



# Infrastructure Charges Notice (Amended)

PLANNING ACT 2016, SECTION 121

Application number:	D/78-2022	Contact:	Kathy McDonald
Date of Decision:	5 July 2023	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:	<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 balance lot)  
Edenbrook Estate - Precinct 2 - Stages 5A, 5A1, 5B and 5C**

## 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 \$1,319,138.95 for forty-two (42) new residential allotments and one (1) balance lot;
- An Infrastructure Credit of \$30,677.65, applicable for the existing one allotment which applies to the balance lot; and
- An Infrastructure Offset of \$76,146.00 applicable for necessary sewer infrastructure located within the drainage channel.

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	\$1,319,138.95
Total Base Charge			\$1,319,138.95
Charge (including PPI)			\$1,451,178.70
Total Base Credit			\$30,677.65
Credit (including PPI)			<b>\$33,748.34</b>
<b>TOTAL CHARGE</b>			<b>\$1,417,430.36</b>
<b>LEVIED CHARGE (15% discount applied)</b>			<b>\$1,204,815.81</b>

The following offsets for necessary infrastructure apply:

Necessary Infrastructure	Cost Per Metre	Necessary Infrastructure length (metres)	Total Cost
300 millimetre sewer main within drainage corridor (refer to condition 2.1)	\$686.00	111 metres	\$76,146.00
		- 75 metres Stage 5A	Stage 5A - \$51,450.00
		- 36 metres Stage 5A1	Stage 5A1 - \$24,696.00

The Infrastructure Charge is payable in stages:

- \$350,155.27 for Lots 575 to 584 and Lots 589 to 592– fourteen (14) residential lots (Stage 5A).
  - \$51,450.00 offset for 75 metres of necessary sewer infrastructure
- \$90,048.36 for Lots 585 to 588 – four (4) residential lots (Stage 5A1)
  - \$24,696.00 offset for 36 metres of necessary sewer infrastructure
- \$458,977.45 for Lots 567 to 574 and Lots 593 to 600 - sixteen (16) residential lots (Stage 5B)
- \$229,488.73 for Lots 563 to 566 and Lots 601 to 604 - eight (8) residential lots (Stage 5C)

A total charge of \$1,128,669.81 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*.

#### 7. WHEN CHARGE IS PAYABLE

The infrastructure charges of **\$1,128,669.81** 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:

- (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 2023
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### 11. ASSESSMENT MANAGER

Name: <b>Amanda O'Mara</b> <b>COORDINATOR</b> <b>DEVELOPMENT ASSESSMENT</b>	Signature: 	Date: 12 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.