



NOOSA COUNCIL

**Noosa Shire Council
Charges Resolution (No.4) 2019**

Effective Date: 23 September 2019

Noosa Shire Council Charges Resolution (No.4) 2019

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Part 1 Introduction

1. Preliminary

1.1 Short title

The charges resolution may be cited as *Noosa Shire Council Charges Resolution (No. 4) 2019*.

1.2 Planning Legislation

- (1) The resolution is made pursuant to section 113 of the *Planning Act 2016*.
- (2) The resolution is to be read in conjunction with the following:
 - (a) the *Planning Regulation 2017*;
 - (b) the applicable local planning instrument.
- (3) The resolution is attached to but does not form part of the applicable local planning instrument.

1.3 Effect

The amended resolution has effect from 23 September 2019.

1.4 Purpose of the resolution

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

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

- (1) In this resolution:

adopted charge rate means the charge to be applied for the purpose of calculating a levied charge as stated in section 8.3 (Council adopted charge rate).

applicable local planning instrument means *The Noosa Plan 2006 planning scheme*.

base date means the date being:

- (a) The date for the financial year applying to the adopted charge rates specified in section 10.4 (Schedule of Council Adopted Infrastructure Charges (under breakup agreement)).
- (b) The date stated in the LGIP for estimates of the establishment costs for the local government's trunk infrastructure networks;
- (c) The date stated in the Netserve Plan for estimates of the establishment costs for the distributor-retailer's trunk infrastructure networks.

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)

breakup agreement means the agreement between the local government and the distributor-retailer determining the proportion of the maximum adopted charges to apply to each entity.

charges resolution see *Planning Act 2016* section 113 (1).

Council means Noosa Shire Council.

credit means the amount to be applied for the purpose of reducing 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 (Credit) and 8.5 (Additional credit for past contribution or charge).

demand means the deemed usage of the trunk infrastructure networks by the development on the premises and correlates to the charge rates for the use/s stated in section 8.3 (Council adopted charge rate) for the purpose of calculating the levied charge stated in section 8.2 (Calculation of Council levied charge).

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 food preparation facilities as well as other living and sleeping space to accommodate one or more persons.

establishment cost see schedule 2 (Dictionary) of the *Planning Act 2016*.

gross floor area (GFA) means the sum of the floor areas (inclusive of all walls, columns and balconies, whether roofed or not) of all stories of every building and/or structure attributable to the development use located on a site, excluding the areas (if any) used for building services, a ground floor public lobby, a public mall in a shopping centre, and areas associated with the parking, loading and manoeuvring of motor vehicles.

habitable room (as defined in the Local planning instrument) 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, bitumen or other type of sealed areas.

lawful use see schedule 2 (Dictionary) of the *Planning Act 2016*.

levied charge see Planning Act 2016 section 119 (12).

Local government infrastructure plan (LGIP) means part of the specified local government planning scheme as defined in Schedule 2 Dictionary of the *Planning Act 2016*.

Local planning instrument means the: The Noosa Plan 2006 planning scheme.

Netserv plan means the distributor-retailer's plan and its service about its water and wastewater networks as required by the South-East Queensland Water (Distribution and Retail Restructuring) Act 2009.

planned date means the date scheduled for the provision of trunk infrastructure stated in the schedule of works for trunk infrastructure referenced in the LGIP.

Planning Regulation means the Planning Regulation 2017 made under the Planning Act 2016.

prescribed form means a form prescribed by the Council.

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

- (2) A term defined in the *Planning Act 2016* which is used in the resolution has the meaning given in the *Planning Act 2016*.
- (3) If a term is not defined in the resolution, Local planning instrument or the *Planning Act 2016* 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.

2. Application of the adopted infrastructure charge

2.1 Purpose

Section 2 states the following:

- (a) that Chapter 4 of the *Planning Act 2016* 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 and charge categories under Schedule 16 of the Planning Regulation.

2.2 Effect of the Chapter 4 of the *Planning Act 2016* in the local government area

Chapter 4 of the *Planning Act 2016* applies to all of the local government area.

2.3 Application of the resolution to the local government area

The resolution applies to all development in the local government area.

2.4 Application to particular development

The Council may levy an 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;

- (d) other development approval.

2.5 Categorisation of uses to development classes

- (1) A use under the local planning instrument as stated in column 1 of Table 10.3 (Schedule of Council adopted charges) is included within the Schedule 16 of the Planning Regulation charge category stated in column 2 of Table 10.3 (Schedule of Council adopted charges).
- (2) The Council and the distributor-retailer are to allocate a use not otherwise stated under subsection (1) to another similar use that the local government or distributor-retailer decides to apply to the use (*refer to Schedule 16 of the Planning Regulation 2017*).

3. Assumptions about future development

3.1 Purpose

Section 3 states the assumptions about the type, scale, location and timing of future development.

