



Infrastructure Charges Notice

PLANNING ACT 2016, SECTION 121

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|---------------------|-------------------|-----------------|--------------|
| Application number: | D/135-2023 | Contact: | Aidan Murray |
| Date of Decision: | 5 July 2024 | Contact Number: | 07 4936 8099 |

1. APPLICANT DETAILS

| | | | | | |
|-----------------|---|------------|--------------|--------|---------------------|
| Name: | Maas Group Properties Ellida Pty Ltd A.C.N. 657 243 233 | | | | |
| Postal address: | C/- Capricorn Survey Group (CQ) Pty Ltd PO BOX 1391 ROCKHAMPTON QLD 4700 | | | | |
| Phone no: | 07 4927 5199 | Mobile no: | 0407 581 850 | Email: | reception@csgcq.com |

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 5 - Two (2) Lots into 45 Lots and Balance Lot)

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 \$1,380,494.25 for forty-five (45) new 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 | | | \$1,380,494.25 |
| Charge (including PPI) | | | \$1,518,675.39 |

| | |
|---------------------|-----------------------|
| TOTAL CHARGE | \$1,518,675.39 |
|---------------------|-----------------------|

The following offsets for establishment cost of trunk infrastructure apply:

| Trunk Infrastructure | Local Government Infrastructure Plan (LGIP) ID | Cost Per Metre | Stage 5 Plans for Trunk Infrastructure (PFTI) Length (metres) | Total Cost |
|--|---|-----------------------|--|-----------------------|
| Internal Road (Road 1) (Major Urban Collector) | T-102 | \$4,445.00 | 209 | \$929,005.00 |
| 450 millimetre water main along Road 1 | WAT-51 | \$1,430.00 | 209 | \$298,870.00 |
| | | | Total | \$1,227,875.00 |

Infrastructure Charges payable for each sub-stage are as follows:

- Stage 5A – \$404,980.10 offset applied to Lots 501 to 506, Lots 520 to 521 and Lots 543 to Lot 545 (12 lots) results in no charge;
- Stage 5B – \$236,238.39 offset applied to Lot 523 and Lots 537 to 542 (7 lots) results in no charge;
- Stage 5C – \$303,735.08 offset applied to Lots 507 to 510 and Lots 515 to 519 (9 Lots) results in no charge;
- Stage 5D – \$282,921.43 offset applied to Lots 524 to 528 and Lots 533 to 536 (9 lots) against total infrastructure charge of \$303,735.08 results in an infrastructure charge of \$20,813.65;
- Stage 5E - \$134,993.37 infrastructure charge applied to Lots 511 to 514 (4 lots); and
- Stage 5F - \$134,993.37 infrastructure charge for Lots 529 to 532 (4 lots).

A total charge of \$290,800.39 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*.

6. WHEN CHARGE IS PAYABLE

The infrastructure charges of **\$290,800.39** must be paid when the local government issues the Approval Certificate for the Survey Plan for each sub-stage as identified above.

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: 15 July 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.

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