

Infrastructure Charge Notice

To: KS8 PTY LTD
C/- GASSMAN DEVELOPMENT PERSPECTIVES
PO BOX 392
BEENLEIGH QLD 4207

Cc: PATRICIA ANN HESTER
60 STAPYLTON JACOBS WELL ROAD
STAPYLTON QLD 4207

WILLIAM ARTHUR HESTER
60 STAPYLTON JACOBS WELL ROAD
STAPYLTON QLD 4207

Land to which charges apply

The land to which the charges in this notice apply is.

Property description **LOT1 RP6882, LOT240 W31320, LOT4 RP6843**

Property address **82 CHRISTENSEN ROAD STAPYLTON**

Total levied charge payable

\$ 1,091,563.53

+ADJUSTMENTS

Due date for payment

Total payable prior to the local government that levied the charge approving the plan of subdivision for the reconfiguration.

Payment details

Payment of the charges must be made in accordance with the "How to pay methods" section of this notice.

Adjustments to charge

The levied charge will automatically increase by the lesser of the following:

- (a) The difference between the levied charge and the maximum adopted charge the local government could have levied for the development when the charge is paid; and
- (b) The increase worked out using the PPI, adjusted according to the 3-yearly PPI average, for the period starting on the day the levied charge is levied and ending on the day the charge is paid.

'3-yearly PPI average' and 'PPI' have the meanings given in the *Planning Act 2016*.

As the charge amount stated above is current at the date the notice was generated, the total charges due at the date of payment may be greater.

Offsets and/or Refunds

Offsets (if applicable) will be provided consistent with the provisions of the *Planning Act 2016* and Council's Charges Resolution. If applicable, details of the offset are provided on this Infrastructure Charge Notice.

Offsets

An offset/refund against the levied charge applies for the provision of trunk sewerage infrastructure works required by the City of Gold Coast's (City) Local Government Infrastructure Plan (LGIP) Version 1 (dated 27 June 2018) and conditioned under development approval ROL 201800079.

The necessary trunk sewer infrastructure includes gravity main XGMA21. The offset/refund will be based on the establishment cost (value) of the trunk infrastructure. Details of the estimated value of the trunk infrastructure are set out in the table below.

The entitlement to the offset/refund will occur when the works are accepted formally 'On Maintenance' by the City in accordance with the Gold Coast City Plan Version 6 Schedule 6.11 City Plan Policy - Land Development Guidelines and the Water and Sewerage Connections Policy.

The actual value of the trunk sewer infrastructure to be offset/refund will be determined in accordance with the process as set out in Schedule 1 of the City's Charges Resolution. The current Charges Resolution is Charges Resolution No.1 of 2018.

The construction cost estimate for this project is \$4,009,000. This is based on the Water Supply and Sewerage Infrastructure Plan and the current LGIP.

Estimated Sewer Network Offset/Refund

Details	Amount
Gravity Trunk Sewers, 450 mm in diameter	\$3,442,000
Engineering design, surveys & supervision (16% of Construction Cost)	\$550,720
QLeave entitlement (0.475% of Construction Cost)	\$16,300
Total estimated sewer network works value	\$4,009,020

Refunds

If the final value of the trunk infrastructure that accrues for a stage exceeds the amount of the levied charge for a stage, a refund will be applicable for the difference between the levied charge and the accrued value of trunk infrastructure delivered for that stage.

A refund based on the accrued value of works will payable by the City within 30 business days after the latter of:

- Notification of 'On Maintenance' of the trunk infrastructure provided to the City by the applicant;
- The due date of payment of the charge.

Total estimated offset value	\$4,009,020.00
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Failure to pay charge

A levied charge is, for the purposes of recovery, taken to be rates of the local government that levied it.

Authority for charge	The charges in this notice are payable in accordance with the <i>Planning Act 2016</i> .
GST	GST does not apply to payments or contributions made by developers to Government which relate to, or relates to, an application for the provision, retention, or amendment of a permission, exemption, authority or licence (however described) under the <i>Planning Act 2016</i> .
Enquiries	Enquiries regarding this Infrastructure Charge Notice should be directed to the Developer Contribution Group on Ph: (07) 5582 9030, during office hours, 9.00am to 5.00pm, Monday to Friday or e-mail dcg@goldcoast.qld.gov.au .

