



# Infrastructure Charges Notice (Amended)

PLANNING ACT 2016, SECTION 121

Application number:	<b>D/97-2015</b>	Contact:	Lana Groves
Date of Decision:	<b>25 June 2024</b>	Contact Number:	07 4936 8099

## 1. APPLICANT DETAILS

Name:	<b>Daisy CJC Pty Ltd</b>		
Postal address:	<b>C/- Adams + Sparkes Town Planning PO BOX 1000 BUDDINA QLD 4575</b>		
Phone no:	Mobile no:	Email: <a href="mailto:admin@astpd.com.au">admin@astpd.com.au</a>	

## 2. PROPERTY DESCRIPTION

Street address:	4-6 John Street, Gracemere
Property description:	Lot 505 on R2642

## 3. OWNER DETAILS

Name:	Daisy CJC Pty Ltd
Postal address:	174 Winston Road PALMWOODS QLD 4555

## 4. DEVELOPMENT APPROVAL

<b>'Other Change' to Development Permit for Material Change of Use for a Childcare Centre</b>
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## 5. CHANGES TO INFRASTRUCTURE CHARGES NOTICES

Changed	25 June 2024
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## 6. INFRASTRUCTURE CHARGE

### Original Approval

Charges Resolution (No.5) 2015 for non-residential development applied to the original development application.

The property is within Charge Area 1 and the infrastructure charges are calculated as follows:

- A charge of \$75,684.00 for 636 square metres of Gross Floor Area x \$119.00 per square metre for the Community Purpose (Child Care Centre);
- A charge of \$5,406.00 for 636 square metres of Impervious Area x \$8.50 per square metre for the Community Purpose (Child Care Centre);
- A credit of \$21,000.00 is applied for the existing (1) allotment);
- A 50 per cent reduction is applicable under Council's Development Incentives Policy.

A total charge of **\$30,045.00** is payable for the Community Purpose (Child Care Centre).

*Note: payment for \$30,045.00 was made on 22 November 2017.*

### **Other Change Approval**

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

- (a) A charge of \$35,128.60 for Gross Floor Area being 229 square metres (Childcare Centre - kindergarten extension); and
- (b) A charge of \$6,876.60 for Impervious Area being 628 square metres (roof area and parking areas).

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.

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)	(b)	
		per m <sup>2</sup> of Gross Floor Area (GFA)	per m <sup>2</sup> Impervious to Stormwater	
Educational Facility	Childcare Centre	153.40	10.95	\$42,005.20
Total Base Charge				\$42,005.20
Charge (including PPI)				\$46,209.73
<b>LEVIED CHARGE</b>				<b>\$46,209.73</b>

A total charge of **\$46,209.73** is payable for the Childcare Centre (Kindergarten extension).

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*.

#### **7. WHEN CHARGE IS PAYABLE**

The infrastructure charges of **\$46,209.73** for the Kindergarten extension 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: <b>Tarnya Fitzgibbon</b> <b>MANAGER DEVELOPMENT AND BUILDING</b>	Date: 30 March 2016
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#### **11. ASSESSMENT MANAGER**

Name: <b>Amanda O'Mara</b> <b>COORDINATOR</b> <b>DEVELOPMENT ASSESSMENT</b>	Signature: 	Date: 4 July 2024
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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](mailto:enquiries@rrc.qld.gov.au).

Payment methods will be detailed in an invoice and include paying in person, by credit card or BPAY.