



NOOSA COUNCIL

**Noosa Shire Council
Adopted Infrastructure Charges
Resolution (No. 1) 2014**

Dated 6 February 2014

Noosa Shire Council

Adopted Infrastructure Charges Resolution (No. 1) 2014

Contents

	Page
Noosa Shire Council.....	4
Part 1 Introduction.....	4
1. Preliminary	4
1.1 Short title	4
1.2 Sustainable Planning Act 2009	4
1.3 Effect	4
1.4 Purpose of the resolution	4
1.5 Structure of the resolution	5
1.6 Interpretation	6
2. Application of the adopted infrastructure charge	9
2.1 Purpose	9
2.2 Effect of the infrastructure State planning regulatory provision in the local government area	9
2.3 Application of the resolution to the local government area	9
2.4 Application to particular development	9
2.5 Categorisation of uses to development classes	10
3. Assumptions about future development.....	10
3.1 Purpose	10
3.2 Development inconsistent with assumptions about future development	10
4. Priority infrastructure area	11
4.1 Purpose	11
4.2 Priority infrastructure area	11
Part 2 Trunk infrastructure networks.....	11
5. Trunk infrastructure plans.....	11
5.1 Purpose	11
5.2 Schedule of works for trunk infrastructure	11
5.3 Trunk infrastructure network systems and items	11
5.4 Trunk infrastructure plans	11
6. Desired standard of service	12
6.1 Purpose	12
6.2 Desired standards of service for trunk infrastructure	12
7. Establishment cost for trunk infrastructure networks	12
7.1 Purpose	12
7.2 Establishment cost for a trunk infrastructure network	12

Part 3	Adopted infrastructure charge.....	13
8.	Adopted infrastructure charge.....	13
	8.1 Purpose	13
	8.2 Calculation of adopted infrastructure charge	13
	8.3 Adopted charge rate	15
	8.4 Discount	16
	8.5 Additional discount for past contribution or charge	16
9.	Administration of adopted infrastructure charge.....	17
	9.1 Purpose	17
	9.2 Subsidy for an adopted infrastructure charge	17
	9.3 Time of payment of an adopted infrastructure charge	17
	9.4 Alternatives to paying an adopted infrastructure charge	18
	9.5 Indexation of adopted infrastructure charge	18
10.	Allocation of adopted infrastructure charge.....	18
	10.1 Purpose	18
	10.2 Allocation of adopted infrastructure charge to the Council and the distributor-retailer	18
	10.3 Allocation of adopted infrastructure charge to trunk infrastructure networks	21
Part 4	Offset and refund for Council trunk infrastructure.....	22
11.	Infrastructure offset.....	22
	11.1 Purpose	22
	11.2 Application of section	22
	11.3 Claim for an infrastructure offset	22
	11.4 Calculation of an infrastructure offset	23
	11.5 Application of an infrastructure offset	25
12.	Refund of an unused infrastructure offset.....	25
	12.1 Purpose	25
	12.2 Application of section	25
	12.3 Claim for a refund	26
	12.4 Entitlement to a refund	26
Part 5	Schedule of adopted charges, maps, works, plans for trunk infrastructure and future development assumptions.....	27
13.	Schedule of adopted charges.....	27
14.	Schedule of maps.....	32
15.	Schedule of works for trunk infrastructure.....	32
16.	Schedule of trunk infrastructure plans.....	32
17.	Schedule of future development assumptions.....	32
	17.1 Future development assumptions	32

Noosa Shire Council

Adopted Infrastructure Charges Resolution (No. 1) 2014

Part 1 Introduction

1. Preliminary

1.1 Short title

The adopted infrastructure charges resolution may be cited as *Noosa Shire Council Adopted Infrastructure Charges Resolution (No. 1) 2014*.

1.2 Sustainable Planning Act 2009

- (1) The resolution is made pursuant to chapter 8, part 1, division 5A of the *Sustainable Planning Act 2009*.¹
- (2) The resolution is to be read in conjunction with the following:
 - (a) the State planning regulatory provision (adopted charges);
 - (b) the applicable local planning instruments.
- (3) The resolution is attached to but does not form part of the applicable local planning instruments.

1.3 Effect

The resolution has effect in the whole local government area in accordance with section 648D(5) of the *Sustainable Planning Act 2009* and/or immediately after the infrastructure State planning regulatory provision first has effect.²

1.4 Purpose of the resolution

The purpose of the resolution is to assist with the implementation of the applicable local planning instruments by stating the following:

- (a) an adopted infrastructure charge for funding part of the establishment cost of the following trunk infrastructure networks:

¹ See section 648D(1) (Local government may decide matters about charges for infrastructure under State planning regulatory provision) and section 881(1) (Effect of local government resolution made before commencement of amending Act) of the *Sustainable Planning Act 2009*.

² See section 881(2)(b) (Effect of local government resolution made before commencement of amending Act) of the *Sustainable Planning Act 2009*.

- (i) transport network;
 - (ii) public parks and land for community facilities network;
 - (iii) stormwater network;
 - (iv) water supply network;
 - (v) sewerage network;
- (b) stating other matters relevant to the adopted infrastructure charge.

1.5 Structure of the resolution

The resolution is structured in accordance with Table 1.1 (Structure of the resolution).

Table 1.1 Structure of the resolution

Column 1 Reference	Column 2 Description	Column 3 Sustainable Planning Act 2009
Part 1, section 1	Preliminary	Not applicable
Part 1, section 2	Application of the adopted infrastructure charge	section 648D(1)(a), (b) and (c)
Part 1, section 3	Assumptions about future development	sections 313, 314 and Schedule 3
Part 1, section 4	Priority infrastructure area	section 648B(4)(c) and Schedule 3
Part 2, section 5	Trunk infrastructure plans	section 648D(8) and Schedule 3
Part 2, section 6	Desired standard of service	section 648D(8) and Schedule 3
Part 2, section 7	Establishment cost for trunk infrastructure networks	section 648D(8) and Schedule 3
Part 3, section 8	Adopted infrastructure charge	section 648D(1)(a), (b) and (d)
Part 3, section 9	Administration of adopted infrastructure charge	sections 648H, 648K
Part 3, section 10	Allocation of adopted infrastructure charge	section 648I
Part 4, section 11	Infrastructure offset	section 649
Part 4, section 12	Refund of an unused infrastructure offset	section 649
Part 5, section 13	Schedule of adopted charges	section 648D(1)(a), (b) and (d)
Part 5, section 14	Schedule of maps	section 648D(8)

