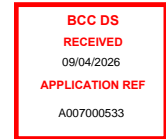


Our ref: 12074  
Council ref: A003464772

19 March 2026

Brisbane City Council  
GPO Box 1434  
Brisbane QLD 4000



Via email: dsplanningsupport@brisbane.qld.gov.au

Dear Council,

**RE: EXTENSION APPLICATION  
DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE (OFFICE, RESTAURANT)  
318 MILES PLATTING RD, ROCHEDALE QLD 4123**

We act on behalf of Verso 318 Pty Ltd, the Applicant, in relation to the abovementioned Development Approval granted by Brisbane on 14 April 2020 (Council Ref: A003464772) for an industrial business park. The approval included the following aspects of development:

- Development permit for Material Change of Use for a multiple dwelling (18 Units).

We now seek a further extension to the currency period for the approval pursuant to s86 of the *Planning Act 2016* until 14 April 2028.

Payment of the relevant fee in accordance with Council's schedule of fees and charges Development Assessment and Compliance Fees 2025-2026, will be made upon the issue of the Notice of Account.



# 1. Development Application History

Please see below the relevant development application history:

## Development Application - A003464772

- Development Application (DA) Lodged: 9 October 2012
- Approval Aspects:
  - MCU – Office & Restaurant
  - ROL – Standard format community title subdivision, access easement, volumetric common property
  - Preliminary Approval – Building Works
  - Preliminary Approval – Operational Works
- Appeal: Lodged 19 February 2015 against deemed refusal
- Approval Issued: 14 April 2020 (P&E Court Order)
- Currency Periods under SPA (s341):
  - MCU = 4 years
  - ROL = 2 years
  - BW & OPW = 2 years

It is noted that the ROL and Preliminary Approval aspects of the development have lapsed. However, the MCU component is still active as outlined below.

- **Development Application A003464772 Approval Date: 14 April 2020**
- **Original Currency Period = 4 years (ending 14 April 2024);**
- Qld Govt 1st Extension Notice = On 21 July 2020, the 1st Extension Notice came into force which automatically extended the Currency Period an additional 6 months:
- **New Currency Period = 14 October 2024;**
- Qld Govt 2nd Extension Notice = On 1 September 2021, the 2nd Extension Notice came into force which automatically extended the Currency Period an additional 6 months.
- **New Currency Period – 14 April 2025;**
- Qld Govt 3rd Extension Notice = On 29 April 2022, the 3rd Extension Notice came into force which automatically extended the Currency Period an additional 12 months.
- **New Currency Period – 14 April 2026.**

We now wish to extend the currency period of this approval an additional two (2) years (until 14 April 2028) under section 86 of the *Planning Act 2016*. In support of this request, we have addressed the following relevant considerations:

## 2. Legislative Assessment

We have carried out a legislative assessment to support this extension application. We note the following criteria applies for assessing an extension under section 87(1) of the *Planning Act 2016* –

*‘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’.*

In response to the above we note that the following are considered relevant matters for the assessment of this Extension Application:

### 2.1. Timeframes under the *Planning Act 2016*

It is important to note that the approval was issued in accordance with s341 of the *Sustainable Planning Act 2009* which only allowed for a currency period of 4 years (starting the day the approval took effect), noting that the approval didn’t state a different period. Under s85 of the current *Planning Act 2016*, a development approval relating to a Material Change of Use is now allowed a currency period of 6 years from the date the approval starts to have effect (see comparison table below):

Requirement	<i>Sustainable Planning Act 2009</i>	<i>Planning Act 2016</i>
Applicable provisions:	Sections 341-343 SPA	Sections 85 and 88
Currency period for material change of use:	<p>Section 341(1) SPA</p> <p>Generally 4 years – see below extract:</p> <p><i>“The approval lapses if the first change of use under the approval does not start within the following period (the relevant period)—</i></p> <p>(a) <i>4 years starting the day the approval takes effect;</i></p> <p>(b) <i>if the approval states a different period from when the approval takes effect—the stated period.”</i></p>	<p>Section 85(1)(a)</p> <p>Generally 6 years – see below extract:</p> <p><i>“For any part of the development approval relating to a material change of use—if the first change of use does not happen within—</i></p> <p>(i) <i>the period stated for that part of the approval; or</i></p> <p>(ii) <i>if no period is stated—6 years after the approval starts to have effect.”</i></p>

We understand that the increase from 4 to 6 years was a deliberate policy shift under the *Planning Act 2016* to provide greater commercial certainty and flexibility for development approvals, particularly for complex or capital-intensive projects, which would include the application approved under A003464772. The intent of this change was to remove unnecessary barriers to delivering approved development and to improve system efficiency.



