

<b>Corporate Plan Reference:</b>	<p><i>Theme 2 Liveability</i></p> <p><i>Objective 2.1: Facilitate greater housing choice which meets the changing needs of the community, improves liveability and affordability and includes partnering to increase provision of social and affordable housing.</i></p> <p><i>Objective 2.5 Ensure community facilities and services are inclusive, accessible and meet the evolving needs and interests of residents across the shire.</i></p> <p><i>Objective 2.7 Fund and deliver sustainable assets and facilities and associated services responding to the changing needs of the community and the challenges and opportunities of the future.</i></p> <p><i>Theme 5: Excellence</i></p> <p><i>Objective 5.9: Ensure that all residents located throughout the Shire, both hinterland and coastal areas, have equitable access to the provision of quality assets, facilities and services.</i></p>
<b>Endorsed by Council:</b>	17 April 2025
<b>Policy Author:</b>	Manager Development Assessment

## **POLICY STATEMENT**

Noosa Council is committed to supporting the work of not-for-profit community organisations that provide essential and significant facilities and services for the benefit of the community. It supports the growth and development of such facilities and services by sharing the financial burden across the broader community.

## **PURPOSE**

To ensure that not-for-profit community organisations are not disadvantaged or constrained

from providing community facilities and services, Council will provide rebates to eligible not-for-profit community organisations to assist in the payment of infrastructure contributions or charges.

The granting of conditional infrastructure charges rebates ensures that much needed funds remain with the organisations for reinvestment in their ongoing work, whilst the cost of the rebate is spread across the whole community.

This document outlines the types of not-for-profit community organisations eligible for infrastructure charges rebates, the purpose and applicability of rebates that may apply to premises, the application process and the level of charges rebates to be offered.

## **SCOPE**

This policy outlines the types of not-for-profit community organisations which are eligible for a rebate, considering their fund-raising capabilities, the service they provide, the function of the proposed development and the contribution being made to the Noosa Shire.

## **REVIEW**

This Policy will be reviewed once per Council term (every four years) or as required from time to time.

## **COUNCIL POLICY**

### **Eligible Community Organisations**

The following community organisations are eligible for consideration of Infrastructure Charges rebates:

- Registered accommodation providers under the *Housing Act 2003*
- Entities registered on the national and/or state register as providing community housing services under s 37 of the *Housing Act 2003*
- Not-for-profit community organisations
- Charities registered with the Australian Charities and Not-for-profits Commission

Not-for-profit community organisations have been classified into the following categories:

- Community-based organisations - An incorporated body that either wholly or in part relies on membership fees, hall rental charges, fundraising activities or government grants for its financial existence. These organisations do not have any liquor or gaming licence. Examples include welfare organisations, cultural organisations, Indigenous organisations, environmental organisations, rescue organisations, scouts and guides, youth organisations, senior citizens clubs or public halls.
- Charitable organisations (non-profit and volunteer) - A not-for-profit organisation set up to undertake community activities, which receives funding from government grants and charges to recipients or customers, but which relies mainly on unpaid volunteer labour. Some paid workers may be involved. These organisations do not have any liquor or gaming licence. Examples include Meals on Wheels, Endeavour Foundation, Lifeline, St Vincent DePaul, Salvation Army.
- Charitable organisations (non-profit) - A not-for-profit organisation set up to undertake community activities, which receives funding by way of charges to recipients or from government grants, but which mainly relies on paid labour. These organisations do not have any liquor or gaming licence. Examples include registered community housing

providers, hospices and care homes.

- Sporting or recreation organisations (non-profit and volunteer) - An incorporated body that is constituted to undertake a sporting activity and primarily relies on membership fees, games fees, fundraising activities, but which depends mainly on unpaid volunteer labour. These clubs might hold a restricted liquor permit or “community-other licence” for restricted trading of alcohol to members and guests during games or events. Examples include junior and senior sports clubs, pony clubs.
- Community, Sporting or Recreation Organisations (non-profit and gaming or liquor licence) - A sporting club or community organisation that undertakes sporting or community activity open to membership that holds a Community Club liquor licence or has full bar trading meals and gaming facilities and relies primarily on paid labour. Examples include surf lifesaving clubs, RSL clubs, bowls or golf clubs.

### **Purpose and Applicability of Rebates**

The rebate system is based on the philosophy that organisations that construct new or expanded affordable housing, community service, sporting or recreational facilities should receive a rebate of the Infrastructure Charges levied for the development. A development's entitlement to the rebate will depend on the use that is approved by the development permit. Where an approval is for multiple uses, the rebate will only apply to the component of the infrastructure charge associated with the community benefit use.

Development of social and affordable housing is eligible for a conditional rebate (or deferment), in that an Infrastructure Charge notice will be issued in full but only require payment should the residential property no longer remain an affordable rental premises. A property note will be applied in acknowledgement of this liability. The development will still create an increase in population and hence place an increase in demand on Council infrastructure. If the property ceases to be providing a community service, it would no longer be eligible for financial subsidy by the broader community. A deferred infrastructure charge would be subject to indexation until date payable. For clarity, any component of the development which is not affordable rental premises remains subject to normal infrastructure charging.

