

10 September 2026

BCC reference: A003770098, extended by A005526631 & A006311816

Our reference: 1923

BCC DS
RECEIVED
11/09/2026
APPLICATION REF
A007111489

The Assessment Manager
Development Assessment Branch
Brisbane City Council
GPO Box 1434
Brisbane QLD 4001

Dear Sir/Madam,

REQUEST TO EXTEND THE CURRENCY PERIOD UNDER SECTION 86 OF THE PLANNING ACT 2016
STAGE 1: PRELIMINARY APPROVAL FOR BUILDING WORK UNDER S241 OF SPA 2009 & DEVELOPMENT
PERMIT FOR MATERIAL CHANGE OF USE FOR CENTRE ACTIVITY WITHIN CENTRE
STAGE 2: PRELIMINARY APPROVAL FOR BUILDING WORK UNDER S241 OF SPA 2009 & DEVELOPMENT
PERMIT FOR MATERIAL CHANGE OF USE FOR CENTRE ACTIVITY WITHIN CENTRE
AT 8 & 10 STATION ROAD AND 141, 147 & 151 COONAN ROAD, INDOOROOPILLY QLD 4068
DESCRIBED AS LOT L7, L8 & L21/22 ON RP.46157, L1 ON RP.116317, L254 ON SL.1477 AND L1 ON
RP.134939
(APPLICATION REF: A003770098 AS EXTENDED BY A005526631 & A006311816)

We are writing on behalf of our client, Costa Nicodemou as Receiver and Manager of El Dorado Village Pty Ltd ACN 160 356 114 (Receiver and Manager Appointed), to make application under section 86 of the *Planning Act 2016* (the Act) to extend the currency period of the Development Permit and Preliminary Approval for Stage 1 and Stage 2 by a further period of two (2) years respectively until midnight on the 20 September 2028 (Stage 1) and 20 September 2029 (Stage 2).

This request is made in materially different circumstances to those the subject of our previous requests for an Extension to the Currency Period of the same Development Approval. The Owner has entered receivership and control of the site now rests with the Receivers and Managers. The two (2) year period sought is the period reasonably required for the Receivers to complete an orderly sale of the site to a purchaser with the financial and technical capacity to take on and complete the approved development. It is a shorter period than was sought in 2023, and it is tied to a specific and identifiable task rather than to an open-ended expectation of market recovery.

We respectfully ask Council to note at the outset that not supporting this request would not bring forward the delivery of housing on this site. It would extinguish an impact assessed approval for a substantial number of extremely well-located dwellings and require a new owners / developer to begin again, adding several years to any delivery timeframe, at a time when all three levels of government are directing significant policy effort and public expenditure toward increasing housing supply in precisely this kind of location and subsequently improve housing affordability.

Background Information

An initial Development Approval (A003770098) for staged development involving a Development Permit for Material Change of Use for Centre Activities within a Centre and an associated Preliminary Approval for

Building Work was issued on 22 December 2015. The development described within the Development Approval is to be staged in two (2) parts which involve:

Stage	Development Permit	Preliminary Approval
Stage 1	Material Change of Use – Centre activities within Centre Centre Activities (Amusement Arcade, Cinema, Hotel, Indoor Sport & Recreation, Medical Centre, Multi-Unit Dwelling, Nightclub, Office, Restaurant, Shop, Short Term Accommodation, Community Facilities, Convention Centre, Display Dwelling, Health Care Purpose)	Carry Out Building Work Centre Activity
Stage 2	Material Change of Use – Centre activities within Centre Centre Activities (Amusement Arcade, Cinema, Hotel, Indoor Sport & Recreation, Medical Centre, Multi-Unit Dwelling, Nightclub, Office, Restaurant, Shop, Short Term Accommodation, Community Facilities, Convention Centre, Display Dwelling, Health Care Purpose)	Carry Out Building Work Centre Activity

The currency period identified in the Negotiated Decision Notice was as follows:

- all aspects of Stage 1 – 48 months, with the relevant period ending 20 September 2020; and
- all aspects of Stage 2 – 60 months, with the relevant period ending 20 September 2021.

A copy of the Negotiated Decision Notice has been provided at Attachment A.

It is noted that SARA was a referral agency because the site was within 25m of a state transport corridor, being a railway corridor, at the time of lodgement in 2013.

First Extension of Currency Period:

An Extension of Currency Period of a development approval under section 86 of the Planning Act 2016 was issued by Brisbane City Council (Ref: A005526631) on 9 October 2020, extending the currency period to midnight on 20 September 2022 (Stage 1) and 20 September 2023 (Stage 2).

Second Extension of Currency Period:

A Second Extension of Currency Period of a development approval under section 86 of the Planning Act 2016 was issued by Brisbane City Council (Ref: A006311816) on 24 August 2023, extending the currency period to midnight on 20 September 2026 (Stage 1) and midnight 20 September 2027 (Stage 2).

Consequently, the currency period for this approval presently lapses at midnight on **20 September 2026 (Stage 1) and 20 September 2027 (Stage 2)**.

Ministerial Extensions to Currency Periods:

As a result of the impacts of the COVID-19 pandemic, the Minister declared the COVID-19 emergency to be an applicable event under section 275E of the Planning Act 2016, enabling the Minister to extend the currency periods for applicable development permits. Three successive extension notices applied to this approval:

- the notice published on 8 July 2020 extended the currency periods by six (6) months, to 20 March 2027 (Stage 1) and midnight 20 March 2028 (Stage 2);
- the notice made on 1 September 2021 extended the currency periods by a further six (6) months, 20 September 2027 (Stage 1) and midnight 20 September 2028 (Stage 2); and

- the notice made on 29 April 2022 extended the currency periods by a further twelve (12) months, to 20 September 2028 (Stage 1) and midnight 20 September 2029 (Stage 2).

As the subject approval was made under the Sustainable Planning Act 2009, section 299(2) of the Planning Act 2016 applied to it, and the approval was in effect on each of the relevant dates.

Application Fee

We anticipate the application fee will be **\$2,250.00** being the applicable fee for a 'Request to extend a currency period (s86 PA)' (Development types of multiple dwellings, development assessment area charge, reconfiguration development types, other prescribed tidal work) under Brisbane City Council's 2026-27 Development Assessment and Compliance Fees document. The associated fee will be paid once confirmed and an invoice is received from Council.

