

27 April 2018

Our Reference: 3/18

Samuel Slack  
26 Guyatts Street  
**GAYNDAH QLD 4625**  
via email: [cillaslack@hotmail.com](mailto:cillaslack@hotmail.com)

**Minor Change to an Existing Approval**  
*Planning Act 2016*

Dear Samuel,

**RE: MINOR CHANGE APPLICATION FOR RECONFIGURING A LOT—BOUNDARY REALIGNMENT (3 LOTS INTO 3) AT 260 HINDS ROAD, BAN BAN SPRINGS ON LAND DESCRIBED AS LOTS 1 & 2 ON RP114557 AND LOT 83 ON MZ300**

Thank you for your request under section 78 of the *Planning Act 2016* to make a minor change to existing approval DA 3/18, decided on 15 January 2018. On 27 April 2018, Council decided to approve your requested changes.

Please find attached the amended Decision Notice. This replaces the previous development approval issued. **The change includes amendments to the approved plans identified in section 5.**

Please note that this decision does not extend the currency period for the development. Therefore, you may still be required to make separate applications under the *Planning Act 2016* to extend the development approval's currency period.

Please quote Council's application number: 3/18 in all subsequent correspondence relating to this development application. Should you require any clarification regarding this matter or wish to schedule a meeting, please contact Council's Development Services team on 1300 696 272.

Yours sincerely,



MJP Pitt  
Chief Executive Officer

## Amended Decision notice — change application

(Given under section 83 of the Planning Act 2016)

Thank you for request under section 78 of the Planning Act 2016, received by the North Burnett Regional Council on 26 April 2018, to make a minor change to existing approval DA 3/18. The North Burnett Regional Council has assessed your application and decided it as follows:

### Location details

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Street address: 260 Hinds Road  
BAN BAN SPRINGS QLD 4625

Real property description: Lots 1 & 2 on RP114557 and Lot 83 on MZ300

Local government area: North Burnett Regional Council

### Details of original approval

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Application for reconfiguring a lot—boundary realignment (3 lots into 3 lots)

Date of approval: 15 January 2018

Application number: 3/18

### Decision for change application

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Date of decision: 27 April 2018

Decision details: Approved the change. These amendments are set out in Schedule 1. Changes approved are in ***bold italics***.

The changes agreed to are:

- Update the approved plans in section 5 of the decision notice to refer to the amended layout plan (plan SP302626, prepared by InsiteSJC and dated 27/3/2018).

### Rights of appeal

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The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in chapter 6, part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the Planning Act 2016).

## Schedule 1 – Decision notice

### 1. Applicant's details

Name: Samuel Slack  
Postal Address: 26 Guyatts Road  
GAYNDAH QLD 4625  
Phone No.: 0402 496 802  
Email: cillaslack@hotmail.com

### 2. Location details

Street address: 260 Hinds Road  
BAN BAN SPRINGS QLD 4625  
Real property description: Lots 1 & 2 on RP114557 and Lot 83 on MZ300  
Local government area: North Burnett Regional Council

### 3. Decision

Application number: 3/18  
Date of decision: 15 January 2018  
Decision details: Approved in full subject to conditions. These conditions are set out in Attachment 1 and are clearly identified to indicate whether the assessment manager or a concurrence agency imposed them.

### 4. Details of proposed development

	Planning Regulation 2017 reference	Development Permit	Preliminary Approval
Development assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval which includes a variation approval – Reconfiguring a Lot		<input checked="" type="checkbox"/>	<input type="checkbox"/>

### 5. Approved plans

Copies of the following plans are enclosed in Attachment 3.

Drawing title	Prepared by	Date	Reference no.
<i>Plan of Lots 1-3 SP302636 Cancelling lots 1 &amp; 2 on RP114557 and Lot 83 on MZ300</i>	<i>InsiteSJC</i>	<i>27/3/18</i>	<i>SP302636</i>

### 6. Conditions

This approval is subject to the conditions in Attachment 1. These conditions are clearly identified to indicate whether the assessment manager or concurrence agency imposed them.

## 7. Further development permits

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Not applicable

## 8. Properly made submissions

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Not applicable — No part of the application required public notification.

