

**INFRASTRUCTURE CHARGE NOTICE**

*(635 of the Sustainable Planning Act 2009)*

**ISAAC REGIONAL COUNCIL CHARGES RESOLUTION (NO. 2) 2018**

Date of Issue of Decision Notice: 03 March 2020

Sent via Email: [john.viklund@cardno.com.au](mailto:john.viklund@cardno.com.au)

Ian Mitchell  
C/- Cardno HRP  
PO Box 759  
MACKAY QLD 4740

**APPROVED DEVELOPMENT:** Material change of use (development permit) for storage facility (8 depot areas including associated workshop, office and sheds) plus caretaker’s residence; and

Reconfiguring a lot (development permit) creating an easement giving access to a lot from a constructed road

**APPLICATION NUMBER:** PA16011 (MCU17/0012)

**APPLICANT:** Ian Mitchell  
C/- Cardno HRP

**LAND TO WHICH CHARGE APPLIES:** Lot 8 on RP853653

**SITE ADDRESS:** 383 Long Pocket Road, Moranbah

**PLANNING SCHEME** *Planning Scheme for Belyando Shire 2009*

**THE INFRASTRUCTURE CHARGE**

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

Gross Levied Charge	\$15,660.00
Offsets Applied Gross	Nil
Refunds Applied	Nil
Credits (Discounts) Applied	Nil
Infrastructure Agreement In Place At Time Of Issue Of This Infrastructure Charges Notice	Nil
<b>Levied Charge</b>	<b>\$15,660.00</b>

**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

No Water Supply charges are applicable to the development.

### Sewerage Adopted Charges

No Sewerage charges are applicable to the development.

**Table 1: Transport Adopted Charges**

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Material Change of Use "Storage Facility"	M <sup>2</sup>	783	\$20.10	Table 2.2	\$15,660.00

**Table 2: Transport Credit Land Use (Discount)**

\* Highest value of (a), (b), (c) or (d) or (e) is to be applied as the discount.

\*\* If site is located where it will not to be serviced, or planned to serviced by Council trunk sewerage and water supply then those components shall be deducted from the total adopted charge payable).

\*\*\* A discount calculated in this table will not be higher than the levied charge for proposed development and surplus discount will not be refunded, unless it forms part of an infrastructure agreement.

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
n/a	n/a	n/a	n/a	The demand unit	\$0.00

### Parks and Land for Community Facilities Adopted Charges

No Parks and Land for Community charges are applicable to the development.

### Stormwater Adopted Charges

No Stormwater charges are applicable to the development.

**Table 3: All Networks Levied Charges**

Development Description	Water Supply	Sewerage	Transport	Parks & Land for Community Facilities	Stormwater	Total
Material Change of Use "Storage Facility"	\$0.00	\$0.00	\$15,660.00	\$0.00	\$0.00	\$15,660.00

\* 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

Yours Faithfully



DAMIAN PEARSON

**Acting 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 average<sup>1</sup>. 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

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<sup>1</sup> 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](mailto: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.