



Infrastructure Charges Notice

PLANNING ACT 2016, SECTION 121

Application number:	D/72-2023	Contact:	Aidan Murray
Date of Decision:	19 December 2024	Contact Number:	07 4936 8099

1. APPLICANT DETAILS

Name:	Rockhampton Sports Club Pty Ltd		
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.au		

2. PROPERTY DESCRIPTION

Street address:	4 Graeme Acton Way, Wandal
Property description:	Lot 40 on SP240869

3. OWNER DETAILS

Name:	Rockhampton City Council
Postal address:	PO BOX 1860, ROCKHAMPTON QLD 4700

4. DEVELOPMENT APPROVAL

Development Permit for a Material Change of Use for a Major Sport, Recreation and Entertainment Facility (Multi-Purpose Sports Stadium) and Preliminary Approval for Building Works Assessable against the Planning Scheme

5. INFRASTRUCTURE CHARGE

Charges Resolution (No. 1) of 2022 for non-residential development applies to the application. A Major Sport, Recreation and Entertainment Facility falls within the ambit of the "Other Uses" category under the charges resolution, for which Council has discretion to decide the applicable infrastructure charges at the time of assessment. Based on an assessment of the use and the infrastructure demand it is likely to generate, officers have determined that a charge for Function Facility should be applied.

As at the date of the Decision, it is determined the charge for "Function Facility" 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 –

Stage One – Southwest Grandstand

- A charge of \$120,117.98 for Gross Floor Area being 1,393.48 square metres (South-West Grandstand including Lower, Middle and Upper Concourses; and North-Eastern Grandstand including Lower Amenities and Grandstand Seating Tier);
- A charge of \$37,192.49 for Impervious Area being 3,023.78 square metres (roof area and hardstand areas); and
- No infrastructure credit is applicable.

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 ² of Gross Floor Area (GFA)	(b) per m ² Impervious to Stormwater	
Other Uses	Major Sport, Recreation and Entertainment Facility	Decided by Local Government at time of assessment (Function Facility)		
Function Facility		86.20	12.30	\$120,117.98 \$37,192.49
Total Base Charge				\$157,310.47
Total Base Credit				Nil
LEVIED CHARGE				\$157,310.47

Therefore, a total charge of **\$157,310.47** is payable for stage one of the development.

Stage Two – Northeast Grandstand

- (a) A charge of \$8,919.98 for Gross Floor Area being 103.48 square metres (North-Eastern Grandstand including Lower Amenities and Grandstand Seating Tier);
- (b) A charge of \$28,175.36 for Impervious Area being 2,290.68 square metres (roof area and hardstand areas); and
- (c) No infrastructure credit is applicable.

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 ² of Gross Floor Area (GFA)	(b) per m ² Impervious to Stormwater	
Other Uses	Major Sport, Recreation and Entertainment Facility	Decided by Local Government at time of assessment (Function Facility)		
Function Facility		86.20	12.30	\$8,919.98 \$28,175.36
Total Base Charge				\$37,095.34
Total Base Credit				Nil
LEVIED CHARGE				\$37,095.34

Therefore, a total charge of **\$37,095.34** is payable for stage two of the development.

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

Stage One:

The infrastructure charges of **\$157,310.47** are payable when the change of use happens.

Stage Two:

The infrastructure charges of **\$37,095.34** are payable 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: 20 December 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.