3.2 Development assumptions about future development

- (a) the type, scale, location and timing of future development is identified in the LGIP and/or local planning instrument
- (b) development inconsistent with the type, scale, location or timing identified in the LGIP and/or local planning instrument will be subject to assessment for conditions for extra trunk infrastructure costs in accordance with Chapter 4 of the *Planning Act 2016*.

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 LGIP.

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 levied 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 LGIP and Netserv Plan.

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 LGIP and Netserv Plan.

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 LGIP and Netserv Plan.

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 LGIP and Netserv Plan.

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 LGIP and Netserv Plan.

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

Q_{ROL} is the total no of lots.

C is the credit stated in section 8.4 (Credit).

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. The stormwater charge will be calculated and issued on a subsequent material change of use or building work approval when the impervious area is able to be determined.

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

$$LC_R = (\text{Sum}(AC_R \times Q_R) \text{ for each defined use}) - C$$

Where:

LC_R is the 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 (Council adopted charge rate).

Q_R is the residential quantity for each defined use.

C is the credit stated in section 8.4 (Credit).

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

$$LC = LC_{NR} + LC_{SW}$$

Where:

LC is the infrastructure charge that may be levied for the total development

$$LC_{NR} = (\text{Sum of } (AC_4 \times Q_4) \text{ for each defined use}) - C_4$$

$$LC_{SW} = (AC_{SW} \times Q_{SW}) - C_{SW}$$

LC_{NR} is the 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 networks.

LC_{SW} is the levied charge for a material change of use or building work for non-residential development for the stormwater network.

- AC₄ 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 (Council adopted charge rate) for the transport, public parks and land for community facilities 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 (Council adopted charge rate) for the stormwater network.
- Q₄ is the non-residential quantity for each defined use.
- Q_{SW} is the impervious area of the development.
- C₄ is the credit stated in section 8.4 (Credit) for the transport, public parks and land for community facilities networks.
- C_{SW} is the credit stated in section 8.4 (Credit) for the stormwater network.
- (4) An infrastructure charge is only levied if the calculation in sub-sections (1), (2) and (3) results in an amount greater than \$zero (i.e. no refund applies should the calculated charge result in a negative amount).

8.3 Council adopted charge rate

The adopted charge rate for:

- (a) reconfiguring a lot, is the amount stated equivalent to a Residential (3 or more bedroom dwelling unit) in Table 10.3 (Schedule of Council adopted charges);
- (b) a material change of use or building work for:
- (i) residential development, is stated in Table 10.3 (Schedule of Council adopted charges);
- (ii) non-residential development other than special uses, is stated in Table 10.3 (Schedule of Council adopted charges), which comprises the following:
- (A) the adopted charge rate for the transport, public parks and land for community facilities networks; and
- (B) the adopted charge rate for the stormwater network;
- (iii) non-residential development being other uses or development not otherwise identified in paragraphs (i) or (ii):
- (A) the adopted charge rate for the transport, public parks and land for community facilities networks being the prescribed amount for another similar use that the local government decides to apply to the use (*refer to Schedule 16 of the Planning Regulation 2017*); and
- (B) the adopted charge rate for the stormwater network

8.4 Credit

The credit for the premises is an amount which is the greater of the following:

- (a) the development use & quantity of development of an adopted infrastructure charge previously paid for the development of the premises;
- (b) where the premises is subject to an existing lawful use or previous lawful use no longer taking place for:
 - (i) residential development, the amount stated for an adopted charge in Table 10.3 (Schedule of Council adopted charges) for the lawful use;
 - (ii) non-residential development other than special uses, the amount stated for an adopted charge in Table 10.3 (Schedule of Council adopted charges) for the lawful use;
 - (iii) non-residential development being other uses or development not otherwise identified in paragraphs (i) or (ii), the prescribed amount for another similar use that the local government decides to apply to the use (*refer to Schedule 16 of the Planning Regulation 2017*).

The onus remains with the applicant to provide full details and evidence as to the extent and lawfulness of any claim for a credit for a previous use no longer taking place.

- (c) where the premises is not subject to an existing or previous lawful use:
 - (i) for residential development, the amount applicable for a residential lot stated for Residential (3 or more bedroom dwelling unit) in Table 10.3 (Schedule of Council adopted charges) applicable to a single residential lot provided the lot is capable of having a dwelling house built on the lot in compliance the planning scheme requirements;
 - (ii) for non-residential development, no credit applies.

8.5 Additional credit for past contribution or charge

For a past contribution and or charge relating to “current” trunk infrastructure that has been paid for a particular trunk network under a previous charging regime that exceeds the credit applied under section 8.4 (Credit), an “additional credit” against the adopted charge for the particular network will be recognised. The amount of the credit 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 credit applied under section 8.4 (credit).

The amount of the credit 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 levied charge

9.1 Purpose

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

9.2 Subsidy for a levied charge

The Council's policy statement in respect of a subsidy for a levied infrastructure charge is stated in *Council Policy Document - Infrastructure Charges Rebates for Community Organisations* in effect at the time of levying the infrastructure charge.

