# Infrastructure Charge Notice

To: FPI Queensland 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

**Land to which charges apply**

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

Property description **LOT 120 - 121 SP316137, LOT501 SP295994**

Property address **60 Stapylton Jacobs Well Road STAPYLTON**

**Total levied charge payable** **$ 1,854,691.84**
+ADJUSTMENTS

**Due date for payment**

**Total payable prior to the earliest of the following events: when the change happens or final plumbing inspection being undertaken or issue of a certificate of classification/certificate of occupancy or final inspection certificate for building work being issued.**

**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.

| | |
|---|---|
| **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. |

CITY OF GOLDCOAST.

# *Infrastructure Charge Notice*

Tuesday, 29 March 2022

| | |
|---|---|
| Application | **PWK1585402/16** |
| Site address | **60 Stapylton Jacobs Well Road , STAPYLTON** |
| Application number & code | **MCU/2021/718** |
| Application description | **WAREHOUSE (AND MANUFACTURER'S SHOP) – (PROPOSED LOT 121 SP316137)** |
| Officer name | **Megan Nott** |

## Charge calculation

### Charges Resolution No. 1 of 2019

| | Qty | | | Rate | Gross Charge Amount |
|---|---|---|---|---|---|
| Impervious Area | 44,468 | Square Metres | @ | $ 11.04 | $ 490,926.72 |
| Industry | 24,688 | sq m Gross Floor Area | @ | $ 55.24 | $ 1,363,765.12 |
| | | | | | $ 1,854,691.84 |

***Net Charge Summary***

| Gross Charge Amount | Applied Credit Amount | Net Charge Amount |
|---|---|---|
| $ 1,854,691.84 | $ 0.00 | $ 1,854,691.84 |

**Applied credit details**

*Credit will be available for lot 121 when plans are sealed regarding COM/2022/13*

| Office Use Only | |
|---|---|
| $ 1,247,860.80 | DC011 |
| $ 458,209.28 | DC013 |
| $ 148,621.76 | DC020 |
| **$ 1,854,691.84** | |

# *DECISION NOTICE*

## DECISION TO GIVE AN INFRASTRUCTURE CHARGES NOTICE

Pursuant to section 119 of the *Planning Act 2016*, on the 28th March 2022, 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 9726**

### Customer Service Centre in person

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

*Payment by credit card will incur a surcharge.*

*Cash is not accepted.*

There have been changes to our centres, for locations and opening hours please visit **cityofgoldcoast.com.au/contactus**

## 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

There have been changes to our centres, for locations and opening hours please visit **cityofgoldcoast.com.au/contactus**

Council of the City of Gold Coast

PO Box 5042, GOLD COAST MC QLD 9726

goldcoast.qld.gov.au