



Infrastructure Charges Notice (Amended)

PLANNING ACT 2016, SECTION 121

Application number:	D/44-2021	Contact:	Aidan Murray
Date of Decision:	30 August 2023	Contact Number:	07 4936 8099

1. APPLICANT DETAILS

Name:	Giveago Investments Pty Ltd		
Postal address:	C/- Russell Schirmer (Contour Consulting) PO BOX 5427 RED HILL ROCKHAMPTON QLD 4701		
Phone no:	Mobile no:	0418 125 259	Email: contour.consulting@bigpond.com

2. PROPERTY DESCRIPTION

Street address:	Lot 6 Alexandra Street, Parkhurst
Property description:	Lot 6 on SP311693

3. OWNER DETAILS

Name:	Giveago Investments Pty Ltd
Postal address:	PO BOX 9270 PARK AVENUE QLD 4701

4. DEVELOPMENT APPROVAL

Development Permit for Material Change of Use for Medium Impact Industry (workshop and warehouse for heavy equipment repairs)

5. CHANGES TO INFRASTRUCTURE CHARGES NOTICES

Changed	30 August 2023
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6. INFRASTRUCTURE CHARGE

As a consequence of the change representations, Council is required to amend the infrastructure charges notice as follows:

Adopted Infrastructure Charges Resolution (No. 5) 2015 for non-residential development applies to the application and it falls within Charge Area 1. The Infrastructure Charges are as follows:

Column 1 Use Schedule		Column 2 Charge Area	Column 3 Adopted Infrastructure Charge		Column 4 Adopted Infrastructure Charge for stormwater network		Calculated Charge
			(\$)	Unit	(\$)	Unit	
Industry	All other uses as per AICN 5/15	Area 1	42.50	per m ² of GFA			\$156,485.00

	Table 2.2.1						
					8.50	per m ² of impervious area	\$49,266.00
Total							\$205,751.00
Less Credit							\$21,000.00
TOTAL CHARGE							\$184,751.00

This is based on the following calculations:

Stage One (1)

- (a) A charge of \$88,655.00 for Gross Floor Area being 2,086 square metres;
- (b) A charge of \$35,700 for Impervious Area being 4,200 square metres; and
- (c) An Infrastructure Credit of \$21,000.00 applicable for the existing allotment.

A total charge of \$103,355 is payable for Stage 1.

Stage Two (2)

- (a) A charge of \$67,830.00 for Gross Floor Area being 1,596 square metres; and
- (b) A charge of \$13,566.00 for Impervious Area being 1,596 square metres.

A total charge of \$81,396.00 is payable for Stage 2.

The contribution required to be paid **\$184,751.00**. 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*.

7. WHEN CHARGE IS PAYABLE

The infrastructure charges of **\$184,751.00** must be paid when the change of use happens.

8. 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*.

9. 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>

10. ORIGINAL ASSESSMENT MANAGER

Name:	Tarnya Fitzgibbon <u>COORDINATOR</u> <u>DEVELOPMENT ASSESSMENT</u>	Date:	9 August 2021
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11. ASSESSMENT MANAGER

Name:	Amanda O'Mara <u>COORDINATOR</u> <u>DEVELOPMENT ASSESSMENT</u>	Signature:		Date:	6 September 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.