Part 5, section 15	Schedule of works for trunk infrastructure	section 648D(8)
Part 5, section 16	Schedule of trunk infrastructure plans	section 648D(8)
Part 5, section 17	Schedule of future development assumptions	sections 313, 314 and Schedule 3

1.6 Interpretation

(1) In this resolution:

adopted charge rate means the charge to be applied for the purpose of calculating an adopted infrastructure charge as stated in section 8.3 (Adopted charge rate).

adopted infrastructure charge means a charge for trunk infrastructure for which the infrastructure State planning regulatory provision applies, calculated under the resolution.

applicable local planning instrument means the following:

(a) *The Noosa Plan.*

base date means the date being 1 July 2011 from which the Adopted Infrastructure Charges regime commenced.

bedroom means an area of a building or structure which:

- (a) is used, designed or intended for use for sleeping (but excludes a lounge room, dining room, living room, kitchen, water closet, bathroom, laundry, garage or plant room); or
- (b) other habitable rooms that can be used for sleeping such as a den, library, study, loft, media or home entertainment room, library, family or rumpus room or other similar space. (Non-habitable rooms will not be considered in the calculation of infrastructure charges)

claimant see section 11.3(1) (Claim for an infrastructure offset).

consumer price index means the Consumer Price Index: All Groups Index for Brisbane available from the Australian Bureau of Statistics.

Council means Noosa Shire Council.

discount means the amount to be applied for the purpose of calculating an adopted infrastructure charge which takes into account the existing usage of the trunk infrastructure networks by the premises on or in relation to which development is carried out as calculated in section 8.4 (Discount).

distributor-retailer means the Northern SEQ Distributor-Retailer Authority (trading as Unitywater).

dwelling unit means habitable rooms and other spaces used or intended for use as one self-contained residential unit, comprising at least bathroom, toilet and kitchen facilities as well as other living and sleeping space to accommodate one or more persons.

establishment cost see schedule 3 (Dictionary) of the *Sustainable Planning Act 2009*.

gross floor area (GFA) means the total floor area of all storeys of a building (measured from the outside of the external walls or the centre of a common wall), other than areas used for the following:

- (a) building services, plant and equipment;
- (b) access between levels;
- (c) ground floor public lobby;
- (d) a mall;
- (e) the parking, loading and manoeuvring of motor vehicles;
- (f) unenclosed private balconies whether roofed or not.

habitable room (as defined in The Noosa Plan) means any room of a dwelling unit or accommodation unit other than a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, lobby, photographic darkroom, clothes drying room and other space of a specialised nature occupied neither frequently nor for extended periods.

impervious area means the area of the premises that is impervious to rainfall. This includes all roofed, decked, paved, concreted or bitumen sealed areas.

infrastructure offset see section 11.3(1) (Claim for an infrastructure offset).

infrastructure State planning regulatory provision means the *State planning regulatory provision (adopted charges) 2012* made under the *Sustainable Planning Act 2009*.

land dedication notice see section 11.2 (Application of section).

lawful use see schedule 3 (Dictionary) of the *Sustainable Planning Act 2009*.

net present value (NPV) means the value of a series of future cash flows discounted to reflect the true value of money at the prescribed rate.

planned date means the date scheduled for the provision of trunk infrastructure stated in the schedule of works for trunk infrastructure referenced in section 15 (Schedule of works for trunk infrastructure).

prescribed form means a form prescribed by the Council.

priority infrastructure area see section 4.2 (Priority infrastructure area).

priority infrastructure plan means the priority infrastructure plan for the specified local government planning scheme as required by Section 627 and defined in Schedule 3 of the *Sustainable Planning Act 2009*.

serviced premises see section 12.2 (Application of section).

specified local government planning scheme means the: The Noosa Plan.

trunk infrastructure contribution see section 11.2 (Application of section).

unused infrastructure offset see section 12.2 (Application of section).

- (2) A term defined in the *Sustainable Planning Act 2009* which is used in the resolution has the meaning given in the *Sustainable Planning Act 2009*.

- (3) If a term is not defined in the resolution or the *Sustainable Planning Act 2009* the term is to, subject to section 14A (Interpretation best achieving Act's purpose) of the *Acts Interpretation Act 1954*, have the meaning assigned to it by the edition of the Macquarie Dictionary that is current at the commencement date.³

2. Application of the adopted infrastructure charge

2.1 Purpose

Section 2 states the following:

- (a) that the infrastructure State planning regulatory provision has effect in the local government area;
- (b) that the resolution is intended to apply to development in the local government area;
- (c) that the resolution applies to particular development;
- (d) the categorisation of uses under an applicable local planning instrument to development classes under the infrastructure State planning regulatory provision.

2.2 Effect of the infrastructure State planning regulatory provision in the local government area

The infrastructure State planning regulatory provision applies to all local government areas.

2.3 Application of the resolution to the local government area

The resolution applies to development in the local government area.

2.4 Application to particular development

The Council may levy an adopted infrastructure charge on the following development:

- (a) a reconfiguring a lot;
- (b) a material change of use of premises;
- (c) the carrying out of building work.

³ Section 14A(1) (Interpretation best achieving Act's purpose) of the *Acts Interpretation Act 1954* provides that in the interpretation of a provision of the Act the interpretation that will best achieve the purpose of the Act is to be preferred to any other interpretation.

2.5 Categorisation of uses to development classes

- (1) A use under an applicable local planning instrument as stated in column 1 of Table 13.1 (Schedule of adopted charges) is included within the infrastructure State planning regulatory provision development class stated in column 2 of Table 13.1 (Schedule of adopted charges).
- (2) The Council and the distributor-retailer are to allocate a use not otherwise stated under subsection (1) to an applicable development class based on an assessment of use and demand.

