



FACTSHEET - TRADEABLE DEVELOPMENT RIGHTS POLICY

This factsheet summarises the TDR policy and does not replace it - refer to the TDR policy for relevant requirements.

WHAT IS THE TRADEABLE DEVELOPMENT RIGHTS (TDR) POLICY?

The purpose of the [TDR policy](#) is to:

- provide alternative acceptable outcomes for the management and protection of Rural zoned land affected by Agricultural land overlays that comply with the relevant performance outcomes of the [planning scheme](#)
- promote the protection and consolidation of agricultural land through the amalgamation of titles, whilst providing opportunity for rural landowners to realise value from titles by the trading of development rights that transfers a title right to a location that does not impact or diminish productive agricultural land.

The policy identifies a *sending lot* area and a *receiving lot* area. Sending lot areas are those needing protection where development is not desirable, being land within the Agricultural land overlay. Receiving lot areas are locations where the development may be acceptable, despite being contrary to the Rural zone requirements of the land. The policy allows the trade of the value of the development of an additional lot (the title deed) for the right to create that lot in a location that does not fragment or diminish

agricultural land. This is to be achieved through the amalgamation of agricultural land into a single parcel and the transfer (and sale) of the title right to another party on Rural zoned land that does not impact agricultural land and is sited within or adjoining a rural lifestyle node.

RURAL LAND IN THE MACKAY REGION

Development in the Rural zone is often contested with conflicting interests of agriculture and incompatible non-rural activities. Farmers face particular issues of succession planning, financing and raising capital to remain on the land. Sugar is the region's oldest industry which suffers from loss of land under production each year due to a range of factors. Whilst sugar is the dominant form of agriculture in the region, there are a range of other high value and productive agricultural activities (either cropping or animal related) that can be undertaken in place of growing sugar.

The situation in the Mackay region is particularly acute, with the existing lot configuration in the rural area being highly fragmented due to historic farming practices. There is a heightened need to protect and manage agricultural land from a local and state-wide economic, employment and food security perspective.



POLICY ELIGIBILITY

To be eligible under the policy, the following criteria must be met. The landowner is encouraged to have pre-lodgement meeting with council and obtain written confirmation that their proposal fits the policy framework. Eligibility criteria includes:

Sending lots	<ul style="list-style-type: none"> are in the Rural zone and the agricultural land overlay original size is capable of siting a house when amalgamated, improve utility and productivity of agricultural land have a combined area not exceeding 160ha amalgamated lot does not straddle a road.
Receiving lots	<ul style="list-style-type: none"> are located in or adjoining a rural lifestyle node reflect requirements for rural residential development have direct frontage and access to a public road must not: <ul style="list-style-type: none"> significantly expand an existing rural lifestyle node establish a new rural lifestyle node compromise utility and productivity of agricultural land be located on constrained land.

RELATIONSHIP WITH THE PLANNING SCHEME

Use of this policy may be applied where the sending lot component of development (relating to reconfiguring a lot) triggers assessment against the Agricultural land overlay code under the planning scheme and where the eligibility criteria of the policy is met. The eligibility criteria act as alternative acceptable outcomes and can be used in the assessment of a Reconfiguring a lot application to address the following relevant performance outcomes (amongst others) in the planning scheme:

Planning scheme code	Performance outcomes
6.2.17 Rural zone code	PO2
8.2.2 Agricultural land overlay code	PO5 and PO6
9.4.3 Reconfiguring a lot code	PO7, PO8 and PO15

The policy does not replace or override the requirements of the planning scheme. The planning scheme prevails over any conflicts with the TDR policy.

WHERE DOES THE POLICY APPLY?

The [TDR policy](#) applies to land in the:

- Rural zone, and
- Agricultural land overlay.

The policy **does not** apply to land in:

- the Investigation area precinct (precinct no. RU1) under the Rural zone, where involving a receiving lot*
- all zones, other than the Rural zone, in all circumstances.

**Sending lots may come from land within the Investigation area precinct (precinct no. RU1)*

PLANNING ENQUIRIES

The Planning Advice team is available to answer general questions about TDR policy related development proposals, including:

Is a development application required for a TDR?	Yes, a Reconfiguring a lot application under the planning scheme
What information is required as part of a development application?	Full assessment against the relevant codes of the planning scheme, including TDR policy criteria
What are the likely development application fees?	See Council's fees and charges

Planning advice enquiries can be lodged online, in person, by phone or an appointment can arranged to discuss your proposal with a Council officer. Please phone 1300 622 529 to request advice or head to Council's website to [lodge a written enquiry](#).

Pre-lodgement meetings are available to provide advice about more complicated development applications. Submit a Pre-lodgement [Meeting Request Form](#) to Council via development.services@mackay.qld.gov.au to organise a meeting.

FOR MORE INFORMATION PHONE COUNCIL
ON **1300 MACKAY** (1300 622 529)
OR VISIT THE WEBSITE MACKAY.QLD.GOV.AU