



Infrastructure Charges Notice (Amended)

PLANNING ACT 2016, SECTION 121

Application number:	D/76-2022	Contact:	Kathy McDonald
Date of Decision:	5 July 2024	Contact Number:	07 4936 8099

1. APPLICANT DETAILS

Name:	Edenbrook Land 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:	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 4A, 4B and 4C

5. CHANGES TO INFRASTRUCTURE CHARGES NOTICES

Changed	5 July 2024
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6. INFRASTRUCTURE CHARGE

Charges Resolution (No. 1) of 2022 for Reconfiguring a Lot applies to the application. The Infrastructure Charges are as follows:

- A charge of \$1,288,461.30 for forty-two lots (42) new residential allotments;
- No charge for proposed Lot 979 (Reserve/Drainage Purposes), transferred to Council as freehold land; and
- An Infrastructure Credit of \$30,677.65, applicable for the existing one allotment which is applied to the balance lot.

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; and

In accordance with Development Incentives Policy, section 3.5 of the *Charges Resolution (No. 1) of 2022*, the levied charge will be 85 per cent of the total charge calculated.

The automatic increase and development incentive calculations are reflected in the below table:

Column 1	Column 2	Column 3	Column 4
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Use	Infrastructure Charge (\$)	Unit	Calculated Charge
Reconfiguring a lot	30,677.65	per lot	\$1,288,461.30
Total Base Charge			\$1,288,461.30
Charge (including PPI)			\$1,417,430.36
TOTAL CHARGE			\$1,417,430.36
LEVIED CHARGE (15% discount applied)			\$1,204,815.81

The Infrastructure Charge is payable in stages:

- \$430,291.36 for Lots 659 to 673 – fifteen (15) residential lots (Stage 4A)
- \$458,977.45 for Lots 651 to 658 and Lots 674 to 681 - sixteen (16) residential lots (Stage 4B)
- \$315,547.00 for Lots 647 to 650 and Lots 682 to 688 – eleven (11) residential lots (Stage 4C)

A total charge of \$1,204,815.81 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 **\$1,204,815.81** 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:

- Chapter 6 (Dispute Resolution), Part 1 (Appeal Rights); and
- 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 —

- the notice involved an error relating to —
 - 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.
 - the working out of extra demand, for section 120 of PA; or
 - an offset or refund; or
- there was no decision about an offset or refund; or
- if the infrastructure charges notice states a refund will be given—the timing for giving the refund; or
- 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: 1 June 2024
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11. ASSESSMENT MANAGER

Name:	Amanda O'Mara <u>COORDINATOR</u> <u>DEVELOPMENT ASSESSMENT</u>	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.

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