Request to Extend the Currency Period under the Planning Act 2016

Section 86 of the Planning Act 2016 allows a person to apply to extend the currency period of an approval before the development approval lapses, as follows:

- (1) 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.
- (2) The extension application must be—
- (a) made— (i) if the assessment manager has a form for the application—in the form; or (ii) by notice; and
 - (b) accompanied by the required fee.
- (2A) Also, the extension application must be accompanied by the written consent of the owner of the premises the subject of the development approval to the extent—
- (a) the applicant is not the owner; and
 - (b) the development approval is for— (i) a material change of use of premises or reconfiguring a lot; or (ii) works on premises that are below high-water mark and outside a canal; and
 - (c) the premises are not excluded premises.
- (3) An assessment manager— (a) must accept an application that the assessment manager is satisfied complies with subsections (2) and (2A); and (b) must not accept an application unless the assessment manager is satisfied the application complies with subsection (2A); and (c) may accept an application that does not comply with subsection (2)(a); and (d) may accept an application that does not comply with subsection (2)(b) to the extent the required fee has been waived under section 109(b).

The currency period for this approval lapses at midnight on 20 September 2026 (Stage 1) and 20 September 2027 (Stage 2). This request is therefore made prior to the development approval lapsing, as required by section 86(1) of the Act.

We note that, by operation of section 87(7) of the Act, the approval does not lapse while this extension application remains undecided. Should Council require additional time beyond the 20-business day period prescribed by section 87(2), we confirm our client's agreement in principle to an extension of that period under section 87(3) and ask that Council contact this office to arrange it.

Owner's Consent – section 86(2A)

The premises are the subject of a development approval for a material change of use and are not excluded premises. Written owner's consent is accordingly required and is provided at **Attachment B**.

That consent has been executed by the Receivers and Managers, who are, by force of the security documents under which they are appointed and section 420 of the *Corporations Act 2001* (C'wealth), see extract below, empowered to deal with the property of the Owner and to act as the Owner's agents for that purpose.

CORPORATIONS ACT 2001 - SECT 420 - Powers of receiver

- (1) *Subject to this section, a receiver of property of a corporation has power to do, in Australia and elsewhere, all things necessary or convenient to be done for or in connection with, or as incidental to, the attainment of the objectives for which the receiver was appointed.*
- (2) *Without limiting the generality of subsection (1), but subject to any provision of the court order by which, or the instrument under which, the receiver was appointed, being a provision that limits the receiver's powers in any way, a receiver of property of a corporation has, in addition to any powers conferred by that order or instrument, as the case may be, or by any other law, power, for the purpose of attaining the objectives for which the receiver was appointed:*
 - (a) *to enter into possession and take control of property of the corporation in accordance with the terms of that order or instrument; and*
 - (b) *to lease, let on hire or dispose of property of the corporation; and*
 - (c) *to grant options over property of the corporation on such conditions as the receiver thinks fit; and*
 - (d) *to borrow money on the security of property of the corporation; and*
 - (e) *to insure property of the corporation; and*
 - (f) *to repair, renew or enlarge property of the corporation; and*
 - (g) *to convert property of the corporation into money; and*
 - (h) *to carry on any business of the corporation; and*
 - (j) *to take on lease or on hire, or to acquire, any property necessary or convenient in connection with the carrying on of a business of the corporation; and*
 - (k) *to execute any document, bring or defend any proceedings or do any other act or thing in the name of and on behalf of the corporation; and*
 - (m) *to draw, accept, make and indorse a bill of exchange or promissory note; and*
 - (n) *to use a seal of the corporation; and*
 - (o) *to engage or discharge employees on behalf of the corporation; and*
 - (p) *to appoint a solicitor, accountant or other professionally qualified person to assist the receiver; and*
 - (q) *to appoint an agent to do any business that the receiver is unable to do, or that it is unreasonable to expect the receiver to do, in person; and*
 - (r) *where a debt or liability is owed to the corporation--to prove the debt or liability in a bankruptcy, insolvency or winding up and, in connection therewith, to receive dividends and to assent to a proposal for a composition, a scheme of arrangement or a restructuring plan; and*
 - (s) *if the receiver was appointed under an instrument that created a security interest in uncalled share capital of the corporation:*
 - (i) *to make a call in the name of the corporation for the payment of money unpaid on the corporation's shares; or*
 - (ii) *on giving a proper indemnity to a liquidator of the corporation--to make a call in the liquidator's name for the payment of money unpaid on the corporation's shares; and*
 - (t) *to enforce payment of any call that is due and unpaid, whether the calls were made by the receiver or otherwise; and*
 - (u) *to make or defend an application for the winding up of the corporation; and*
 - (w) *to refer to arbitration any question affecting the corporation.*
- (3) *The conferring by this section on a receiver of powers in relation to property of a corporation does not affect any rights in relation to that property of any other person other than the corporation.*
- (4) *In this section, a reference, in relation to a receiver, to property of a corporation is, unless the contrary intention appears, a reference to the property of the corporation in relation to which the receiver was appointed.*
- (5) *In this section: "lease" includes a lease of goods that gives rise to a PPSA security interest in the goods.*

The consent letter in Attachment B reflects the real property descriptions and addresses of the subject land involved in the approval as at the date of this letter.

As required, we attach:

- Council's form to 'Request to Change or Extend an Approval' (Online Form);
- Extension application under section 86 of the Planning Act 2016 - Applicant template 5.0 Version 1.0 (Attachment C)
- Owner's Consent executed by the Receivers and Managers (Attachment B);
- Original Approval, Ref: A003770098 as extended by A005526631 (Attachment A); and
- Evidence of the appointment of the Receivers and Managers (Attachment D).

We therefore request that Council extend the respective currency periods of Stage 1 and Stage 2 by two (2) years, until **20 September 2028 (Stage 1)** and **20 September 2029 (Stage 2)**.

Deciding the Request

Section 87 of the Planning Act 2016 identifies the matters which the Assessment Manager may consider when deciding a request under section 86:

- (1) When assessing an extension application, the assessment manager may consider any matter that the assessment manager considers relevant, even if the matter was not relevant to assessing the development application.*
- (2) The assessment manager must, within 20 business days after receiving the extension application, decide whether to— (a) give or refuse the extension sought; or (b) extend the currency period for a period that is different from the extension sought.*
- (3) The assessment manager and the applicant may agree to extend the 20-business day period.*
- (4) The assessment manager may decide the extension application even if the development approval was given because of an order of the P&E Court.*
-
- (7) Despite section 85, the development approval lapses— (a) if the extension application is approved—at the end of the extended period ...*

The discretion conferred by section 87(1) is deliberately broad. It expressly permits Council to have regard to matters that were never relevant to the original assessment. The commercial circumstances of the landowner, the state of the construction market, and the contribution the approval makes to Council's own housing supply objectives are each matters the applicant considers that the Council should consider, and each supports the grant of the extension sought.

Justification & Response to s87 for the Request to Extend the Currency Period

A further extension of two (2) years to the currency period of Ref: A003770098 (as extended by A005526631) is requested so that the staged development approved over the land can be delivered as intended before the approval lapses. This will extend the currency period to 20 September 2028 (Stage 1) and 20 September 2029 (Stage 2).

