

Infrastructure Charge Notice

To: Frasers Property Pty Ltd
C/- Gassman Development Perspectives
PO Box 392
BEENLEIGH QLD 4207

Cc: Australand Industrial No. 89 Pty Limited
Level 2 / 1C Homebush Bay Drive
RHODES NSW 2138

Patricia Ann Hester
61 Carl Heck Boulevard
WINDAROO QLD 4207

William Arthur Hester
61 Carl Heck Boulevard
WINDAROO 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, LOT 500 - 501 SP295994 Property address 82 Christensen Road South STAPYLTON
Originating application	The charges specified on this notice originated from the following development approval: Application number ROL/2018/79
Triggering application	Issue of this infrastructure charge notice has been triggered by approval of the following application. Application number MIN/2019/761
Nature of changes made	The original ROL/2018/79 involved 2 into 39 lot subdivision (including balance lot). Infrastructure charges were raised under Charges Resolution No.1 of 2018 for 39 proposed lots. This current Minor change MIN/2019/761 involves a reduction of lots to 23 (including balance lot). Infrastructure charges have been reduced and retained for 23 lots under Charges Resolution No.1 of 2018.
Charges amount	The table below summarises charges payable in respect of the development approval as amended by change application approval (as specified in 'triggering application'). The table indicates which charging regime the charges were calculated under, and gives the total amount payable.

**Due date for
payment**

Charges Resolution No. 1 of 2018

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

\$ 657,179.61

TOTAL LEVIED CHARGE PAYABLE

\$ 657,179.61

+ADJUSTMENTS

**Payment
details**

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

**Adjustments
to charge**

The levied charge under *Charges Resolution No. 1 of 2018* will automatically increase in accordance with section 4.7 of that instrument by the lesser of the following amounts:

- (a) The amount that is the difference between the levied charge for the development and the amount of the maximum adopted charge Council could have levied for the development at the time the charge is paid; and
- (b) An amount representing the increase in the PPI index for the period starting on the day the charge was levied and ending on the day the charge is paid adjusted by reference to the 3-yearly PPI index average.

'3-yearly PPI index average' and 'PPI Index' have the meanings given in the *Sustainable Planning Act 2009*.

As the levied charge amount is current at the date of issue, 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

Sewer Network

An offset/refund against the levied charge applies for the provision of trunk sewerage infrastructure works (gravity main ST_XGMA21) required by the City of Gold Coast's (City) Local Government Infrastructure Plan (LGIP) Version 1 (as amended 1 July 2019), originally conditioned under development approval ROL/2018/79 and now under MIN/2019/761. The offset/refund will be based on the establishment cost (value) of the trunk infrastructure and consistent with the provisions of the City's LGIP. Details of the estimated value of the trunk infrastructure are set out below. The entitlement to an offset/refund will accrue when the works are accepted formally 'on maintenance' by the City in accordance with the City Plan Version 7 Schedule 6.11 City Plan Policy – Land Development Guidelines.

The actual value of the trunk infrastructure to be offset will be determined in accordance with the process set out in City's Charges Resolution. The current Charges Resolution is Charges Resolution No.1 of 2019. Prior to the City giving the offset/refund, the value of the offset/refund will be re-assessed and confirmed by City. The City will apply sections 127-129 of the *Planning Act 2016* and an offset/refund against the infrastructure charges will be available.

Estimated Sewer Network Offset/Refund

Details	Amount
Estimated work value	
Gravity Trunk Sewers, 450 mm in diameter	\$3,442,000.00
Engineering design, surveys & supervision (16% of Construction Cost)	\$550,720.00
QLeave entitlement (0.475% of Construction Cost)	\$16,300.00
Total estimated sewer network works value	\$4,009,020.00

Refunds

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

A refund based on the accrued value of works will be 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 for the charge.

Total estimated offset value **\$ 4,009,020.00**

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 *Planning Act 2016*.

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 *Planning Act 2016*.

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

Thursday, 04 June 2020

Application	PN163781/23/DA2
Site address	82 Christensen Road South, STAPYLTON
Application number & code	MIN/2019/761
Application description	MINOR CHANGE MIN/2019/761 AMENDING ROL/2018/79 - 2 INTO 22 LOT SUBDIVISION PLUS BALANCE LOT (M38 INDUSTRIAL PARK)
Officer name	Amanda Ryan

Charge calculation

Charges Resolution No. 1 of 2018

	Qty		Rate	Gross Charge Amount
ROL Proposed Lot	23 Lots	@	\$ 30,021.91	\$ 690,503.93
				\$ 690,503.93

Net Charge Summary

Gross Charge Amount	Applied Credit Amount	Net Charge Amount
\$ 690,503.93	\$ 33,324.32	\$ 657,179.61

Applied credit details

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

Office Use Only	
\$ 349,905.36	OTHINF
\$ 232,009.28	SEWINF
\$ 75,264.97	WTRINF
\$ 657,179.61	

DECISION NOTICE

DECISION TO GIVE AN INFRASTRUCTURE CHARGES NOTICE

Pursuant to section 119 of the *Planning Act 2016*, on 3rd June 2020, Council decided to give this infrastructure charges notice.

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 9726**



Customer Service Centre in person

Pay at any Customer Service Centre with cheque, debit card, MasterCard or Visa.

Payments by credit card over \$50,000 not accepted

For locations and opening hours please visit
cityofgoldcoast.qld.gov.au

How to contact us



07 5582 9030 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.qld.gov.au



Council of the City of Gold Coast

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