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In the Planning and Environment
Court
Held at: Brisbane

No. 2231 of 2026

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Between: **UNIPO ENTERPRISE PTY LTD (ACN 146 597 284)**

Applicant

And: **BRISBANE CITY COUNCIL**

Respondent

JUDGMENT

Before his Honour Judge Williamson KC

Date of Hearing: 20 August 2026

Date of Order: 20 August 2026

THIS MATTER having come on by way of Originating Application filed 23 July 2026 seeking a declaration pursuant to s 11 of the *Planning and Environment Court Act 2016* ("*PECA*") and orders pursuant to s 37 of PECA in respect of a development approval given on 23 October 2019 for a development permit for a material change of use to establish for multiple dwelling (36 units) and health care services with respect to land situated at 121 Pinelands Road, Sunnybank Hills, and more particularly described as Lot 35 on SP159668 ("*Development Approval*")

AND UPON HEARING the solicitor for the Applicant and the solicitor for the Respondent

Judgment
Filed on behalf of the Applicant
Form No PEC-7

CONNOR O'MEARA
Solicitors
Level 22, 69 Ann Street
BRISBANE 4000
Phone: 3221 3033
Email:
mail@connoromeara.com.au
Judgment (00173876)



AND UPON READING the Originating Application filed on 23 July 2026, the affidavit of Craig Andrew Stack filed on 23 July 2026, the affidavit of Vu Nguyen filed on 10 August 2026, and the Affidavit of Abby Leigh Collison filed on 14 August 2026

AND UPON the Court being satisfied that there has been compliance with the *Planning and Environment Court Rules 2018* with respect to service of the Originating Application

IT IS ORDERED THAT:

1. The Applicant's failure to make an extension application to extend the currency period of the Development Approval before it lapsed be excused.
2. It be taken that the Development Approval has not lapsed and an extension application for the Development Approval lodged with the Respondent pursuant to section 86 of the *Planning Act 2016* by 28 September 2026 be treated as compliant with section 86(1) of the *Planning Act 2016* as to time.
3. Each party bear its own costs of this proceeding.

Filed on 20/08/2026

Filed by: Connor O'Meara Solicitors
Service Address: Level 22, 69 Ann Street, Brisbane 4000
Telephone: (07) 3221 3033
E-mail address: mail@connoromeara.com.au

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Registrar