



NOOSA COUNCIL

**Noosa Shire Council
Charges Resolution (No.7) 2022**

Effective Date: 19 August 2022

Noosa Shire Council Charges Resolution (No.7) 2022

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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.7) 2022*.

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 local planning instrument.
- (3) The resolution is attached to but does not form part of the local planning instrument.

1.3 Effect

The resolution has effect from 19 August 2022.

1.4 Purpose of the resolution

The purpose of the resolution is to assist with the implementation of the 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).

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.

Council means Noosa Shire Council.

court area means the area of premises where the leisure, sport or recreation activity is conducted and excludes the area of the premises not used for conducting the leisure, sport or recreation activity, such as areas for spectators, office or administration, amenities or food and beverages.

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) as the designated demand unit for the purpose of calculating the levied charge stated in section 8.2 (Calculation of Council levied charge). *Refer also to the administrative term "demand unit" in Schedule 4 of the Planning Regulation 2017.*

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

food preparation facilities means an area of a room capable of being used for the preparation of food in a dwelling or in a commercial establishment and generally includes a bench with a plumbed sink and space for a refrigerator (full or mini bar size). It may also utilise hardwired or plug-in type appliances.

gross floor area (GFA) has the meaning defined in *Schedule 24 of the Planning Regulation 2017 and The Noosa Plan 2020*.

habitable room means any room of a dwelling 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.

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 2020 or The Noosa Plan 2006 (*superseded*) 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.

residential lot means a lot that is located in the Low, Medium and High Density Residential Zones, Tourist Accommodation Zone, Rural and Rural Residential Zones.

suite means a single room or a set of connecting rooms that can operate as a single occupancy/tenancy for accommodation purposes.

- (2) A term defined in the *Planning Act 2016* or *Planning Regulation 2017* which is used in the resolution has the meaning given in the *Planning Act 2016* or *Planning Regulation 2017*.
- (3) If a term is not defined in the resolution, Local planning instrument, *Planning Act 2016* or the *Planning Regulation 2017* 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.
- (4) Development that is “capable of being used” for a particular purpose, will be assessed for infrastructure charges applicable to the appropriate planning scheme “use” and/or “administrative” definition.

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 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.

Part 3 Levied charge

8. Levied infrastructure charge

8.1 Purpose

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

- (a) the Council under Chapter 4 of the *Planning Act 2016* for the transport, public parks & land for community facilities and stormwater networks in accordance with the breakup agreement;
- (b) the distributor-retailer under the South-East Queensland Water (Distribution and Retail Restructuring) Act 2009 for the sewerage and water supply networks in accordance with the breakup agreement and Unitywater's Infrastructure Charges Schedule.

An infrastructure charge applies where the development results in an increase in the type/s and/or quantity in use/s on the site and therefore places additional demand on trunk infrastructure. The determination of extra demand on trunk infrastructure correlates directly to the infrastructure charge calculation undertaken in accordance with section 8.2 (Calculation of Council levied charge) and section 8.3 (Council adopted charge rates) in compliance with the planning legislation. Refer also to Queensland State Government Fact Sheet: "*Local government infrastructure framework, Calculating additional demand and existing use credits*".

8.2 Calculation of Council levied charge

Infrastructure charges are calculated and levied separately by the Council and distributor-retailer in accordance with the charges breakup agreement and relevant legislation.

The legislation states: "*A levied charge may be only for extra demand placed on trunk infrastructure that the development will generate.*" In this regard, alternative calculation methodologies may be undertaken according to whether the development approved:

- (a) alters the current development and/or use/s lawfully existing on the premises whereby the calculation needs to consider the new "total" development approved and deduct the previous lawful development;

or alternatively:

- (b) simply only adds to the current development use/s lawfully existing on the premises whereby the calculation may be simplified to just comprise the approved additional development quantity and use/s.

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

$$LC_{ROL} = (AC_{ROL} \times Q_{ROL}) - C$$

Where:

LC_{ROL} is the infrastructure charge levied for reconfiguring a lot.

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 with 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.

9.6 Infrastructure charges taken to be a rate

A levied charge is, for the purpose of its recovery, taken to be rates of the local government that levied the charge. Within the meaning of the Local Government Act, this means:

- (a) an infrastructure charge may be recovered by court action for a debt;
- (b) an infrastructure charge may be recovered from the person for the time being owning the relevant land, regardless of who was the owner or other person upon whom the charges was imposed;
- (c) Interest is payable on overdue payments; and
- (d) If charges are unpaid for 3 years, the land can be sold to recover the outstanding charges.

