



29 September 2026

Chief Executive Officer
Brisbane City Council
GPO BOX 1434
BRISBANE QLD 4001

Submitted Online

Dear Sir/ Madam,

RE: REQUEST TO EXTEND CURRENCY PERIOD FOR DEVELOPMENT PERMIT FOR RECONFIGURING A LOT FOR SUBDIVISION OF LAND (2 LOTS INTO 25 LOTS, DRAINAGE RESERVE & NEW ROAD OVER 2 STAGES) UPON LAND AT 220 & 224 GARDNER ROAD, ROCHEDALE QLD 4123

We write on behalf of the applicant, *MAJP Investment Pty Ltd*, requesting an Extension of Currency Period to the existing Development Permit (Council Ref: A005055466 / P&E Court Ref: 2392/19).

The existing approval was granted by the Planning & Environment Court on 13 October 2020 for a Development Permit for Reconfiguring a Lot for Subdivision of Land (2 Lots into 25 Lots, Drainage Reserve & New Road over 2 Stages).

In accordance with Section 86 of the *Planning Act 2016*, we hereby request that the currency period of the subject approval be extended by four (4) years, from 13 October 2026 to 13 October 2030, to allow sufficient time for the ongoing Court proceedings in relation to the change application to be finalised and for the approved development to be constructed.

Enclosed are the details of the site and grounds for the proposed extension for your consideration.

To assist Council's assessment of the proposal, please find enclosed the following:

- Signed Owners Consent;
- Latest Decision Notice (Council Ref: A005055466 / P&E Court Ref: 2392/19).

We trust that the information provided is to your satisfaction.

Should you wish to discuss the matter further, please do not hesitate to contact our office on (07) 3361 9999.

Yours faithfully

TOWN PLANNING ALLIANCE PTY LTD

Cheri Hill
DIRECTOR

Enc Extension of Currency Period Application

EXTENSION OF CURRENCY PERIOD APPLICATION

1. Site Details

Site Address	220 & 224 Gardner Road, Rochedale QLD 4123
Real property description	Lots 1 & 2 on RP84459
Area of Site	2.2359ha
Zone	Emerging Community Zone
Neighbourhood Plan	Rochedale urban community neighbourhood plan (Potential development area precinct – Low density residential sub-precinct)
Overlays	▪ Airport environs overlay ▪ Bicycle network overlay ▪ Biodiversity areas overlay ▪ Bushfire overlay ▪ Community purposes network overlay ▪ Critical infrastructure and movement network overlay ▪ Flood overlay ▪ Industrial amenity overlay ▪ Road hierarchy overlay ▪ Streetscape hierarchy overlay ▪ Waterway corridors overlay

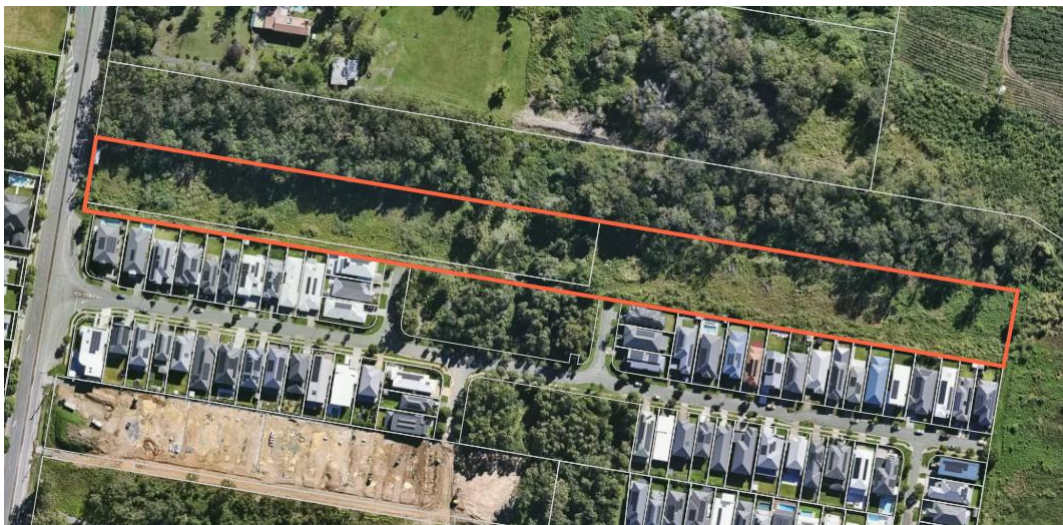


Figure 1: Aerial View of Subject Site (Landchecker, May 2026)

