

Extension application under section 86 of the *Planning Act 2016*

This template may be used for giving notice to make an extension application under section 86 of the *Planning Act 2016*. If the assessment manager for the extension application has a form for the application, the application must be made using that form.

Additional pages may be attached if there is insufficient space on the template to complete any question.

Note: All terms used within this template have the meaning given under the *Planning Act 2016*, the *Planning Regulation 2017*, or the *Development Assessment Rules (DA Rules)*.

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) <i>(individual or company full name)</i>	Geon Property
Contact name <i>(only applicable for companies)</i>	C/- Infinitum Partners (Kate Isles)
Postal address <i>(P.O. Box or street address)</i>	Suite 4, 50 Hudson Road
Suburb	ALBION
State	QLD
Postcode	4010
Country	Australia
Email address <i>(non-mandatory)</i>	Kate.i@i-p.au
Contact number	0467716213
Applicant's reference number(s) <i>(if applicable)</i>	

2) Owner's consent – Is written consent of the owner required for this extension application?	
Note: section 86(2)(b)(ii) of the <i>Planning Act 2016</i> , states owner's consent requirements.	
☒ Yes – the written consent of the owner(s) is attached to this extension application ☐ No – proceed to question 3	

PART 2 – ASSESSMENT MANAGER DETAILS

3) Identify the assessment manager who will be assessing this extension application.	
Brisbane City Council	

PART 3 –DETAILS OF APPLICATION

4) Provide details of the existing development approval subject to this extension application.			
Approval type	Reference number	Date issued	Entity that gave the development approval
☒ Development permit ☐ Preliminary approval	A005013244	27 March 2020	Brisbane City Council

5) Further details

5.1) Provide the currency period for this development approval.

17 April 2028

5.2) Identify how long this application seeks to extend the currency period of this development approval.

Note: reasoning to support the proposed extension should also be provided

Five additional years through to 17 April 2033.

Refer to letter for reasons supporting the proposed extension.

PART 4 – FOR OFFICE USE ONLY

Date received:

Reference number(s):

The *Planning Act 2016*, the *Planning Regulation 2017* and the *DA Rules* are administered by the Department of Infrastructure, Local Government and Planning. This template (or the assessment manager's form) and any additional materials supporting this extension application must be sent to the assessment manager.

7 September 2026

Brisbane City Council
 GPO Box 1434
 Brisbane QLD 4001

Dear Council,

RE: A005013244 – EXTENSION APPLICATION

We act on behalf of ATOD Pty Ltd c/- Geon Property, which has an executed land use agreement with the Department of Transport and Main Roads over land surrounding Albion train station, with the relevant lot particulars outlined in Table 1 below.

This same land is subject to a Development Permit issued by Brisbane City Council on 27 March 2020 (A005013244). The approval had an original currency period ending on 17 April 2026. However, with the Queensland Government COVID-19 Applicable Event extension notices issued on 21 July 2020, 1 September 2021 and 28 April 2022, the Development Permit is not due to lapse until 17 April 2028.

In accordance with section 86 of the *Planning Act 2016*, we request that Council extend the currency period for the Development Permit by a further five years, from 17 April 2028 to **17 April 2033**.

APPROVAL BACKGROUND

On 27 March 2020, Council granted a *Development Permit for Material Change of Use for Multiple Dwelling, Food and Drink Outlet, Health Care Service, Indoor Sport and Recreation, Office, Sales Office, Shop, Bar, Hotel and Parking Station* (A005013244) over the land outlined in Table 1 below. This land is owned by the Department of Transport and Main Roads, which has an executed land use agreement with Geon to develop the Albion Exchange transit-oriented development. Owner's consent from the Department of Transport and Main Roads is provided in **Attachment 1**.

Table 1 – Lot Particulars

Property Address	Real Property Description
28 Albion Road, Albion	Lot 1 RP87971
32 Albion Road, Albion	Lot 36 RP18985
36 Albion Road, Albion	Lot 81 RP18985
40 Albion Road, Albion	Lot 37 RP204859
42 Albion Road, Albion	Lot 102 SP214174
42A Albion Road, Albion	Lot 2 RP225450
42B Albion Road, Albion	Lot 1019 SL12760
51 Albion Road, Albion	Lot 3 RP80687
53 Albion Road, Albion	Lot 2 RP19039
5A Corunna Street, Albion	Lot 3 RP225408
5A Corunna Street, Albion	Lot 5 RP225408
43 Mawarra Street, Albion	Lot 55 SP299430 (formerly Lot 51 SP122218)



The approval enables 'Stage 1' of the Albion Exchange development.