9.7 Interest on overdue charges

Compound interest calculated daily at the rate stated in “Council’s Revenue Statement” is payable on all overdue infrastructure charges outstanding after the due date for payment stated in the charges notice.

9.8 Goods and services tax

The federal government has determined that rates and utility charges levied by local government will be GST free. Accordingly, no GST is included in infrastructure charges.

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 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	100	Nil	*N/A
Infrastructure charge for Non-Residential development for: (b) a material change of use; or (c) building work	100	Nil	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.

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

Table 10.3 (Schedule of Council adopted charges) states the development use/s, the planning regulation prescribed amount/s and the adopted Council charge at the base date of **1 July 2022** for the **2022-2023 Financial Year** applying to Council networks in accordance with the “charges breakup” agreement.

Table 10.3 Schedule of Council adopted charges

<i>Planning Regulation 2017 & The Noosa Plan 2020</i>	<i>Current at: 1 July 2022 for the 2022-2023 Financial Year</i>						
<i>Column 1</i>	<i>Column 2</i>		<i>Column 3</i>		<i>Column 4</i>		
Use	PLANNING REGULATION 2017 SCHEDULE 16 Prescribed amount <i>(As inserted by the “Planning Legislation (Fee Unit Conversion and Other Amounts) Amendment Regulation 2022”)</i>		COUNCIL APPORTIONMENT	COUNCIL CHARGE	COUNCIL INCLUDED REDUCTIONS		
			<i>(per Charges breakup agreement of Prescribed amount)</i>		<i>Basis</i>	<i>Amount reduced</i>	<i>%</i>
Reconfiguration of a lot	for each Residential lot <i>(equivalent to 3 or more bedroom dwelling)</i>	\$31,080.00	60%	\$18,648.00			
	for each Non-residential lot <i>(equivalent to 3 or more bedroom dwelling)</i>	\$31,080.00	60%	\$18,648.00			
Residential uses							
1 Dwelling house 2 Dual occupancy 3 Caretaker’s accommodation 4 Multiple dwelling	for each dwelling with 3 or more bedrooms	\$31,080.00	60%	\$18,648.00			
	for each dwelling with 2 or less bedrooms		60%	\$13,320.00			
				\$9,067.80	<i>if 1 or less bedroom (lower demand)</i>	-\$4,252.20	-31.9%
				\$6,619.70	<i>if Secondary dwelling to house (lower demand)</i>	-\$6,700.30	-50.3%
Accommodation (short-term)							
1 Tourist park 2 Hotel 3 Short-term accommodation 4 Resort complex	for each group of 3 tent or caravan sites	\$15,539.90	60%	\$9,323.94			
	for each group of 2 tent or caravan sites or less	\$11,099.95	60%	\$6,659.97			
	for each cabin or suite with 3 or more bedrooms	\$15,539.90	60%	\$9,323.94			
	for each cabin or suite with 2 or less bedrooms	\$11,099.95	60%	\$6,659.97			
	for each bedroom that is not part of a suite	\$11,099.95	60%	\$6,659.97			

