



# Infrastructure Charges Notice

PLANNING ACT 2016, SECTION 121

Application number:	D/118-2023	Contact:	Kathy McDonald
Date of Decision:	2 August 2024	Contact Number:	07 4936 8099

## 1. APPLICANT DETAILS

Name:	Turtleway Learning Centre Pty Ltd				
Postal address:	C/- Capricorn Survey Group (CQ) PO BOX 1391 ROCKHAMPTON QLD 4700				
Phone no:	07 4927 5199	Mobile no:	0407 581 850	Email:	<a href="mailto:reception@csgcq.com.au">reception@csgcq.com.au</a>

## 2. PROPERTY DESCRIPTION

Street address:	Lot 2 Johnson Road, Gracemere
Property description:	Lot 2 on RP617380

## 3. OWNER DETAILS

Name:	Turtleway Learning Centre Pty Ltd
Postal address:	18 Banksia Avenue, TIN CAN BAY QLD 4580

## 4. DEVELOPMENT APPROVAL

**Development Permit for a Material Change of Use for a Multiple Dwelling (20 Units)**

## 5. 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 \$368,131.80 for 20 x three (3) bedroom dwellings; and
- (b) An Infrastructure Credit of \$30,677.65, made up as follows:
  - (i) \$30,677.65 - Infrastructure Credit applicable for the existing one allotment.

In accordance with section 3.1 and 3.2 of *Charges Resolution (No.1) of 2022*, the base charge and credit 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 2 Adopted Infrastructure Charge for residential development		Column 3 Unit	Column 4 Calculated Charge
	(\$)			
	(a) 2 or less	(b) 3 or more		

	<b>b'room</b>	<b>b'room</b>		
Multiple Dwelling	13,147.56	18,406.59	per dwelling	\$368,131.80
Total Base Charge				\$368,131.80
Charge (including PPI)				\$411,640.40
Total Base Credit				\$30,677.65
Credit (including PPI)				\$34,303.37
<b>TOTAL CHARGE</b>				<b>\$377,337.03</b>

A total charge of \$377,337.03 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 **\$377,337.03** 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: 9 August 2024

### 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.