

Your Ref: Request for Infrastructure Charges Waiver  
Our Ref: BE:HR RC20\0006

23 February 2021

Mr Francesco Di Bartolo and Mr Salvatore Di Bartolo  
3 Atkinson Street  
INGHAM QLD 4850

Dear Messrs Di Bartolo

**Request for Negotiated Infrastructure Charges Notice associated with Development Permit  
1 Vass Street Lucinda**

Receipt of your correspondence dated 2 December 2020 requesting consideration of a Negotiated Infrastructure Charges Notice associated with the recently issued Development Permit (RC20/0006) – Reconfiguring a Lot (One Lot into Two Lots) located at 1 Vass Street, Lucinda is acknowledged and its contents noted.

Please be advised that your requests were assessed by relevant staff and considered at Council's General Meeting held on Tuesday 23 February 2021.

Council acknowledge the applicants rationale that two existing sewerage connections have previously been paid for and further investigation of Council records indicate two connections exist on-site. As the manner to which the sewerage connections arose was not documented, Council are unable to refute the applicants assertion of prior contribution payment. Council therefore determined to accept the argument for removal of the sewerage component of the levied infrastructure charge.

It was resolved to approve the request for a Negotiated Infrastructure Charges Notice facilitating the removal of the sewerage component previously charged and resulting in a newly levied Infrastructure Charges Notice totaling, \$5,200.

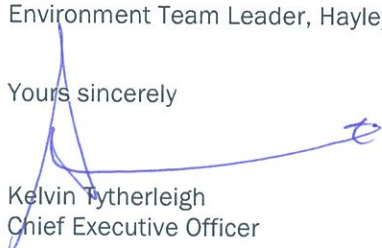
Infrastructure charges are important as they fund the capital cost of delivering new planned infrastructure for the growth of the Shire. The charge for any development is proportional to the demand that the development generates within the infrastructure network. These charges fund the shared (trunk) infrastructure that service the development.

As requested, a breakdown of the infrastructure charge by each infrastructure category is as follows:

- Road - \$1,300;
- Water Supply - \$1,300;
- Stormwater - \$1,300; and
- Parks and Land for Community Facilities - \$1,300.

Should you require any further information or clarification concerning this matter, please contact Council's Built Environment Team Leader, Hayley Roy on 4776 4609 for the necessary assistance.

Yours sincerely



Kelvin Tytherleigh  
Chief Executive Officer



25 Lannercost Street  
INGHAM QLD 4850



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23 February 2021

**SECTION 119 OF PLANNING ACT 2016****APPLICATION DETAILS**

This Infrastructure Charges Notice relates to the below development application:

Application Number	RC20\0006
Property ID Number	100494
Applicant Details	Geoff Hansen Hansen Surveys Pty Ltd 27 Palm Terrace INGHAM QLD 4850
Owner Details	Francesco Di Bartolo and Salvatore Di Bartolo 3 Atkinson Street INGHAM QLD 4850
Property Description	1 Vass Street Lucinda Lot 613 on L46913
Proposal	Reconfiguration of Land – Subdivision (One Lot into Two Lots)
Level of Assessment	Code Assessable

**APPLICABLE INFRASTRUCTURE CHARGE**The applicable infrastructure charge has been calculated in accordance with Hinchinbrook Shire Council's *Adopted Infrastructure Charges Resolution CR1-2018*, and makes allowances for any imposed waiver or dispensation issued by the relevant authority:

LEVIED CHARGE	\$5,200.00 + annual adjustments and/or reviews
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**PAYMENT DETAILS**

The adopted infrastructure charge must be made to Hinchinbrook Shire Council prior to the commencement of use or local government endorsement of a survey plan.

Payment can be made in person at Council's main office, 25 Lannercost Street, Ingham, or via post PO Box 366, INGHAM QLD 4850.

**ADJUSTMENTS TO THE CHARGE**

The amount of the levied charge will be recalculated at time of payment using the adopted infrastructure charges stated in the resolution in use at that time.



## **GOODS AND SERVICES TAX (GST)**

The federal government has determined that rates and utility charges levied by local government will be GST free. Accordingly, no GST is included in this Infrastructure Charges Notice.

## **FAILURE TO PAY**

An infrastructure charge levied by a local government is, for the purposes of recovery, taken to be a rate within the meaning of the *Local Government Act 2009*. Compound annual interest at 10% calculated daily is to be applied to an overdue charge.

## **APPEAL RIGHTS**

You may appeal against any matter stated in the adopted infrastructure charges notice.

Under the provisions of the *Planning Act 2016*, the Applicant may –

- i. Make representation to Council to discuss the adopted infrastructure charges notice by contacting Council's Chief Executive Officer. You must make these representations within twenty (20) business days after the day you receive this notice. If Council alters the decision, you will be given a 'negotiated adopted infrastructure charges notice'; or
- ii. Appeal to the Planning and Environment Court or Development Tribunal.

Chapter 6, Part 1 and Part 2 of the *Planning Act 2016* detail appeal rights afforded to the Applicant to the Planning and Environment Court or Development Tribunal.