



DECISION NOTICE - INFRASTRUCTURE CHARGES

Decision Date: As stated on the Decision Notice for the development application 3827/2019/CA

Council gives this infrastructure charges notice pursuant to section 119 of the *Planning Act 2016*.

Appeal Rights

You have appeal rights in relation to this notice. An appeal may be made against an infrastructure charges notice on one (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.

Attached is an extract from the *Planning Act 2016* about appeal rights.

Your reference
Our reference 3827/2019/CA
Contact Officer Customer Service Unit
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Wood Mulching Industries Pty Ltd C/-
Ethos Urban Pty Ltd

Negotiated Infrastructure Charges Notice

This Infrastructure Charges Notice is issued by Council and relates to charges for the purposes of local government trunk infrastructure networks (transport, public parks and community facilities).

Not released for issue.

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| Application Number: | 3827/2019/CA |
| Infrastructure Charges Notice Number: | ICN-001145 |
| Application Type: | Combined Approval for Reconfiguring a Lot and Material Change of Use |
| Stage Name: | N/A |
| Real Property Description: | 402SP283238, 6SP196914 |
| Property Address: | 7006 Unnamed Road, SWANBANK QLD 4306 |
| Secondary Address: | Not Applicable |
| Development Approval Details: | In accordance with Development Approval 3827/2019/CA |
| Relevant Infrastructure Charges Resolution: | AICR (No.1) 2021, AICR (No.1) 2021 |
| Related Infrastructure Agreements: | School Road to Centenary Highway Infrastructure Agreement 2018 |
| Maximum Adopted Charge: | Refer Attachment 1 – Applied adopted charge (AC) (including the automatic increase) |
| Offsets: | No offsets apply. |
| Refunds: | No refund applies. |
| Levied Charge: | \$501,965.52 |

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| Applied Adopted Charge: | Details of how the levied charge and any charges reductions, other adjustments, offsets and refunds have been worked out are provided in Attachment 1 to this notice. |
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Details of Payment

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| Payment details: | <p>Payment of the infrastructure charges must be made to Ipswich City Council.</p> <p>It is advised that credit cards, personal and/or company cheques cannot be accepted as payment for the above infrastructure charges. The only acceptable forms of payments are cash (EFT payments included) or bank cheques.</p> <p>The payee must quote the development application reference number when making payment.</p> |
| Due date for payment: | <p>Payment of the levied charges is required—</p> <ul style="list-style-type: none"> (i) if the charge applies for the reconfiguring of a lot - when Council approves a plan for the reconfiguration; (ii) if the charge applies for a material change of use - when the change happens; (iii) if the charge applies for building work - prior to the issue of a final inspection certificate for the building work or the certificate of classification for the building is given <p>unless otherwise stated in an infrastructure agreement.</p> |
| Automatic increases of infrastructure charges contained in this advice: | <p>The levied charges outlined in this notice shall be applicable for a period of twelve (12) months from the date of the development approval, and thereafter the levied charges outlined in this notice will be automatically increased, from the date of the charges notice to the date of the payment, by the lesser of the following amounts—</p> <ul style="list-style-type: none"> (i) the difference between the levied charge and the maximum adopted charge Council could have levied for the development when the charge is paid; (ii) 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 it is paid. <p>‘3-yearly PPI average’ and ‘PPI’ have the meanings given in the <i>Planning Act 2016</i>.</p> |

General Information

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| GST: | GST does not apply to payments or contributions made by developers to Government which relate/s 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> . |
| Authority for the charge: | The levied charges in this notice are payable in accordance with the <i>Planning Act 2016</i> . |
| How the charge is calculated: | <p>The levied charge for the development is to be worked out by Council as follows:</p> $LC = ((AC \times AD) - LCR) - D$ <p>Where:</p> <p>LC is the levied charge for the development, which cannot be less than zero.</p> <p>AC is the applied adopted charge for the development.</p> |