## 9. Currency period for the approval

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This development approval will lapse at the end of the period set out in section 85 of *Planning Act 2016*.

- (1) A part of a development approval lapses at the end of the following period (the **currency period**)—
  - (a) for any part of the development approval relating to a material change of use—if the first change of use does not happen within—
    - (i) the period stated for that part of the approval; or
    - (ii) if no period is stated—6 years after the approval starts to have effect;
  - (b) for any part of the development approval relating to reconfiguring a lot—if a plan for the reconfiguration that, under the Land Title Act, is required to be given to a local government for approval is not given to the local government within—
    - (i) the period stated for that part of the approval; or
    - (ii) if no period is stated—4 years after the approval starts to have effect;
  - (c) for any other part of the development approval—if the development does not substantially start within—
    - (i) the period stated for that part of the approval; or
    - (ii) if no period is stated—2 years after the approval starts to take effect.

## 10. Rights of appeal

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The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in chapter 6, part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the *Planning Act 2016*).

A copy of the relevant appeal provisions is included in Attachment 2.

Should you require any further assistance in process, please contact Council's Development Services Department on 1300 696 272.

Yours faithfully

  
MJP Pitt  
Chief Executive Officer

Enc: Attachment 1-Conditions imposed by assessment manager  
Attachment 2-Appeal rights  
Attachment 3-Plans  
Attachment 4-Adopted Infrastructure Charges Notice

## **Attachment 1 – Conditions Imposed by Assessment Manager**

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### **General**

- 1) Carry out the approved development generally in accordance with the approved plans identified in section 5 “Approved plan” of the decision notice approval, except as modified by the conditions of this approval as relevant.
- 2) Where there is any conflict between conditions of this approval and details shown on the approved plans, the conditions prevail.
- 3) Exercise the approval and complete all associated works, including any relocation or installation of services, at no cost to Council.
- 4) Vehicular access to proposed Lot 2 is to be via Hinds Road only.
- 5) Reinstate survey marks where required and install new survey marks in their correct position in accordance with the approved plan. The Subdivision Plan is to be endorsed in accordance with the *Survey and Mapping Infrastructure Act 2003* and *Surveyors Act 2003* and associated regulations and standards.

### **Advice to the applicant**

- Note that proposed Lot 2 has frontage to a dedicated road that is not presently constructed or maintained by Council. The North Burnett Regional Council does not intend to construct such road and it would therefore not be a practical access to proposed Lot 2.
- Unless otherwise explicitly identified, all conditions of this development permit must be completed to Council’s satisfaction prior to the Subdivision Plan being endorsed by Council.
- All rates, charges or any expenses levied by Council over the land must be paid prior to the Subdivision Plan being endorsed by Council.
- This development permit is subject to an adopted infrastructure charges notice, which in this case is calculated to be \$nil. The notice is Council’s formal confirmation that no payment is required.
- This development approval does not authorise any activity that may harm Aboriginal cultural heritage. Under the Aboriginal Cultural Heritage Act 2003 you have a duty of care in relation to such heritage. Section 23(1) provides that “A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage.” Council does not warrant that the approved development avoids affecting Aboriginal cultural heritage. It may therefore be prudent for you to carry out searches, consultation, or a cultural heritage assessment to ascertain the presence or otherwise of Aboriginal cultural heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding.

## Attachment 2 – Appeal Rights Planning Act 2016

### CHAPTER 6, PART 1 APPEAL RIGHTS

#### 229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
- (a) matters that may be appealed to—
    - (i) either a tribunal or the P&E Court; or
    - (ii) only a tribunal; or
    - (iii) only the P&E Court; and
  - (b) the person—
    - (i) who may appeal a matter (the appellant); and
    - (ii) who is a respondent in an appeal of the matter; and
    - (iii) who is a co-respondent in an appeal of the matter; and
    - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The **appeal period** is—
- (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
  - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
  - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
  - (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
  - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
  - (f) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.
- Note — See the P&E Court Act for the court's power to extend the appeal period.*
- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared 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 LGIP; or
    - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

#### 230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
- (a) is in the approved form; and
  - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to—
- (a) the respondent for the appeal; and
  - (b) each co-respondent for the appeal; and
  - (c) for an appeal about a development application under schedule 1, table 1, item 1—each principal submitter for the development application; and
  - (d) for an appeal about a change application under schedule 1, table 1, item 2—each principal submitter for the change application; and
  - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
  - (f) for an appeal to the P&E Court—the chief executive; and
  - (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The **service period** is—
- (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
  - (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.



