



# Infrastructure Charges Notice (Amended)

PLANNING ACT 2016, SECTION 121

Application number:	<b>D/75-2022</b>	Contact:	Sophie Muggeridge
Date of Decision:	<b>5 July 2024</b>	Contact Number:	07 4936 8099

## 1. APPLICANT DETAILS

Name:	<b>Edenbrook Land Pty Ltd</b>				
Postal address:	<b>C/- Capricorn Survey Group (CQ) Pty Ltd PO BOX 1391 ROCKHAMPTON QLD 4700</b>				
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:	Lot 253 Edenbrook Drive, Parkhurst
Property description:	Lot 255 on SP341094

## 3. OWNER DETAILS

Name:	Edenbrook Land Pty Ltd
Postal address:	PO BOX 6579, NORTH ROCKHAMPTON QLD 4701

## 4. DEVELOPMENT APPROVAL

**Development Permit for Reconfiguring a Lot (one lot into forty-two lots, plus public use lot and balance lot) Edenbrook Estate - Precinct 2 - Stages 3A to 3D**

## 5. CHANGES TO INFRASTRUCTURE CHARGES NOTICES

Changed	5 July 2024
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## 6. INFRASTRUCTURE CHARGE

Adopted Infrastructure Charges Resolution (No. 5) 2015 for Reconfiguring a Lot applies to the application and it falls within Charge Area 1. The Infrastructure Charges are as follows:

Column 1 Charge Area	Column 2 Infrastructure Charge (\$/lot)	Column 3 Unit	Calculated Charge
Charge Area 1	21,000	per lot	<b>\$903,000.00</b>
Total			<b>\$903,000.00</b>
Less credit			\$21,000.00
<b>TOTAL CHARGE</b>			<b>\$882,000.00</b>

This is based on the following calculations:

- (a) A charge of \$882,000.00 for forty-two (42) new residential allotments;

- (b) No charge for proposed Lot 978 (Reserve/Drainage Purposes), transferred to Council as freehold land;
- (c) An Infrastructure Credit of \$21,000.00 for the existing one allotment which applies to the balance lot.

The Infrastructure Charge is payable in stages:

- \$231,000.00 for Lots 492 to 498 and Lots 530 to 533 - eleven (11) residential lots (Stage 3A)
- \$315,000.00 for Lots 499 to 503 and Lots 520 to 529 - fifteen (15) residential lots (Stage 3B)
- \$294,000.00 for Lots 504 to 506 and Lot 509 to 519 - fourteen (14) residential lots (Stage 3C)
- \$42,000 for Lots 507 and 508 – two (2) residential lots (Stage 3D)

A total charge of \$882,000.00 is payable for the development.

This charge may be subject to automatic increases from when the charges are levied until when they are paid in accordance with section 121 of the *Planning Act 2016* and Council's Adopted Infrastructure Charges Resolution (No 5) 2015.

No offsets or refunds are applicable for the development.

#### **7. WHEN CHARGE IS PAYABLE**

The infrastructure charges of \$882,000.00 must be paid when the local government issues the Approval Certificate for the Survey Plan.

#### **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: <b>Amanda O'Mara</b> <b>COORDINATOR</b> <b>DEVELOPMENT ASSESSMENT</b>	Date: 1 June 2024
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### 11. ASSESSMENT MANAGER

Name: <b>Amanda O'Mara</b> <b>COORDINATOR</b> <b>DEVELOPMENT ASSESSMENT</b>	Signature: 	Date: 11 July 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.