A005013244 approved landscape concept plan

The original development approval was granted with a six-year currency period, meaning the approval would have expired on 17 April 2026. However, during the COVID-19 pandemic, the Minister for Planning published a series of extension notices under Section 275 of the *Planning Act 2016* to provide additional time to undertake approved developments in response to the impacts of the pandemic.

These included:

- A 6-month extension in July 2020
- A further 6-month extension in September 2021
- A 12-month extension in April 2022

Therefore, the lapsing date for the approval is **17 April 2028**, as it benefits from a cumulative two-year extension to the currency period granted by the COVID-19-era extensions.

Formal legal advice has been secured confirming this position and is attached to this letter (refer to **Attachment 2**).



REASONS FOR EXTENSION

Upgrade to the Albion Train Station

The primary reason for seeking the extension now is the scheduled works for the New Albion Station (NAS) project, which represents an approximate \$250M investment by the State. The project will rebuild and upgrade the existing Albion train station to support future interchange demand in Brisbane's inner north, including four straighter, wider and raised platforms, an elevated southern concourse, a new station building with customer facilities, a northern pedestrian overbridge connecting to Hudson Road and Mawarra Street, reconfigured rail infrastructure, kiss 'n' ride facilities and bicycle storage.

The Department of Transport and Main Roads has confirmed that procurement has progressed to the early contractor involvement phase, with contract award expected in Q3 2026 and design and construction to follow. Given the scale of these works, land owned by the Department of Transport and Main Roads around the station will be required to support construction activities and rail corridor reconfiguration.

This will materially constrain the ability for Stage 1 of the approved Albion Exchange development to reasonably progress until the station works are sufficiently advanced or complete. There is also further planning, design and delivery requirements that need to be appropriately coordinated with the Albion TOD Stage 1 development. Therefore, without an extension, the development approval would lapse before there is a realistic opportunity to commence construction within the currency period, despite the approved development being directly related to the broader renewal of the Albion station precinct.



Albion train station upgrade perspective Source: Department of Transport and Main Roads.



Consistency with the Planning Framework

There have been no material changes to the planning framework since the approval was granted. The development application was lodged on 31 August 2018 and assessed against v10.00/2018 of Brisbane City Plan 2014, which commenced on 29 June 2018.

The current planning scheme is v36.00/2026, which commenced on 12 June 2026. While the City Plan has been amended since the original application was lodged, there have been no changes to the planning framework applying to the site which materially affects the approved development. In particular, the approved development remains consistent with the planning intent for the Albion train station precinct, including the Neighbourhood Plan.

The approved development was subject to impact assessment and 15 business days of public notification. The requested extension does not alter the nature, scale or intensity of the approved development; require any alteration to the conditions of approval; result in any additional land use impacts on surrounding properties; or affect any properly made submissions.

Accordingly, the requested extension remains consistent with the planning framework.

Intent to deliver the development

The applicant has demonstrated a clear and ongoing intent to deliver the development in concert with the Queensland Government as part of the broader Albion Exchange project. Active engagement with prospective tenants has been undertaken over several years, and there remains strong interest in the site. The requested extension will provide a realistic timeframe to enable the station upgrade, finalise detailed design, satisfy the conditions of approval, confirm building contracts and undertake construction.

CONCLUSION

The approved development remains consistent with the current planning framework, poses no additional impacts, and continues to represent an appropriate outcome for the site. The requested five-year extension is reasonable having regard to the timing, scale and delivery requirements of the Albion train station upgrade, including the need for Department of Transport and Main Roads land around the station to support those works. Accordingly, we respectfully request that Council approve the extension to the currency period for A005013244 to 17 April 2033.

Should you require anything further, please do not hesitate to contact me on 0467 716 213 or email kate.i@i-p.au.

Regards,



Kate Isles
Director



16 April 2026

BY EMAIL: kate.i@i-p.au; scott.h@i-p.au

Attention Kate Isles

Director
Infinitum Partners
Suite 4, 50 Hudson Road
Albion Q 4010

Dear Kate

Currency Period Advice – 36 Albion Rd, Albion QLD 4010

1. Thank you for the opportunity to provide you with legal advice regarding the property located at 36 Albion Rd, Albion QLD 4010.
2. You have requested us to provide our advice in respect of:
 - (a) how the three Ministerial Extension Notices affect the currency period of the development approval; and
 - (b) what the new currency period is, taking into account the Ministerial Extension Notices.