## SCHEDULE 1 APPEALS

### 1 Appeal rights and parties to appeals

- (1) Table 1 states the matters that may be appealed to—
  - (a) the P&E court; or
  - (b) a tribunal.
- (2) However, table 1 applies to a tribunal only if the matter involves—
  - (a) the refusal, or deemed refusal of a development application, for—
    - (i) a material change of use for a classified building; or
    - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
  - (b) a provision of a development approval for—
    - (i) a material change of use for a classified building; or
    - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
  - (c) if a development permit was applied for—the decision to give a preliminary approval for—
    - (i) a material change of use for a classified building; or
    - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
  - (d) a development condition if—
    - (i) the development approval is only for a material change of use that involves the use of a building classified under the Building Code as a class 2 building; and
    - (ii) the building is, or is proposed to be, not more than 3 storeys; and
    - (iii) the proposed development is for not more than 60 sole-occupancy units; or
  - (e) a decision for, or a deemed refusal of, an extension application for a development approval that is only for a material change of use of a classified building; or
  - (f) a decision for, or a deemed refusal of, a change application for a development approval that is only for a material change of use of a classified building; or
  - (g) a matter under this Act, to the extent the matter relates to—
    - (i) the Building Act, other than a matter under that Act that may or must be decided by the Queensland Building and Construction Commission; or
    - (ii) the Plumbing and Drainage Act, part 4 or 5; or
  - (h) a decision to give an enforcement notice in relation to a matter under paragraphs (a) to (g); or
  - (i) a decision to give an infrastructure charges notice; or
  - (j) the refusal, or deemed refusal, of a conversion application; or
  - (k) a matter that, under another Act, may be appealed to the tribunal; or
  - (l) a matter prescribed by regulation.
- (3) Also, table 1 does not apply to a tribunal if the matter involves—
  - (a) for a matter in subsection (2)(a) to (d)—
    - (i) a development approval for which the development application required impact assessment; and
    - (ii) a development approval in relation to which the assessment manager received a properly made submission for the development application; or
  - (b) a provision of a development approval about the identification or inclusion, under a variation approval, of a matter for the development.
- (4) Table 2 states the matters that may be appealed only to the P&E Court.
- (5) Table 3 states the matters that may be appealed only to the tribunal.
- (6) In each table—
  - (a) column 1 states the appellant in the appeal; and
  - (b) column 2 states the respondent in the appeal; and
  - (c) column 3 states the co-respondent (if any) in the appeal; and
  - (d) column 4 states the co-respondents by election (if any) in the appeal.
- (7) If the chief executive receives a notice of appeal under section 230(3)(f), the chief executive may elect to be a co-respondent in the appeal.
- (8) In this section—