3. Assumptions about future development

3.1 Purpose

Section 3 states the assumptions about the type, scale, location and timing of future development for the purpose of the following:

- (a) code assessment under section 313(2)(f) (Code assessment—generally) of the *Sustainable Planning Act 2009*;
- (b) impact assessment under section 314(2)(k) (Impact assessment—generally) of the *Sustainable Planning Act 2009*.

3.2 Development inconsistent with assumptions about future development

Development is inconsistent with the assumptions about:

- (a) the type of development, if the type of development of the premises is not consistent with the type of development for the area in which the premises is located as identified in the applicable local planning instrument as referenced in section 17.1 (Future development assumptions); or
- (b) the scale of the development, if the demand of the development of the premises exceeds the planned demand for the development of premises as referenced in section 17.1 (Future development assumptions); or
- (c) the location of development, if the development is located outside the priority infrastructure area as referenced in section 4.2 (Priority Infrastructure Area); or
- (d) the timing of development, if the development results in trunk infrastructure being supplied earlier than planned for in the schedule of works for trunk infrastructure in section 15 (Schedule of works for trunk infrastructure).

4. Priority infrastructure area

4.1 Purpose

Section 4 states the priority infrastructure area for the Council.

4.2 Priority infrastructure area

The priority infrastructure area is identified in the Priority Infrastructure Plan for the specified Local Government Planning Scheme.

Part 2 Trunk infrastructure networks

5. Trunk infrastructure plans

5.1 Purpose

Section 5 states the trunk infrastructure networks to be funded in part by the adopted infrastructure charge.

5.2 Schedule of works for trunk infrastructure

The trunk infrastructure networks comprise the land and works for trunk infrastructure detailed in the Priority Infrastructure Plan for the specified Local Government Planning Scheme.

5.3 Trunk infrastructure network systems and items

The trunk infrastructure networks identified in the schedule of works for trunk infrastructure include the systems and items detailed in the Priority Infrastructure Plan for the specified Local Government Planning Scheme..

5.4 Trunk infrastructure plans

The trunk infrastructure networks identified in the schedule of works for trunk infrastructure are conceptually identified in the trunk infrastructure plans detailed in the Priority Infrastructure Plan for the specified Local Government Planning Scheme.

6. Desired standard of service

6.1 Purpose

Section 6 states the desired standard of service which is the standard guiding the delivery of a trunk infrastructure network.

6.2 Desired standards of service for trunk infrastructure

The desired standard of service for each infrastructure network is detailed in the Priority Infrastructure Plan for the specified Local Government Planning Scheme.

7. Establishment cost for trunk infrastructure networks

7.1 Purpose

Section 7 states the establishment cost for an identified trunk infrastructure network.

7.2 Establishment cost for a trunk infrastructure network

The establishment cost for the trunk infrastructure networks are detailed in the Priority Infrastructure Plan for the specified Local Government Planning Scheme.

Part 3 Adopted infrastructure charge

8. Adopted infrastructure charge

8.1 Purpose

Section 8 states the calculation of the adopted infrastructure charge to be levied by the following:

- (a) the Council under section 648F (Adopted infrastructure charges notices) of the *Sustainable Planning Act 2009* for the transport, community purposes and stormwater networks;
- (b) the distributor-retailer under section 755KB (Funding trunk infrastructure—levying charge on and from standard charge day) of the *Sustainable Planning Act 2009* for the sewerage and water supply networks.

8.2 Calculation of adopted infrastructure charge

- (1) An adopted infrastructure charge that may be levied for reconfiguring a lot is calculated as follows:

$$AIC_{ROL} = (AC_{ROL} \times Q_{ROL}) - D \text{ (as apportioned to each network separately)}$$

Where:

AIC_{ROL} is the adopted infrastructure charge that may be levied for reconfiguring a lot.

AC_{ROL} is the adopted charge rate for reconfiguring a lot stated in section 8.3 (Adopted charge rate).

Q_{ROL} is the total no of lots.

D is the discount stated in section 8.4 (Discount).

Note:

- (a) for residential lot reconfiguration, the adopted infrastructure charge is apportioned across all networks;
 - (b) for non-residential lot reconfiguration, the adopted infrastructure charge apportionment excludes the stormwater charge component.
- (2) An adopted infrastructure charge that may be levied for a material change of use or building work for residential development is calculated as follows:

$$AIC_R = \text{Sum}(AC_R \times Q_R) - D \text{ (as apportioned to each network separately)}$$

Where:

AIC_R is the adopted infrastructure charge that may be levied for a material change of use or building work for residential development.

AC_R is the adopted charge rate for each defined use for a material change of use or building work for residential development stated in section 8.3 (Adopted charge rate).

Q_R is the residential quantity for each defined use.

D is the discount stated in section 8.4 (Discount).

- (3) An adopted infrastructure charge that may be levied for a material change of use or building work for non-residential development is calculated as follows:

$$AIC = AIC_{NR} + AIC_{SW}$$

Where:

AIC is the adopted infrastructure charge for the total development

$AIC_{NR} = (\text{Sum of } (AC_4 \times Q_4) \text{ for each defined use}) - D_4 \text{ (as apportioned to each network separately)}$

$$AIC_{SW} = (AC_{SW} \times Q_{SW}) - D_{SW}$$

AIC_{NR} is the adopted infrastructure charge that may be levied for a material change of use or building work for non-residential development for the transport, public parks and land for community facilities, water supply and sewerage networks..

AIC_{SW} is the adopted infrastructure charge that may be levied for a material change of use or building work for non-residential development for the stormwater network.

AC_4 is the adopted charge rate for each defined use for a material change of use or building work for non-residential development stated in section 8.3 (Adopted charge rate) for the transport, public parks and land for community facilities, water supply and sewerage networks.

AC_{SW} is the adopted charge rate for a material change of use or building work for non-residential development stated in section 8.3 (Adopted charge rate) for the stormwater network.

Q_4 is the non-residential quantity for each defined use.

Q_{SW} is the impervious area of the development.

D_4 is the discount stated in section 8.4 (Discount) for the transport, public parks and land for community facilities, water supply and sewerage networks.

D_{SW} is the discount stated in section 8.4 (Discount) for the stormwater network.