9.3 Time of payment of a levied charge

A levied infrastructure charge is payable in accordance with the *Planning Act 2016* at the following time:

- (a) if the charge applies to reconfiguring a lot — when the Council approves the plan for the reconfiguration that, under the Land Title Act, is required to be given to Council for approval; or
- (b) if the charge applies to building work — the sooner of: when the certificate of classification or final inspection certificate for the building work is given under the Building Act or prior to occupancy; or
- (c) if the charge applies to a material change of use — when the change happens; or
- (d) if the charge applies for other development, on the day stated in the infrastructure charges notice under which the charge is levied.

9.4 Alternatives to paying a levied charge

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 infrastructure charge.

9.5 Automatic increase provision of levied charge

The levied infrastructure charge is subject to an automatic increase provision (indexation) as permitted under the legislation. The automatic increase provision is applied as follows:

- (1) The infrastructure charge is first calculated using the adopted charge rates at the base date and indexed to the Financial Year current at the time of issue of the infrastructure charge notice;
- (2) The issued infrastructure charge is subject to further indexation from the date of issue until the date of payment.
- (3) Indexation is applied annually per Financial Year using variations applicable to the "maximum amount" possible to be issued under the Planning Regulation 2017 as amended in accordance with the legislation from the stipulated base date to the time of issue and payment.

10. Allocation of adopted infrastructure charge (breakup agreement)

10.1 Purpose

Section 10 states how the adopted infrastructure charge of the Council and the distributor-retailer is to be allocated in accordance with the breakup agreement.

10.2 Allocation of adopted infrastructure charge to the Council and the distributor-retailer (breakup agreement)

- (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 (breakup agreement) to the Council and the distributor-retailer). For non-residential development, this proportion of the adopted charge excludes the stormwater network which is calculated separately and allocated 100% to Council.
- (2) The levied charge is calculated and issued separately by the Council and distributor-retailer as applying to their respective infrastructure networks in accordance with the breakup agreement.
- (3) Where development is not connected to the water and sewerage networks, the levied charge issued by distributor-retailer is reduced as determined by the distributor-retailer.

Table 10.1 Apportionment of adopted infrastructure charge (breakup agreement) to the Council and the Distributor-Retailer (Unitywater)

Column 1 Applicable local planning instrument	Column 2 Planning areas	Column 3 *Apportionment of adopted infrastructure charge for Non-Residential Development				Column 4 Apportionment of adopted infrastructure charge for:	
		Retail, Commercial and Entertainment Uses (Retail, Office, Bulk Goods, Showroom, Entertainment)		Industry Uses		a) Residential development; and	b) *Non-Residential development not otherwise specified in Column 3
		Noosa Shire Council (%)	Distributor-Retailer (Unitywater) (%)	Noosa Shire Council (%)	Distributor-Retailer (Unitywater) (%)	Noosa Shire Council (%)	Distributor-Retailer (Unitywater) (%)
The Noosa Plan	All Areas in Noosa Shire	85	15	64	36	60	40

Note:

* For **Non-Residential** development, the adopted infrastructure charge apportionment excludes stormwater which is calculated and allocated separately 100% to Council.

10.3 Allocation of levied charge to trunk infrastructure networks

Infrastructure charges are provided for provision of trunk infrastructure in accordance with the breakup agreement for:

- (a) distributor-retailer trunk infrastructure, in accordance with Unitywater’s Netserv Plan and Infrastructure Charges Schedule as determined by Unitywater.
- (b) Council trunk infrastructure, in accordance with Council’s LGIP and generally with Table 10.2 (*Allocation of Council levied charge to trunk infrastructure networks*). The final allocation and spending of infrastructure charges collected for trunk infrastructure will be determined and administered by Council’s Finance Department.

Table 10.2 Allocation of Council levied charge to trunk infrastructure networks

Column 1 Infrastructure charge	Column 2 Allocation of Council infrastructure charge to trunk infrastructure networks		
	Transport (%)	Public parks and land for community facilities (%)	#Stormwater (%)
Infrastructure charge for Residential development: (a) reconfiguring a lot; or (b) a material change of use; or (c) building work	40	50	10
Infrastructure charge for Non-Residential development : (a) reconfiguring a lot	85	15	*N/A
Infrastructure charge for Non-Residential development for: (b) a material change of use; or (c) building work	85	15	Calculated Separately 100%

Note:

* The **Non-Residential** Stormwater charge is normally unable to be calculated on a reconfiguration of a lot approval. This charge will therefore be calculated and applied on subsequent development permits for material change of use or building work when the impervious area is able to be determined.

The Stormwater component of the charge will only apply to development located inside the PIA.