The proposed extension application simply seeks to extend the currency period to align with the current *Planning Act 2016* currently period timeframes for a Material Change of Use.

## 2.2. Delays

While the applicant had intended to complete the development within the original relevant period, a number of factors have delayed this including:

- Covid related disruptions, which created prolonged delays to design, supply chains and broader development;
- Escalating construction cost issues due to lack of affordable building supplies;
- Ongoing labour shortages within the construction industry, resulting in delays to commencement;
- New master planned development currently under assessment. A development application is currently being assessed by Council over the site and has not yet been approved. Given the current uncertainty of this development, it is necessary for the applicant to ensure that the current approval does not lapse should the currently proposed development not proceed.

## 2.3. Consistency with current planning scheme

In terms of relevant matters, it is important to consider the consistency of the approval with current laws and policies. While the original application was lodged in 2012, under the now superseded City Plan 2000, it is important to note that the planning intent for the site has not changed under City Plan 2014. Under City Plan 2000, the site was located within the ‘Gateway Civic precinct’ of the Rochedale Community District Local Plan. The Precinct Intent for the Gateway Civic includes:

*“These precincts accommodate specialised employment opportunities within Rochedale... The Gateway Civic precinct is in a visible location near the motorways that will have signature buildings that act as a gateway into Rochedale. **It will accommodate offices and related educational facilities.** This is the only precinct where a service station is appropriate.”*

Under the current planning framework, the site is located within the SC5 Specialised centre (Mixed industry and business) Zone and within the ‘Gateway business precinct’ of the Eight Mile Plains gateway neighbourhood plan. While the site is now in a different neighbourhood plan area, the overall planning intent for the site has not changed. Under the Eight Mile Plains gateway neighbourhood plan code, the Gateway business precinct overall outcomes are as follows:

- a. Development provides a high quality and distinctive gateway to the precinct along Miles Platting Road and supports road and pedestrian connections to the Rochedale town centre and surrounding areas.*
- b. **Development capitalises on the strategic location of the precinct close to arterial roads and provides for low impact industry, office and warehouse uses.***



- c. Development provides for educational establishment (where a technical institute or university and not accommodation), to support local knowledge industries.*
- d. Development for food and drink outlet, service industry and shop uses are small in scale, serving local residents and workers and do not challenge the retail primacy of the existing Rochedale town centre.*
- e. Development improves the visual amenity of the precinct through high quality built form and landscaping along road corridors that transitions down in building height and scale to adjoining residential areas.*
- f. Development, including any development footprint plan, is not located within habitat areas and ecological corridors (private and public) identified in Figure e.*

The approved development involves the creation of a ~17,000m<sup>2</sup> Office/Business Park which is consistent with the current planning framework under City Plan 2014 as well as the previous strategic intent under City Plan 2000. Therefore, extending the existing approval will not result in any meaningful conflict with the current planning framework.



### 3. Summary

In summary, we believe that the legislative requirements for which Council must have regard to under of s87 of the *Planning Act 2016*, has been appropriately satisfied. The extension will provide value and certainty for both Council and the applicant in relation to the future development of the site and the extension will enable the delivery of a development which is still consistent with the current planning framework.

We look forward to Council's earliest consideration of our extension application.

Should you wish to discuss the above matters further, please do not hesitate to contact me on (07) 3251 9456 or email at [liamwiley@saundershavill.com](mailto:liamwiley@saundershavill.com)

Yours sincerely

**Saunders Havill Group**



Liam Wiley

**Principal Town Planner / Associate Partner**