The justification rests on four grounds, addressed in turn below:

- the insolvency of the Owner and the appointment of Receivers and Managers, and the period reasonably required to complete an orderly sale of the site to a party able to complete the project;

- the continuing difficulties in the building construction market, which constrain the delivery of projects of this scale across South East Queensland;
- the sustained and heavily weighted strategic focus of local, State and Commonwealth government on increasing housing supply to address housing affordability, and this approval's direct contribution to those objectives; and
- the continuing consistency of the approved development with the reasonable expectations for the site under Brisbane City Plan 2014.

1. Insolvency of the Owner and the Appointment of Receivers and Managers:

On the 5th August 2026, the Form 505 under the Corporations Act 2001 'External Administration or Controllorship Appointment of an administrator or controller' was lodged with the Australian Securities & Investments Commission to the Owner (EL DORADO VILLAGE PTY LTD A.C.N. 160 356 114 TRUSTEE UNDER INSTRUMENT 714872905).

The Owner is the entity that has driven this project since the original application was lodged in 2013 and is the entity that is the landowner, the operator of the existing Eldorado cinema on the site, and the party that was to develop the approved podium and towers. The insolvency of this single entity therefore removes, in one event, the whole of the delivery capacity that sat behind the approval.

This is not a circumstance the applicant could have controlled, foreseen or mitigated. It is the paradigm case of an unforeseen event materially affecting the ability to act on an approval within its currency period.

The Receivers' function is to realise the secured property. In discharging that function they are subject to the duty in section 420A of the Corporations Act 2001 (C'wealth) to take all reasonable care to sell the property for not less than its market value or, if there is no ascertainable market value, for the best price reasonably obtainable. It is understood that the Receiver's preferred strategy for this site is a structured sale to a purchaser with the balance sheet and the development expertise to take the approval forward and complete the project.

Time is required for the execution of the Receiver's preferred strategy. It is understood that the process would involve, for a site of this size in single ownership, with approval for a complex mixed-use development, will involve at a minimum the preparation of an information memorandum and data room, a formal marketing campaign to a national and offshore buyer pool, an extended due diligence period, negotiation and contract, satisfaction of conditions, and settlement.

The incoming purchaser must then complete its own feasibility, design review, procurement and financing before it can commence works.

Insufficient time currently remain before the Stage 1 currency period expires to enable the Receiver's preferred strategy to be undertaken. The requested two-year extension represents a realistic period in which to complete that sequence and will provide a prospective purchaser of the site with greater certainty.

Conversely, if the approval is extended as requested, the Receivers can offer the market a shovel-ready, fully assessed development opportunity in an established major centre adjoining a railway station. This approach provides the situation most likely to result in the site being developed quickly to assist in improving housing supply.

Further the extension of the currency period for a further two years reduces the buyer's risk, and if required provides sufficient time for preparing and prosecuting a modification of the approved development application to meet the current market demands.

It should be emphasised that the extension sought confers no new development right that Council has not already granted. The proposal is not being altered in any respect. Council assessed this original development application on its merits, resolved the submissions made about it, imposed conditions and issued a Development Approval. The extension simply preserves that decision so that a solvent party can take it up.

2. Continuing Difficulties in the Building Construction Market:

The Construction Market conditions that have prevented commencement of Stage 1 since its original approval have not ameliorated sufficiently for the owner to undertake the project. The construction sector remains the most distressed industry across the Australian economy, and the economic constraints are most heavily felt for precisely the form of development approved, being a large, structurally complex, high-rise mixed-use project.

The Construction Industry has recorded the highest number of company insolvencies of any industry for several consecutive years. ASIC's insolvency statistics for the 2025/26 financial year record that 3,472 construction companies have either entered external administration or having a controller appointed. This is the highest of any industry and roughly a quarter of all corporate insolvencies nationally. The 2025/26 figure follows 14,722 corporate insolvencies across all industries in 2024/25, the highest annual total since 1999/2000.

In respect of the ability to deliver the approved development, the practical effect of the difficulties in the construction market is a shortage of contractors willing and able to price the work. The pool of builders with the capacity and track record to deliver a 15 and 18 storey twin-tower development over a three-storey entertainment podium and five levels of basement is consequently decreasing, and the remaining suitable contractors are highly selective about the risk they accept. Consequently, whilst development financiers are looking for certainty in terms of the price, the delivery of work of the complexity of the approval within in such financial terms has become difficult to procure.

The construction cost escalation since 2020 (Covid 19) has not reversed and has evened out at a materially higher base cost. Competition for labour, subcontractors and materials across South East Queensland is further intensified by the Brisbane 2032 Olympic and Paralympic Games venue and infrastructure programme, Cross River Rail and the broader State infrastructure pipeline, all of which draw on the same finite resource base.

The consequence, across the construction sector rather than for this approved development project alone, is a persistent gap between the cost of delivering apartment product and the end values achievable. That feasibility gap is the principal reason apartment completions across Australia continue to run well below what is required. This is demonstrated by the Housing Industry Association observations that completions in 2024/25 fell almost 67,000 dwellings short of the annual rate implied by the National Housing Accord, which now requires in the order of 260,000 new dwellings each year nationally if the five-year target is to be met.

Whilst these structural market conditions are affecting every comparable project in Brisbane, they are not a reflection of any lack of intent to act on the approval. The requested two-year extension to the Development

Approval currency period, allows an incoming purchaser to procure and price the work in a market which construction costs will hopefully begin to stabilise relative to the sale price of new dwellings.

