



Infrastructure Charges Notice

PLANNING ACT 2016, SECTION 121

Application number:	D/157-2021	Contact:	Sophie Muggeridge
Date of Decision:	3 February 2023	Contact Number:	07 4936 8099

1. APPLICANT DETAILS

Name:	Rosalind Corp Pty Ltd		
Postal address:	C/- Imagine Childcare 26 Coorabin Court TALLEBUDGERA QLD 4305		
Phone no:	Mobile no:	0428 432 030	Email: lmunro@imagineelc.com.au

2. PROPERTY DESCRIPTION

Street address:	28, 30 and 32 Kirkellen Street, Berserker		
Property description:	Lot 12 on RP600705, Lot 6 on RP606198 and Lot 5 on RP606198, Parish of Archer		

3. OWNER DETAILS

Name:	P J Ross and A J Ross		
Postal address:	21 Wigginton Street, FRENCHVILLE QLD 4701		

4. DEVELOPMENT APPROVAL

Development Permit for Material Change of Use for a Childcare Centre and Operational Works for Advertising Devices (3 x ground signs and 2 x wall signs) - illuminated

5. INFRASTRUCTURE CHARGE

Charges Resolution (No. 1) of 2022 for non-residential development applies to the application. The Infrastructure Charges are as follows:

- (a) A charge of \$109,082.74 for Gross Floor Area being 711.1 square metres (childcare ground level and outdoor store);
- (b) A charge of \$18,363.15 for Impervious Area being 1677 square metres (roof area, hardstand areas, access, and parking areas); and
- (c) An Infrastructure Credit of \$92,032.95, made up as follows:
 - (i) \$30,677.65 - Infrastructure Credit applicable for the existing three allotments

In accordance with section 3.1 of *Charges Resolution (No.1) of 2022*, the base charge will be automatically increased using the Producer Price Index (PPI), adjusted according to the three (3) yearly PPI average quarterly percentage change between financial quarters; and

In accordance with Development Incentives Policy, section 3.5 of the *Charges Resolution (No. 1) of 2022*, the levied charge will be 85 per cent of the total charge calculated.

The automatic increase and development incentive calculations are reflected in the below table:

Column 1 Use Schedule	Column 1A Use	Column 2		Column 3 Calculated Charge
		Adopted Infrastructure Charge for non-residential development		
		(\$)		
		(a)	(b)	
		per m ² of Gross Floor Area (GFA)	per m ² Impervious to Stormwater	
Education Facility	Child Care Centre	153.40		\$109,082.74
			10.95	\$18,363.15
Total Base Charge				\$127,445.89
Charge (including PPI)				\$128,637.07
Total Base Credit				\$92,032.95
Credit (including PPI)				\$92,893.14
TOTAL CHARGE (including PPI)				\$35,743.93
LEVIED CHARGE (15% discount applied)				\$30,382.34

No offsets or refunds are applicable for the development.

This charge is subject to automatic increases from when the charges are levied until when they are paid in accordance with section 114 of the *Planning Act 2016* and Council's *Infrastructure Charges Resolution No. 1 of 2022*.

6. WHEN CHARGE IS PAYABLE

The infrastructure charges of **\$30,382.34** must be paid when the change of use happens.

7. LAPSING OF INFRASTRUCTURE CHARGES NOTICE

This Infrastructure Charges Notice lapses if the development approval to which it pertains ceases to have effect in accordance with section 85 of the *Planning Act 2016*.

8. RIGHTS OF APPEAL

This Decision Notice may be appealed in accordance with the following sections of the PA:

- (i) Chapter 6 (Dispute Resolution), Part 1 (Appeal Rights); and
- (ii) Schedule 1 (Appeals).

Appeals against an Infrastructure Charges Notice

The person given an infrastructure charges notice may appeal the infrastructure charges notice on 1 or more of the following grounds —

- (a) the notice involved an error relating to —
 - (i) the application of the relevant adopted charge; or
 - Examples of errors in applying an adopted charge —
 - The incorrect application of gross floor area for a non-residential development.
 - Applying an incorrect 'use category', under a regulation, to the development.
 - (ii) the working out of extra demand, for section 120 of PA; or
 - (iii) an offset or refund; or

- (b) there was no decision about an offset or refund; or
- (c) if the infrastructure charges notice states a refund will be given—the timing for giving the refund; or
- (d) the amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.

To remove any doubt, it is declared that the appeal against an infrastructure charges notice must not be about —

- (a) the adopted charge itself; or
- (b) for a decision about an offset or refund —
 - (i) the establishment cost of infrastructure identified in an LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

The appeal must be started within 20 business days after the day the recipient is given the relevant infrastructure charges notice.

Appeals to the Planning and Environment Court

Information about how to proceed with an appeal to the Planning and Environment Court may be found on the Court's website:

<http://www.courts.qld.gov.au/courts/planning-and-environment-court>

Appeals to the Development Tribunal

Information about how to proceed with an appeal to the Development Tribunal may be found on the Department of Housing and Public Works' website:

<http://www.hpw.qld.gov.au/construction/BuildingPlumbing/DisputeResolution/Pages/DevelopmentTribunals.aspx>

9. ASSESSMENT MANAGER

Name: **Amanda O'Mara**
COORDINATOR
DEVELOPMENT ASSESSMENT

Signature:



Date: 3 February 2023

PAYMENT METHODS

An invoice for the Infrastructure Charge amount, including automatic increase, can be requested by contacting Council on telephone 07 4932 9000 or via email enquiries@rrc.qld.gov.au.

Payment methods will be detailed in an invoice and include paying in person, by credit card or BPAY.