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Planning Regulation 2017 & The Noosa Plan 2020	Current at: 1 July 2022 for the 2022-2023 Financial Year							
Column 1	Column 2		Column 3		Column 4			
Use	PLANNING REGULATION 2017 SCHEDULE 16 Prescribed amount <i>(As inserted by the "Planning Legislation (Fee Unit Conversion and Other Amounts) Amendment Regulation 2022")</i>		COUNCIL APPORTIONMENT <i>(per Charges breakup agreement of Prescribed amount)</i>	COUNCIL CHARGE	COUNCIL INCLUDED REDUCTIONS			
					Basis	Amount reduced	%	
Accommodation (long-term)								
1 Relocatable home park 2 Community residence 3 Retirement facility 4 Rooming accommodation	for each relocatable dwelling site or suite for 3 or more bedrooms	\$31,080.00	60%	\$18,648.00				
				\$14,256.34	<i>If Retirement (lower demand)</i>	-\$4,391.66	-23.6%	
	for each relocatable dwelling site or suite for 2 or less bedrooms	\$22,200.00	60%	\$13,320.00				
				\$10,183.26	<i>if Retirement 2 bedrooms (lower demand)</i>	-\$3,136.74	-23.5%	
				\$9,067.80	<i>if 1 or less bedroom (lower demand)</i>	-\$4,252.20	-31.9%	
	for each bedroom that is not part of a suite	\$22,200.00	60%	\$6,619.70	<i>if Retirement 1 or less bedroom (lower demand)</i>	-\$6,700.30	-50.3%	
\$9,067.80				<i>as for 1 or less bedroom (lower demand)</i>	-\$4,252.20	-31.9%		
\$6,619.70	<i>If Retirement as for 1 or less bedroom (lower demand)</i>	-\$6,700.30	-50.3%					
Places of assembly								
1 Club 2 Community use 3 Function facility 4 Funeral parlour 5 Place of worship	for each square metre of gross floor area	\$77.75	60%	\$46.65				
	for each square metre impervious to stormwater	\$11.10	100%	\$11.10				
Commercial (bulk goods)								
1 Agricultural supplies store 2 Bulk landscape supplies 3 Garden centre 4 Hardware and trade supplies 5 Outdoor sales 6 Showroom	for each square metre of gross floor area	\$155.40	85%	\$132.09				
	for each square metre impervious to stormwater	\$11.10	100%	\$11.10				

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Noosa Shire Council
Charges Resolution (No.7) 2022

<i>Planning Regulation 2017 & The Noosa Plan 2020</i>	<i>Current at: 1 July 2022 for the 2022-2023 Financial Year</i>						
<i>Column 1</i>	<i>Column 2</i>		<i>Column 3</i>		<i>Column 4</i>		
Use	PLANNING REGULATION 2017 SCHEDULE 16 Prescribed amount <i>(As inserted by the "Planning Legislation (Fee Unit Conversion and Other Amounts) Amendment Regulation 2022")</i>		COUNCIL APPORTIONMENT	COUNCIL CHARGE	COUNCIL INCLUDED REDUCTIONS		
			<i>(per Charges breakup agreement of Prescribed amount)</i>		<i>Basis</i>	<i>Amount reduced</i>	<i>%</i>
Commercial (retail)							
1 Adult store 2 Food and drink outlet 3 Service industry 4 Service station 5 Shop 6 Shopping centre	for each square metre of gross floor area	\$199.80	85%	\$169.83			
	for each square metre impervious to stormwater	\$11.10	100%	\$11.10			
Commercial (office)							
1 Office 2 Sales office	for each square metre of gross floor area	\$155.40	85%	\$132.09			
	for each square metre impervious to stormwater	\$11.10	100%	\$11.10			
Educational facility							
1 Childcare centre 2 Community care centre 3 Educational establishment	for each square metre of gross floor area	\$155.40	60%	\$93.24			
	for each square metre impervious to stormwater	\$11.10	100%	\$11.10			
Entertainment							
1 Hotel 2 Nightclub entertainment facility 3 Theatre 4 Resort complex	for each square metre of gross floor area, other than areas for providing accommodation	\$221.95	85%	\$188.65			
	for each square metre impervious to stormwater	\$11.10	100%	\$11.10			
Indoor sport and recreation							
1 Indoor sport and recreation	for each square metre of gross floor area, other than court areas	\$221.95	60%	\$83.40	<i>Lower demand considered</i>	<i>-\$49.77</i>	<i>-37.4%</i>
	for each square metre of gross floor area that is a court area	\$22.15	60%	\$13.29			
	for each square metre impervious to stormwater	\$11.10	100%	\$11.10			
High impact industry or special industry							
1 High impact industry 2 Special industry	for each square metre of gross floor area	\$77.75	64%	\$49.76			
	for each square metre impervious to stormwater	\$11.10	100%	\$11.10			

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Noosa Shire Council
Charges Resolution (No.7) 2022

