

INFRASTRUCTURE CHARGE NOTICE

(635 of the Sustainable Planning Act 2009)

ISAAC REGIONAL COUNCIL CHARGES RESOLUTION (NO. 1) 2015

Date of Issue of Decision Notice: 8 October 2020

Sent via Email: Erin.Campbell@ghd.com

Q Works Pty Ltd
(Flanagan Consulting)
C/- GHD
Urban Corner, 71 Stanley Street
TOWNSVILLE QLD 4810

APPROVED DEVELOPMENT: Material Change of Use (Development Permit) Multiple Dwelling - 12 Dwellings (8 x 3-bedroom Townhouses and 4 x 4-bedroom townhouses)

APPLICATION NUMBER: PA17002 (MCU17/0003)

APPLICANT: Q Works Pty Ltd
C/- Flanagan Consulting (now GHD)

LAND TO WHICH CHARGE APPLIES: Lot 16 on SP256186 and
Lot 13 on SP256186

SITE ADDRESS: 17-19 Dalton Place and Gillham Terrace, Glenden

PLANNING SCHEME *Planning Scheme for Nebo Shire 2008*

THE INFRASTRUCTURE CHARGE

(Details of how these charges were calculated are shown in Gross Charge Summary)

Gross Levied Charge	\$336,000.00
Offsets Applied Gross	Nil
Refunds Applied	Nil
Credits (Discounts) Applied	\$35,160.00
Infrastructure Agreement In Place At Time Of Issue Of This Infrastructure Charges Notice	Nil
Levied Charge	\$300,840.00

TIME OF PAYMENT (Sec 638 of the *Sustainable Planning Act 2009*)

Prior to commencement of the use. (Confirm charge amount prior to making payment)

GROSS CHARGE SUMMARY

Water Supply

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Residential – Multiple Dwelling	12	3 or more bedroom dwelling unit	\$6,328.00	Table 2.1	\$75,936.00

Discounts

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Education facility	227 GFA	m2	\$42.00	Table 2.2	\$9,534.00

Sewerage

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Residential – Multiple Dwelling	12	3 or more bedroom dwelling unit	\$6,328.00	Table 2.1	\$75,936.00

Discounts

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Education facility	227 GFA	m2	\$42.00	Table 2.2	\$9,534.00

Transport

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Residential – Multiple Dwelling	12	3 or more bedroom dwelling unit	\$8,596.00	Table 2.1	\$103,152.00

Discounts

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Education facility	227 GFA	m2	\$56	Table 2.2	\$12,712.00

Public Parks and Community Land

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Residential – Multiple Dwelling	12	3 or more bedroom dwelling unit	\$728.00	Table 2.1	\$8,736.00

Discounts

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Education facility	227 GFA	m2	\$0.00	Table 2.2	0.00

**Stormwater
Adopted Charges**

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Residential – Multiple Dwelling	12	3 or more bedroom dwelling unit	\$6,020.00	Table 2.1	\$72,240.00

Discounts

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Impervious area	338m2	m2	\$10.00	Table 2.2	\$3,380.00

Table 3: All Networks Levied Charges

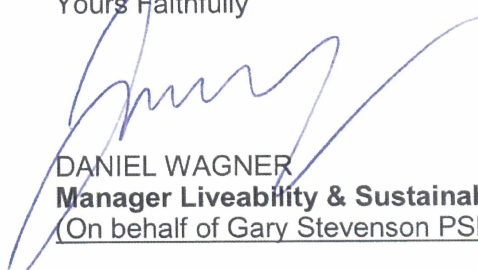
Development Description	Water Supply	Sewerage	Transport	Public Parks & Community Land	Stormwater	Total
Residential – Multiple Dwelling	\$75,936.00	\$75,936.00	\$103,152.00	\$8,736.00	\$72,240.00	\$336,000.00
Discount : Education facility	-\$9,534.00	-\$9,534.00	-\$12,712.00	\$0.00	\$0.00	-\$31,780.00
Discount: Impervious area	\$0.00	\$0.00	\$0.00	\$0.00	-\$3,380.00	-\$3,380.00
Total	\$66,402.00	\$66,402.00	\$90,440.00	\$8,736.00	\$68,860.00	\$300,840.00

** In accordance with Section 3.3 of the Charges Resolution, the discount may not exceed the adopted charge. Any surplus discounts will not be refunded, except at [Council]'s discretion*

Note: Calculation of discounts

Education facility 227m2 GFA
 Impervious area (Education facility) 227m2
 Impervious area (Paved area) 96m2
 Impervious area (Shed) 15m2

Yours Faithfully



DANIEL WAGNER
Manager Liveability & Sustainability
 (On behalf of Gary Stevenson PSM, Chief Executive Officer)

INFORMATION NOTICE

Authority and Reasons for Charge This Infrastructure Charges Notice has been given in accordance with section 635 of the *Sustainable Planning Act 2009* to support the Local government's long-term infrastructure planning and financial sustainability.

