

Strategic policy

Infrastructure Charges Rebates for Eligible Community Organisations

Corporate Plan reference:	A Healthy Environment We serve our community by providing this great service S15 – Sustainable growth and network planning; providing land use planning, social policy, infrastructure planning and charges, flood mapping, transportation planning and environmental initiatives
Endorsed by Council on:	19 August 2021 (OM21/xxx)
Manager responsible for policy:	Manager, Transport and Infrastructure Planning Built Infrastructure Group

Policy statement

The purpose of this policy is to provide support to eligible community organisations that are undertaking development, by reducing the overall development costs through Infrastructure Charges rebates, allowing the organisation to provide essential facilities and related services to those in the community in need, at an affordable price.

This policy must be read and complied with in accordance with the associated guidelines.

Policy scope

This policy outlines the types of community organisations which are eligible for a rebate, the purpose and applicability of rebates that may apply to premises, the application process, and the rebate to be offered.

Principles

Fundamentally, the policy is based on the type of organisation (including its fundraising capabilities), the service it provides, the function of the proposed development, and the contribution being made to the Sunshine Coast region.

Eligible Community Organisations

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

- Non-for-profit community organisations, as determined by the Australian taxation Office (ATO)
- Charity registered with the Australian Charities and Not-for-profits Commission
- Religious institutions as recognised by the ATO
- Organisations incorporated under Queensland's Associations Incorporation Act 1981 or registered under the Collections Act 1966¹ where
 - i. There is no profit or gain by individual members of the group
 - ii. Its constitution or governing documents prevent it from distributing profits or assets for the benefit of particular persons, both while it is operating and on winding up
 - iii. Whilst a surplus can be made, it must be used to carry out the purpose and functions of the organisation.

Non-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-for-profit and volunteer) - A non-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-for-profit) - A non-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 aged persons' homes, Red Cross.
- Sporting or recreation organisations (non-for-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. This type of

¹ Other entities (eg. co-operatives, companies limited by guarantee, etc) may be considered non-profit community organisations subject to specific application and approval by Council.

club may use a Community Other liquor licence. Examples include junior and senior sports clubs, lifesaving clubs, bowls clubs, pony clubs.

- Community, Sporting or Recreation Organisations (non-for-profit and gaming or liquor licence) - A sporting club or community organisation that undertakes sporting or community activity open to membership that has full bar, trading meals and gaming facilities and relies primarily on paid labour. Examples include large surf lifesaving clubs, RSL clubs, large bowls or golf clubs.

Purpose and Applicability of Rebates

The rebate system is primarily based on the philosophy that organisations that construct new or expanded 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 service use. Ancillary uses will not be considered separately but will be assessed as part of the approved use.

Development that is approved for place of worship (including supporting facilities) is not entitled to a rebate.

A guide to services that will qualify for an Infrastructure Charges rebate is provided in **Appendix A, Table A – Infrastructure Charge Rebate Assessment Guide**.

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 care services
- Housing for physically and intellectually disabled
- Shelters for victims of violence or other forms of persecution
- Temporary accommodation that provides assistance to enable vulnerable, at risk persons to 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 or addiction
- Accommodation for family members supporting seriously ill persons
- Accommodation for disadvantaged groups or individuals

All other residential development will not be entitled to a rebate. This includes but is not limited to the following:

- Retirement facilities
- Short term accommodation

- Relocatable home park.

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, 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.

Similarly, where an Infrastructure Charges rebate is applied for a particular use on a premises and that use changes to one that would not normally qualify for the rebate, any future rebate associated with the further development of the premises will be reduced to allow for this change. The reduction in the rebate will be assessed and based on the area that is converted from the qualifying use to a non-qualifying use.

Policy details

Amount of Rebate

Council will rebate the cost of Infrastructure Charges for eligible community organisations in accordance with **Table 1 – Rebates for Eligible Community Organisations**.

Relevant Infrastructure Networks

This policy is applicable only to infrastructure networks which are owned and controlled by Council.