Background

Development Approval

3. On 27 March 2020, Brisbane City Council (**Council**) issued a Decision Notice for Application Reference A005013244 (**Development Approval**).
4. We note that the currency period of the Development Approval (inclusive of all its parts) will end on 17 April 2026 if:
 - (a) *for a material change of use, the first change of use does not happen;*
 - (b) *for reconfiguring a lot, the plan of subdivision for the reconfiguration is not given to Council; or*
 - (a) *for any other development (including building work, operational work and any early referral agency response), the development does not substantially start; or*
 - (b) *for any development approval made up of two or more different parts, each part which does not fulfil the measures stated above for material change of use, reconfiguring a lot, or any other development.¹*
5. The relevant period set out in the Development Approval provided that the currency period was for 6 years and 22 days, ending on 17 April 2026.

Minister's Extension Notices

First Extension Notice

6. On 21 July 2020, the Queensland Government issued an extension notice to extend the currency period for development approvals for 6 months (**First Extension Notice**). The First Extension Notice:
 - (a) had effect from 8 July 2020 to 31 October 2020; and
 - (b) extended the currency period of development approvals in effect as at 8 July 2020, or an approval that came into effect before 31 October 2020, by 6 months.

Second Extension Notice

¹ Decision Notice dated 27 March 2020, page 2.

7. On 1 September 2021, the Queensland Government issued a second extension notice to extend the currency period for development approvals for a further additional 6 months (**Second Extension Notice**). The Second Extension Notice:

- (a) had effect from 1 September 2021 to 30 September 2021;
- (b) extended the currency period of development approvals in effect as at 1 September 2021, or an approval that came into effect before 31 October 2021, by an additional 6 months.²

Third Extension Notice

8. On 28 April 2022, the Queensland Government issued a third extension notice to extend the currency period for development approvals for a further additional 12 months (**Third Extension Notice**). The Third Extension Notice:

- (a) had effect from 28 April 2022 to 24 June 2022; and
- (b) extended the currency period of development approvals (or compliance permits) in affects as at 28 April 2022, or an approval that came into effect before 24 June 2022, by an additional 12 months.³

Advice

Currency period

9. To calculate the currency period of the Development Approval, 3 matters must be taken into account, being the:
- (a) original currency period of the Development Approval;
 - (b) timing of any extension applications and approval of extension applications; and
 - (c) Ministerial extension notices.
10. Set out in Table 1 below is a summary of the timeframe relevant to the Development Approval and Ministerial Extensions:

Table 1 – Timeframe relevant to the Development Approval and the Ministerial Extensions

Applicable Event	Date
Development Approval came into effect	27 March 2020
Development Approval lapse date	17 April 2026
First Extension Notice had effect from 8 July 2020 to 31 October 2020 – the Development Approval had the benefit of the 6 month extension	17 October 2026
Second Extension Notice had effect from 1 September 2021 to 30 September 2021 – the	17 April 2027

² In addition to development approvals taking the benefit of the 6 month extension under the First Extension Notice.

³ In addition to development approvals taking the benefit of the 6 month extension under the First Extension Notice and the Second Extension Notice. The Fact Sheet in respect of the Third Extension Notice states that where a development approval had received any of the previous 6 month extension notices given by the Planning Minister in July 2020 and/or September 2021, and was still in effect on 28 April 2022, this extension applies in addition to the previous extensions already provided.

Development Approval had the benefit of the 6 month extension.	
Third Extension Notice had effect from 28 April 2022 to 24 June 2022 – the Development Approval had the benefit of the 12 month extension	17 April 2028

11. Set out in Table 2 below is the effect of the First Extension Notice, the Second Extension Notice and the Third Extension Notice relevant to the currency period of the Development Approval:

Table 2 – Currency Period of the Development Approval

Applicable Extension Notice	New Lapsing Date
First Extension Notice	17 October 2026
Second Extension Notice ⁴	17 April 2027
Third Extension Notice ⁵	17 April 2028

First Extension Notice

12. In terms of the First Extension Notice, as the Development Approval came into effect before 31 October 2020, the First Notice Extension applies.
13. This is further reinforced by the statements made in the Fact Sheet supplementing the First Extension Notice, where it states, “*a development approval that came into effect on 1 August 2020 that would have lapsed on 2 August 2024, would now not lapse until 2 February 2025*”.
14. Given there has been no request to extend the currency period pursuant to section 86 of the *Planning Act 2016* (Qld). It follows that the currency period of the Development Approval remains unchanged, being 27 March 2020.