<i>Planning Regulation 2017 & The Noosa Plan 2020</i>	<i>Current at: 1 July 2022 for the 2022-2023 Financial Year</i>						
<i>Column 1</i>	<i>Column 2</i>		<i>Column 3</i>		<i>Column 4</i>		
Use	PLANNING REGULATION 2017 SCHEDULE 16 Prescribed amount <i>(As inserted by the "Planning Legislation (Fee Unit Conversion and Other Amounts) Amendment Regulation 2022")</i>		COUNCIL APPORTIONMENT	COUNCIL CHARGE	COUNCIL INCLUDED REDUCTIONS		
			<i>(per Charges breakup agreement of Prescribed amount)</i>		<i>Basis</i>	<i>Amount reduced</i>	<i>%</i>
Other industry							
1 Low impact industry 2 Medium impact industry 3 Research and technology industry 4 Rural industry 5 Warehouse 6 Marine industry	for each square metre of gross floor area	\$55.50	64%	\$35.52			
	for each square metre impervious to stormwater	\$11.10	100%	\$11.10			
High impact rural							
1 Cultivating, in a confined area, aquatic animals or plants for sale 2 Intensive animal industry 3 Intensive horticulture 4 Wholesale nursery 5 Winery	for each square metre of gross floor area	\$22.15	60%	\$13.29			
Low impact rural							
1 Animal husbandry 2 Cropping 3 Permanent plantation 4 Wind farm	Nil	\$0.00	60%	\$0.00			
Essential services							
1 Correctional facility 2 Emergency services 3 Health care service 4 Hospital 5 Residential care facility 6 Veterinary service	for each square metre of gross floor area	\$155.40	60%	\$93.24			
				\$69.32	<i>If Residential care (aged or special needs) (lower demand)</i>	<i>-\$23.92</i>	<i>-25.7%</i>
	for each square metre impervious to stormwater	\$11.10	100%	\$11.10			
Minor uses							
1 Advertising device 2 Cemetery 3 Home-based business 4 Landing 5 Market 6 Outdoor lighting 7 Park 8 Roadside stall 9 Telecommunications facility 10 Temporary use	Nil	\$0.00	60%	\$0.00			

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Noosa Shire Council
Charges Resolution (No.7) 2022

<i>Planning Regulation 2017 & The Noosa Plan 2020</i>	<i>Current at: 1 July 2022 for the 2022-2023 Financial Year</i>					
<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>		<i>Column 4</i>		
Use	PLANNING REGULATION 2017 SCHEDULE 16 Prescribed amount <i>(As inserted by the "Planning Legislation (Fee Unit Conversion and Other Amounts) Amendment Regulation 2022")</i>	COUNCIL APPORTIONMENT	COUNCIL CHARGE	<i>COUNCIL INCLUDED REDUCTIONS</i>		
		<i>(per Charges breakup agreement of Prescribed amount)</i>		<i>Basis</i>	<i>Amount reduced</i>	<i>%</i>
Other uses						
1 Air service 2 Animal keeping 3 Car park 4 Crematorium 5 Extractive industry 6 Major sport, recreation and entertainment facility 7 Motor sport facility 8 Non-resident workforce accommodation 9 Outdoor sport and recreation 10 Port service 11 Tourist attraction 12 Utility installation 13 Any other use not listed in column 1, including a use that is unknown	The prescribed amount for another similar use listed in column 1 (other than in this row) that the local government or distributor-retailer decides to apply to the use	<p style="color: blue; text-decoration: underline;">Council has decided the following to be the most similar uses and appropriate rates:</p> 1 Air service = Low-Medium impact industry 2 Animal keeping = Animal husbandry or Intensive animal husbandry as applicable 3 Car park = Low impact industry 4 Crematorium = Funeral parlour 5 Extractive industry = High impact industry 6 Major sport, recreation and entertainment facility = Indoor sport and recreation 7 Motor sport facility = Indoor sport and recreation 8 Non-resident workforce accommodation = Short-term accommodation 9 Outdoor sport and recreation = Indoor sport and recreation 10 Port service = Marine industry 11 Tourist attraction = Resort complex 12 Utility installation = Low impact industry 13 Any other use not listed in column 1, including a use that is unknown = To be decided at the time of development approval				

Notes:

- (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 and are subject to indexation in accordance with clause 9.5 Automatic increase provision of levied charge.
- (3) **Network Reductions:**
 - a) The Stormwater component of the charge is **excluded** for development located **outside** the Coastal Area, Cooroy and Pomona PIA service catchments.
 - b) The Transport component of the charge is **reduced** by:
 - **12%** for development located **outside** the PIA service catchments; and
 - **2%** for development located **inside** the Boreen Point, Cooribah and Kin Kin PIA service catchments.
- (4) Reconfiguration of a lot for "**Non-residential**" development **excludes** the Stormwater network charge. Stormwater charges will only 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.

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. 137 of the Planning Act 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. 137 of the Planning Act 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 “off-maintenance” 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 “off-maintenance” 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 “off-maintenance” 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.