10.4 Schedule of Council Adopted Infrastructure Charges (under breakup agreement)

Table 10.3 (Schedule of Council adopted charges) states the development class for a use under The Noosa Plan, planning scheme and the adopted charge at the base date of 1 July 2019 for the 2019-2020 Financial Year applying to Council networks in accordance with the “charges breakup” agreement.

Table 10.3 Schedule of Council adopted charges

Column 1 Use under The Noosa Plan		Column 2 Development class	Column 3 Unit of measure	Column 4 Planning Regulation Prescribed Amount for Adopted Charge (Financial Year 2019-2020) (\$ per unit of measure)	Column 5 <u>COUNCIL APPORTIONMENT</u> Per Table 10.1 (Charges breakup) of Prescribed Amount in Column 4 (%)	Column 6 <u>COUNCIL CHARGE</u> Per Table 10.1 (Charges breakup) of Prescribed Amount in Column 4 (\$ per unit of measure)	Column 7 Planning Regulation Prescribed Amount for Adopted Charge Stormwater (Non-Residential) Adopted by <u>COUNCIL</u> (\$ per m ² impervious area)
Use class	Defined use						
Residential - Reconfiguration of a Lot			Lot <i>(equivalent to a 3 or more bedroom dwelling)</i>	\$29,339.55	60%	\$17,603.73	N/A
Non-residential - Reconfiguration of a Lot			Lot <i>(equivalent to a 3 or more bedroom dwelling)</i>	\$29,339.55	60%	\$17,603.73	Nil <i>(to be calculated and applied on subsequent development permits that determines impervious areas)</i>
Residential	<ul style="list-style-type: none"> • Detached house • Community residence • Ancillary dwelling unit & Multiple housing • Type 2 Duplex • Type 4 Conventional • Type 5 Relocatable 	Residential	3 or more bedroom dwelling	\$29,339.55	60%	\$17,603.73	N/A
			2 bedroom dwelling	\$20,956.80	60%	\$12,574.08	N/A
			1 bedroom dwelling	\$20,956.80	60%	\$12,574.08 Reduced by Council to \$8,560.00	N/A
			Secondary dwelling to a detached house	\$20,956.80	60%	\$12,574.08 Reduced by Council to \$6,249.00	N/A
	Multiple housing	Essential services	m ² GFA	\$146.70	60%	\$88.02 Reduced by Council to \$65.44	\$10.25

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Column 1 Use under The Noosa Plan		Column 2 Development class	Column 3 Unit of measure	Column 4 Planning Regulation Prescribed Amount for Adopted Charge (Financial Year 2019-2020) (\$ per unit of measure)	Column 5 <u>COUNCIL</u> <u>APPORTIONMENT</u> Per Table 10.1 (Charges breakup) of Prescribed Amount in Column 4 (%)	Column 6 <u>COUNCIL</u> <u>CHARGE</u> Per Table 10.1 (Charges breakup) of Prescribed Amount in Column 4 (\$ per unit of measure)	Column 7 Planning Regulation Prescribed Amount for Adopted Charge Stormwater (Non-Residential) Adopted by <u>COUNCIL</u> (\$ per m ² impervious area)
Use class	Defined use						
Residential	Multiple housing • Type 3 Retirement and special needs (retirement village)	Long term accommodation	3 or more bedroom dwelling	\$29,339.55	60%	\$17,603.73 Reduced by Council to \$13,458.00	N/A
			2 bedroom dwelling	\$20,956.80	60%	\$12,574.08 Reduced by Council to \$9,613.00	N/A
			1 bedroom dwelling	\$20,956.80	60%	\$12,574.08 Reduced by Council to \$6,249.00	N/A
	Visitor accommodation • Type 1 Home hosted • Type 2 Caravan park • Type 3 Rural • Type 4 Conventional	Short term accommodation	per suite (with 1 or 2 bedrooms)	\$10,478.40	60%	\$6,287.04	N/A
			per suite (with 3 or more bedrooms)	\$14,669.75	60%	\$8,801.85	
			per bedroom (for a bedroom that is not within a suite)	\$10,478.40	60%	\$6,287.04	
			per 1 or 2 tent/caravan sites	\$10,478.40	60%	\$6,287.04	N/A
			per 3 tent/caravan sites	\$14,669.75	60%	\$8,801.85	
			per 1 or 2 bedroom cabin	\$10,478.40	60%	\$6,287.04	
			per 3 or more bedroom cabin	\$14,669.75	60%	\$8,801.85	