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| | <p>AD is the additional demand for the development. LCR is the levied charge relief for the development. D is the discount for the prescribed financial contribution.</p> |
| Offsets and refunds: | <p>The following apply if a trunk infrastructure contribution services or is planned to service premises other than premises the subject of the relevant approval and an adopted charge applies to the development the subject of the approval:</p> <ul style="list-style-type: none"> • an offset—where the cost for the trunk infrastructure contribution calculated in accordance with Section 28 of the AICR (No.1) 2021, AICR (No.1) 2021 is equal to or less than the levied charge; and • a refund—where the cost for the trunk infrastructure contribution calculated in accordance with Section 28 of the AICR (No.1) 2021, AICR (No.1) 2021 is more than the levied charge. <p>Calculation of an offset / refund for work pursuant to Section 28(1)(d) of the AICR (No.1) 2021, AICR (No.1) 2021 will be used when the details provided in accordance with section 29(1)(b) of the IAICR evidence that the actual cost is less than the establishment cost for work calculated pursuant to section 28(1)(a) of the IAICR.</p> <p>The establishment cost for the trunk infrastructure, is to be determined in accordance with Section 23 of the AICR (No.1) 2021, AICR (No.1) 2021 and is set out in Attachment 2.</p> <p>Notwithstanding, any application of an offset / refund is restricted only to works which are in accordance with the desired standards of service as set out in the priority infrastructure plan extrinsic material and the conditions of the Development Approval and any subsequent operational works approval.</p> <p><i>Note: To avoid doubt, an offset / refund will not apply in the event that the trunk infrastructure contribution identified in Section 11 of Development Decision Notice are carried out or provided by another entity including but not limited to Council or another developer in association with a separate development approval.</i></p> |
| Appeals: | <p>Pursuant to chapter 6, part 1 and schedule 1 of the <i>Planning Act 2016</i> a person may appeal against an infrastructure charges notice.</p> |
| When this notice stops having effect: | <p>In accordance with section 119(11) of the <i>Planning Act 2016</i>, this notice stops having effect to the extent the development approval stops having effect.</p> |
| Infrastructure charges notice advice: | <p>This Negotiated Infrastructure Charges Notice does not include the levied charges payable for water supply and sewerage networks to be levied by the Central SEQ Distributor-Retailer Authority (trading as Urban Utilities), which are in a separate infrastructure charges notice.</p> <p>Note: Relating to Attachment A involving Reconfiguring a Lot (RAL) - One (1) Lot into Two (2) Lots plus Balance Lot, and Access Easement:</p> <ol style="list-style-type: none"> 1. Proposed balance Lot 406 – infrastructure charges not charged as this lot is proposed as a 'Management Lot'. Infrastructure charges shall be applicable when this lot is developed (via RAL or MCU) in future. 2. RAL proposed to be carried out upon commencement of MCU for Waste Activity/Special Industry (Stages 1 and 2) <p>Note: Relating to Attachment B - Material Change of Use (MCU) for Waste Activity/Special</p> |



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| | <p>Industry (Stages 1 and 2)</p> <p>1. Credit applied for existing Lot 402 SP 283238 (Lot > 450m2 - paid as part of DA 7908/2015/RAL utilizing credits from 'School Road to Centenary Highway Link Infrastructure Agreement 2018')</p> |
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ATTACHMENT 1 - INFRASTRUCTURE CHARGES CALCULATION METHODOLOGY

Additional demand (AD)

| Category | Demand Unit | Development Demand (DD) | Demand Credit (DC) | Additional Demand (AD = DD - DC) |
|---|-------------|-------------------------|--------------------|----------------------------------|
| Stage 1 - Attachment B - MCU - Lot - Residential (Lot > 450m ²) | Lot | 0 | 1 | -1 |
| Stage 2 - Attachment B - MCU - Special industry | GFA (m2) | 1835 | 0 | 1835 |
| Attachment A - RAL - Lot - Other industry area - constrained | GFA (m2) | 6650 | 0 | 6650 |
| Attachment A - RAL - Lot - Other industry area - constrained | GFA (m2) | 2194.5 | 0 | 2194.5 |
| Attachment A - RAL - Special industry | GFA (m2) | 0 | 16725 | -16725 |
| Stage 1 - Attachment B - MCU - Special industry | GFA (m2) | 8929 | 0 | 8929 |

Applied adopted charge (AC) including the automatic increase

| Charge Category | Adopted Charge Rate (\$/unit) | Indexed Adopted Rate (\$/unit) | Capped Charge Rate (\$/unit) | Applied Adopted Charge (AC) (\$/unit) |
|---|-------------------------------|--------------------------------|------------------------------|---------------------------------------|
| Attachment A - RAL - Community Facilities - SINS | | | | |
| Attachment A - RAL - Lot - Other industry area - constrained | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Attachment A - RAL - Parks - PKNS | | | | |
| Attachment A - RAL - Lot - Other industry area - constrained | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Attachment A - RAL - Transport - RD21 | | | | |
| Attachment A - RAL - Lot - Other industry area - constrained | \$61.98 | \$61.98 | \$33.86 | \$33.86 |
| Attachment A - RAL - Special industry | \$61.98 | \$61.98 | \$47.43 | \$47.43 |
| Stage 1 - Attachment B - MCU - Community Facilities - SINS | | | | |
| Stage 1 - Attachment B - MCU - Special industry | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Stage 1 - Attachment B - MCU - Parks - PKNS | | | | |
| Stage 1 - Attachment B - MCU - Special industry | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Stage 1 - Attachment B - MCU - Transport - RD21 | | | | |

