



Infrastructure Charges Notice

PLANNING ACT 2016, SECTION 121

Application number:	D/75-2023	Contact:	Aidan Murray
Date of Decision:	16 November 2023	Contact Number:	07 4936 8099

1. APPLICANT DETAILS

Name:	Development Holdings Pty Ltd		
Postal address:	C/- Property Projects Australia Pty Ltd PO BOX 1264 NEW FARM QLD 4005		
Phone no:	07 3254 1566	Email:	oliver@propertyprojectsaustralia.com.au franciso@propertyprojectsaustralia.com.au

2. PROPERTY DESCRIPTION

Street address:	765 Capricorn Highway, Gracemere
Property description:	Lot 73 on LN569, Parish of Gracemere

3. OWNER DETAILS

Name:	G G Barnicoat
Postal address:	13 Risien Street NORMAN GARDENS QLD 4701

4. DEVELOPMENT APPROVAL

Development Permit for Material Change of Use for Service Station and Food and Drink Outlet and Reconfiguring a Lot (one lot into two lots) and two Access Easements

5. INFRASTRUCTURE CHARGE

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

- (a) A charge of \$61,355.30 for two (2) new allotments; and
- (b) A charge of \$57,582.40 for the Service Station, having Gross Floor Area of 292 square metres;
- (c) A charge of \$18,734.00 for the Food and Drink Outlet, having Gross Floor Area of 95 square metres;
- (d) A charge of \$80,241.60 for Impervious Area being 7,328 square metres (roof area, hardstand areas, access, and parking areas); and
- (e) An Infrastructure Credit of \$107,698.00 applicable for the existing industrial development:
 - (i) \$89,214.40 – Infrastructure Credit (\$54.80 per square metre) applicable for the existing industrial structures (1,628 square metres); and
 - (ii) \$18,483.60 – Infrastructure Credit (\$10.95 per square metre) applicable for the existing impervious roof area, hardstand areas, access, and parking areas (1,688 square metres).

In accordance with section 3.1 and 3.2 of *Charges Resolution (No.1) of 2022*, the base charge and credit will be increased using the Producer Price Index (PPI), adjusted according to the three (3) yearly PPI average quarterly percentage change between financial quarters.

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

Column 1 Use Schedule	Column 1A Use	Column 2 Adopted Infrastructure Charge for non-residential development (\$)		Column 3 Calculated Charge
		(a) per m ² of Gross Floor Area (GFA)	(b) per m ² Impervious to Stormwater	
Commercial (retail)	Service Station	197.20		\$57,582.40
	Food and Drink Outlet	197.20		\$18,734.00
	(Impervious Area)		10.95	\$80,241.60
Column 1 Use		Column 2A Infrastructure Charge (\$)	Column 2B Unit	Column 3 Calculated Charge
Reconfiguring a lot		30,677.65	per lot	\$61,355.30
Total Base Charge				\$217,913.30
Charge (including PPI)				\$232,249.43
Total Base Credit				\$107,698.00
Credit (including PPI)				\$114,783.26
TOTAL CHARGE				\$117,466.17

Therefore, a total charge of **\$117,466.17** is payable for the development.

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 **\$117,466.17** 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: 23 November
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.