For the purpose of this policy, affordable rental premises are defined as one or more dwellings which are:

- (a) housing that is appropriate to the needs of households with low to moderate incomes, if the members of the households will spend no more than 30% of gross income on housing costs; and
- (b) no larger than 100 square metres of gross floor area
- (c) owned or leased by a registered provider within the meaning of the *Housing Act 2003*, such as a Community Housing Provider; and
- (d) managed by a registered community housing provider, as long term rental housing for a minimum of 20 years.

Development that is approved for a place of worship is not entitled to a rebate, however a religious organisation may be entitled to a rebate for the development of community uses such as a community care centre, social services, play group, crisis accommodation or youth drop-in centre, providing those facilities are available to the broader community and Government funding is not already available for the development.

Infrastructure charges will not be rebated where the purpose of the development is to raise funds by the sale of land or buildings.

### **Residential services**

Rebates will apply for residential development that is intended to provide accommodation for disadvantaged groups, including:

- Elderly who are fully dependent on social services and residential care
- Housing for physically and intellectually disabled persons
- Shelters for victims of violence or other forms of persecution
- Temporary accommodation that supports vulnerable at risk persons while they find and transition to an independent standard of living
- Accommodation for persons who are seriously ill, are being treated for or recovering from a serious health condition (excepting hospitals)
- Temporary accommodation for family members supporting seriously ill persons
- Accommodation for disadvantaged groups or individuals
- Affordable rental premises, as defined in this Policy.

Infrastructure charges will not be rebated where the purpose of the development is normal independent living residential developments including retirement facilities or manufactured homes.

### **Commercial operations associated with community uses**

Commercial activities that are operated by qualifying organisations for the primary purpose of providing welfare and assistance to disadvantaged and low income or vulnerable members of the community are entitled to receive a rebate.

However, where an organisation engages in commercial activities that do not directly provide a community service but are for purpose of raising revenue for the organisation (such as an opportunity shop), that use is not eligible for the rebate. This applies irrespective of how the revenue raised is expended.

### **Rebate cannot be transferred**

An Infrastructure Charges rebate that has been granted for a premises is not transferrable. Therefore, an Infrastructure Charges rebate will not apply for any relocation to new premises if a rebate for the existing premises has already been granted by Council.

Where an Infrastructure Charges rebate is applied for a particular use on premises and that use changes to one that would not normally qualify for the rebate, infrastructure charges would become chargeable based on the new use.

### **Applications**

Council may, at the request of an eligible community organisation, give a rebate for Infrastructure Charges. A request for an Infrastructure Charges rebate is made by completing and submitting the prescribed application form together with any supporting documentation that validates an organisation's not-for-profit status and how the proposed use complies with the eligibility criteria set out in this policy. The current version of the application form may be accessed and downloaded from Council's Planning & Development webpage at <https://www.noosa.qld.gov.au/homepage/165/infrastructure-charges>. It is desirable that the request be made at the time the development application is submitted. A separate application for a rebate is to be made for each development approval.

### **Amount of Rebate**

For construction of new or extended facilities Council will rebate the cost or part of the cost of infrastructure charges for eligible community organisations in accordance with Table 1 – Rebates for Eligible Community Organisations.

Table 1 – Rebates for Eligible Community Organisations

Type of organisation	Purpose of Development	Rebate
Community-based organisations Charitable organisations (non-profit and volunteer); Charitable organisations (non-profit)	Residential care; Community service facilities; Affordable rental premises; Crisis or Emergency accommodation; Respite accommodation;	100%
Sporting or Recreation Organisations (non-profit and volunteer)	Sporting or recreation facilities (including clubhouse amenities)	100%
	Social or entertainment venues including dining or bar facilities	Nil
Community, Sporting or Recreation Organisations (non-profit and gaming or liquor licence)	Community sporting or recreation facilities run primarily by volunteers or club members (including amenities)	50%
	Major sport, recreation and entertainment facilities (eg. regional sports/entertainment venues) Social, entertainment, gaming or liquor facilities	Nil
Religious organisation	Place of Worship	Nil
	Community facilities or social services; Affordable rental premises	100%
Registered Community Housing Providers	Affordable rental premises	100%

### Relevant Infrastructure Networks

This policy is applicable only to infrastructure networks which attract developer contributions and charges and which are owned and controlled by Council. Rebates do not apply to Water Supply and Sewerage networks under the control of Unitywater.

### ROLES AND RESPONSIBILITIES

The Manager, Planning and Development is responsible for the assessment of applications that are made for Infrastructure Charges rebates under this policy.

### RELEVANT LEGISLATION AND POLICIES

- *Planning Act 2016*
- *Planning Regulation 2017*
- *Queensland's Associations Incorporation Act 1981*

### HUMAN RIGHTS STATEMENT

In developing this policy, the subject matter has been considered in accordance with the requirements of the *Queensland Human Rights Act 2019*. It is considered that the subject matter does not conflict with any human rights and supports a human rights approach to decision making by Council.

Council representatives will endeavour to act and make decisions under this policy in a manner that is compatible with human rights. In particular, representatives will endeavour to:

- identify relevant human rights which may be affected by the action or decision;
- give proper consideration to the impact of its actions and decisions on human rights; and
- ensure that any conduct or decision by Council which limits an individual's human rights is reasonable and justifiable.

This policy should be read in conjunction with Council's Human Rights Policy.

**Version control:**

Version	Reason/ Trigger	Change (Y/N)	Endorsed/ Reviewed by	Date
1.0	New Policy		Council	06/02/2014
2.0	Review	Y	Council	01/05/2014
3.0	Review	Y	Council	17/04/2025