**storey** see the Building Code, part A1.1.

Extract of Schedule 1 of the Planning Act 2016

**Table 1**  
**Appeals to the P&E Court and, for certain matters, to a tribunal**

<p>1. Development applications An appeal may be made against—</p> <ul style="list-style-type: none"> <li>(a) the refusal of all or part of the development application; or</li> <li>(b) the deemed refusal of the development application; or</li> <li>(c) a provision of the development approval; or</li> <li>(d) if a development permit was applied for—the decision to give a preliminary approval.</li> </ul>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant	The assessment manager	If the appeal is about a concurrence agency's referral response—the concurrence agency	<ul style="list-style-type: none"> <li>1 A concurrence agency that is not a co-respondent</li> <li>2 If a chosen assessment manager is the respondent—the prescribed assessment manager</li> <li>3 Any eligible advice agency for the application</li> <li>4 Any eligible submitter for the application</li> </ul>
<p>2. Change applications For a change application other than a change application made to the P&amp;E Court or called in by the Minister, an appeal may be made against—</p> <ul style="list-style-type: none"> <li>(a) the responsible entity's decision on the change application; or</li> <li>(b) a deemed refusal of the change application.</li> </ul>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<ul style="list-style-type: none"> <li>1 The applicant</li> <li>2 If the responsible entity is the assessment manager—an affected entity that gave a pre-request notice or response notice</li> </ul>	The responsible entity	If an affected entity starts the appeal—the applicant	<ul style="list-style-type: none"> <li>1 A concurrence agency for the development application</li> <li>2 If a chosen assessment manager is the respondent—the prescribed assessment manager</li> <li>3 A private certifier for the development application</li> <li>4 Any eligible advice agency for the change application</li> <li>5 Any eligible submitter for the change application</li> </ul>
<p>3. Extension applications For an extension application other than an extension application called in by the Minister, an appeal may be made against—</p> <ul style="list-style-type: none"> <li>(a) the assessment manager's decision on the extension application; or</li> <li>(b) a deemed refusal of the extension application.</li> </ul>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<ul style="list-style-type: none"> <li>1 The applicant</li> <li>2 For a matter other than a deemed refusal of an extension application—a concurrence agency, other than the chief executive, for the application</li> </ul>	The assessment manager	If a concurrence agency starts the appeal—the applicant	If a chosen assessment manager is the respondent—the prescribed assessment manager
<p>4. Infrastructure charges notices An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds—</p> <ul style="list-style-type: none"> <li>(a) the notice involved an error relating to— <ul style="list-style-type: none"> <li>(i) the application of the relevant adopted charge; or</li> </ul> <p><i>Examples of errors in applying an adopted charge—</i></p> <ul style="list-style-type: none"> <li>• the incorrect application of gross floor area for a non-residential development</li> <li>• applying an incorrect 'use category', under a regulation, to the development</li> </ul> <ul style="list-style-type: none"> <li>(ii) the working out of extra demand, for section 120; or</li> <li>(iii) an offset or refund; or</li> </ul> </li> <li>(b) there was no decision about an offset or refund; or</li> <li>(c) if the infrastructure charges notice states a refund will be given—the timing for giving the refund; or</li> <li>(d) for an appeal to the P&amp;E Court—the amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.</li> </ul>			



Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the infrastructure charges notice	The local government that gave the infrastructure charges notice	—	—
5. Conversion applications An appeal may be made against— (a) the refusal of a conversion application; or (b) a deemed refusal of a conversion application.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant	The local government to which the conversion application was made	—	—

**Table 2  
Appeals to the P&E Court only**

1. Appeals from tribunal An appeal may be made against a decision of a tribunal, other than a decision under section 252, on the ground of— (a) an error or mistake in law on the part of the tribunal; or (b) jurisdictional error.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A party to the proceedings for the decision	The other party to the proceedings for the decision	—	—
2. Eligible submitter appeals For a development application or change application other than an application decided by the P&E Court or called in by the Minister, an appeal may be made against the decision to approve the application, to the extent the decision relates to— (a) any part of the development application or change application that required impact assessment; or (b) a variation request.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1. For a development application—an eligible submitter for the development application 2. For a change application—an eligible submitter for the change application	1 For a development application—the assessment manager 2 For a change application—the responsible entity	1 The applicant 2 If the appeal is about a concurrence agency's referral response—the concurrence agency	Another eligible submitter for the application
3. Eligible submitter and eligible advice agency appeals For a development application or change application other than an application decided by the P&E Court or called in by the Minister, an appeal may be made against a provision of the development approval, or a failure to include a provision in the development approval, to the extent the matter relates to— (a) any part of the development application or change application that required impact assessment; or (b) a variation request.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 For a development application—an eligible submitter for the development application 2 For a change application—an eligible submitter for the change application 3 An eligible advice agency for the development application or change application	1 For a development application—the assessment manager 2 For a change application—the responsible entity	1 The applicant 2 If the appeal is about a concurrence agency's referral response—the concurrence agency	Another eligible submitter for the application