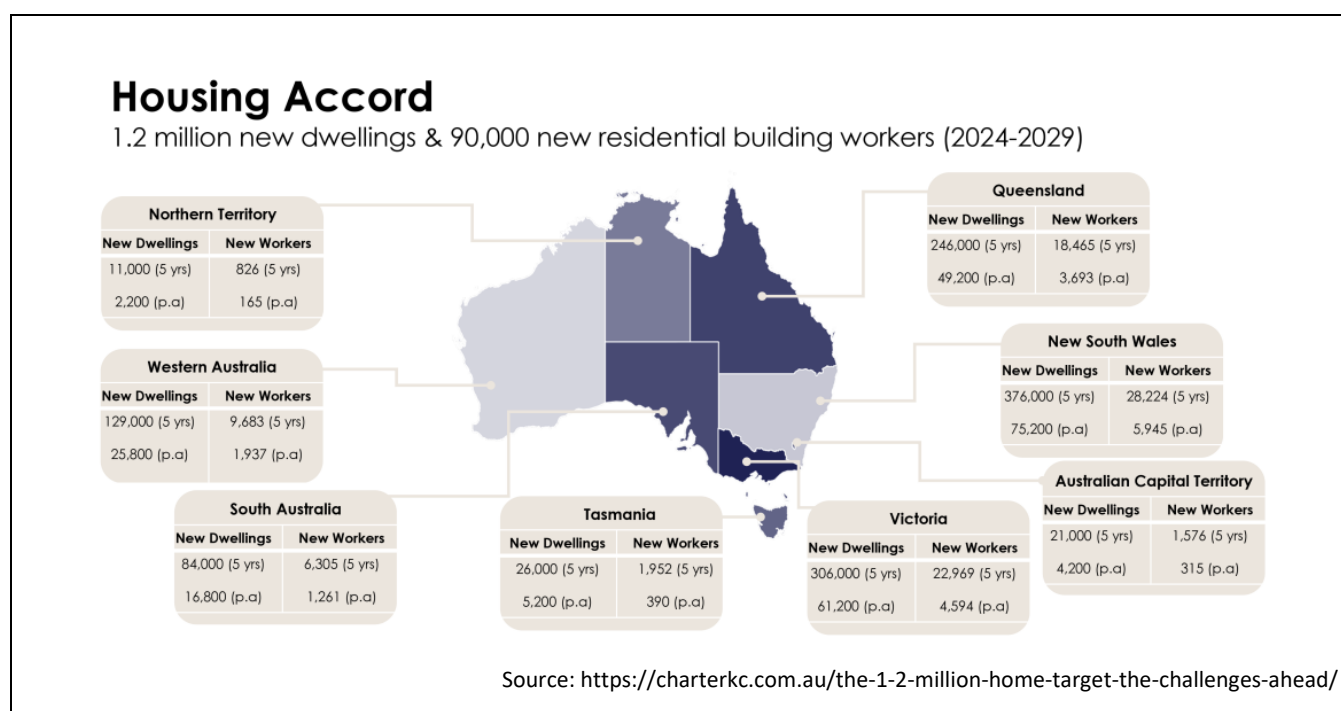
3. Strategic Government Focus on Increasing Housing Supply and Housing Affordability:

Since this approval was last extended, housing supply has become the dominant strategic preoccupation of all three levels of government. Local, State and Federal governments have each adopted quantified dwelling targets, committed substantial public expenditure, and amended planning instruments for the express purpose of bringing forward the supply of affordable well-located homes.

The existing approval (for which the extension of currency period is sought) fits neatly within the type, scale and location of development that all the housing supply policies being promoted by all levels of government. As such allowing the current development permit that includes 393 dwelling units in a highly accessible inner-city location within Brisbane, to lapse, would severely undermine the ability of Brisbane City Council, the Queensland State Government and the Australian Federal Government to achieve these housing supply policy objectives.

Commonwealth

Under the National Housing Accord, all levels of government committed to a target of 1.2 million new, well-located homes over the five years from mid-2024 until mid-2029.



The National Housing Accord is supported by the National Planning Reform Blueprint, endorsed by National Cabinet in August 2023, which requires State and local government planning systems to reconsider zoning, land release and planning processes in order to unlock supply, and by the \$10 billion Housing Australia Future Fund, directed at 30,000 social and affordable homes in its first five years.

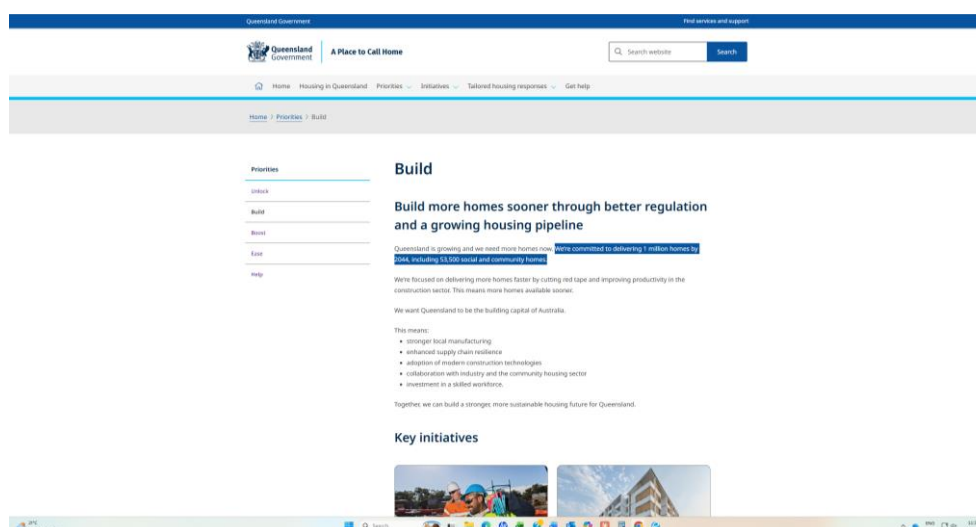
The Commonwealth has also legislated concessional tax settings for eligible build-to-rent developments to attract institutional capital into rental housing.

The National Housing Accord emphasis on the provision of 'Well Located' new dwellings represents a significant underlying principal guiding the preferred location characteristics of new dwellings and residential density. Obviously the subject site represents an ideal new housing provision project with its location adjoining Indooroopilly railway station, within an established major centre with a full complement of retail, health, education and employment uses, and the fact that it is already consolidated into a single development site with an approval in hand, it represents an immediately available opportunity to provide a significant contribution (393 dwellings) to achieving the Brisbane component of the National Housing Target.

Specifically, Queensland has a projected shortfall of approximately 151,000 new dwellings by June 2029, based on the current rates of dwelling completions, which provides greater impetus to ensuring such significant approved new dwelling supply projects are given the best opportunity to contribute to minimising the shortfall in new dwelling constructions.

Queensland Government

The Queensland Government's Securing our Housing Foundations Plan sets a target of one million new homes by 2044, including 53,500 social and community homes.



Source: <https://aplaceforallhome.initiatives.qld.gov.au/priorities/build>

A series of State Government Policies will support the 'Securing our Housing Foundations Plan' 1 million new dwellings target, including but not limited to:

- **Unlocking homes across Queensland:** Investing up to \$2 billion in projects across Queensland, to fund supports councils and industry to deliver the infrastructure needed to bring more homes to market sooner.
- **Releasing land for more housing:** Unlocking vacant government-owned land for housing and identifying priority growth areas for development.
- **Delivering more social homes:** Invest in delivering more social and community housing with 53,500 social and community homes committed by 2044.

- Lifting rental restrictions for new home owners: Changes to ensure new home owners and first home buyers will now be able to rent out a room in their home from day one without losing grants and concessions, when they move in and use the property as their home.
- No stamp duty for first home buyers on new builds: Easing costs for first home buyers, with new rules removing stamp (transfer) duty from 1 May 2025.
- Boost to Buy: Home ownership scheme to reduce the deposit gap for first home buyers and deliver a place to call home for more Queenslanders sooner, with 2% deposit and government equity contributions up to 30%.
- Extending the \$30,000 first home owner grant: Continuing the \$30,000 first home owner grant beyond 30 June 2026, unlocking the door to home ownership for more Queenslanders.
- More housing support: Amended our planning framework to unlock church and charity owned land in partnership with the community housing sector. Partnering with councils to streamline housing approvals, scaling up approvals by 25% in the next 5 years.