The subject site comprises two allotment with a total area of 2.2359ha and presents frontages to Gardner Road, Blossom Place and Jasmine Place. The site, as seen in Figure 1 above, is currently vacant, apart from vegetation, sloping from approximately 53m AHD at the rear and frontage down to approximately 38m AHD in the centre.

2. Approval History

The relevant development application history over the subject site is identified below:

- **A005055466** | Reconfiguring a Lot
Approved by the Planning & Environment Court (P&E Court Ref: 2392/19) on 13 October 2020, this application was for the subdivision of land to create new residential lots.

3. Currency Period

Pursuant to Section 86 of the *Planning Act 2016*, “a person may make an application (an extension application) to the assessment manager to extend a currency period of a development approval before the approval lapses”.

The subject development approval (Council Ref: A005055466 / P&E Court Ref: 2392/19) was given under the *Planning Act 2016* on 13 October 2020. Pursuant to section 85 of the Act, a development approval lapses:

“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.”*

As such, the development approval had an initial lapse date of 13 October 2024.

However, in accordance with section 275R of the *Planning Act 2016*, the then Treasurer and Minister for Infrastructure and Planning declared the COVID-19 Applicable Event. Under this provision, 3 automatic extensions were granted, with the following being applicable / beneficial to this approval as detailed below:

- On 8 July 2020, the Minister issued a notice under section 257R of the *Planning Act 2016* granting a 6 month extension. The automatic extension notice had effect from 8 July 2020 to 31 October 2020.
- On 1 September 2021, the Minister issued a notice under section 257R of the *Planning Act 2016* granting a 6 month extension. The automatic extension notice had effect from 1 September 2021 to 30 September 2021.
- On 28 April 2022, the Minister issued a notice under section 257R of the *Planning Act 2016* granting a 12 month extension. The automatic extension notice had effect from 28 April 2022 to 24 June 2022.

The subject approval was in effect when the abovementioned notices expired on 31 October 2020 or were given on 1 September 2021 and 28 April 2022. Thus, the currency period was extended by a period totalling 24 months. As such, the currency period of the Development Permit for Reconfiguring a Lot for Subdivision of Land (2 Lots into 25 Lots, Drainage Reserve & New Road over 2 Stages) given on the 13 October 2020 (Council Ref: Council Ref: A005055466 / P&E Court Ref: 2392/19) expires on the **13 October 2026** pursuant to the provisions of the *Planning Act 2016* and the extension notices given by the Minister on 8 July 2020, 1 September 2021 and 28 April 2022.

In accordance with Section 86 of the *Planning Act 2016*, we hereby request that the currency period of the subject approval be extended by 4 years until **13 October 2030**. A 4 year extension of the currency period is considered appropriate having regard to the circumstances affecting the progression of the development.

Given recent challenges in the construction industry, particularly rising building costs and builder shortages, the development is yet to be completed. These issues likely prompted the original landowner/applicant to sell the site to the current landowner/applicant.

The applicant remains committed to delivering the development, as demonstrated by a current Change Application submitted to the Court (P&E Court Ref: 2154/25) seeking to amend the design concept to align with contemporary residential requirements and current building standards.

These change application proceedings before the Planning and Environment Court remain ongoing and have not yet been finally determined. Further, a submitter is involved in the appeal, which has the potential to extend the duration of the Court process and delay the final resolution of the change application.

Given the current status of the proceedings, a 4 year extension is considered a reasonable and appropriate period to allow sufficient time for the Court process to reach resolution, any consequential matters arising from the determination of the change application to be addressed, and the approved development to subsequently progress.