Appeals Pursuant to section 478 of the *Sustainable Planning Act 2009* a person may appeal an Infrastructure Charges Notice. Attached is an extract from the *Sustainable Planning Act 2009* that details your appeal rights.

Automatic Increase Provision of charge rate (\$) An infrastructure charge levied by Council is to be increased by the difference between the Producer Price Index (PPI) applicable at the time the infrastructure charge was levied, and PPI Index applicable at the time of payment of the levied charge, adjusted by reference to the 3-yearly PPI Index average¹. If the levied charge is increased using the method described above, the charge payable is the amount equal to the sum of the charge as levied and the amount of the increase.

However, the sum of the charge as levied and the amount of the increase is not to exceed the maximum adopted charge the Council could have levied for the development at the time the charge is paid.

GST The Federal Government has determined that contributions made by developers to Government for infrastructure and services under the *Sustainable Planning Act 2009* are GST exempt.

To whom the charge must be paid Payment of the Charge must be made payable to ISAAC REGIONAL COUNCIL, PO Box 97, Moranbah QLD 4744.

The Infrastructure Charge has been calculated in accordance with the charges stated in Council's Charges Resolution. This notice will be escalated to time of payment to the extent permitted under legislation in force at that time.

It is requested that you contact Council's Liveability and Sustainability Department to confirm that amount payable prior to making payment.

Payment This notice is due and payable by the due time shown. Cheques, money orders or postal notes should be made payable to ISAAC

¹ 3-yearly PPI index average is defined in section 631 of the *Sustainable Planning Act 2009* and means the PPI index smoothed in accordance with the 3-year moving average quarterly percentage change between quarters. PPI Index is the producer price index for construction 6427.0 (ABS PPI) index number 3101 – Road and Bridge construction index for Queensland published by the Australian Bureau of Statistics.

REGIONAL COUNCIL and crossed "Not Negotiable". Change cannot be given on cheque payments. Property owners will be liable for any dishonour fees.

Overseas Payees

Please forward your infrastructure charges payment by way of a bank draft for the required amount in Australian dollars.

Method of Payment

PAYMENT BY MAIL

Confirm the current Infrastructure Charge applicable and obtain an updated payment notice from Council's Liveability and Sustainability Department.

Mail this updated payment notice immediately with your payment to: ISAAC REGIONAL COUNCIL, PO Box 97, Moranbah QLD 4744.

NOTE: Cheques must be made payable to ISAAC REGIONAL COUNCIL

PAYMENT AT COUNCIL OFFICES

Confirm the current Infrastructure Charge applicable.

Present written confirmation of charges with your payment to an Isaac Regional Council Office. Please see Council's website for locations.

NOTE: Cheques must be made payable to ISAAC REGIONAL COUNCIL

PAYMENT MADE BY CREDIT CARD

Credit Cards accepted: Mastercard or Visa

PAYMENT MADE BY ELECTRONIC FUND TRANSFER (EFT)

BSB: 014-550
Account No: 485 702 245
Account Name: ISAAC REGIONAL COUNCIL
Reference: Application Number

Provide Council with a copy of the EFT transfer receipt or remittance advice.

Enquiries

Enquiries regarding this Infrastructure Charges Notice should be directed to the ISAAC REGIONAL COUNCIL, Liveability and Sustainability Department, during office hours, Monday to Friday by phoning (07) 1300 472 227 or email at liveability.sustainability@isaac.qld.gov.au.