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Column 1 Use under The Noosa Plan		Column 2 Development class	Column 3 Unit of measure	Column 4 Planning Regulation Prescribed Amount for Adopted Charge (Financial Year 2019-2020) (\$ per unit of measure)	Column 5 <u>COUNCIL APPORTIONMENT</u> Per Table 10.1 (Charges breakup) of Prescribed Amount in Column 4 (%)	Column 6 <u>COUNCIL CHARGE</u> Per Table 10.1 (Charges breakup) of Prescribed Amount in Column 4 (\$ per unit of measure)	Column 7 Planning Regulation Prescribed Amount for Adopted Charge Stormwater (Non-Residential) Adopted by <u>COUNCIL</u> (\$ per m ² impervious area)
Use class	Defined use						
Agricultural	Cultivation • Type 1 Traditional	Low impact rural	N/A	Nil	Nil	Nil	Nil
	Cultivation • Type 2 Intensive	High impact rural	m ² GFA	\$20.90	60%	\$12.54	Nil
	Animal husbandry • Type 1 Traditional	Low impact rural	N/A	Nil	Nil	Nil	Nil
	Animal husbandry • Type 2 Intensive	High impact rural	m ² GFA	\$20.90	60%	\$12.54	Nil
	Forestry • Type 1 Native • Type 2 Plantation	Low impact rural	N/A	Nil	Nil	Nil	Nil
Business	Commercial business • Type 1 Office	Commercial (office)	m ² GFA	\$146.70	85%	\$124.69	\$10.50
	Commercial business • Type 2 Medical • Type 3 Veterinary	Essential services	m ² GFA	\$146.70	60%	\$88.02	\$10.50
	Entertainment and dining business • Type 1 Food & beverages	Commercial (retail)	m ² GFA	\$188.60	85%	\$160.31	\$10.50
	Entertainment and dining business • Type 2 Recreation, amusement and fitness	Indoor sport & recreation facility	m ² GFA (excluding court areas)	\$209.55	60%	\$125.73 Reduced by Council to \$78.74	\$10.50
			m ² GFA (court areas)	\$20.90	60%	\$12.54 Reduced by Council to \$11.25	
	Entertainment and dining business • Type 3 Bar	Entertainment	m ² GFA	\$209.55	85%	\$178.11	\$10.50

Column 1 Use under The Noosa Plan		Column 2 Development class	Column 3 Unit of measure	Column 4 Planning Regulation Prescribed Amount for Adopted Charge (Financial Year 2019-2020) (\$ per unit of measure)	Column 5 <u>COUNCIL</u> <u>APPORTIONMENT</u> Per Table 10.1 (Charges breakup) of Prescribed Amount in Column 4 (%)	Column 6 <u>COUNCIL</u> <u>CHARGE</u> Per Table 10.1 (Charges breakup) of Prescribed Amount in Column 4 (\$ per unit of measure)	Column 7 Planning Regulation Prescribed Amount for Adopted Charge Stormwater (Non-Residential) Adopted by <u>COUNCIL</u> (\$ per m ² impervious area)
Use class	Defined use						
Business	Home-based business • Type 1 Limited visibility • Type 2 Evident • Type 3 Significant scale	Minor uses	N/A	Nil	Nil	Nil	Nil
	Industrial business • Type 1 Warehouse • Type 2 Production, alteration, repackaging and repairing	Industry	m ² GFA	\$52.40	64%	\$33.53	\$10.50
	Industrial business • Type 3 Extractive	Other uses	m ² GFA	<i>Planning Regulation 2017 – Schedule 16: “The prescribed amount for another similar use listed in column 1 (other than in this row) that the local government decides to apply to the use”.</i> Council has decided the “Industrial Business Type 1 & Type 2” use to be most similar use & appropriate rate.			\$10.50
	Retail business • Type 1 Local • Type 2 Shop & salon	Commercial (retail)	m ² GFA	\$188.60	85%	\$160.31	\$10.50
	Retail business • Type 3 Landscape and rural • Type 4 Showroom • Type 6 Hardware Store • Type 7 Garden	Commercial (bulk goods)	m ² GFA	\$146.70	85%	\$124.69	\$10.50
	Retail business • Type 5 Vehicle uses	a) Standard Commercial (bulk goods)	m ² GFA	\$146.70	85%	\$124.69	\$10.50
		b) Service Station Commercial (retail)	m ² GFA	\$188.60	85%	\$160.31	\$10.50

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Noosa Shire Council
Charges Resolution (No.4) 2019

