

Ref: 24-0605PD

24 February 2026

Brisbane City Council  
GPO Box 1434  
Brisbane QLD 4001  
Via Online Lodgement Portal

RE: Extension Application (s86 Planning Act 2016)  
36 Alexander Close, Mackenzie (Council Reference: A004318435)

Dear Sir/Madam,

On behalf of our client, Mackenzie Developments Pty Ltd, Therefor Group hereby makes an application to extend the currency of the abovementioned Development Approval in accordance with Section 86 of the *Planning Act 2016* (**Planning Act**).

An extension of two (2) years is requested, extending the currency period until **14 June 2028**.

In accordance with section 86 of the Planning Act, we confirm this application:

- is made by written notice to Brisbane City Council (**Council**) (i.e., this letter and the supporting material);
- will be accompanied by the required fee, once Council's invoice has been received; and
- is accompanied by the written consent of the owner of the premises.

On this basis, we request Council confirm their acceptance of the application in accordance with section 86(3) of the Planning Act.

#### Application Fees

In accordance with Council's current Schedule of Fees and Charges, we have calculated the Council application fee for this request in this instance to be \$2,145.

#### Conclusion

In conclusion, and based on the facts and circumstances contained herein, it is recommended that the requested extension to the currency period be approved.

Thank you for your attention to this matter. Should you have any queries, please do not hesitate to contact the undersigned on (07) 3666 5200.

Yours sincerely,



Nicholas Hall  
Project Coordinator

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# Extension Application

## 1. Supporting Material

The following are attached in support of the extension application.

Document Title	Prepared By	Date
Signed owner's consent	-	24.02.2025
Extension Request Form	Therefor Group	24.02.2025

## 2. Background

### Development Approval – No. 1410/2017 (A004318435)

On 23 March 2017, Council issued a decision notice refusing the proposed development for a Material Change of Use for Multiple Dwellings (23 units) (Application Ref: A004318435). Following this, a notice of appeal was filed to the Planning and Environment Court (**Court**) on 24 April 2017 (No. 1410/2017). Through the appeal process, the application underwent a minor change and was later approved by way of a judgement granted by the Court on **14 June 2018** under the *Sustainable Planning Act 2009*.

### Change Approval – No. 631/2019

On 22 February 2019, the applicant lodged a notice of appeal to the Court seeking to make a minor change to the development approval under the Planning Act. The changes being made included the introduction of staging as well as minor amendments to the site plans, stormwater management strategy and the condition of approval. On 2 December 2019, the Court issued a judgement approving the proposed changes subject to the conditions of approval and plans attached.

With the understanding that no extension was sought to the currency period as part of the proposed change that was made through the Court, the currency period determined by the original approval still applies. Pursuant to Section 85(1)(a)(ii) of the Planning Act, the Development Permit had a currency period of 6 years which extended through to **14 June 2024**. However, as the approval was granted prior to the announcement of the first Ministerial extensions, all three of the Minister extensions granted under the COVID-19 applicable event are applicable, as discussed below.

### Covid Extensions

On 20 March 2020, pursuant to Section 275, Clause e of the Planning Act, the Planning Minister declared an applicable event related to the COVID-19 Pandemic (COVID-19 applicable event). During the COVID-19 applicable event, a sequence of extensions were granted to eligible Development Approvals.

- On 8 July 2020, the Minister issued an extension notice under Section 275, Clause R of the Planning Act, extending currency periods by six (6) months. This extended the currency period for the above-mentioned application through to 14 December 2024.
- On 1 September 2021, the Minister issued an extension notice under Section 275, Clause R of the Planning Act, extending currency periods by six (6) months. This extended the currency period for the above-mentioned application through to 14 June 2025.
- On 29 April 2022, the Minister issued a final extension notice under Section 275, Clause R of the Planning Act, extending currency periods by twelve (12) months. This extended the currency period for the above-mentioned application through to 14 June 2026.

Each of these extensions apply to the development approval and therefore extend the total currency period by an addition two (2) years to **14 June 2026**.

### Compliance Approvals

We advise that, subsequent to the development approval being granted, several compliance approvals have now been granted by Council in accordance with conditions of the development approval. As compliance approvals, their currency periods are intrinsically linked to the material change of use and therefore also extend to **14 June 2026**.

These approvals are as follows:

Filling and/or Excavation – A006619140

On 28 January 2025, Council granted a compliance approval over the site for Filling and/or Excavation to comply with Condition 16(a) of the development approval.

Vegetation Management Plan – A005472831

On 7 May 2021, Council granted a compliance approval over the site for a Vegetation Management Plan to comply with Condition 12(a) and 56(a) of the development approval.

### **3. Grounds for Extension**

As stated previously, the Applicant is seeking an extension to the currency period for an additional two (2) years, extending through to **14 June 2028**.

In accordance with Section 87(1) of the Planning Act, when assessing an extension application, the assessment manager may consider any matter that the assessment manager considers to be relevant, even if the matter was not relevant to assessing the development application. The below discusses relevant points for Council's assessment of the request.

Acquisition of Land

Since the development approval was granted, the site has been purchased by a new owner, being our current client, and a new consultant team has been appointed. An extension to the currency period for the subject application is sought to allow approved works to be carried out in accordance with the approved development. The requested extension will allow for the new project team to comprehensively review and understand site conditions and design requirements and the necessary works to achieve a functional outcome.

Compliance Approvals

As mentioned above, compliance approvals over the site have now been obtained in accordance with conditions of the development approval. If an extension were granted, our client would have the opportunity to commence site works in accordance with these approvals.

Project Actions

Further to the above points, in order to progress the project, our client has carried out a detailed design process and also appointed a civil contractor in preparation to commence site works.

### **4. Conclusion**

In conclusion, and based on the facts and circumstances contained herein, it is recommended that the requested extension to the currency period be approved. The currency period is to be extended by two (2) years and will end on **14 June 2028**.