



Amended Infrastructure Charges Notice

PLANNING ACT 2016, SECTION 121

Application number:	D/85-2015	Contact:	Declan Cox
Date of Decision:	24 July 2023	Contact Number:	1300 22 55 77

1. APPLICANT DETAILS

Name:	Adpen Properties Pty Ltd		
Postal address:	Adam Pennisi PO BOX 604 NEW FARM QLD 4005		
Phone no:	Mobile no:	0404 431 294	Email: Adam@adpen.com.au

2. PROPERTY DESCRIPTION

Street address:	25 Card Street, Berserker
Real property description:	Lot 28 on RP600772

3. OWNER DETAILS

Name:	Adpen Properties 3 Pty Ltd
Postal address:	PO BOX 604 NEW FARM QLD 4005

4. DEVELOPMENT APPROVAL

Development Permit for Material Change of Use for a Multiple Dwelling (nine units)

5. CHANGES TO INFRASTRUCTURE CHARGES NOTICES

Amend infrastructure charges under <i>Charge Resolution No.1 of 2022</i>	Date: 27 July 2023
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6. INFRASTRUCTURE CHARGE

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

- (a) A charge of \$133,353.61 for seven (7) x two (2) bedroom units and two (2) x three (3) bedroom units; and
- (b) An Infrastructure Credit of \$31,750.87 applicable for the existing one (1) allotment.

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

Column 1	Column 2	Column 3	Column 4
Use Schedule	Adopted Infrastructure Charge for residential development	Unit	Calculated Charge

	(\$)			
	(a) 2 or less bedroom	(b) 3 or more bedroom		
Multiple Dwelling	\$13,147.56		Per dwelling	\$92,032.92
		\$18,406.59	Per dwelling	\$36,813.18
Total Base Charge				\$128,846.10
Charge (including PPI)				\$133,353.61
Total Base Credit				\$30,677.65
Credit (including PPI)				\$31,750.87
TOTAL CHARGE				\$101,602.74

Therefore, a total charge of **\$101,602.74** is payable 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*.

No refunds or offsets are applicable to the development.

7. PAYMENT DETAILS

The infrastructure charges of **\$101,602.74** must be paid where for a Material Change of Use – 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. ASSESSMENT MANAGER

Name: Amanda OMara COORDINATOR <u>DEVELOPMENT ASSESSMENT</u>	Signature: 	Date: 27 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.