**Table 3  
Appeals to a tribunal only**

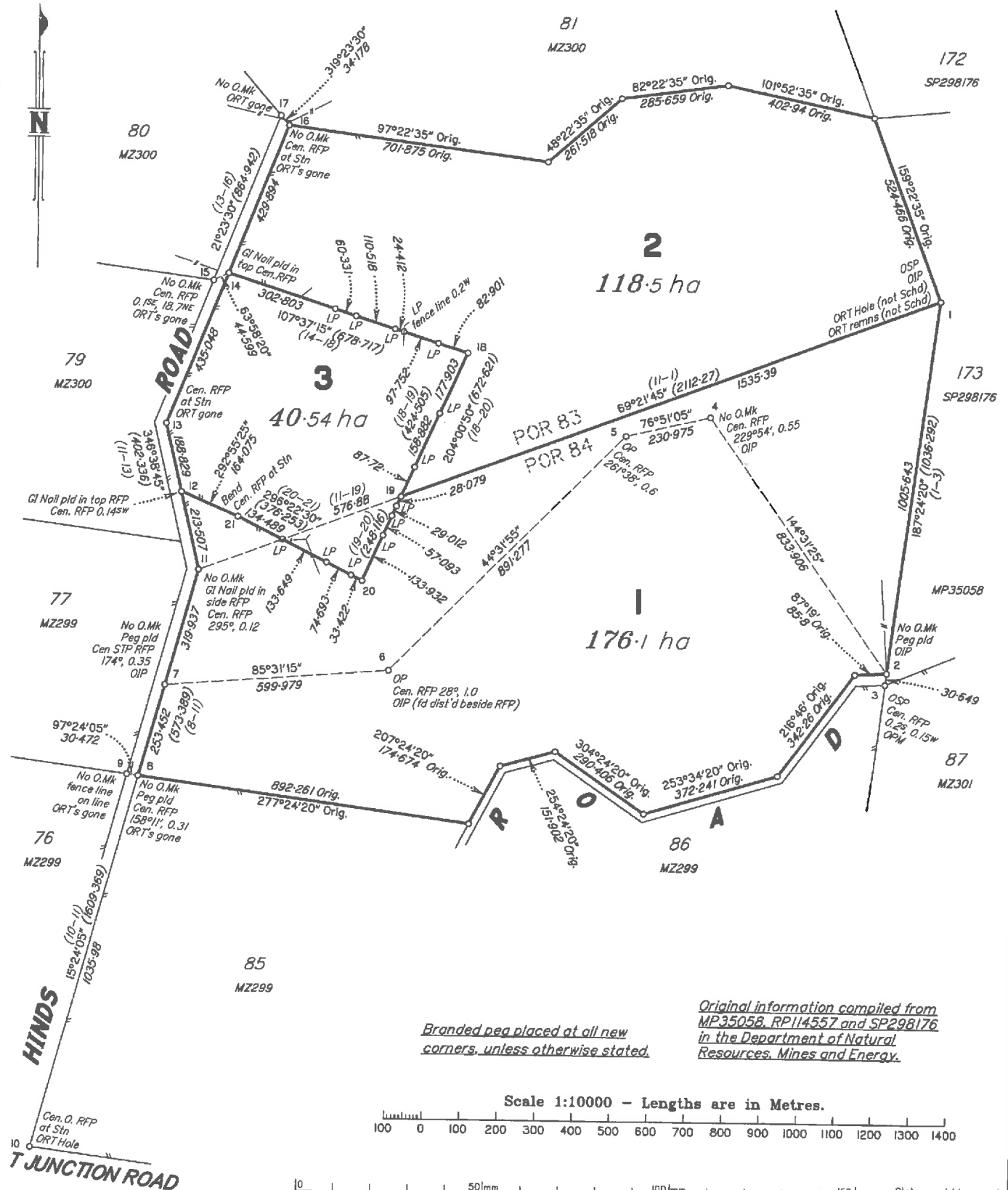
1. Building advisory agency appeals An appeal may be made against giving a development approval for building work to the extent the building work required code assessment against the building assessment provisions.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A building advisory agency for the development application related to the approval	The assessment manager	The applicant	1 A concurrence agency for the development application related to the approval. 2 A private certifier for the development application related to the approval
2. Inspection of building work An appeal may be made against a decision of a building certifier or referral agency about the inspection of building work that is the subject of a building development approval under the Building Act.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant for the development approval	The person who made the decision.	—	—
3. Certain decisions under the Building Act and the Plumbing and Drainage Act An appeal may be made against— (a) a decision under the Building Act, other than a decision made by the Queensland Building and Construction Commission, if an information notice about the decision was given or required to be given under that Act; or (b) a decision under the Plumbing and Drainage Act, part 4 or 5, if an information notice about the decision was given or required to be given under that Act.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who received, or was entitled to receive, an information notice about the decision.	The person who made the decision	—	—
4. Local government failure to decide application under the Building Act An appeal may be made against a local government's failure to decide an application under the Building Act within the period required under that Act.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who was entitled to receive notice of the decision	The local government to which the application was made	—	—