- (4) The adopted infrastructure charge calculated in sub-sections (1), (2) and (3) above is the resulting net adopted infrastructure charge applicable to the development as apportioned to each network separately.

The apportionment of the resulting net adopted infrastructure charge to each network is undertaken individually for each network by applying the network allocations to the new development and the discount for existing lawful development to obtain the net amount relevant to that network. Where this results in a negative network amount for a particular network, the charge for that network is set at zero. Any negative amount is not applied or carried across to the other remaining networks.

8.3 Adopted charge rate

The adopted charge rate for:

- (a) reconfiguring a lot, is the amount stated for Residential (3 or more bedroom dwelling unit) in Table 13.1 (Schedule of adopted charges);
- (b) a material change of use or building work for:
 - (i) residential development, is stated in Table 13.1 (Schedule of adopted charges);
 - (ii) non-residential development other than special uses, is stated in Table 13.1 (Schedule of adopted charges), which comprises the following:
 - (A) the adopted charge rate for the transport, public parks and land for community facilities, water and sewerage networks in column 4; and
 - (B) the adopted charge rate for the stormwater network in column 5;
 - (iii) non-residential development being special uses or other development not otherwise identified in paragraphs (i) or (ii):
 - (A) the adopted charge rate for the transport, public parks and land for community facilities, water supply and sewerage networks in column 4, is the charge (in column 4) for the charge category (in columns 1 & 2) that the local government determines should apply for the use at the time of assessment; and

- (B) the adopted charge rate for the stormwater network in column 5.

8.4 Discount

- (1) The discount for the premises is an amount which is the greater of the following:
- (a) the amount of an adopted infrastructure charge paid for the development of the premises;
 - (b) where the premises is subject to an existing lawful use for:
 - (i) residential development, the amount stated for an adopted charge in Table 13.1 (Schedule of adopted charges) for the lawful use as apportioned to the relevant network separately;
 - (ii) non-residential development other than special uses, the amount stated for an adopted charge in Table 13.1 (Schedule of adopted charges) for the lawful use as apportioned to the relevant network separately;
 - (iii) non-residential development being special uses or other development not otherwise identified in paragraphs (i) or (ii), the amount for the charge category that the local government determines should apply for the use at the time of assessment as apportioned to the relevant network separately;
 - (c) where the premises is not subject to an existing lawful use:
 - (i) for residential development, the amount applicable for a residential lot stated for Residential (3 or more bedroom dwelling unit) in Table 13.1 (Schedule of adopted charges) applicable to a single residential lot as apportioned to the relevant network separately;
 - (ii) for non-residential development, no discount applies;
 - (d) in all cases for (a), (b) and (c) above, the discount is limited to the relevant network separately and is not applied or carried across to the other remaining networks.

8.5 Additional discount for past contribution or charge

- (1) For a past contribution and or charge that has been paid for a particular network under a previous charging regime that exceeds the network component of the Discount applied under section 8.4 (Discount) an “additional discount” against the adopted charge for the particular network will be recognised. The amount of the discount will be determined by converting the previous payment to an equivalent

adopted charge as determined by Council and only relates to the amount over and above the standard discount applied under section 8.4 (Discount).

The amount of the discount will not be more than the adopted charge amount apportioned for that network. The onus remains with the applicant to provide full details and evidence of any payments of contributions and or charges under a previous charging regime.

9. Administration of adopted infrastructure charge

9.1 Purpose

Section 9 states how an adopted infrastructure charge levied by the Council is to be administered.

9.2 Subsidy for an adopted infrastructure charge

The Council's policy statement in respect of a subsidy for an adopted infrastructure charge is stated in *Policy Statement - Infrastructure Contributions (Charges) Rebates for Eligible Community Organisations* in effect at the time of the resolution.

9.3 Time of payment of an adopted infrastructure charge

An adopted infrastructure charge is payable at the following time:

- (a) if the charge applies to reconfiguring a lot that is assessable development or development requiring compliance assessment—before the Council approves the plan of subdivision for the reconfiguration;⁴
- (b) if the charge applies to building work that is assessable development or development requiring compliance assessment—before the time specified for the giving of the following:
 - (i) the sooner of a final inspection certificate for a single detached class 1a building or a class 10 building/structure, or occupancy of the building/structure;
 - (ii) a certificate of classification for a building or structure of another class;⁵
- (c) if the charge applies to a material change of use—before the change of use happens;⁶

⁴ See section 648H(a) (When adopted infrastructure charges are payable) of the *Sustainable Planning Act 2009*.

⁵ See section 648H(b) (When adopted infrastructure charges are payable) of the *Sustainable Planning Act 2009*.

- (d) if paragraphs (a), (b) and (c) do not apply—on the day stated in the adopted infrastructure charges notice or negotiated adopted infrastructure charges notice.⁷

9.4 Alternatives to paying an adopted infrastructure charge

- (1) The Council may give consideration to entering into an infrastructure agreement involving an alternative to the way a payment is to be made or an infrastructure contribution provided in a form other than paying an adopted infrastructure charge.⁸
- (2) The Council may, for development infrastructure that is land, give a notice in addition to or instead of an adopted infrastructure charges notice requiring the land to be given to the Council in fee simple (*land dedication notice*).⁹

9.5 Indexation of adopted infrastructure charge

The amount of the adopted infrastructure charge is to be indexed in accordance with relevant legislation from the date of the notice to the date of payment.

The adopted charge is first calculated at the base date of 1 July 2011 (at the Consumer Price Index at March 2011) and indexed to the date of issue of the adopted infrastructure charge notice and subject to further indexation until the date of payment. Indexation is applied using variations in the Consumer Price Index at the times applicable. The indexed charge amount is limited to the “maximum amount” possible to be issued under the State Planning Regulatory Provision (adopted charges).

10. Allocation of adopted infrastructure charge

10.1 Purpose

Section 10 states how the adopted infrastructure charge of the Council and the distributor-retailer is to be allocated to a trunk infrastructure network for the purpose of determining an offset and refund.

