



Amended Infrastructure Charges Notice

SUSTAINABLE PLANNING ACT 2009, SECTION 648F and 648H

Application number:	D-R/599-2008	Contact:	Aidan Murray
Date of Decision:	14 March 2022	Contact Number:	07 4936 8099

1. APPLICANT DETAILS

Name:	Brown and Hurley Pty Ltd				
Postal address:	C/- GSPC PO BOX 379 GRACEMERE QLD 4702				
Phone no:	07 4922 7033	Mobile no:	N/A	Email:	admin@gspc.com.au

2. PROPERTY DESCRIPTION

Street address:	985-1005 Yaamba Road, Parkhurst
Real property description:	Lot 41 on SP226571

3. OWNER DETAILS

Name:	Brown & Hurley Pty Ltd
Postal address:	PO BOX 6537, CENTRAL QUEENSLAND MC QLD 4702

4. DEVELOPMENT APPROVAL

Development Permit for a Reconfiguration of a Lot for a Subdivision (one lot into five lots)

5. CHANGES TO INFRASTRUCTURE CHARGES NOTICES

changed	14 March 2025
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6. INFRASTRUCTURE CHARGE

As at the date of the Decision, it is determined the charges for reconfiguring a lot 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 –

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

- A charge of \$172,263.25 for five (5) new allotments; and
- An Infrastructure Credit of \$34,452.65 applicable for the existing one (1) allotment.

The calculations are reflected in the below table:

Column 1 Use	Column 2 Infrastructure Charge	Column 3 Unit	Column 4 Calculated Charge
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	(\$)		
Reconfiguring a lot	34,452.65	per lot	\$172,263.25
Total Charge			\$172,263.25
Total Credit			\$34,452.65
LEVIED CHARGE			\$137,810.60

Therefore, a total charge of \$137,810.60 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 **\$137,810.60** must be paid prior to endorsement of the survey plan.

8. LAPSING OF INFRASTRUCTURE CHARGES NOTICE

This Infrastructure Charges Notice lapses if the development approval or compliance permit to which it pertains ceases to have effect in accordance with section 341 of the *Sustainable Planning Act 2009*.

2. 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: 17 March 2025