Sustainable Planning Act – Appeals Information

Chapter 7: Part 1 Planning and Environment Court

Division 8 – Appeals to court relating to development applications

461 Appeals by applicants

- (1) An applicant for a development application may appeal to the court against any of the following –
 - (a) the refusal, or the refusal in part, of the development application;
 - (b) any condition of a development approval, another matter stated in a development approval and the identification or inclusion of a code under section 242 [Preliminary approval may affect a local planning instrument];
 - (c) the decision to give a preliminary approval when a development permit was applied for;
 - (d) the length of a period mentioned in section 341 [When approval lapses if development not started];
 - (e) a deemed refusal of the development application.
- (2) An appeal under subsection (1)(a), (b), (c), or (d) must be started within 20 business days (the **applicant's appeal period**) after-
 - (a) if a decision notice or negotiated decision notice is given-the day the decision notice or negotiated decision notice is given to the applicant; or
 - (b) otherwise-the day a decision notice was required to be given to the applicant.
- (3) An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

462 Appeals by submitters – General

- (1) A submitter for a development application may appeal to the court only against-
 - (a) the part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314 [Impact assessment – generally]; or
 - (b) the part of the approval relating to the assessment manager's decision under section 327 [Decision if application under s242 requires assessment]
- (2) To the extent an appeal may be made under subsection (1), the appeal may be against 1 or more of the following-
 - (a) the giving of a development approval;
 - (b) any provision of the approval including-
 - (i) a condition of, or lack of condition for, the approval; or
 - (ii) the length of a period mentioned in section 341 [When approval lapses if development not started] for the approval.
- (3) However, a submitter may not appeal if the submitter-
 - (a) withdraws the submission before the application is decided; or
 - (b) has given the assessment manager a notice under section 339(1)(b)(ii) [When an approval takes effect]

- (4) The appeal must be started within 20 business days (the **submitter's appeal period**) after the decision notice or negotiated decision notice is given to the submitter.

463 Additional and extended appeal rights for submitters for particular development applications

- (1) This section applies to a development application to which chapter 9, part 7 [Notification stage for particular aquaculture development] applies.
- (2) A submitter of a properly made submission for the application may appeal to the court about a referral agency's response made by a prescribed concurrence agency for the application.
- (3) However, the submitter may only appeal against a referral agency's response to the extent it relates to-
 - (a) if the prescribed concurrence agency is the chief executive (environment)—development for an aquacultural ERA; or
 - (b) if the prescribed concurrence agency is the chief executive (fisheries)—development that is—
 - (i) a material change of use of premises for aquaculture; or
 - (ii) operational work that is the removal, damage or destruction of a marine plant.
- (4) Despite section 462(1), the submitter may appeal against the following matters for the application even if the matters relate to code assessment-
 - (a) a decision about a matter mentioned in section 462(2) if it is a decision of the chief executive (fisheries);
 - (b) a referral agency's response mentioned in subsection (2)

464 Appeals by advice agency submitters

- (1) Subsection (2) applies if an advice agency, in its response for an application, told the assessment manager to treat the response as a properly made submission.
- (2) The advice agency may, within the limits of its jurisdiction, appeal to the court about-
 - (a) any part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314 [Impact assessment – generally]; or
 - (b) any part of the approval relating to the assessment manager's decision under section 327 [Decision if application under s242 requires assessment].
- (3) The appeal must be started within 20 business days after the day the decision notice or negotiated decision notice is given to the advice agency as a submitter.
- (4) However, if the advice agency has given the assessment manager a notice under section 339(1)(b)(ii) [When approval takes effect], the advice agency may not appeal the decision.

465 Appeals about decisions relating to extensions for approvals

- (1) For a development approval given for a development application, a person to whom a notice is given under section 389, other than a notice for a decision under section 386(2), may appeal to the court against the decision in the notice.
- (2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.

- (3) Also, a person who has made a request under section 383 may appeal to the court against a deemed refusal of the request.
- (4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

466 Appeals about decisions relating to permissible changes

- (1) For a development approval given for a development application, the following persons may appeal to the court against a decision on a request to make a permissible change to the approval—
 - (a) if the responsible entity for making the change is the assessment manager for the application—
 - (i) the person who made the request; or
 - (ii) an entity that gave a notice under section 373 or a pre-request response notice about the request;
 - (b) if the responsible entity for making the change is a concurrence agency for the application—the person who made the request.
- (2) The appeal must be started within 20 business days after the day the person is given notice of the decision on the request under section 376.
- (3) Also, a person who has made a request under section 369 may appeal to the court against a deemed refusal of the request.
- (4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

467 Appeals about changing or cancelling conditions imposed by assessment manager or concurrence agency

- (1) A person to whom a notice under section 378(9)(b) giving a decision to change or cancel a condition of a development approval has been given may appeal to the court against the decision in the notice.
- (2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.