10.2 Allocation of adopted infrastructure charge to the Council and the distributor-retailer

- (1) The proportion of an adopted infrastructure charge to be allocated to the Council and the distributor-retailer is stated in Table 10.1 (Allocation of adopted infrastructure charge to the Council and the distributor-retailer). For non-residential development, this proportion of the adopted charge excludes the

⁶ See section 648H(c) (When adopted infrastructure charges are payable) of the *Sustainable Planning Act 2009*.

⁷ See section 648H(d) (When adopted infrastructure charges are payable) of the *Sustainable Planning Act 2009*.

⁸ See section 648K (Agreements about, and alternatives to, paying an adopted infrastructure charge) of the *Sustainable Planning Act 2009*.

⁹ See section 648K (Agreements about, and alternatives to, paying an adopted infrastructure charge) of the *Sustainable Planning Act 2009*.

stormwater network which is calculated separately and allocated 100% to Council.

- (2) However where development is not connected to the water and sewerage networks, the adopted infrastructure charge is to be allocated 100% to the Council.

Table 10.1 Allocation of adopted infrastructure charge to the Council and the distributor-retailer

Column 1 Applicable local planning instrument	Column 2 Planning areas	Column 3 Allocation of adopted infrastructure between the Council and the distributor-retailer (DR)						Column 4 Allocation of adopted infrastructure charge for residential and non- residential development not otherwise specified in column 3	
		Commercial (Retail)		Commercial (Office, Bulk Goods, Showroom)		Industry			
		NSC (%)	Unity water (%)	NSC (%)	Unity water (%)	NSC (%)	Unity water (%)	NSC (%)	Unitywater (%)
Noosa Plan	Cooroy & Lake MacDonald, Cooroibah, Mary River Catchment, Boreen Point Kin Kin & Cootharaba, Noosa North Shore	68	32	61	39	39	61	42	58
	Tewantin & Doonan, Noosaville, Noosa Heads, Eastern Beaches (Sunshine/Sunrise/Castaways Beach)	90	10	87	13	69	31	64	36
	Eastern Beaches (Marcus/Peregian Beach)	85	15	80	20	60	40	51	49

Note: For non-residential development, the adopted infrastructure charge allocation excludes the stormwater charge which is allocated 100% to Council.

10.3 Allocation of adopted infrastructure charge to trunk infrastructure networks

The proportion of an adopted infrastructure charge to be allocated to a trunk infrastructure network for:

- (a) distributor-retailer trunk infrastructure, is stated in column 3 in Table 10.2 (Allocation of adopted infrastructure charge to trunk infrastructure networks);
- (b) Council trunk infrastructure, is stated in column 4 in Table 10.2 (Allocation of adopted infrastructure charge to trunk infrastructure networks). Sport and recreation uses are exempt from “Public parks and land for community facilities” proportion of the adopted charge.

Table 10.2 Allocation of adopted infrastructure charge to trunk infrastructure networks

Column 1 Adopted charge	Column 2 Trunk infrastructure networks to which an adopted charge applies	Column 3 Allocation of distributor-retailer's proportion of adopted infrastructure charge to trunk infrastructure networks		Column 4 Allocation of Council's proportion of adopted infrastructure charge to trunk infrastructure networks		
		Water supply (%)	Sewerage (%)	Transport (%)	Public parks and land for community facilities (%)	Stormwater (%)
Adopted charge for residential development: (a) reconfiguring a lot; or (b) a material change of use or building work	All Networks	40	60	40	50	10
	No Sewerage	100	N/A	40	50	10
	No Water Supply & No Sewerage	N/A	N/A	40	50	10
Adopted charge for non-residential development for (a)reconfiguring a lot	All Networks	40	60	85	15	N/A
	No Sewerage	100	N/A	85	15	N/A
	No Water Supply & No Sewerage	N/A	N/A	85	15	N/A
Adopted charge for non-residential development for (b) a material change of use or building work	All Networks	40	60	85	15	Calculated Separately 100% to Council
	No Sewerage	100	N/A	85	15	
	No Water Supply & No Sewerage	N/A	N/A	85	15	
Adopted charge for non-residential development for (c) being special uses or other development	As determined by the local government that should apply for the use at the time of assessment.					Calculated Separately 100% to Council

Part 4 Offset and refund for Council trunk infrastructure

11. Infrastructure offset

11.1 Purpose

Section 11 states the Council's policy for an infrastructure offset for a trunk infrastructure contribution.

11.2 Application of section

Section 11 applies where for a development, the Council has for a trunk infrastructure network:

- (a) required the following (*trunk infrastructure contribution*):
 - (i) the supply of land and/or work for trunk infrastructure in a condition of a development approval under section 649 (Conditions Councils may impose for necessary trunk infrastructure) of the *Sustainable Planning Act 2009*;
 - (ii) the giving of part of the land the subject of a development application or request for compliance assessment in a notice given under section 648K(3) (Agreements about, and alternatives to, paying adopted infrastructure charge) of the *Sustainable Planning Act 2009* (*land dedication notice*); and
- (b) levied an adopted infrastructure charge in an adopted infrastructure charges notice or a negotiated adopted infrastructure charges notice for the same premises under section 648F (Adopted infrastructure charges notice) of the *Sustainable Planning Act 2009*.

11.3 Claim for an infrastructure offset

- (1) The person bound to provide the trunk infrastructure contribution and the adopted infrastructure charge for the development under the *Sustainable Planning Act 2009* (*claimant*) may give a notice in the prescribed form to the Council which states the following:
 - (a) that the claimant proposes to supply the trunk infrastructure contribution;
 - (b) that the claimant seeks an offset for the supply of the trunk infrastructure contribution against an adopted infrastructure charge (*infrastructure offset*);

- (c) the claimant's estimate of the following:
 - (i) the planned estimate of the trunk infrastructure land contribution;
 - (ii) the planned or pre-market estimate of the trunk infrastructure works contribution;
 - (iii) the value of the infrastructure offset for the trunk infrastructure contribution.
- (2) The Council is to give a notice in the prescribed form to the claimant which states the following:
 - (a) whether an infrastructure offset is applicable or not;
 - (b) if an infrastructure offset is not applicable, the reason;
 - (c) if an infrastructure offset is applicable, the value of the infrastructure offset.

