



# Negotiated Infrastructure Charges Notice

PLANNING ACT 2016, SECTION 121

Application number:	D/147-2023	Contact:	Sophie Muggeridge
Date of Decision:	28 May 2024	Contact Number:	07 4936 8099

## 1. APPLICANT DETAILS

Name:	C, J and A Thomasson				
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:	<a href="mailto:reception@csgcq.com.au">reception@csgcq.com.au</a>

## 2. PROPERTY DESCRIPTION

Street address:	26-28 Derby Street, Rockhampton City
Property description:	Lot 10 on RP904597

## 3. OWNER DETAILS

Name:	J A Thomasson and A L Thomasson Tte and C J Thomasson Tte
Postal address:	221 East Street, ROCKHAMPTON CITY QLD 4700

## 4. DEVELOPMENT APPROVAL

**Development Permit for a Material Change of Use for Outdoor Sales**

## 5. INFRASTRUCTURE CHARGE

Charges Resolution (No. 1) of 2022 for **commercial (bulk goods)** applies to the application. The Infrastructure Charges are as follows:

- A charge of \$23,148.06 for Gross Floor Area being 150.9 square metres (demountable and industrial shed);
- A charge of \$8,869.50 for Impervious Area being 810 square metres (roof area, hardstand areas, access, and parking areas); and
- An Infrastructure Credit of \$30,677.65 for the existing allotment.

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) per m <sup>2</sup> of Gross Floor Area (GFA)	(b) per m <sup>2</sup> Impervious to Stormwater	
Commercial (bulk goods)	Outdoor Sales	153.40		\$23,148.06
			10.95	\$8,869.50
Total Base Charge				\$32,017.56
Charge (including PPI)				\$35,222.37
Total Base Credit				\$30,677.65
Credit (including PPI)				\$33,748.34
<b>TOTAL CHARGE (including PPI)</b>				<b>\$1,474.03</b>

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 offsets or refunds are applicable for the development.

#### 6. WHEN CHARGE IS PAYABLE

The infrastructure charges of **\$1,474.03** 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: <b>Amanda O’Mara</b> <b>COORDINATOR</b> <b>DEVELOPMENT ASSESSMENT</b>	Signature: 	Date: 10 June 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.