



Amended Infrastructure Charges Notice

PLANNING ACT 2016, SECTION 121

Application number:	D/33-2014	Contact:	Aidan Murray
Date of Decision:	13 December 2024	Contact Number:	07 4936 8099

1. APPLICANT DETAILS

Name:	Rocky Climb Pty Ltd		
Postal address:	C/- Gideon Town Planning PO BOX 450 ROCKHAMPTON QLD 4700		
Phone no:	07 4806 6959	Mobile no:	N/A
Email:	info@gideontownplanning.com.au		

2. PROPERTY DESCRIPTION

Street address:	100 Bolsover Street, Rockhampton City
Real property description:	Lot 1 on RP604280 and Lot 2 on RP604280

3. OWNER DETAILS

Name:	KTV Property Pty Ltd Tte
Postal address:	Ktv Trust, 100 Bolsover Street, ROCKHAMPTON CITY QLD 4700

4. DEVELOPMENT APPROVAL

Development Permit for Material Change of Use for Indoor Sport and Recreation
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5. CHANGES TO INFRASTRUCTURE CHARGES NOTICES

Changed	13 December 2024
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6. INFRASTRUCTURE CHARGE

Adopted Infrastructure Charges Resolution (No. 3) 2014 for non-residential development applies to the application and it falls within Charge Area 2. The Adopted Infrastructure Charges are as follows:

Stage 1

Column 1 Use Schedule	Column 2 Charge Area	Column 3 Adopted Infrastructure Charge		Column 4 Adopted Infrastructure Charge for stormwater network		Calculated Charge
		(\$)	Unit	(\$)	Unit	
Indoor Sport and Recreational Facility	Areas 2	140, court areas 20	per m ² of GFA			\$99,680.00
				10	per m ² of impervious area	\$10,120.00

TOTAL	\$109,800.00
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A total charge of **\$64,080.00 is payable for Stage 1.**

This is based on the following calculations:

- (a) \$99,680.00 – Gross Floor Area being 712 square metres;
- (b) \$10,120.00 – Impervious Area being 1,012 square metres (access, parking and roof area); and
- (c) \$45,720.00 – Infrastructure Credit applicable for:
 - \$10,120.00 credit for existing impervious area (1,012 square metres), and
 - \$35,600.00 credit for existing Gross Floor Area (Warehouse) (712 square metres) or
 - \$21,000.00 credit for the two (2) lots that form part of the application, which amounts to \$42,000.00.

As the use credit is the higher, credit is not given for the existing lots.

Stage 2

Column 1 Use Schedule	Column 2 Charge Area	Column 3 Adopted Infrastructure Charge		Column 4 Adopted Infrastructure Charge for stormwater network		Calculated Charge
		(\$)	Unit	(\$)	Unit	
Indoor Sport and Recreational Facility	Areas 2	140, court areas 20	per m ² of GFA			\$25,200.00
				10	per m ² of impervious area	\$0.00
TOTAL						\$25,200.00

A total charge of **\$25,200.00 is payable for Stage 2.**

This is based on the following calculations:

- (a) \$25,200.00 – Gross Floor Area being an additional 180 square metres (mezzanine floor area).

No offsets or refunds are applicable for the development.

7. WHEN CHARGE IS PAYABLE

The infrastructure charges of **\$64,080.00 is payable for Stage 1** and **\$25,200.00 is payable for Stage 2** and must be paid when the change of use happens.

Note regarding Infrastructure charges incentives

Council resolved at its meeting on 20 March 2018 to grant a reduction in infrastructure charges of one hundred per cent (100%), being \$64,080.00 upon compliance with the conditions of the development approval. This specifically relates to Stage 1 of the development as now described and has no bearing on Stage 2.

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: Tarnya Fitzgibbon <u>COORDINATOR DEVELOPMENT ASSESSMENT</u>	Date: 20 March 2014
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11. ASSESSMENT MANAGER

Name: Amanda O’Mara <u>COORDINATOR</u> <u>DEVELOPMENT ASSESSMENT</u>	Signature: 	Date: 19 December 2024
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