11.4 Calculation of an infrastructure offset

- (1) The value of an infrastructure offset for the trunk infrastructure contribution which is:
 - (a) land, is the planned estimate of the land; and
 - (b) work, is either of the following:
 - (i) the planned estimate of the work (where agreed by both parties);
 - or
 - (ii) the pre-market estimate of the work.
- (2) The planned estimate of land or work for the trunk infrastructure contribution is the value of the establishment cost of the trunk infrastructure contribution item stated in the schedule of works which is calculated having regard to the following:
 - (a) if the trunk infrastructure contribution is for the whole of an item of trunk infrastructure—the establishment cost of the trunk infrastructure in the schedule of works for trunk infrastructure;
 - (b) if the trunk infrastructure contribution is for part of an item of trunk infrastructure in the schedule of works for trunk infrastructure—the proportion of the establishment cost of the trunk infrastructure in the schedule of works for trunk infrastructure applicable to the trunk infrastructure contribution having regard to the methodology used by the Council for the calculation of the establishment cost in the schedule of works for trunk infrastructure;
 - (c) if the trunk infrastructure is not in the schedule of works for trunk infrastructure but the Council has determined that the land or work delivers the same desired standard of service to the trunk infrastructure in

the schedule of works for trunk infrastructure—the methodology specified by the Council for the calculation of the establishment cost in the schedule of works for trunk infrastructure.

- (3) The pre-market estimate of work for the trunk infrastructure contribution is the estimate expressed in dollars of the design and construction of the work:
- (a) including the following:
 - (i) the cost of planning and designing the work;
 - (ii) the cost of survey and site investigation for the work;
 - (iii) a cost under a construction contract for the work;
 - (iv) a portable long service leave payment for a construction contract;
 - (v) an insurance premium for the work;
 - (vi) a Council inspection fee for the commencement and end of the maintenance period for the work;
 - (vii) the cost of an approval for the work;
 - (b) excluding the following:
 - (i) a cost of carrying out temporary infrastructure;
 - (ii) a cost of carrying out other infrastructure which is not part of the trunk infrastructure contribution;
 - (iii) a cost of the decommissioning, removal and rehabilitation of infrastructure identified in paragraphs (i) and (ii);
 - (iv) a part of the trunk infrastructure contribution provided by the Council or a person other than the person seeking the infrastructure offset;
 - (v) a cost to the extent that GST is payable and an input tax credit can be claimed for the work.
 - (c) The claimant
 - (i) must undertake a tender process in accordance with the Council's Procurement Policy for any work contribution which is eligible for an Infrastructure Offset under this document;
 - (ii) must give the Council a Notice which states the claimant's calculation of the pre-market estimate, which will include, as applicable:
 - A. a copy of the tender advertisement;
 - B. a copy of each tender received;

- C. the claimant's preferred tenderer;
 - D. the claimant's reason for the preferred tenderer;
 - E. a copy of the proposed Work Contract issued by the claimant's preferred tenderer;
 - F. detailed plans and specifications showing the extent of the Work Contribution eligible for an Infrastructure Offset;
 - G. the claimant's calculation of the cost providing a Works Contribution to which an Infrastructure Offset applies;
 - H. the total of the claimant's calculation of the Pre-Market Estimate.
- (4) The Council is to calculate the amount of the value of the infrastructure offset by indexing the value of the infrastructure offset in accordance with the consumer price index from the date of the notice given under section 11.3(2) (Claim for an infrastructure offset) to the date that the infrastructure offset is to be offset against an infrastructure charge.

11.5 Application of an infrastructure offset

The Council is to offset the amount of the value of an infrastructure offset against an adopted infrastructure charge for the trunk infrastructure network to which the trunk infrastructure contribution relates if the trunk infrastructure contribution is supplied for the development by the claimant in accordance with the applicable development approval and land dedication notice.

12. Refund of an unused infrastructure offset

12.1 Purpose

Section 12 states the Council's policy for a refund of an unused infrastructure offset for a trunk infrastructure contribution.

12.2 Application of section

Section 12 applies where:

- (a) the development to which the trunk infrastructure contribution relates has been lawfully completed;
- (b) the trunk infrastructure contribution is planned under this document to service the development of other premises (*serviced premises*);
- (c) the amount of the value of an infrastructure offset has not been fully offset against an adopted infrastructure charge for the trunk infrastructure network to which the trunk infrastructure contribution relates under

section 11.5 (Application of an infrastructure offset) (*unused infrastructure offset*).

12.3 Claim for a refund

- (1) The claimant may give a notice in the prescribed form to the Council which states the following:
 - (a) that the development to which a trunk infrastructure contribution relates has been lawfully completed;
 - (b) that the claimant seeks a refund of the unused infrastructure offset;
 - (c) the claimant's estimate of the unused infrastructure offset.
- (2) The Council is to give a notice in the prescribed form to the claimant which states the following:
 - (a) whether an unused infrastructure offset is applicable or not;
 - (b) if an unused infrastructure offset is not applicable, the reason;
 - (c) if an unused infrastructure offset is applicable, the value of the unused infrastructure offset.

12.4 Entitlement to a refund

- (1) The claimant is only entitled to a refund from the Council under an infrastructure agreement prepared by the Council at the cost of the claimant.
- (2) The refund is to accord with the following terms unless otherwise agreed in the infrastructure agreement:
 - (a) the refund is to be paid from the prescribed amount of an adopted infrastructure charge for the development of the serviced premises which is collected by the Council for a period of 5 years from the date of the notice under section 12.3(2) (Claim for a refund);
 - (b) the prescribed amount, is that portion of the adopted infrastructure charge allocated to the trunk infrastructure network of which the trunk infrastructure contribution forms part, which is equal to the proportion of the establishment cost of the trunk infrastructure contribution that can reasonably be apportioned to the serviced premises;
 - (c) the refund is not to exceed the value of the unused infrastructure offset.

Part 5 Schedule of adopted charges, maps, works, plans for trunk infrastructure and future development assumptions

13. Schedule of adopted charges

Table 13.1 (Schedule of adopted charges) states the following:

- (a) the development class for a use under an applicable local planning instrument;
- (b) the adopted charge for:
 - (i) the transport, public parks and land for community facilities, water and sewerage networks;
 - (ii) the stormwater network.
- (c) where connection to the water supply or sewerage networks is not provided, Table 13.1 (Schedule of adopted charges) the adopted charge in Column 4 is reduced by 20% for each network not provided.