Table 1: Rebates for Eligible Community Organisations

Type of Organisation	Purpose of Development	Rebate
Charitable organisations (non-profit and volunteer based) and Community-based Organisations	Residential or community service facilities	100%
Charitable Organisations (non-profit)	Residential or community service facilities	100%
Sporting or Recreation Organisations (non-profit and volunteer)	Sporting or recreation facilities (including clubhouse amenities)	100%
Community, Sporting or Recreation Organisations (non-profit and gaming or liquor licence)	Community, sporting or recreation facilities (including amenities)	100%
	Social, entertainment, gaming or liquor facilities	nil
Religious Organisations	Place of Worship	nil
	Community facilities	100%

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 (refer **Appendix A**) 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 website. 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.

Assessment of Applications

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

An Infrastructure Charges rebate will only be approved where an application demonstrates that:

- a) The applicant is an eligible community organisation, and
- b) The services proposed by the approved development satisfy the requirements of this policy and are consistent with the eligible services (uses) nominated in **Appendix B - Infrastructure Charge Rebate Assessment Guide**.

Measurements of success

The success of the policy will be affirmed by community organisations undertaking appropriate types of development with Council providing assistance through Infrastructure Charges rebates.

Definitions

Specific terms are defined within the policy.

Council Employee means the CEO, senior contract employees, contract employees, award employees, casual employees, part-time employees, contractors, contingent workers, agency casuals and volunteers.

Policy commitment

The intent and objectives of this policy are not discretionary unless express permission is granted by the Chief Executive Officer (CEO) to operate outside the mandated requirements of this policy. This policy and any supporting guidelines or documents must be complied with under all circumstances. Nothing in this policy requires or authorises a Council Employee to act in any way that is contrary to the law. All instances of non-compliance with this policy will be elevated to the Office of the CEO and may be dealt with as a breach of the Employee Code of Conduct, managed in accordance with any relevant policies and procedures dealing with disciplinary action. All organisational policies are subject to change from time to time at the sole discretion of the Chief Executive Officer.

Related legislation, policies, strategies and documents

The following documents, current at the time this policy takes effect, or as amended or replaced.

- *Planning Act 2016*
- *Planning Regulation 2017*
- Sunshine Coast Planning Scheme 2014
- Infrastructure Charges Resolution (No. 8) 2019
- *Queensland's Associations Incorporation Act 1981*
- *Collections Act 1966*
- Infrastructure Charges Rebate for Eligible Community Organisation Application Form
- Infrastructure Charge Rebate Assessment Guide.

All individuals engaged in dealings within the scope of this policy are required to fulfil the ethical and behavioural obligations as defined in legislation. In the event of an inconsistency between any provision of this policy and any provision of the stipulated related legislation, policies, strategies and documents, the provisions of the related legislation, policies, strategies and documents shall prevail, unless the CEO or Council expressly waive a provision of this policy by prior agreement. For further assistance please contact the Manager, Corporate Governance.

Version control:

Version	Reason/ Trigger	Change (Y/N)	Endorsed/ Reviewed by	Date
1.0	Create new		OM09/315	29/10/2009
2.0	Review due to changes in legislation and other amendments to support the implementation of the policy	Yes	OM21/xxx	xx/08/2021

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Appendix A - Infrastructure Charges Rebate for Eligible Community Organisation Application Form

Version current at June 2021 – refer to Council’s website for up to date version before applying



Infrastructure Charges Rebate for Eligible Community Organisation Application Form

Form to be completed and submitted in making a request for approval for an infrastructure charge rebate under the provisions of the Sunshine Coast Council’s Infrastructure Charges Rebates for Eligible Community Organisations Policy (the Policy)

1. Community Organisation		
Name		
Address		
	State	Postcode
Postal address		
	State	Postcode
Contact person		
Phone	Mobile	
Email Address		

2. Development details	
Development proposed	
Development Application No. (MCU / PC reference if known)	
Premises Address	
Real property description	

3. Organisation non-profit details	
Organisation non-profit classification (check whichever applies)	<input type="checkbox"/> Community Based Organisation <input type="checkbox"/> Charitable Organisation <input type="checkbox"/> Sporting or Recreation Organisation (non-profit and volunteer) <input type="checkbox"/> Community, Sporting or Recreation Organisation (non-profit and gaming or unrestricted liquor licence) <input type="checkbox"/> Religious Organisation
Current determination from Australian Taxation Office (ATO) that the applicant is a non-profit organisation.	<input type="checkbox"/> Yes (attach a copy) <input type="checkbox"/> No (Details on the organisation’s non-profit status is provided in the next section.)
Additional information and documentation that validates the applicant as a non-profit organisation.	<input type="checkbox"/> Registered with the Australian Charities and Not-for-profits Commission (ACNC) ACNC Reference Number: <input type="text"/> <input type="checkbox"/> Incorporated under Queensland’s Associations Incorporation Act 1981 Incorporated Association Registration Number: <input type="text"/> Documentation attached as supporting evidence: (Description of documents submitted.)