Column 1 Use under The Noosa Plan		Column 2 Development class	Column 3 Unit of measure	Column 4 Planning Regulation Prescribed Amount for Adopted Charge (Financial Year 2019-2020) (\$ per unit of measure)	Column 5 <u>COUNCIL APPORTIONMENT</u> Per Table 10.1 (Charges breakup) of Prescribed Amount in Column 4 (%)	Column 6 <u>COUNCIL CHARGE</u> Per Table 10.1 (Charges breakup) of Prescribed Amount in Column 4 (\$ per unit of measure)	Column 7 Planning Regulation Prescribed Amount for Adopted Charge Stormwater (Non-Residential) Adopted by <u>COUNCIL</u> (\$ per m ² impervious area)
Use class	Defined use						
Community	Education • Type 1 Childcare • Type 2 School • Type 3 Adult • Type 4 Information	Education	m ² GFA	\$146.70	60%	\$88.02	\$10.50
	Emergency service • Type 1 Station • Type 2 Shed	Essential services	m ² GFA	\$146.70	60%	\$88.02	\$10.50
	Open space • Type 1 Sport and recreation	Other uses	m ² GFA	<i>Planning Regulation 2017 – Schedule 16: “The prescribed amount for another similar use listed in column 1 (other than in this row) that the local government decides to apply to the use”.</i> Council has decided “Entertainment and dining business Type 2 Recreation, amusement and fitness” use to be most similar use & appropriate rate.			\$10.50
	Open space • Type 2 Camp ground	Short term accommodation	per 1 or 2 tent/caravan sites	\$10,478.40	60%	\$6,287.04	N/A
			per 3 tent/caravan sites	\$14,669.75	60%	\$8,801.85	
			per 1 or 2 bedroom cabin	\$10,478.40	60%	\$6,287.04	
			per 3 or more bedroom cabin	\$14,669.75	60%	\$8,801.85	
	Wellbeing • Type 1 Health (hospital, hospice etc)	Essential services	m ² GFA	\$146.70	60%	\$88.02	\$10.50
Wellbeing • Type 2 Social (arts and crafts, community meeting hall CWA etc) • Type 3 Worship • Type 4 Funeral	Assembly	m ² GFA	\$73.35	60%	\$44.01	\$10.50	

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Noosa Shire Council
Charges Resolution (No.4) 2019

Column 1 Use under The Noosa Plan		Column 2 Development class	Column 3 Unit of measure	Column 4 Planning Regulation Prescribed Amount for Adopted Charge (Financial Year 2019-2020) (\$ per unit of measure)	Column 5 COUNCIL APPORTIONMENT Per Table 10.1 (Charges breakup) of Prescribed Amount in Column 4 (%)	Column 6 COUNCIL CHARGE Per Table 10.1 (Charges breakup) of Prescribed Amount in Column 6 (\$ per unit of measure)	Column 7 Planning Regulation Prescribed Amount for Adopted Charge Stormwater (Non-Residential) Adopted by COUNCIL (\$ per m ² impervious area)
Use class	Defined use						
Infrastructure	Service & utility • Type 1 Depot	Industry	m ² GFA	\$52.40	64%	\$33.53	\$10.50
	Service & utility • Type 2 Installation • Type 4 Treatment, recycling & disposal;	Other uses	m ² GFA	<i>Planning Regulation 2017 – Schedule 16: “The prescribed amount for another similar use listed in column 1 (other than in this row) that the local government decides to apply to the use”.</i> Council has decided the “Industrial Business Type 1 & Type 2” use to be most similar use & appropriate rate.			\$10.50
	Service & utility • Type 3 Tower	Minor uses	N/A	Nil	Nil	Nil	Nil
	Transport • Type 1 Passenger terminal • Type 2 Carpark • Type 4 Aeronautical	Other uses	m ² GFA	<i>Planning Regulation 2017 – Schedule 16: “The prescribed amount for another similar use listed in column 1 (other than in this row) that the local government decides to apply to the use”.</i> Council has decided the “Industrial Business Type 1 & Type 2” use to be most similar use & appropriate rate.			\$10.50
	Transport • Type 3 Depot	Industry	m ² GFA	\$52.40	64%	\$33.53	\$10.50

Note:

- (1) Development that is for provision of “trunk” infrastructure is exempt from and not subject to payment of infrastructure charges.
- (2) Table 10.3 charges are specified at the base date of 1 July 2019 for the 2019-2020 Financial Year and are subject to indexation in accordance with clause 9.5 Automatic increase provision of levied charge.
- (3) The Stormwater component of the charge will only apply to development located inside the PIA.

Part 4 Offset and refund for Council trunk infrastructure

11. Infrastructure offset

11.1 Purpose

Section 11 states the Council's policy for calculating the establishment cost for an infrastructure offset for provision of trunk infrastructure.

11.2 Application of section

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

- (a) requires trunk infrastructure to be provided under a necessary infrastructure condition of a development approval, that services or is planned to service premises other than the subject premises; and;
- (b) a levied infrastructure charge applies to the development.

11.3 Establishment cost for an infrastructure offset

The establishment cost for determining offsets for provision of trunk infrastructure required in a necessary infrastructure condition shall be the establishment cost identified in the LGIP or Netserv Plan and indexed to the reference date of the issued infrastructure charges notice.

11.4 Recalculation of establishment cost for an infrastructure offset

- (1) Where a notice is given by an applicant under s. 657 of SPA requesting a recalculation of the establishment cost for the trunk infrastructure that is works, the recalculated amount shall be the pre-market estimate of the work as follows: 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 applicant:
 - (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.
 - (iii) If the Council agrees with the applicant's Pre-Market Estimate, it becomes the establishment cost of the infrastructure.
- (d) If the Council does not agree with the applicant's Pre-Market Estimate, the Council will provide its own alternative Pre-Market Estimate to the applicant. If the applicant agrees with the Council's alternative Pre-Market Estimate, it becomes the establishment cost of the infrastructure.
- (e) If agreement cannot be reached on the Pre-Market Estimate, an independent assessor is to be appointed by agreement between the

Council and the applicant to determine the estimate. The cost of this independent assessment is to be equally shared between the local authority and the applicant and the amended cost estimate determined by the independent assessor becomes the establishment cost of the infrastructure.