At the regional level, ShapingSEQ 2023 plans for an additional 2.2 million people in South East Queensland by 2046, requiring almost 900,000 new homes, which equates to approximately 34,500 dwellings every year. It establishes binding dwelling supply and diversity targets which local governments are required to reflect in their planning schemes, introduces a high amenity area framework identifying locations that are well serviced by infrastructure and close to services and therefore able to support higher densities, and states an explicit preference for building up and in rather than out. Specifically, Indooroopilly is identified as a Principal Activity Centre within the 50-year vision Map and is identified for **‘Growth by consolidation will be focused in high amenity areas, including around high frequency public transport stations and centres’**.

	Outcomes for Grow Growth by consolidation The Metro sub-region is the densest sub-region in SEQ and presents the most significant opportunity to achieve greater diversity in housing close to jobs, services and facilities. The Metro sub-region has, and will continue to, benefit from considerable investment in infrastructure which will help drive a consolidated urban form. Current policy is recognised and will continue to be refined and advanced to deliver growth to 2046. Growth by consolidation will be focused in high amenity areas, including around high frequency public transport stations and centres, and appropriate density across low-density residential areas. Focusing growth in these locations enables the most efficient use of land and infrastructure, providing growth where it is more easily able to be supported and serviced. Delivering greater housing choice will require concerted effort by local governments, the Queensland Government, and industry. The community also has an important role to play. Low-density residential areas have the potential to deliver more housing choice through gentle density, including low-rise attached dwellings such as dual occupancies, secondary dwellings, row or terrace housing, townhouses and low rise apartments (up to three storeys). By gently increasing the number of houses within existing urban areas, close to existing services such as transport, education and shops, people will have more choice as to how and where they live. Unlocking underutilised land in the Urban Footprint will also play a role in achieving growth by consolidation for the Metro sub-region. The high amenity areas framework sets out the criteria for identifying areas to be prioritised for further development. High amenity areas for the Metro sub-region will be further refined and spatially defined in collaboration with Brisbane City Council, the City of Moreton Bay, Logan City Council and Redland City Council, and include: a. The capital city centre. b. Key regional activity centres and rail and bus station precincts along existing north-east, south, south-west and east transport corridors including: i. the Toombul, Strathpine and Caboolture/Morayfield regional activity centres and key rail stations ii. the Springwood, Logan Central and Beenleigh regional activity centres and key rail and bus stations iii. the Chermiside, Toowong and Indooroopilly regional activity centres and key rail and bus stations iv. the Wynnum Central, Carindale, Capalaba and Cleveland regional activity centres and key rail and bus stations.
Extract: Page 159 & 160, Shaping SEQ South East Queensland Regional Plan 2023	

The SEQ Regional Plan is presently under review, with early feedback sought between December 2025 and July 2026, and the direction of that review is toward greater, not lesser, infill supply.

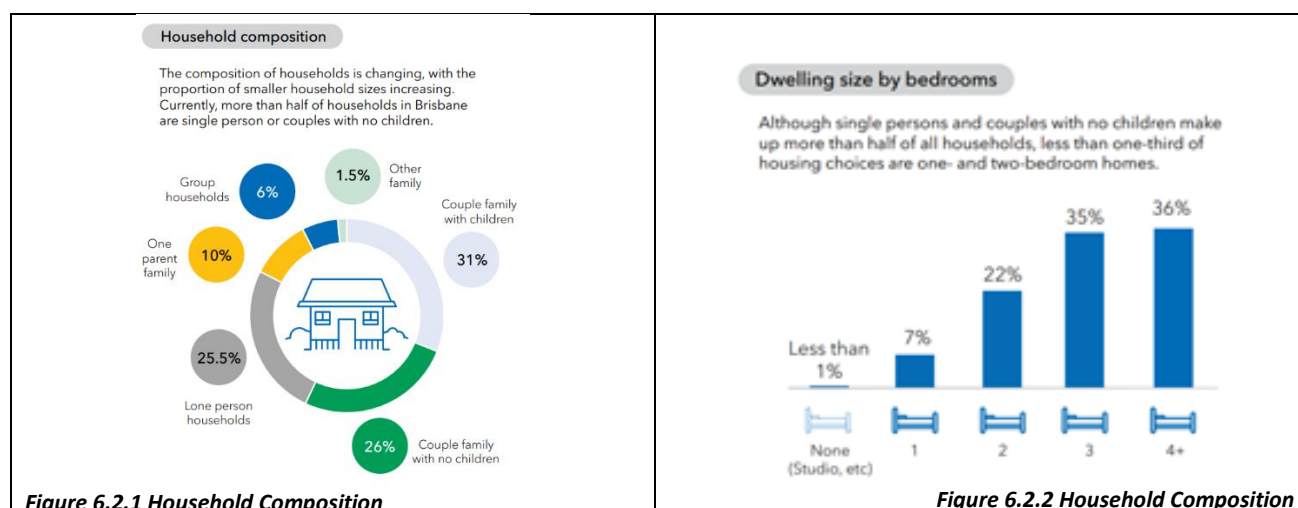
Brisbane City Council

Brisbane City Council, 'Sustainable Growth Strategy' has identified the residential housing supply challenges based on the projections that:

- Brisbane is projected to grow from a population of approximately 1.26 million people in 2021 to a city of 1.55 million by 2041; and
- Brisbane will require an additional 115,000 new homes by 2041 to address rapid population growth driven by interstate and overseas migration as well as natural population increases.

This is exacerbated by a trend towards reduced household sizes, meaning more dwellings (and different sized dwellings) are required for the same amount of people.

Further, single persons or couples without children comprise more than half of all Brisbane households, whilst nearly two thirds of all housing stock comprise 3-bedroom plus housing stock.



To meet the growth in housing demand and particularly the increased need for dwellings that satisfy the changes in housing type and dwelling structure, to be more suited to the growing numbers of one- and two-bedroom households, clearly the current Brisbane Housing Stock, 63% of which is detached housing, needs to be supplemented by apartment dwellings on well-located sites across Brisbane City.