### **Attachment 3 – Approved Plans**

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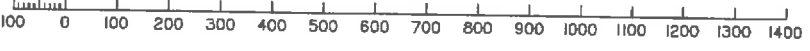
**Please refer to the following pages for approved plans.**



Original information compiled from  
MP35058, RP114557 and SP298176  
in the Department of Natural  
Resources, Mines and Energy.

Branded peg placed at all new  
corners, unless otherwise stated.

Scale 1:10000 - Lengths are in Metres.



SOMMERFELD JENSEN CAMPBELL PTY LTD ACN 109 094 899 (trading as InSiteSAC) hereby certify that the land comprised in this plan was surveyed by the corporation, by Joseph Simon SORBELLO, registered surveyor, for whose work the corporation accepts responsibility, under the supervision of Andrew John JENSEN, cadastral surveyor, and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 08/03/2018.

*[Signature]*  
Cadastral Surveyor/Partner

Date 27.3.2018

<b>Plan of Lots 1-3</b>		Scale: <b>1:10000</b>
<i>Cancelling Lots 1 &amp; 2 on RP114557 and Lot 83 on MZ300</i>		Format: <b>STANDARD</b>
LOCAL GOVERNMENT: <b>NORTH BURNETT R.C.</b>	LOCALITY: <b>BAN BAN</b>	 <b>SP302626</b>
Meridian: <b>MGA Zone 56 vide GNSS Observations</b>	Survey Records: <b>No</b>	

Orig. POR 83 & 84, Parish: DUNDAR

## **Attachment 4 – Adopted Infrastructure Charges Notice**

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**Please refer to the following pages for adopted infrastructure charges notice**



**Mailing Address:** PO Box 390, Gayndah Qld 4625  
**Street Address:** 34-36 Copper Street, Gayndah Qld 4625  
**Telephone:** 1300 696 272  
**Facsimile:** (07) 4161 1425  
**Email:** admin@northburnett.qld.gov.au  
**Web:** northburnett.qld.gov.au  
**ABN:** 23 439 388 197

## ADOPTED INFRASTRUCTURE CHARGES NOTICE

Resolution (No. 2) 2015

**TO Applicant:** Samuel Slack **File Number:** 3/18  
**Address:** 26 Guyatts Road **Date of Issue:** 11 January 2018  
GAYNDAH QLD 4625

### LAND TO WHICH THE ADOPTED INFRASTRUCTURE CHARGE APPLIES

**Site Address:** 260 Hinds Road, Ban Ban Springs QLD 4625  
**Property Description:** Lots 1 & 2 on RP114557 and Lot 83 on MZ300

### DEVELOPMENT TO WHICH THE ADOPTED INFRASTRUCTURE CHARGE APPLIES

The adopted infrastructure charge applies to the following development type:  
Reconfiguring a Lot—Boundary Realignment (3 Lots into 3 Lots)  
Development Approval No. 3/18

### CURRENT AMOUNT OF THE ADOPTED INFRASTRUCTURE CHARGE

The adopted infrastructure charge has been calculated in accordance with the method outlined in the North Burnett Regional Council Adopted Infrastructure Charges Resolution (No 2.) 2015 and Chapter 4 of the *Planning Act 2016*. Please see Schedule 1 of this notice for the detailed calculation of the current amount.

**Current Amount of Adopted Infrastructure Charge = \$Nil**  
(as at date of issue)

### OFFSETS

There are no offsets applicable to this development.

