of being used as a self-contained residence that must include the following: (a) Food preparation facilities; (b) A bath or shower; (c) A toilet and wash basin; and (d) Clothes washing facilities. This term includes outbuildings, structures and works normally associated with a dwelling.
Eligible Transaction	Either: (a) A comprehensive home building contract made by the owner of land in the Region, or a person who will on completion of the contract be the owner of land in the Region, to have a new home built on the land, if the contract is made on or after 1 August 2019; or (b) The building of a new home in the Region by an owner builder if an owner builder permit is issued by the Queensland Building and Construction Commission on or after 1 August 2019.
HCG	Housing Construction Grant
Immediate Family	Includes spouse, de-facto spouse, child, ex-nuptial child, stepchild, adopted child, parent, sibling, grandparent or grandchild.
Individual	Any living human at least 18 years of age as at 1 August 2019. That is, an individual is not a company, trust or deceased person.
Interested Person	A person who is, or will be, on completion of the eligible transaction to which the application relates, an owner of the relevant new home.

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KMP	Key management personnel or key management person. KMP of Council for the purpose of this policy are: (a) The Mayor; (b) Councillors; (c) The CEO; (d) The Deputy Chief Executive Officer/General Manager Corporate Services; (e) Executive Manager Advance Rockhampton; (f) General Manager Regional Services; (g) General Manager Community Services; (h) Executive Manager Workforce and Governance; (i) Chief Financial Officer; (j) Manager Office of the Mayor; and (k) Manager Strategy and Planning. The definition excludes any persons acting in the roles for less than a four week period, unless otherwise nominated by the CEO.
New Home	A single-detached dwelling situated on a single lot.
Region	Rockhampton Regional Area defined by the Local Government Areas of Queensland.

## 5 Policy Statement

This policy is a discretionary program which seeks to provide the Region's residents an incentive and support to build a new home in the Region in order to increase the number of new homes within the Region, stimulate activity across the building and construction industries and facilitate future population growth in the Region.

An application for a HCG must be made to Council between 1 August 2019 and 30 June 2020.

The number of applications approved under this policy will be strictly limited to 200 in number.

### 5.1 Eligibility Criteria

To be eligible under this policy all interested persons must be applicants and individuals must meet the following criteria.

#### 5.1.1 Individual to be an Australian Citizen or Permanent Resident

An individual making an application under this policy must be an Australian citizen or permanent resident.

If an application is made under this policy by more than one individual and one of the individuals is an Australian citizen or permanent resident, it is not necessary for the other or others to be an Australian citizen or permanent residents.

#### 5.1.2 Individual to be a Resident of the Region

An individual making an application under this policy must provide evidence that they live in the Region at the time an application is made and at the time of payment of the HCG.

If an application is made by more than one individual and one of the individuals provides evidence that they live in the Region at the time an application is made and at the time of payment of the HCG, it is not necessary for the other or others to live in the Region at the relevant time(s).

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## 5.2 Ineligible Transactions and Applications

The following transactions and applications will be ineligible for the HCG:

- (a) Where Council is satisfied that the contract that formed the basis of the eligible transaction replaces a contract made before 1 August 2019 and that earlier contract was a comprehensive home building contract to build the same or substantially similar new home;
- (b) Where Council is satisfied that a contract that formed the basis of an eligible transaction for the construction (or purported construction) of a new home does not constitute a genuine construction of the new home. For these purposes, Council may take into account:
  - (i) Whether the parties to the contract are related parties or close associates;
  - (ii) Whether the transaction is not at arm's length; or
  - (iii) Such other matters as Council considers appropriate,
- (a) Applications received from KMP and their immediate families.

## 5.3 Approvals and Payments

### 5.3.1 Approval of Applications

The CEO, Deputy Chief Executive Officer or Chief Financial Officer may approve applications under this policy. Despite anything contained in this policy, Council reserves the right to impose any condition to an approved application or withdraw any approval granted at any time.

### 5.3.2 Amount of HCG

The amount of the HCG payable under this policy in respect of any single eligible transaction is the lesser of the following:

- (a) The consideration for the eligible transaction; or
- (b) \$5,000.00.

Only one HCG is payable:

- (a) Per individual; and
- (b) Per eligible transaction.

### 5.3.3 When HCG is Payable

An approved application under this policy is payable if:

- (a) An individual or, if there are two or more of them, complies with the eligibility criteria; and
- (b) The transaction for which the HCG is sought is still an eligible transaction; and
- (c) The applicant has provided Council with either:
  - (i) A Form 21 – Final Inspection Certificate confirming construction of the new home was completed on or before 30 June 2022; or
  - (ii) Written evidence:
    - a. From a builder certified in accordance with the *Building Act 1975* confirming foundations of the new home have been laid; and
    - b. Confirming that the first progress payment for the building works under the Comprehensive Home Building Contract has been made (i.e. a copy of a receipt or letter from the applicant's builder or financial institution confirming payment of the first progress payment).

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### 5.3.4 Payment of HCG

The HCG must be paid to:

- (a) The individual (or individuals in the case of a joint application); or
- (b) A financial institution to whom the individual directs in writing the HCG be paid.

### 5.3.5 Payment of HCG (where there are two or more individuals)

If there is more than one individual in an approved application and the HCG is payable, Council will pay the HCG in equal portions to each approved applicant unless agreed otherwise by all approved applicants.

## 6 Review Timelines

This policy is reviewed when any of the following occur:

- (a) The related information is amended or replaced; or
- (b) Other circumstances as determined from time to time by Council.

## 7 Document Management

Sponsor	Chief Executive Officer
Business Owner	Deputy Chief Executive Officer
Policy Owner	Chief Financial Officer
Policy Quality Control	Legal and Governance



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