Privacy
 Council will use any personal information provided by you for the intended purpose only and for remaining in contact with you. Council is authorised to collect this information in accordance with the Local Government Act 2009 and other Local Government Acts. Your personal information is only accessed by persons authorised to do so. Council may provide information about you to any relevant Queensland State Department. Your personal information is dealt with in accordance with council’s privacy policy.

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Caloundra office 1 Omrah Avenue Caloundra Qld 4551
Maroochydore office 10 First Avenue Maroochydore Qld 4558
Nambour office Corner Currie and Bury Streets Nambour Qld 4560

4. Purpose of the development

For each proposed use for which an infrastructure charge rebate is requested, describe the nature of the services associated with the use and how this satisfies the eligibility criteria of the Policy.

(If insufficient space is available attach additional pages together with any supporting documentation.)

Defined Use (include reference to Plan of Development if appropriate)	Description of services that provide a community benefit.	How compliance with the Policy is achieved (ideally identify relevant link with the eligibility criteria in Appendix A of the Policy).
1.		
2.		

5. Lodging this application

This application is to be lodged with Development Application documentation or may be emailed separately to icinfo@sunshine.qld.gov.au.

6. Declaration by Authorised Representative of the Community Organisation

I/We declare, that the above information is correct in all respects, at the time of lodgement of this application with the Sunshine Coast Council. Should any of the details given in relation to this application be changed, the Sunshine Coast Council will be advised in writing prior to the application being decided.

Name (printed):	Position:
Signature:	Date:

Privacy

Council will use any personal information provided by you for the intended purpose only and for remaining in contact with you. Council is authorised to collect this information in accordance with the Local Government Act 2009 and other Local Government Acts. Your personal information is only accessed by persons authorised to do so. Council may provide information about you to any relevant Queensland State Department. Your personal information is dealt with in accordance with council's privacy policy.

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Appendix B

Infrastructure Charge Rebate Assessment Guide

Version current at June 2021 – refer to Council’s website for up to date version before applying

Use Class	Uses eligible for a rebate	Uses <u>not</u> eligible for a rebate
Residential	<p>Aged care facilities (fully dependent)</p> <p>Accommodation for persons with a physical or intellectual disability</p> <p>Treatment of health or medical condition</p> <p>Rehabilitation from drug addiction</p> <p>Respite Accommodation</p> <p>Accommodation for disadvantaged groups or individuals</p> <p>Temporary accommodation as a transition to permanent accommodation</p> <p>Camps primarily dedicated to catering for persons with intellectual or physical disability</p>	<p>Retirement facility</p> <p>Holiday accommodation</p> <p>Commercial retail uses within an aged care facility (eg, salons, cafes, gift shops)</p>
Community Use	<p>Community halls</p> <p>Community meeting facilities</p> <p>Facilities for volunteer based essential services (eg, Rural Fire Fighters; Emergency Services)</p> <p>Adult education</p> <p>Community services club facilities</p> <p>Ancillary use areas such as offices or storage spaces dedicated to community service activities of a community organisation</p> <p>Craft or hobby workshops</p>	<p>Hospitals</p> <p>Place of worship (including ancillary use areas)</p> <p>Child care centre</p> <p>Schools</p> <p>Kindergarten</p> <p>Entertainment, bar or dining facilities operated by a community organisation</p>
Sport and recreation	<p>Community sporting venues run primarily by volunteers or club members</p> <p>Clubhouses</p> <p>Ancillary use areas such as offices or storage dedicated to the sport or recreation activities within a premises</p>	<p>Major sport, recreation and entertainment facilities (eg. regional sports/entertainment venues)</p> <p>Entertainment, bar or dining facilities operated by a sporting or recreational club</p>
Business	<p>Opportunity shops</p> <p>Shops providing low cost groceries and essentials to low-income individuals and families</p> <p>Charity operated craft shops</p> <p>Office space required by a charitable organisation for the sole purpose of administrating a community or charitable service</p>	<p>Any other commercial activity</p>