### REFUNDS

There are no refunds applicable to this development.

### AUTOMATIC INCREASE

The charges are subject to an automatic increase in accordance with section 114(3)(b) of the *Planning Act 2016*. The increase will be the lesser of the following:

- 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;
- The increase for the PPI index for the period starting on the day the levied charge was levied and ending on the day it is paid, adjusted by reference to the 3-yearly PPI index average.

### PAYMENT OF THE ADOPTED INFRASTRUCTURE CHARGE

- The due date for payment of the adopted infrastructure charge is prior to the plan of subdivision being endorsed by Council.
- Interest at 11% per annum, calculated daily, will be applied to overdue payments.
- The charge is to be paid to the North Burnett Regional Council. Please contact North Burnett Regional Council, Development and Environment Team, prior to making payment.
- Please include a copy of this Notice with payment.





## **OTHER IMPORTANT INFORMATION**

### **1. PAYMENT**

This notice is due and payable by the due date shown. Charges are payable to North Burnett Regional Council.

Payment can be made:

- In person at any of Council's offices;
- By credit card;
- By debit card;
- By mail with your cheque or money order made payable to North Burnett Regional Council, PO Box 390, Gayndah QLD 4625. Cheques should be made payable to North Burnett Regional Council and crossed "Not Negotiable". Acceptance of a cheque is subject to collection of proceeds. Post-dated cheques will not be accepted.

### **2. INTEREST**

Compound interest at a rate of 11% per annum calculated daily is payable on all infrastructure charges outstanding after the due date shown on this charges notice.

### **3. GOODS AND SERVICES TAX**

The federal government has determined that rates and utility charges levied by a local government will be GST exempt. Accordingly, no GST is included in this infrastructure charges notice.

### **4. INFRASTRUCTURE CHARGES ENQUIRY**

Enquiries regarding this infrastructure charges notice should be directed to Council's Development and Environment Team on telephone 1300 696 272 during office hours or email [admin@northburnett.qld.gov.au](mailto:admin@northburnett.qld.gov.au)

Notice is hereby given under the *Planning Act 2016* and the *Local Government Act 2009* that the adopted infrastructure charges notice is levied by the North Burnett Regional Council on the described land. The adopted infrastructure charge is DUE AND PAYABLE BY THE ABOVE DUE DATE. The adopted infrastructure charge plus any arrears and interest may be recovered by legal process without further notice if unpaid after the expiration of the DUE DATE as the charge is deemed to be overdue.

Authorised by:

  
MJP Pitt  
Chief Executive Officer



## ADOPTED INFRASTRUCTURE CHARGES NOTICE

SCHEDULE 1— Calculation of Current Charges, Offsets and Refunds

### LAND TO WHICH THE ADOPTED INFRASTRUCTURE CHARGE APPLIES

Site Address: 260 Hinds Road, Ban Ban Springs QLD 4625  
 Property Description: Lots 1 & 2 on RP114557 and Lot 83 on MZ300

### DEVELOPMENT TO WHICH THE ADOPTED INFRASTRUCTURE CHARGE APPLIES

The adopted infrastructure charge applies to the following development type:  
 Reconfiguring a Lot—Boundary Realignment (3 Lots into 3 Lots)  
 Development Approval No. 3/18

### CALCULATION OF CURRENT AMOUNT

#### DEVELOPMENT

Approved Use	Rural zone
Rate charged at	\$1,500 per lot
No. of lots	3
<i>Subtotal</i>	<i>\$4,500</i>

#### CREDIT FOR EXISTING USE

Existing Use	Rural zone
Rate charged at	\$1,500 per lot
No. of lots	3
<i>Subtotal</i>	<i>\$4,500</i>

#### GROSS TOTAL CHARGE AMOUNT

***\$Nil***

#### TRUNK INFRASTRUCTURE APPLICABLE TO THE DEVELOPMENT

Nil	N/A
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#### TOTAL VALUE OF TRUNK INFRASTRUCTURE

***\$0***

Value of offset applied to the charge	N/A
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Value of refund payable to applicant	N/A
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#### NETT TOTAL (CURRENT AMOUNT)

***\$Nil***

#### REFUNDS

Not Applicable