



Infrastructure Charges Notice

PLANNING ACT 2016, SECTION 121

Application number:	D/182-2023	Contact:	Sophie Muggerridge
Date of Decision:	15 April 2024	Contact Number:	07 4936 8099

1. APPLICANT DETAILS

Name:	Gracemere Retail Pty Ltd (As Trustee) Gracemere Retail Trust		
Postal address:	C/- Mecone, Emma Laing Level 2, 235 Edward Street BRISBANE CITY QLD 4000		
Phone no:	07 3556 4004	Mobile no:	n/a
Email:	elaing@mecone.com.au		

2. PROPERTY DESCRIPTION

Street address:	6 Lawrie Street, Gracemere
Property description:	Lot 604 on R2642

3. OWNER DETAILS

Name:	Enhance Property Investments No. 6 Pty Ltd
Postal address:	PO Box 103, CARINA QLD 4152

4. DEVELOPMENT APPROVAL

Development Permit for a Material Change of Use for a Food and Drink Outlet (drive-through facility) and Operational Works for Advertising Devices (one (1) freestanding sign and three (3) wall signs)

5. INFRASTRUCTURE CHARGE

Charges Resolution (No. 1) of 2022 for **non-residential development** applies to the application. The Infrastructure Charges are as follows:

- (a) A charge of \$12,620.80 for Gross Floor Area being 64 square metres;
- (b) A charge of \$9,504.60 for Impervious Area being 868 square metres (roof area, hardstand areas, access, and parking areas); and
- (c) No credit is applicable

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	Column 1A	Column 2		Column 3
Use Schedule	Use	Adopted Infrastructure Charge for non-residential development		Calculated Charge
		(\$)		
		(a)	(b)	

		per m ² of Gross Floor Area (GFA)	per m ² Impervious to Stormwater	
Commercial (retail)	Food and Drink Outlet	197.20		\$12,620.80
			10.95	\$9,504.60
Total Base Charge				\$22,125.40
Charge (including PPI)				\$23,941.94
Total Base Credit				nil
Credit (including PPI)				nil
TOTAL CHARGE				\$23,941.94
LEVIED CHARGE				\$23,941.94

Therefore, a total charge of \$23,941.94 is payable for the development.

Please note, if the survey plan for D/151-2023 (Reconfiguring a Lot – one lot into two lots) is endorsed and lodged to the Queensland Titles Office prior to the commencement of the proposed use, a credit of \$30,677.65 (plus PPI) will be applicable for the application and no infrastructure charges will be payable.

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 **\$23,941.94 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: 19 April 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.