Table 13.1 Schedule of adopted charges

Column 1 Use under an applicable local planning instrument		Column 2 Development class	Column 3 Unit of measure	Column 4 Adopted charge for transport, public parks and land for community facilities, water supply and sewerage networks (\$ per unit of measure)	Column 5 Adopted charge for stormwater network (\$ per m ² of impervious area)
Use class	Defined use				
Development under The Noosa Plan					
Residential	Detached house	Residential	3 or more bedroom dwelling unit	\$28,000	Included in adopted charge in Column 4
	Ancillary dwelling unit	Residential	3 or more bedroom dwelling unit	\$28,000	Included in adopted charge in Column 4
			2 bedroom dwelling unit	\$20,000	Included in adopted charge in Column 4
			1 bedroom dwelling unit	\$13,000	Included in adopted charge in Column 4
Residential	Multiple housing - Type 1 Relative or employee	Residential	dwelling unit	Ancillary to & included in Detached House	Included in adopted charge in Column 4

Noosa Shire Council
Adopted Infrastructure Charges Resolution (No. 1) 2014

Column 1 Use under an applicable local planning instrument		Column 2 Development class	Column 3 Unit of measure	Column 4 Adopted charge for transport, public parks and land for community facilities, water supply and sewerage networks (\$ per unit of measure)	Column 5 Adopted charge for stormwater network (\$ per m ² of impervious area)
Use class	Defined use				
	Multiple housing - Type 2 Duplex	Residential	3 or more bedroom dwelling unit	\$28,000	Included in adopted charge in Column 4
			2 bedroom dwelling unit	\$20,000	Included in adopted charge in Column 4
			1 bedroom dwelling unit	\$13,000	Included in adopted charge in Column 4
	Multiple housing - Type 3 Retirement and special needs (aged care facility) ⁽³⁾	Essential services ⁽³⁾	m ² GFA	\$140	\$10
	Multiple housing - Type 3 Retirement and special needs (residential retirement village) ⁽³⁾	Long term accommodation ⁽³⁾	3 or more bedroom dwelling unit	\$28,000	Included in adopted charge in Column 4
			2 bedroom dwelling unit	\$20,000	Included in adopted charge in Column 4
			1 bedroom dwelling unit	\$13,000	Included in adopted charge in Column 4
	Multiple housing - Type 4	Residential	3 or more bedroom dwelling unit	\$28,000	Included in adopted charge in Column 4
			2 bedroom dwelling unit	\$20,000	Included in adopted charge in Column 4
			1 bedroom dwelling unit	\$13,000	Included in adopted charge in Column 4
	Multiple housing - Type 5 Relocatable	Long term accommodation	3 or more bedroom dwelling unit	\$28,000	Included in adopted charge in Column 4
			2 bedroom dwelling unit	\$20,000	Included in adopted charge in Column 4
1 bedroom dwelling unit			\$13,000	Included in adopted charge in Column 4	
Visitor accommodation - Type 1 Home hosted	Short term accommodation	\$10 000 per suite (with 1 or 2 bedrooms), or \$14 000 per suite (with 3 or more bedrooms) or \$10 000 per bedroom (for a bedroom that is not within a suite)		Included in adopted charge in Column 4	
Visitor accommodation - Type 2 Caravan park	Short term accommodation	\$10 000 per 1 or 2 tent/caravan sites or \$14 000 per 3 tent/caravan sites or \$10 000 per 1 or 2 bedroom cabin or \$14 000 per 3 or more bedroom cabin		Included in adopted charge in Column 4	
Visitor accommodation - Type 3 Rural	Short term accommodation	\$10 000 per suite (with 1 or 2 bedrooms) or \$14 000 per suite (with 3 or more bedrooms)		Included in adopted charge in Column 4	

Noosa Shire Council
Adopted Infrastructure Charges Resolution (No. 1) 2014

Column 1 Use under an applicable local planning instrument		Column 2 Development class	Column 3 Unit of measure	Column 4 Adopted charge for transport, public parks and land for community facilities, water supply and sewerage networks (\$ per unit of measure)	Column 5 Adopted charge for stormwater network (\$ per m ² of impervious area)
Use class	Defined use				
			or \$10 000 per bedroom (for a bedroom that is not within a suite)		
Residential	Visitor accommodation - Type 4 Conventional	Short term accommodation	\$10 000 per suite (with 1 or 2 bedrooms) or \$14 000 per suite (with 3 or more bedrooms) or \$10 000 per bedroom (for a bedroom that is not within a suite)	Included in adopted charge in Column 4	
Agricultural	Cultivation - Type 1 Traditional	Low impact rural	Nil	Nil	Nil
	Cultivation - Type 2 Intensive	Low impact rural	Nil	Nil	Nil
	Animal husbandry - Type 1 Traditional	Low impact rural	Nil	Nil	Nil
	Animal husbandry - Type 2 Intensive	High impact rural	m ² GFA	\$20	Nil
	Forestry - Type 1 Native	Low impact rural	Nil	Nil	Nil
	Forestry - Type 2 Plantation	Low impact rural	Nil	Nil	Nil
Business	Commercial business - Type 1 Office	Commercial (office)	m ² GFA	\$140	\$10
	Commercial business - Type 2 Medical	Essential services	m ² GFA	\$140	\$10
	Commercial business - Type 3 Veterinary	Essential services	m ² GFA	\$140	\$10
	Entertainment and dining business - Type 1 Food & beverages	Commercial (retail)	m ² GFA	\$180	\$10
	Entertainment and dining business - Type 2 Recreation, amusement and fitness ⁽²⁾	Indoor sport & recreation facility ⁽²⁾	m ² GFA	\$140 (excluding court areas) \$20 (court areas)	\$10
	Entertainment and dining business - Type 3 Bar	Entertainment	m ² GFA	\$200	\$10
	Home-based business - Type 1 Limited visibility	Minor uses	Nil	Nil	Nil
	Home-based business - Type 2 Evident	Minor uses	Nil	Nil	Nil
	Home-based business - Type 3 Significant scale	Minor uses	Nil	Nil	Nil
	Industrial business - Type 1 Warehouse	Industry	m ² GFA	\$50	\$10
	Industrial business - Type 2 Production, alteration, repackaging and repairing	Industry	m ² GFA	\$50	\$10
	Industrial business - Type 3 Extractive	Special uses	the charge (in column 4) for the charge category (in columns 1 & 2) that the local government determines should apply for the use at the time of assessment		\$10