To support this growth sustainably, Council is delivering these key initiatives:

- [Brisbane's Sustainable Growth Strategy](#)
- [Brisbane's Inner City Strategy](#)
- [Brisbane's Housing Supply Action Plan](#)
- [Brisbane's Housing Supply Incentive Policy](#)
- [Brisbane's Build-to-Rent Incentive Policy](#)
- [More Homes, Sooner: Low-Medium Density Residential zone review](#)

The extension to existing Development Approval retains the validity of a development that is tailor-made to address this housing supply challenge not only in terms of providing a significant increase in total residential dwelling numbers (additional 393 residential units), but also in terms of targeting unit mix that focuses on smaller 1 and 2 bedroom dwellings (72 additional Studio, 112 x 1 bedroom and 183 x 2 bedroom residential

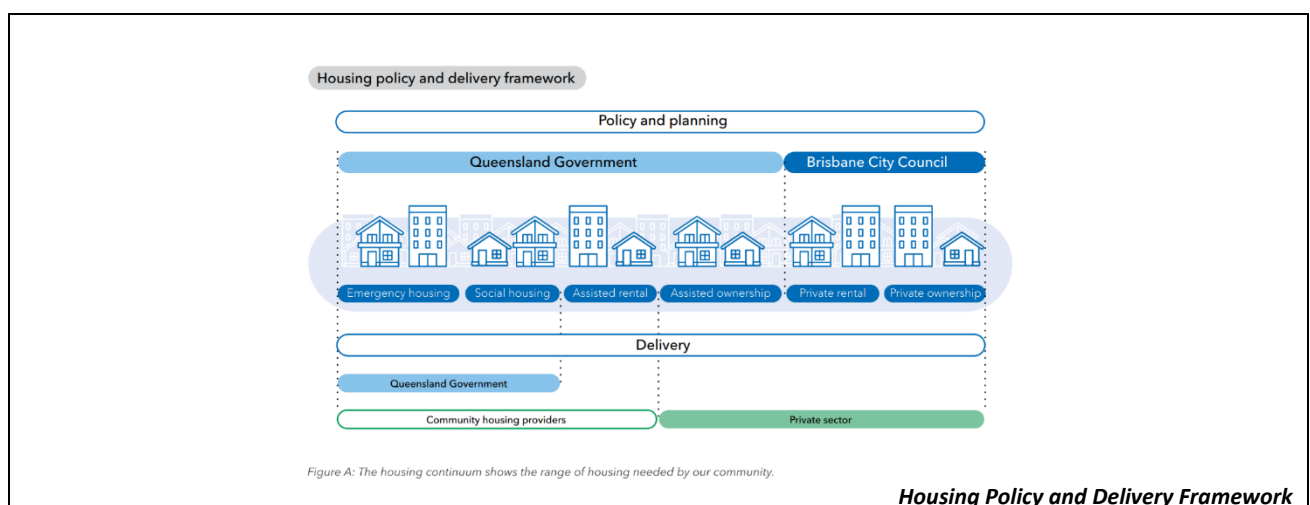
units), as well as 13 x 3 bedroom units and 72 short term accommodation units, to meet the predominant smaller household structure that now exists in Brisbane.

The extension to existing Development Approval retains the potential for the delivery of a high-density residential site is consistent with the Brisbane City Council, 'Sustainable Growth Strategy' which seeks to focus on the following four key housing priorities:



Specifically, the proposal for an additional 393 residential units proposed for the Eldorado site meets the four key housing priority as it:

- Meets the moment, with respect to the growing the **housing supply to address the evolving housing shortage crisis** that faces Brisbane, to ensure that this key inner-city site, with unmatched access to public and active transport networks can be unlocked to contribute to the starkest challenge currently facing Brisbane.
- Provides a residential development mix that is targeted to **address housing diversity to meet the affordable housing crisis** though:
 - the introduction of two high rise housing towers, with a focus on diversity and housing mix combining standard dwelling units with short term accommodation, that cover a wide range of the 'Housing Continuum' sought by both the Queensland State Government and Brisbane City Council.



- Focuses on the provision of **high-density residential housing in the right location**, as the Eldorado, Indooroopilly site, is an inner-city site with excellent connection to high frequency public transport (railway and inner-city bus networks) with Indooroopilly station at the doorstep, connected by an underpass, as well as direct linkages to active transport networks, opening up extensive access to services, recreation and employment opportunities.
- Delivers **apartment dwellings and short-term accommodation that are provided in a sustainable manner that maximise the positive elements of local climatic conditions** within the units and also through the access to ample private and publicly accessible landscaped spaces to provide for high standards of liveability through allowing residents a variety of support services and spaces that are designed to respond to our subtropical climate.

The proposed extension to the development approval currency period, allows the promotion of a ‘shovel ready’ high-density residential node that achieves 393 residential dwellings in one of Brisbane’s most accessible locations in respect of public transport, road networks, active transport routes, providing immediate access to employment, educational, social, recreational and community services across Brisbane. This includes but is not limited to the underlying substantial increase in customer base that is provided to support the commercial viability and vibrancy of the adjacent Station Road retail precinct.

Council has been among the most active local governments in the country in using the levers available to it to stimulate housing supply. Through the Brisbane Housing Supply Action Plan and the Brisbane Housing Supply Incentive Policy, Council has offered substantial infrastructure charges reductions and specialist fast-tracked assessment for eligible residential development, and through the Brisbane Build-to-Rent Incentive Policy it has offered deferral of infrastructure charges for up to five years for purpose-built rental development.

Council has also progressed amendments to City Plan 2014 directed at increasing the supply and diversity of well-located housing, including amendments concerning the Low-medium density residential zone on which community consultation was undertaken between 20 February and 20 March 2026.

Council’s own materials in support of the Housing Supply Action Plan identified areas around major shopping precincts, including the area near Indooroopilly Shopping Centre, as targeted locations for those incentives. The subject site lies within this Indooroopilly centre area directly accessible by an underpass to the Train Station.

In announcing the Plan, Council identified that Brisbane requires in the order of 8,500 new homes each year to meet the demand contemplated by the SEQ Regional Plan and observed that with 96 per cent of homes delivered by the private sector, government alone cannot resolve the shortage. BCC’s approval of the proposed extension to the development approval currency period, allows the promotion of a ‘shovel ready’ high-density residential node that achieves 393 residential dwellings in one of Brisbane’s most accessible locations, entirely consistent with all stated BCC policies to increase housing supply to meet affordability challenges.

Relevance to this application

The approved development comprises approximately **393** apartments across two residential towers, together with the retail, food and beverage, entertainment and cinema use within the podium. That is a material quantum of committed, approved, well-located housing supply. It already sits within Council’s approved development pipeline and within the supply against which Council reports its progress toward the ShapingSEQ 2023 dwelling targets.

Refusing the proposed currency period extension would not accelerate the delivery of a single dwelling and in fact it would remove this 'shovel ready' additional housing supply from Brisbane's approved pipeline, at the very time when Council, the State and the Commonwealth are each committing public funds and amending statutory planning instruments in order to add housing supply at record levels to that pipeline.

Failure to extend the currency period of the existing dwelling, would require any future developer of the site to restart the development approval process (i.e. prepare, lodge, publicly notify and prosecute a fresh impact assessable application, with attendant appeal rights), a process which, on any realistic assessment, would take two to three years before BCC approval then construction could commence.

Granting the extension, by contrast, costs the public nothing, alters no assessed outcome, and preserves committed housing supply in a priority infill location while the Receivers place the site in the hands of a party able to build it in the current market conditions. Approached in that way, the extension is not merely consistent with the strategic housing objectives of each level of government, but rather it represents the outcome those objectives require.

