



Infrastructure Charges Notice

PLANNING ACT 2016, SECTION 121

Application number:	D/145-2024	Contact:	Aidan Murray
Date of Decision:	13 March 2025	Contact Number:	07 4936 8099

1. APPLICANT DETAILS

Name:	R & J Property Consultants Pty Ltd		
Postal address:	C/- BNC Planning PO BOX 5493 TOWNSVILLE QLD 4810		
Phone no:	07 4724 1763	Mobile no:	N/A
Email:	enquire@bncplanning.com.au bnc@bncplanning.com.au		

2. PROPERTY DESCRIPTION

Street address:	70 Bolsover Street, Rockhampton City
Property description:	Lot 2 on RP604327

3. OWNER DETAILS

Name:	J E Forker
Postal address:	72 Bolsover Street, ROCKHAMPTON CITY QLD 4700

4. DEVELOPMENT APPROVAL

Development Permit for Material Change of Use for Rooming Accommodation (18 units & Manager's Residence) and Food and Drink Outlet

5. INFRASTRUCTURE CHARGE

As at the date of the Decision, it is determined the charges for Rooming Accommodation and Food and Drink Outlet under the Charges Resolution, when automatic indexation is applied in accordance with section 3.1, exceeds the prescribed amounts (maximum charges) under Schedule 16 of the Planning Regulation 2017 (the Planning Regulation). Therefore, the maximum charge under Schedule 16 of the Planning Regulation is reflected herein –

Rooming Accommodation

Charges Resolution (No. 1) of 2022 for **accommodation (short and long term)** applies to the application. The Infrastructure Charges are as follows:

- (a) A charge of \$467,571.95 for 19 total units / residences (18 leasable units / suites plus manager's residence all with a single bedroom); and
- (b) An Infrastructure Credit of \$34,452.65, applicable for the existing one allotment.

The calculations are reflected in the below table:

Column 1 Use Schedule	Column 1A Use	Column 2 Adopted Infrastructure Charge for residential development (\$)	Column 3 Unit	Column 4 Calculated Charge
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		(a) 2 or less b'room	(b) 3 or more b'room	(c) Not part of suite		
Accommodation (Long Term)	Rooming Accommodation	24,609.05	34,452.65	24,609.05	Per b'room or suite	\$467,571.95
Total Charge						\$467,571.95
Total Credit						\$34,452.65
LEVIED CHARGE						\$433,119.30

Food and Drink Outlet

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

- (a) A charge of \$5,537.50 for Gross Floor Area being 25 square metres (coffee shop).

The calculations 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)	Food and Drink Outlet	221.50	12.30	\$5,537.50 \$0.00
Total Charge				\$5,537.50
Total Credit				N/A
LEVIED CHARGE				\$5,537.50

Therefore, a total charge of \$438,656.80 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 **\$438,656.80** 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:

19 March 2025

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.