The 4 year extension is therefore considered proportionate and appropriate having regard to the current circumstances of the approval and the ongoing legal proceedings.

4. Relevant Matters

Section 87(1) of the *Planning Act 2016* states that in assessing and deciding a request for extension to currency period, the assessment manager may consider any matter that the assessment manager considers relevant, even if the matter was not relevant to the assessment of the development application. The following matters are considered relevant to the assessment:

- **Consistency with Current Planning Scheme**

The approval was given under the Brisbane City Plan 2014, which remains the planning scheme currently in effect. The site is located within the Emerging community zone, with the overall outcomes of the zone supporting the delivery of a range of lot sizes to support diversity in housing supply and facilitating the orderly and logical sequence of development of Rochedale.

- **Community Awareness of Approval**

The development application was Impact Assessable and underwent public notification. It is considered that the community have reasonable awareness of the approval, given that the approved development is consistent with the future intent and reasonable community expectations for the land. The proposal remains consistent with the applicable assessment benchmarks under the current Planning Scheme, addresses any submissions that were received.

- **Project Delays**

Subsequent to issue of the development approval, the applicant has been committed to fulfilling all development conditions to deliver the new residential lots, contributing critical housing supply for the Rochedale community. However, the expected completion date for works has been delayed due to various unprecedented circumstances impacting project delivery, as discussed below:

- **Construction Sector Shortages**

Extreme material supply shortages, labour shortages and contractor unavailability continues to cause substantial price increases for construction works. These circumstances have caused monetary pressures, resulting in the commencement of work to be continuously delayed.

- **Funding & Market Uncertainty**

The project's financing arrangements became materially affected by:

- sharp increases in construction costs;
 - changed lender requirements for developments; and
 - market uncertainty impacting pre-commitment and feasibility stability.

This created a temporary viability gap that required reassessment before responsibly commencing works.

- **Ongoing COVID-19 Pandemic Impacts**

The COVID-19 has had lasting impacts on construction markets, with the sector operating at reduced capacity. Thus, the applicant has had to navigate shifting market conditions, causing minimal progress in construction up to this point.

- **Current Change Application**

The impacts described above have led to the change application under assessment by Council, as part of the current Planning & Environment Court proceedings (P&E Court Ref: 2154/25). The changed proposal represents a design that aligns with contemporary

residential requirements and current building standards. Additionally, the applicant has established relationships with construction contractors, demonstrating their commitment to completing the development.

An extension of the currency period for an additional 4 years is therefore requested to enable the applicant to obtain the relevant operational works approvals, complete the development within the statutory timeframes and contribute to the supply of land for future housing in Rochedale.

5. Conclusion

In accordance with Section 86 of the *Planning Act 2016*, we hereby request that the currency period of the subject approval be extended by four (4) years until **13 October 2030**.

As outlined above, the delay in progressing the approved development has not been a result of inaction by the applicant, but has arisen from a combination of external factors, including labour constraints, supply-chain limitations, funding pressures, delivery challenges and changing market conditions. More significantly, the change application remains the subject of ongoing proceedings in the Planning and Environment Court, with a submitter involved in the appeal. The timing of the Court proceedings and their ultimate resolution are matters outside the reasonable control of the applicant and have a direct bearing on the ability to progress the approved development.

In these circumstances, a 4 year extension is considered to be a reasonable and appropriate period to allow the Court proceedings to be resolved, any consequential matters arising from the determination of the change application to be addressed, and sufficient time for the approved development to subsequently progress to completion.

The applicant remains fully committed to delivering the approved development and seeks a reasonable extension of the currency period to enable the development to proceed in a considered, economically viable and orderly manner, having regard to the circumstances outlined above. Maintaining the currency of the existing approval will also avoid the unnecessary delay and uncertainty associated with requiring a new development approval process, thereby facilitating the timely delivery of additional residential housing supply to the local community.

Having regard to the circumstances of the development, the ongoing Court proceedings and the applicant's continued commitment to delivering the approved development, the requested four-year extension is considered reasonable and appropriate. Accordingly, it is respectfully requested that Council approve the extension of the currency period to **13 October 2030**.