4. The Approved Development Remains Consistent with Reasonable Expectations for the Site:

The proposal continues to represent orderly development and remains within the reasonable expectations for development on the site under City Plan 2014, notwithstanding that it was assessed under City Plan 2000. The original justifications for Council's decision therefore remain valid.

Council's response to submissions

Council's response to the issues raised by submitters was founded on the future intent of the Indooroopilly centre neighbourhood plan, the design of the development and the site context. In summary, Council found that:

- the proposal is consistent with the principles of transit-oriented development;
- the proposed increase in density is consistent with what is envisaged for the Indooroopilly heart under City Plan 2000 and now City Plan 2014;
- the proposal will create active frontages and an inviting public realm through the scale, nature and design of the ground level uses to both Coonan Road and Station Road;
- the proposal will not reduce public safety or generate unnecessary vehicle trips;
- the proposal produces a high-quality public domain through the activation of ground level uses, full width awnings that promote shading and reduce the perception of bulk at pedestrian level, a 3.5m verge width and a pedestrian forecourt;
- the 801 car spaces provided across the site are sufficient given the site's connection to both train and bus networks, resident parking provided in excess of one space per unit, and the on-street parking limits that apply in the area;
- notwithstanding a GFA of 7.38 times the site area, a building height exceeding the maximum by one storey and 100% site cover, the design, bulk and scale of the proposal is acceptable given the site context, the larger site area and the design principles incorporated into the towers, podium and street level;
- the setbacks provided across the podium, towers and ground levels are consistent with the neighbourhood plan; and

- the proposal will not generate adverse noise or air quality impacts, in accordance with the submitted specialist reports.

To those findings should now be added the contribution the development makes to housing supply. The proposal will deliver a substantial addition to Brisbane's apartment stock, capable of being delivered as build-to-sell or build-to-rent product, which will assist in addressing both the affordability and rental supply pressures currently facing the city.

The increased density vision for the area has been maintained in City Plan 2014 and, if anything, has been reinforced by ShapingSEQ 2023 and by Council's subsequent housing supply initiatives. The same justifications and merits identified by Council in the original approval therefore remain valid.

Referral / concurrence agencies

The original application required referral to SARA as the site is within 25m of a state transport corridor. If the application were lodged today, referral would be triggered for the same reason. The proposal is not being altered as this request merely seeks an extension to the currency period. SARA's approval and associated conditions are not changed by the extension of time, and there are no new matters SARA would be required to consider.

City Plan 2000 and City Plan 2014 v36

The relevant provisions for the assessment of the applications have not substantially changed since lodgement, despite the change in planning schemes.

As for the Planning Scheme, the relevant provisions for the assessment of the applications have not substantially changed since the lodgment of the application, despite the change in Planning Schemes from City Plan 2000 and City Plan 2014.

Use Definition

The appropriate use definitions that applied to the proposal in City Plan 2000 incorporated a suite of land uses which are largely unchanged to those under the centre activities activity group of City Plan 2014, except Hotel, Multi-unit Dwelling and Nightclub. The Hotel, Nightclub and Multiple Dwelling aspects of the development were clearly shown in the approval plans and development description. Consequently, the development does not present a new defined use or one that is different from those originally approved in A003770098 being Centre Activities as defined under City Plan 2000.

City Plan 2000	City Plan 2014
Centre Activities (Use Definition)	Centre Activities (Activity Group)
• amusement arcade • child care facility • cinema • club • community facilities • convention centre • display and sale activities • display dwelling • education purposes • emergency services • garden centre • health care purposes • hotel • indoor sport and recreation • industry (where not identified in Schedule 1 or Schedule 2 Industrial Area provisions and not exceeding 100m² gross floor area) • medical centre • multi-unit dwelling • nightclub • office • radio or television station • restaurant • service station • shop • short term accommodation • utility installation • veterinary facility • youth club	• caretaker's accommodation • childcare centre • club • community care centre • community use • dwelling unit • educational establishment • emergency services • food and drink outlet • function facility • health care service • indoor sport and recreation • office • parking station, if bicycle parking • place of worship • sales office • service industry, if less than a gross floor area of 100m² • shop • shopping centre • short-term accommodation • substation • telecommunications facility, if a broadcasting station or television station • theatre • veterinary service

Level of Assessment

The original application was lodged and assessed under City Plan 2000 (superseded) triggering Impact assessment due to exceeding the minimum height and gross floor area prescribed under the Neighbourhood Plan. Note: The building height was reduced during the assessment of the original application, to meet the Code Assessable requirements after notification.

Under City Plan 2014, the application would trigger Impact assessment as it would exceed the maximum allowable gross floor area (500% of site area) storeys under the Indooroopilly centre neighbourhood plan. Consequently, both City Plan 2000 and City Plan 2014 require the proposal to be assessed under the Impact Assessable process.

Strategic Framework

The original application provided response to the following CityShape themes which formulated the direction of City Plan 2014 drafting. The strategies put forward in CityShape include the following and were provided with a response within the original town planning report.

- Residential Development Strategy
- Economic And Employment Development Strategy
- Integrated Transport Strategy
- Strong Communities Strategy
- Urban Open Space Strategy
- Integrated Water Strategy
- Infrastructure Strategy

These themes were further developed for the final and enacted City Plan 2014 which saw revisions to the overall structuring but not the principal intent. Consequently, the responses given in the original town planning report towards the CityShape themes are considered valid in response to the City Plan 2014 themes. In particular, the development address Brisbane's steadily increasing population, higher density and mixed-use development of key centres and growth nodes which includes Indooroopilly, subtropical design standards, increasing in housing stock and types of housing, improvement of economic and employment activities existing centres and growth nodes, and integration with existing transport networks. All of which remain relevant components within the City Plan 2014 strategic direction.

It is therefore considered that the proposal still represents as orderly development in accordance with the strategic framework of City Plan 2014.

Neighbourhood Plan

The neighbourhood plan has remained largely unchanged across City Plan 2000 and City Plan 2014. The elements that remain the same are built form requirements with respect to maximum building height, tower design, podium design, setbacks, public realm considerations, connection and integration of public transport and the overall vision for future increase in density in the Multi-purpose zone. Therefore, the Council decisions with respect to these elements of the original approval are considered to remain valid.

Moreover, the intended activities and density within the neighbourhood plan and precinct area also remain similar across the two schemes. City Plan 2014 specifically mentions in overall outcome 4 (a) that Higher density mixed use development is concentrated in the heart of Indooroopilly which includes land between the railway line and Station Road. Furthermore, the land elsewhere in the precinct supports the creation of vibrant, interesting and active ground storey shopping streets, with high density residential uses above.