However, if the Council and the applicant cannot reach agreement on the appointment of an independent assessor, the establishment cost of the infrastructure is determined by calculating the average of the previous two cost estimates prepared on behalf of the applicant and the Council respectively.

- (2) Where a notice is given by an applicant under s. 657 of SPA requesting a recalculation of the establishment cost for the trunk infrastructure that is land, the recalculated amount shall be the value estimated for the land based on the pre-approved and pre-developed state of the land as follows:
- a) The applicant, at their own cost, must provide to the Council a valuation of the specified land undertaken by a certified practicing valuer. If the Council accepts the valuation, the valuation is the establishment cost of the infrastructure.
 - (b) If the Council does not agree with the applicant's valuation, the Council will provide its own alternative valuation to the applicant. If the applicant agrees with the Council's alternative Pre-Market Estimate, it becomes the establishment cost of the infrastructure.
 - (c) If agreement cannot be reached on the valuation, an independent assessor is to be appointed by agreement between the Council and the applicant to determine the estimate. The cost of this independent assessment is to be equally shared between the local authority and the applicant and the amended valuation estimate determined by the independent assessor becomes the establishment cost of the infrastructure.

However, if the Council and the applicant cannot reach agreement on the appointment of an independent assessor, the establishment cost of the infrastructure is determined by calculating the average of the previous two valuation estimates prepared on behalf of the applicant and the Council respectively.

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 provision of trunk infrastructure.

12.2 Application of section

Section 12 applies where:

- (a) the development to which the trunk infrastructure relates has been lawfully completed;
- (b) the trunk infrastructure is planned under this document to service the development of other premises and has been completed and handed over to Council;
- (c) the amount of the value of an infrastructure offset has not been fully offset against a levied infrastructure charge to which the trunk infrastructure relates.

12.3 Payment of a refund

- (1) A refund will be paid by Council (as applicable) to the applicant in accordance with the following:
 - (a) the refund will not exceed the value of the unused infrastructure offset and is not subject to indexation;
 - (b) The amounts and timing of refund payments will be made as follows:
 - (i) for refund amounts up to \$150,000, the payment will occur in the December quarter in the financial year following completion of the works and handover of the trunk infrastructure to Council; and
 - (ii) for remaining refund balance amounts over \$150,000 up to \$500,000 the payment will occur in the December quarter in the second financial year following completion of the works and handover of the trunk infrastructure to Council; and
 - (iii) for any remaining refund balance amounts over \$500,000, the payment will occur in the December quarter in the third financial year following completion of the works and handover of the trunk infrastructure to Council.

13. CONVERSION APPLICATIONS

13.1 Purpose

Section 13 states the Council's criteria for consideration and assessment of applications to convert non-trunk infrastructure to trunk infrastructure.

13.2 Application of section

- (1) This section applies if:
 - (a) a condition of a development approval requires non-trunk infrastructure to be provided; and
 - (b) the construction of the non-trunk infrastructure has not started.

13.3 Conversion application process

- (1) An applicant may apply to the local government to convert non-trunk infrastructure to trunk infrastructure.
- (2) The application must be made in writing within the required period (see clause 139 of the Planning Act).
- (3) The local government must, within the required period (see clause 140 of the Planning Act), decide the conversion application having regard to the criteria for deciding the application stated in section 13.6.
- (4) At any time before deciding the conversion application, the local government may give a notice to the applicant requiring the applicant to give information that the local government reasonably needs to make the decision (see clause 140 of the Planning Act for notice requirements).

13.4 Notice of decision

- (1) As soon as practicable after deciding the conversion application, the local government must give the applicant notice of the decision.
- (2) If the decision is not to convert non-trunk infrastructure to trunk infrastructure, the notice must be an information notice about the decision.
- (3) If the decision is to convert non-trunk infrastructure to trunk infrastructure, the written notice must state:
 - (a) that the infrastructure is trunk infrastructure
 - (b) if the infrastructure will be conditioned as a necessary infrastructure condition
 - (c) if an offset or refund applies
 - (d) if an offset or refund applies, the details of that offset or refund.

13.5 Effect of conversion application decision

- (1) If the local government has decided to convert non-trunk infrastructure to trunk infrastructure, it may amend the development approval by imposing a necessary infrastructure condition for the trunk infrastructure.
- (2) If a necessary infrastructure condition is imposed, the local government must give either an infrastructure charges notice or an amended infrastructure charges notice including details of the offset or refund.

