

21 November 2024

BTM & S Stankovich Pty Ltd
C/- Freshwater Planning
17 Barron View Drive
FRESHWATER QLD 4872

Dear Applicants,

Amended Adopted Infrastructure Charges Notice *Planning Act 2016*

At Council's Ordinary Meeting held on the 20 November 2024, a decision was made to issue a change of development approval.

The change of development approval decision notice affected the amount of adopted infrastructure charges payable.

I wish to advise that the attached amended adopted infrastructure charges notice for the below approved development has been issued by Council.

This amended adopted infrastructure charges notice replaces the adopted infrastructure charges notice previously issued and dated 16 September 2021.

APPLICATION DETAILS

Application No:	MCU/21/0009
Street Address:	Merindah Close and Karobean Drive, Mareeba
Real Property Description:	Lot 2 on SP298298 and Lot 48 on SP320488
Planning Scheme:	Mareeba Shire Council Planning Scheme 2016

DECISION DETAILS

Type of Decision:	Approval
Type of Approval:	Development Permit for Reconfiguring a Lot - Subdivision (2 into 26 27 Lots) and Material Change of Use - Multiple Dwelling (25 26 x Dwelling Houses)
Date of Decision:	20 November 2024

Rights of Appeal

Attached is an extract from the *Planning Act 2016* which details your appeal rights regarding the issue of this Notice.

Should you require any further information, please contact Council's Town Planning Department, on the above telephone number.

Yours faithfully



CARL EWIN
SENIOR PLANNER



Amended Adopted Infrastructure Charges Notice

To: BTM & S Stankovich Pty Ltd C/- Freshwater Planning

Date of Issue: 20 November 2024

Application Number: MCU/21/0009

Type of Approval: Development Permit for Reconfiguring a Lot - Subdivision (2 into ~~26~~ 27 Lots) and Material Change of Use - Multiple Dwelling (~~25~~ 26 x Dwelling Houses)

This infrastructure charges notice is levied by Mareeba Shire Council.

The charge levied under this infrastructure charges notice has been worked out by applying the Adopted Infrastructure Charges Resolution (No. 1) 2024 which took effect on 1 July 2024. The charge was calculated as follows:

Development Type	Rate	Measure	Charge	Credit Detail	Balance
<i>Payable at time of subdivision of each lot</i>					
	<i>\$ per Lot</i>	<i>Lots</i>		<i>Lots</i>	
Residential	\$19,764.00	25-Lots	\$494,100.00	Nil	\$494,100.00
Residential	\$21,808.00	26 Lots	\$567,008.00	Nil	\$567,008.00
TOTAL CURRENT AMOUNT OF CHARGE					\$567,008.00

Enquiries regarding this infrastructure charges notice can be made by contacting Council's Senior Planner on (07) 4086 4656.

Land to which the levied charge applies	Site Address	Merindah Close and Karobean Drive, Mareeba
	Real Property Description	Lot 2 on SP298298 & Lot 48 on SP320488

Current amount of the levied charge	Total adopted infrastructure charge	\$567,008.00
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Automatic increase provision	The amount of the levied charge will be escalated from the date of the notice to the payment date in accordance with the Adopted Infrastructure Charges Resolution (No. 1) of 2024 which took effect on 1 July 2024.
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Payment date pursuant to section 122 of the Planning Act 2016	The levied charge here applies for reconfiguring a lot. As such the levied charge becomes payable when Council approves the plan of subdivision for the reconfiguration.
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Offset/refund	Not applicable
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Information Notice

In accordance with section 121 of the *Planning Act 2016*, the following is the information notice about the Council's decision to give this infrastructure charges notice.

A development approval has been given in relation to the land the subject of this infrastructure charges notice, for which an adopted charge applies for providing the trunk infrastructure for the development. Council is entitled to levy a charge and has decided to do so here as there will be additional demand placed upon the trunk infrastructure that will be generated by the development.

Planning Act 2016

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