



Infrastructure Charges Notice (Amended)

PLANNING ACT 2016, SECTION 121

Application number:	D/155-2022	Contact:	Kathy McDonald
Date of Decision:	14 March 2025	Contact Number:	07 4936 8099

1. APPLICANT DETAILS

Name:	SPG Developments (Manager) Pty Ltd		
Postal address:	C/- The Development Directive Pty Ltd 884 Logan Road HOLLAND PARK WEST QLD 4121		
Phone no:	N/A	Mobile no:	0422 162 300
Email:	davor@developmentdirective.com.au		

2. PROPERTY DESCRIPTION

Street address:	337-341 Yaamba Road, Park Avenue
Property description:	Lot 24 on SP191047

3. OWNER DETAILS

Name:	Glenwaye Pty Ltd Tte
Postal address:	R W O'Brien & Associates Pty Ltd, PO BOX 582, SOUTH MELBOURNE VIC 3205

4. DEVELOPMENT APPROVAL

Development Permit for a Material Change of Use for Showrooms (six (6) tenancies) and Operational Works for Advertising Devices (two freestanding signs and five wall signs)

5. CHANGES TO INFRASTRUCTURE CHARGES NOTICES

Changed	14 March 2025
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6. INFRASTRUCTURE CHARGE

Charges Resolution (No. 1) of 2022 for **non-residential development** applies to the application.

As at the date of the Decision, it is determined the charge for Showroom under the Charges Resolution, when automatic indexation is applied in accordance with section 3.1, exceeds the prescribed amount (maximum charge) 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 –

- (a) A charge of \$1,178,190.00 for Gross Floor Area being 6,840 square metres (six (6) Showroom tenancies).
- (b) A charge of \$193,331.40 for Impervious Area being 15,718 square metres (roof area, hardstand areas, access, and parking areas); and
- (c) An Infrastructure Credit of \$497,099.15, made up as follows:
 - (i) \$497,099.15 - Infrastructure Credit applicable for the previous lawful Tourist Park (Motel/Caravan Park) which is based on the following:
 - i. A credit of \$374,054.65 for sixty-four (64) tent and caravan sites (group of 3); and
 - ii. A credit of \$123,044.50 for ten (10) motel units (2 or less bedrooms).

The calculations are reflected in the below table:

Column 1 Use Schedule	Column 1A Use	Column 2 Prescribed amounts for non-residential development (\$)		Column 3 Calculated Charge
		(a)	(b)	
		per m ² of Gross Floor Area (GFA)	per m ² Impervious to Stormwater	
Commercial (bulk goods)	Showroom	172.25		\$1,178,190.00
			12.30	\$193,331.40
Total Base Charge				\$1,371,521.40
Total Base Credit				\$497,099.15
LEVIED CHARGE				\$874,422.25

Therefore, a total charge of \$874,422.25 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 offsets or refunds are applicable for the development.

7. WHEN CHARGE IS PAYABLE

The infrastructure charges of **\$874,422.25** must be paid when the change of use happens.

8. 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*.

9. 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>

10. ORIGINAL ASSESSMENT MANAGER

Name: Amanda O'Mara <u>COORDINATOR</u> <u>DEVELOPMENT ASSESSMENT</u>	Date: 27 May 2024
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11. ASSESSMENT MANAGER

Name: Amanda O'Mara <u>COORDINATOR</u> <u>DEVELOPMENT ASSESSMENT</u>	Signature: 	Date: 18 March 2025
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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.

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