Infrastructure Charge Notice

Monday, 26 November 2018

Application	PN163781/23/DA2
Site address	82 CHRISTENSEN ROAD, STAPYLTON
Application number & code	201800079 ROL
Application description	2 INTO 38 LOT SUBDIVISION PLUS BALANCE LOT
Officer name	Olivia Sharpe

Charge calculation

Charges Resolution No. 1 of 2018

	Qty		Rate	Gross Charge Amount
ROL Proposed Lot	39 Lots	@	\$ 28,808.75	\$ 1,123,541.25
				\$ 1,123,541.25

Net Charge Summary

Gross Charge Amount	Applied Credit Amount	Net Charge Amount
\$ 1,123,541.25	\$ 31,977.72	\$ 1,091,563.53

Applied credit details

Credit applied for 2 x standard lots less sewer and water.

Office Use Only	
\$ 591,587.82	OTHINF
\$ 377,509.86	SEWINF
\$ 122,465.85	WTRINF
\$ 1,091,563.53	

DECISION NOTICE

DECISION TO GIVE AN INFRASTRUCTURE CHARGES NOTICE

Pursuant to section 119 of the *Planning Act 2016*, on the 23rd November 2018, the City decided to give this infrastructure charges notice. The date the development application was approved is set out on the first page of the decision notice approving the development application.

Appeal rights

You have appeal rights in relation to this notice. An appeal may be made against an 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 the *Planning Act 2016*; 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) for an appeal to the Planning and Environment Court – the amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.

To remove any doubt, the *Planning Act 2016* declares that an 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 trunk infrastructure identified in a local government infrastructure plan; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

An appeal must be started within 20 business days after the infrastructure charges notice is given to you.

An appeal may be made to the Planning and Environment Court or to a development tribunal.

An appeal is started by lodging a notice of appeal with the registrar of the Planning and Environment Court or a development tribunal, as applicable. The notice of appeal must be in the approved form, succinctly state the grounds of the appeal and be accompanied by the required

fee.

An appellant to the Planning and Environment Court must give a copy of the notice of appeal, within 10 business days after the appeal is started, to the persons identified in section 230(3) of the *Planning Act 2016*. A person who is appealing to the Planning and Environment Court must comply with the rules of the court that apply to the appeal.

Chapter 6, Part 1 and Schedule 1 of the *Planning Act 2016* sets out further information about appeal rights.

How to pay methods



Pay by mail

Ordinary mail

Simply enclose this Notice and your cheque or money order made payable to Gold Coast City Council in an envelope and post it to this address:

**Council of the City of Gold Coast
PO Box 5042 GCMC QLD 9729**



Customer Service Centre in person

Pay at any Customer Service Centre with cash, cheque, or debit card (no surcharge), MasterCard or Visa (maximum \$50,000 using credit card). Payment by credit card will incur a surcharge.

Customer Service Centres

Monday to Friday 8.15am to 4.30pm

Broadbeach 61 Sunshine Boulevard, Mermaid Waters

Bundall 8 Karp Court, Bundall

Burleigh Heads Park Avenue, Burleigh Heads

Coolangatta The Strand, Marina Parade, Coolangatta

Helensvale Cnr Lindfield Road and Sir John Overall Drive, Helensvale

Nerang 833 Southport Nerang Road, Nerang

Palm Beach 26 11th Avenue, Palm Beach

Southport 47 Nerang Street, Southport

Upper Coomera Cnr Abraham Road and Reserve Road, Upper Coomera

How to contact us



07 5582 8866 or 1300 69 4222

(7am to 6pm, Monday to Friday), or from outside of Australia call +61 7 5582 8866



Visit us at any Customer Service Centre

Open hours; cityofgoldcoast.com.au



Council of the City of Gold Coast

PO Box 5042, GOLD COAST MC QLD 9729



goldcoast.qld.gov.au