



# Infrastructure Charges Notice

PLANNING ACT 2016, SECTION 121

Application number:	D/130-2023	Contact:	Amanda O'Mara
Date of Decision:	3 May 2024	Contact Number:	07 4936 8099

## 1. APPLICANT DETAILS

Name:	<b>Maas Group Properties Ellida Pty Ltd</b>				
Postal address:	<b>C/- Capricorn Survey Group (CQ) Pty Ltd PO BOX 1391 ROCKHAMPTON QLD 4700</b>				
Phone no:	07 4927 5199	Mobile no:	0407 581 850	Email:	reception@csgcq.com.au

## 2. PROPERTY DESCRIPTION

Street address:	23-27 William Palfrey Road, Parkhurst
Property description:	Lots 37 and 38 on SP341088

## 3. OWNER DETAILS

Name:	Maas Group Properties Ellida Pty Ltd
Postal address:	20L Sheraton Road, DUBBO NSW 2830

## 4. DEVELOPMENT APPROVAL

**Development Permit for Reconfiguring a Lot for a Subdivision (Ellida Estate Stage 1 - Two Lots into 49 Lots and Balance)**

## 5. INFRASTRUCTURE CHARGE

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

(a) A charge of \$1,472 527.20 for 48 new residential allotments.

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	Column 2 Infrastructure Charge (\$)	Column 3 Unit	Column 4 Calculated Charge
Reconfiguring a lot	30,677.65	per lot	\$30,677.65
Total Base Charge			\$1,472 527.20
Charge (including PPI)			\$1,619,920.42

<b>TOTAL CHARGE</b>	<b>\$1,619,920.42</b>
---------------------	-----------------------

The following offsets for establishment cost of trunk infrastructure apply:

<b>Trunk Infrastructure</b>	<b>Local Government Infrastructure Plan (LGIP) ID</b>	<b>Cost Per Metre</b>	<b>Stage 1 Plans for Trunk Infrastructure (PFTI) Length (metres)</b>	<b>Total Cost</b>
Upgrade to Major Urban Collector (Edenbrook Drive)	T-98	\$4,414.00	37	\$163,318.00
Upgrade to Major Urban Collector (McLaughlin Street)	T-103	\$4,414.00	360	\$1,589,040.00
Edenbrook Drive / McLaughlin Street Intersection	T-106A			\$525,784.00
Internal Road (Road 1) (Major Urban Collector)	T-102	\$4,414.00	268	\$1,182,952.00
300 millimetre water main along McLaughlin Street	WAT-69	\$608.00	360	\$218,880.00
450 millimetre water main along Road 1	WAT-51	\$1,420.00	268	\$380,560.00
300 millimetre sewerage main	SEW-29	\$682.00	318	\$216,876.00
<b>Total</b>				<b>\$4,277,410.00</b>

Therefore, a total refund of \$2,657,489.58 is applicable.

#### **6. WHEN REFUND IS PAYABLE**

The refund of \$2,657,489.58 will be paid when the Survey Plan for the development has been registered at Titles Queensland.

#### **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: 3 May 2024