13.6 Criteria for deciding a conversion application

- (1) Each of the following criteria must be met for non-trunk infrastructure to be converted to trunk infrastructure :
 - (a) the infrastructure services development that is-
 - (i) consistent with the assumptions about the type, scale, location or timing of future development stated in the LGIP; and
 - (ii) for premises completely inside the PIA.

- (b) construction of the infrastructure has not yet started
 - (c) the infrastructure is inconsistent with the requirements for non-trunk infrastructure stated in clause 145 of the Planning Act.
 - (d) the infrastructure is owned or will be owned by the local government
 - (e) the infrastructure is not temporary infrastructure
 - (f) the infrastructure will be used by other development
 - (g) the type, capacity and function of the infrastructure is:
 - (i) consistent with the trunk infrastructure identified in the local government's LGIP *and the examples of trunk infrastructure identified for a network in Table 13.1*
 - (ii) *inconsistent with the examples of non-trunk infrastructure identified for a network in Table 13.1*
 - (h) the type, size and location of the infrastructure is the most cost effective option for servicing multiple developments in the area.
 - (i) the infrastructure could have been planned by the local government without knowing the detailed layout of lot reconfigurations or the design details for material change of use applications in the area. That is, the infrastructure could have been planned during preparation of the LGIP using only the planned density assumptions stated in the LGIP.
- (2) The **most cost effective option** for trunk infrastructure provision means the least cost option based upon the life cycle cost of the infrastructure required to service future urban development in the area at the desired standard of service.

Table 13.1 – Examples of trunk infrastructure and non-trunk infrastructure for Council's networks

Infrastructure network	Examples of trunk infrastructure	Examples of non-trunk infrastructure
Stormwater	Land and/or works for: <ul style="list-style-type: none"> • the following stormwater infrastructure items which service a minimum of 300 residential lots or equivalent demand: <ul style="list-style-type: none"> ○ Bio-retention swale ○ Channel ○ Culvert ○ Pipe ○ Revegetation ○ Stormwater quality devices ○ Retention basin / wetland ○ Detention basin 	Land and/or works for: <ul style="list-style-type: none"> • Privately owned stormwater infrastructure (e.g. dams, retention basins on private property) • bulk stormwater infrastructure owned by state or state entity • the following stormwater infrastructure items which service less than 300 residential lots or equivalent demand: <ul style="list-style-type: none"> ○ Bio-retention swale ○ Channel ○ Culvert ○ Pipe ○ Revegetation ○ Stormwater quality devices ○ Retention basin / wetland ○ Detention basin

Infrastructure network	Examples of trunk infrastructure	Examples of non-trunk infrastructure
Transport	Land and/or works for: <ul style="list-style-type: none"> • the following local government roads, including associated intersections, roundabouts, bridges and culverts: <ul style="list-style-type: none"> ○ arterial roads ○ sub-arterial roads ○ district collector roads in urban areas having a capacity equal to or greater than 16,000 vpd and servicing a minimum of 300 residential lots or equivalent demand ○ district collector roads in non-urban areas having a capacity equal to or greater than 1,000 vpd and servicing a minimum of 100 residential lots or equivalent demand • standard items associated with the road profile of a local government road specified above, including kerb and channelling, lighting, signage, traffic lights, foot and cycle paths and basic verge plantings • pedestrian and cycle paths which perform a shire wide or district function • bus stops constructed as part of a local government road specified above 	Land and/or works for: <ul style="list-style-type: none"> • State controlled roads • the following local government roads, including associated intersections, roundabouts, bridges and culverts: <ul style="list-style-type: none"> ○ access streets ○ access roads ○ minor collector roads. • standard items associated with the road profile of a local government road specified above including kerb and channelling, lighting, signage, traffic lights, foot and cycle paths and basic verge plantings • bus stops constructed as part of a local government road specified above. • streetscaping • local area traffic management • pedestrian and cycle paths which perform a local neighbourhood function
Public parks and land for community facilities	Land and/or works that ensure the land is suitable for: <ul style="list-style-type: none"> • the following public parks and land for community facilities which service a minimum of 300 residential lots or equivalent demand: <ul style="list-style-type: none"> ○ district recreation park ○ shire wide recreation park ○ district sporting park ○ shire wide sporting park ○ local land for community facilities for the purpose of community halls or centres, public recreation centres and public libraries. • Embellishments necessary to make the above specified public parks safe and useable including: <ul style="list-style-type: none"> ○ footpaths and cycle paths ○ shade structures ○ picnic & play facilities 	Land and/or works for: <ul style="list-style-type: none"> • Privately owned parks • National parks • State forestry areas • Areas within local government owned parks that allow limited public access or do not perform a primary park function (e.g. bushland, waterways and environmental areas) • Any public park or land for community facility which services less than 300 residential lots or equivalent demand Any embellishments for a trunk public park which are not specified as examples of trunk infrastructure.