With the subject site being located on the corner of Station Road and Coonan Road, the proposed uses cater to both parts of each overall outcome. As stated by Council in the summary of submissions report, the proposal is considered to create a positive public realm which is incorporated into the street frontages, contain transit-oriented development principles and provide higher density residential living on the upper levels at a bulk, scale and height that is consistent with the overall vision of future development in Indooroopilly.

The proposal also directly responds to the overall outcomes of the Indooroopilly neighbourhood plan and Multi-purpose centre of City Plan 2014, which are similar in principle to that of City Plan 2000. Ultimately, it is on this basis that the merits of the proposal identified by Council in the original approval remain relevant to

City Plan 2014.

With respect to traffic increase and associated impacts, Council concluded in the submission summary as part of the final decision that the proposed crossover location will reduce the number of unnecessary vehicle movements. Further, Council stated that the increase in traffic generated by the proposal was consistent with the density planned for Indooroopilly heart area under City Plan 2014 and can be otherwise accommodated by the existing public transport network, active transport networks and the bus stops included as part of the conditions of approval for A003770098

With this, the development provides uses that are intended on the site under City Plan 2014 also.

It is noted that the original Town planning assessment report included reference to the new draft City Plan (City Plan 2014) stating that the proposal would be consistent with the applicable zoning and neighbourhood planning provisions of the new city plan.

Zone:

Under City Plan 2000 the site was included in the Multi-Purpose Centre 2 (Major Centre) Zone and Mixed Use (Centre Frame) Zone. The desired environmental outcomes of the Multi-Purpose Centre (Major Centre) Zone of City Plan 2000 is provided below:

- 1. All new shop, office and cultural developments, including low density retailing such as retail warehousing, are clustered in Multi-purpose Centres unless an overwhelming community need dictates otherwise.*
- 2. The City Centre continues to provide the highest order and intensity of shop, office, entertainment, cultural, tourist and residential accommodation in the City.*
- 3. Major Centres provide significant locations for shop, office, entertainment, cultural, tourist and residential accommodation outside the City Centre.*
- 4. High densities of residential development are located in Major Centres to capitalise on public transport infrastructure investment.*

Despite City Plan 2014 containing a more detailed zone intent, the principle uses and activities within the respective zones are largely similar. As previously stated, the approved defined uses are not dissimilar to those defined in City Plan 2014 and there are consequently no new or altered uses being introduced into the zone that would otherwise be prohibited.

The majority of the overall outcomes of the Mixed-use zone code in City Plan 2014 are considered to be satisfied by the proposal as they are essentially addressed by Council in the summary of submissions report. As previously stated, the nature and use of the proposal is not changing, and this merely relates to extending the currency period. In addition, the uses proposed are in principle consistent with the zone code and the neighbourhood plan code.

The only difference is that the overall outcome of the City Plan 2014 Mixed use zone stipulates specific requirements for each activity and that Hotels are not accommodated within the Mixed use zone.

However, it is noted that the finer grain Indooroopilly neighbourhood plan (Multiple purpose precinct) overall outcomes do not state that Hotel or Nightclubs are inconsistent. It is on this basis, the justification provided

by Council in conjunction with the original application information remains valid towards the consistency of the proposal with the requirements of City Plan 2014.

Hotel and Nightclub Use

With respect to the incorporation of a hotel and nightclub use, the previous specialist reporting addressing noise and air quality satisfied Council's requirements under City Plan 2000. It is also noted that Council supported the proposal in terms of the lack of adverse impacts caused to the local road network and the location of the Hotel/Nightclub are well removed from any existing residential uses and further shielded by the development itself. As for the proposed residential uses incorporated into the proposal, the building design and noise attenuation techniques adopted also provided sufficient shielding to avoid any adverse amenity impacts. The associated anticipated impacts generated by these uses by City Plan 2014 are considered to be negated through the design of the proposal. Consequently, the high patronage uses of a Hotel and Nightclub are considered to be catered to an extent that is acceptable for the area as it is identified as a major centre and growth node of Brisbane despite such uses not being intended in the Mixed use zone.

We also note that Council approvals are commonly issued for Hotels within Mixed use zones across Brisbane which are also within the frame of a centre. Typically, the site context is considered during the assessment of Hotel uses in these zones to determine whether they are acceptable. Moreover, there are a number of sites across Brisbane that have been included in the Mixed use zone under City Plan 2104 that contained existing Hotels and Nightclubs. Given this, it is not atypical to have Hotels or Nightclubs operating in the Mixed use zone. In this instance, a Hotel use on the subject site is also considered acceptable on the basis that the specialist reports confirm no adverse pollution impacts, there are complimentary uses existing and proposed within the complex and the site is within close proximity to public transport. The Indooroopilly neighbourhood plan and Multi-purpose precinct overall outcome also does not state that Hotels are inconsistent and it is considered that such uses are compatible with the intended activities.

Submissions and community benefit

As the relevant requirements of City Plan 2000 and City Plan 2014 have not substantially changed and are similar in principle, it can reasonably be concluded that the same issues raised originally would be raised if the application were lodged again, and that the justification provided in response to the original submitters remains relevant. The proposal continues to accord with the reasonable expectation for development on the site.

The approved development offers considerable community benefit in providing leisure, entertainment and recreational uses, retaining a cinema use that has occupied this site since 1926, and delivering a significant addition to housing stock in a highly accessible central location.

Conclusion

This letter requests a two (2) year extension to the currency period of all development approved under Development Permit Ref: A003770098 (as extended by A005526631 & A006311816), which will bring the relevant period to **20 September 2028 (Stage 1) and 20 September 2029 (Stage 2)** respectively.

The extension is justified on the grounds that:

- that the approval represents committed, well-located housing supply of exactly the kind that local, State and Commonwealth housing strategies are directed at delivering;
- whilst the owner has always intended to act on the Development Approval and construct the approved development, the building construction market continues to present serious obstacles to the delivery of high-rise mixed-use development of this scale; and
- the Owner has entered receivership, and the Receivers / Managers require a reasonable period in which to complete an orderly sale of the site to a purchaser with the capacity to take on and complete the project.

Each of the above matters is one Council may consider under section 87(1) of the Act.

The relevant provisions of City Plan 2014 have not substantially changed since lodgement of the application. The proposal continues to represent orderly development and to sit within community expectations for the site, such that it can reasonably be assumed the same decision would be made by Council if the application were lodged today.

We look forward to Council's favourable consideration of the above and trust that the information provided is satisfactory. Should you have any questions, or should Council wish to discuss the receivership process and the sale timetable in further detail, please do not hesitate to contact this office.

Yours faithfully,

Planning Initiatives



Benjamin Cowan

Attachment A – BCC Negotiated Decision Notice (Ref: A003770098 as extended by A005526631& A006311816)

Attachment B – Owner's Consent executed by the Receivers and Managers

Attachment C – DA Application Form

Attachment D – Evidence of appointment of Receivers and Managers