



Infrastructure Charges Notice

PLANNING ACT 2016, SECTION 121

Application number:	D/25-2020	Contact:	Brendan Standen
Date of Decision:	27 June 2023	Contact Number:	07 4936 8099

1. APPLICANT DETAILS

Name:	Pearl Energy Pty Ltd		
Postal address:	C/- Gideon Town Planning PO BOX 450 ROCKHAMPTON QLD 4700		
Phone no:	Mobile no:	0402 066 532 Email: info@gideontownplanning.com.au	

2. PROPERTY DESCRIPTION

Street address:	1018-1038 Yaamba Road, Parkhurst
Property description:	Lot 81 on SP300144, Parish of Murchison

3. OWNER DETAILS

Name:	G M Hopkins
Postal address:	65 Buzacott Street, PARK AVENUE QLD 4701

4. DEVELOPMENT APPROVAL

Development Permit for Material Change of Use for Service Station, Reconfiguring a Lot (one lot into two lots and access easements) and Operational Works for Advertising Devices (Pylon Sign x 1, Wall Sign x 2 and Canopy Sign x 3)

5. INFRASTRUCTURE CHARGE

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

- (a) A charge of \$69,020 for Gross Floor Area being 350 square metres (service station building);
- (b) A charge of \$77,066.10 for Impervious Area being 7,038 square metres (roof area, hardstand areas, access, and parking areas); and
- (c) An Infrastructure Charge Credit of \$30,677.65 applicable for the existing one (1) lot.

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	Column 1A	Column 2	Column 3
Use Schedule	Use	Adopted Infrastructure Charge for non-residential development	Calculated Charge

		(\$)		
		(a) per m ² of Gross Floor Area (GFA)	(b) per m ² Impervious to Stormwater	
Commercial (retail)	Service Station	197.20	10.95	\$146,086.10
Total Base Charge				\$146,086.10
Charge (including PPI)				\$149,250.65
Total Base Credit				\$30,677.65
Credit (including PPI)				\$31,342.20
TOTAL CHARGE				\$117,908.45
LEVIED CHARGE (15% discount applied)				\$100,222.18

Therefore, a total charge of **\$100,222.18** is payable for the development prior to commencement of the use (**Material Change of Use**).

Charges Resolution (No. 1) of 2022 for **Reconfiguring a Lot** applies to the application. The Infrastructure Charges are as follows:

- (a) A charge of \$61,355.30 for two (2) new lots; and
- (b) An Infrastructure Credit of \$30,677.65, applicable for the existing one (1) lot.

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	Column 2 Infrastructure Charge (\$)	Column 3 Unit	Column 4 Calculated Charge
Reconfiguring a lot	30,677.65	per lot	\$61,355.30
Total Base Charge			\$61,355.30
Charge (including PPI)			\$62,684.39
Total Base Credit			\$30,677.65
Credit (including PPI)			\$31,342.20

TOTAL CHARGE	\$31,342.20
LEVIED CHARGE (15% discount applied)	\$26,640.87

Therefore, a charge of **\$26,640.87** is payable prior to endorsement of survey plan (**Reconfiguring a Lot**).

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

Material Change of Use:

The infrastructure charges of **\$100,222.18** must be paid when the change of use happens.

Reconfiguring of Lot:

The infrastructure charges of **\$26,640.87** must be paid when the local government issues the Approval Certificate for the Survey Plan.

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 <u>COORDINATOR</u> <u>DEVELOPMENT ASSESSMENT</u>	Signature: 	Date: 4 July 2023
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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.