Noosa Shire Council
Adopted Infrastructure Charges Resolution (No. 1) 2014

Column 1 Use under an applicable local planning instrument		Column 2 Development class	Column 3 Unit of measure	Column 4 Adopted charge for transport, public parks and land for community facilities, water supply and sewerage networks (\$ per unit of measure)	Column 5 Adopted charge for stormwater network (\$ per m ² of impervious area)
Use class	Defined use				
Business	Retail business - Type 1 Local	Commercial (retail)	m ² GFA	\$180	\$10
	Retail business - Type 2 Shop & salon	Commercial (retail)	m ² GFA	\$180	\$10
	Retail business - Type 3 Landscape and rural	Commercial (bulk goods)	m ² GFA	\$140	\$10
	Retail business - Type 4 Showroom	Commercial (bulk goods)	m ² GFA	\$140	\$10
	Retail business - Type 5 Vehicle uses a) Standard	Commercial (bulk goods)	m ² GFA	\$140	\$10
	Retail business - Type 5 Vehicle uses b) If a Service Station	Commercial (retail)	m ² GFA	\$180	\$10
	Retail business - Type 6 Hardware Store	Commercial (bulk goods)	m ² GFA	\$140	\$10
	Retail business - Type 7 Garden	Commercial (bulk goods)	m ² GFA	\$140	\$10
Community	Education - Type 1 Childcare	Education	m ² GFA	\$140	\$10
	Education - Type 2 School	Education	m ² GFA	\$140	\$10
	Education - Type 3 Adult	Education	m ² GFA	\$140	\$10
	Education - Type 4 Information	Education	m ² GFA	\$140	\$10
	Emergency service - Type 1 Station	Essential services	m ² GFA	\$140	\$10
	Emergency service - Type 2 Shed	Essential services	m ² GFA	\$140	\$10
	Open space - Type 1 Sport and recreation ⁽²⁾	Special uses ⁽²⁾	the charge (in column 4) for the charge category (in columns 1 & 2) that the local government determines should apply for the use at the time of assessment		\$10
	Open space - Type 2 Camp ground	Short term accommodation	\$10 000 per 1 or 2 tent/caravan sites or \$14 000 per 3 tent/caravan sites or \$10 000 per 1 or 2 bedroom cabin or \$14 000 per 3 or more bedroom cabin		Included in adopted charge in Column 4
	Wellbeing - Type 1 Health (hospital, hospice etc)	Essential services	m ² GFA	\$140	\$10
	Wellbeing - Type 2 Social (arts and crafts, community meeting hall CWA etc)	Assembly	m ² GFA	\$70	\$10
	Wellbeing - Type 3 Worship	Assembly	m ² GFA	\$70	\$10
Wellbeing - Type 4 Funeral	Assembly	m ² GFA	\$70	\$10	
Infrastructure	Service & utility - Type 1 Depot	Industry	m ² GFA	\$50	\$10
	Service & utility - Type 2 Installation	Special uses	the charge (in column 4) for the charge category (in columns 1 & 2) that the local		\$10

*Noosa Shire Council
Adopted Infrastructure Charges Resolution (No. 1) 2014*

Column 1 Use under an applicable local planning instrument		Column 2 Development class	Column 3 Unit of measure	Column 4 Adopted charge for transport, public parks and land for community facilities, water supply and sewerage networks (\$ per unit of measure)	Column 5 Adopted charge for stormwater network (\$ per m ² of impervious area)
Use class	Defined use				
			government determines should apply for the use at the time of assessment		
	Service & utility - Type 3 Tower	Minor uses	Nil	Nil	Nil
	Service & utility - Type 4 Treatment, recycling & disposal;	Special uses	the charge (in column 4) for the charge category (in columns 1 & 2) that the local government determines should apply for the use at the time of assessment		\$10
Infrastructure	Transport - Type 1 Passenger terminal	Special uses	the charge (in column 4) for the charge category (in columns 1 & 2) that the local government determines should apply for the use at the time of assessment		\$10
	Transport - Type 2 Carpark	Special uses	the charge (in column 4) for the charge category (in columns 1 & 2) that the local government determines should apply for the use at the time of assessment		\$10
	Transport - Type 3 Depot	Industry	m ² GFA	\$50	\$10
	Transport - Type 4 Aeronautical	Special uses	the charge (in column 4) for the charge category (in columns 1 & 2) that the local government determines should apply for the use at the time of assessment		\$10

Note:

- (1) Where connection to the water supply or sewerage networks is not provided, Table 13.1 Column 4 adopted charges is reduced by 20% for each network not provided
- (2) Sport and recreation uses are exempt from "Public Parks and Land for Community Facilities" network proportion of the adopted charge.
- (3) For Retirement and residential care developments, the net charge payable for Council "Transport" and "Public Parks and Land for Community Facilities" networks is reduced to 70% of the standard calculated charge apportioned to those networks.
- (4) Development that is for provision of "trunk" infrastructure is exempt from and not subject to payment of infrastructure charges.

14. Schedule of maps

The maps defining the Priority Infrastructure Areas are detailed in the Priority Infrastructure Plan for the specified Local Government Planning Scheme.

15. Schedule of works for trunk infrastructure

The schedule of works for trunk infrastructure are detailed in the Priority Infrastructure Plan for the specified Local Government Planning Scheme.

16. Schedule of trunk infrastructure plans

The plans for trunk infrastructure are detailed in the Priority Infrastructure Plan for the specified Local Government Planning Scheme.

17. Schedule of future development assumptions

17.1 Future development assumptions

- (1) The future development assumptions are detailed in the Priority Infrastructure Plan for the specified Local Government Planning Scheme.