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|---|------------|------------|---------|------------|
| Stage 1 - Attachment B - MCU - Special industry | \$61.98 | \$61.98 | \$47.43 | \$47.43 |
| Stage 1 - Attachment B - MCU - Lot - Residential (Lot > 450m²) | \$8,571.34 | \$8,571.00 | | \$8,571.00 |
| Stage 2 - Attachment B - MCU - Community Facilities - SINS | | | | |
| Stage 2 - Attachment B - MCU - Special industry | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Stage 2 - Attachment B - MCU - Parks - PKNS | | | | |
| Stage 2 - Attachment B - MCU - Special industry | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Stage 2 - Attachment B - MCU - Transport - RD21 | | | | |
| Stage 2 - Attachment B - MCU - Special industry | \$61.98 | \$61.98 | \$47.43 | \$47.43 |

Applied adopted charge

| Network / Charge area | Demand Unit | Net Demand (units) | Applied Adopted Charge (\$/unit) | Charge (\$) |
|---|-------------|--------------------|----------------------------------|----------------|
| Attachment A - RAL - Community Facilities - SINS | | | | |
| Attachment A - RAL - Lot - Other industry area - constrained | GFA (m2) | 6650 | \$0.00 | \$0.00 |
| Attachment A - RAL - Lot - Other industry area - constrained | GFA (m2) | 2194.5 | \$0.00 | \$0.00 |
| Attachment A - RAL - Parks - PKNS | | | | |
| Attachment A - RAL - Lot - Other industry area - constrained | GFA (m2) | 6650 | \$0.00 | \$0.00 |
| Attachment A - RAL - Lot - Other industry area - constrained | GFA (m2) | 2194.5 | \$0.00 | \$0.00 |
| Attachment A - RAL - Transport - RD21 | | | | |
| Attachment A - RAL - Lot - Other industry area - constrained | GFA (m2) | 6650 | \$33.86 | \$225,169.00 |
| Attachment A - RAL - Lot - Other industry area - constrained | GFA (m2) | 2194.5 | \$33.86 | \$74,305.77 |
| Attachment A - RAL - Special industry | GFA (m2) | -16725 | \$47.43 | (\$793,266.75) |
| Stage 1 - Attachment B - MCU - Community Facilities - SINS | | | | |

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|---|----------|------|------------|--------------|
| Stage 1 - Attachment B - MCU - Special industry | GFA (m2) | 8929 | \$0.00 | \$0.00 |
| Stage 1 - Attachment B - MCU - Parks - PKNS | | | | |
| Stage 1 - Attachment B - MCU - Special industry | GFA (m2) | 8929 | \$0.00 | \$0.00 |
| Stage 1 - Attachment B - MCU - Transport - RD21 | | | | |
| Stage 1 - Attachment B - MCU - Special industry | GFA (m2) | 8929 | \$47.43 | \$423,502.47 |
| Stage 1 - Attachment B - MCU - Lot - Residential (Lot > 450m²) | Lot | -1 | \$8,571.00 | (\$8,571.00) |
| Stage 2 - Attachment B - MCU - Community Facilities - SINS | | | | |
| Stage 2 - Attachment B - MCU - Special industry | GFA (m2) | 1835 | \$0.00 | \$0.00 |
| Stage 2 - Attachment B - MCU - Parks - PKNS | | | | |
| Stage 2 - Attachment B - MCU - Special industry | GFA (m2) | 1835 | \$0.00 | \$0.00 |
| Stage 2 - Attachment B - MCU - Transport - RD21 | | | | |
| Stage 2 - Attachment B - MCU - Special industry | GFA (m2) | 1835 | \$47.43 | \$87,034.05 |

Applied discount

| Description | Value of Prescribed Financial Contribution (\$) | Existing Demand Credit (\$) | Applied Discount (\$) |
|----------------|---|-----------------------------|-----------------------|
| Total discount | | | \$0.00 |

No levied charge relief applies.

No other adjustments apply.

Levied charge

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| Total charge (\$) | \$501,965.52 |
| Total prescribed financial contribution (\$) | \$0.00 |
| Total levied charge relief (\$) | \$0.00 |
| Total other adjustments (\$) | \$0.00 |



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| Levied Charge (\$) | \$501,965.52 |
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ATTACHMENT 2 - OFFSETS AND REFUNDS

No offsets for trunk infrastructure apply.

No refunds apply.