Second Extension Notice

15. The Fact Sheet supplementing the Second Extension Notice states “*where a development approval had received the six month extension notice given by the Planning Minister in July 2020 and was still in effect on 1 September 2021, this extension applies in addition to the six months already provided*”.
16. This is further reinforced by the statements made in the Fact Sheet supplementing the Second Extension Notice, where it states, “*a development approval that was in effect on 1 September 2021 that would have ordinarily lapsed on 2 September 2024, would now not lapse until 2 March 2025*”.
17. As the Council granted the Development Approval on 27 March 2020, the Development Approval has the benefit of the Second Extension Notice.

⁴ The Second Extension Notice does not apply in addition to an extension application decision that is given after 1 September 2021 – for example, where an extension application had been approved in September 2021 extending the currency period until 2 September 2022, the lapse date remains unchanged as 2 September 2022.

⁵ For example the fact sheet states where an approval was originally due to lapse on 15 June 2022 and an extension application had been approved in May 2021 extending the currency period until 15 June 2023, this would now not lapse until 15 June 2024.



Third Extension Notice

18. The Fact Sheet supplementing the Third Extension Notice states that:

- (a) *"Where a development approval had received any of the previous six-month extension notices given by the Planning Minister in July 2020 and/or September 2021, and was still in effect on 28 April 2022, this extension applies in addition to the previous extensions already provided.";* and
- (b) *"The extension does not apply in addition to an extension application decision that is given after 28 April 2022 – for example, where an extension application had been approved on 2 May 2022 extending the currency period until 23 May 2023, the lapse date remains unchanged as 23 May 2023."*

19. As the Development Approval had received the previous 6 month extension notices given by the Planning Minister in July 2020 and September 2021, and was still in effect on 28 April 2022, the Development Approval has the benefit of the Third Extension Notice.

Conclusion

- 20. The Development Approval has the benefit of the First Extension Notice, Second Extension Notice and the Third Extension Notice.
- 21. The Development Approval would lapse on **17 April 2028** if the relevant actions identified in paragraph 5 of this advice are not undertaken within that period.
- 22. Please let us know if you have any questions or would like to discuss any aspect of our advice in further detail.

Yours faithfully

MUSCAT TANZER

Contact: Mitchell Trevaskis M: +61 427 040 984
E: mitchell.trevaskis@muscattanzer.com.au
Director: Craig Tanzer M: +61 403 408 200
Our ref: 250073

Your ref A005013244
Enquiries

Department of
Transport and Main Roads

24 July 2026

Mr Mark Hunt
Geon
50 Hudson Road
Albion QLD 4010

Dear Mark Hunt

SUBJECT: Request for Landowner's Consent to apply for extension to a Development Application

This notice is in response to your request of 12 May 2026 to obtain owner's consent from the Department of Transport and Main Roads (TMR) to lodge a request to extend the relevant period of a development approval completely or partially over land held or administered by the department.

Pursuant to section 86(2A) of the *Planning Act 2016* ('the Planning Act'), the consent of the owner of land that is the subject of an extension request is required. The department has considered your request and provides owner's consent for the lodging of the extension request under s86(2A) of the Planning Act for:

- Brisbane City Council development approval ref: A005013244, which involves the following TMR land:
 - Lot 3 on RP80687 51 Albion Road, Albion
 - Lot 2 on RP19039 53 Albion Road, Albion

This consent is not binding on the Department of Transport and Main Roads and is subject to the applicant gaining all other necessary development approvals. This owner's consent cannot be considered a development approval.

Yours sincerely



Stephen Mallows,
Regional Director, Metropolitan

Telephone +61 7 3066 5777

Website www.tmr.qld.gov.au
Email metropolitan.idas@tmr.qld.gov.au
ABN 39 407 690 291

Our ref 485/00530
Your ref N/A
Enquiries Patrick Leys

Department of
Transport and Main Roads

29 JUN 2026

Mr Mark Hunt
Geon
500 Hudson Road
Albion Qld 4010

Dear Mr Hunt

This notice is in response to your request of 12 May 2026 to obtain owner's consent from the Department of Transport and Main Roads (TMR) to lodge a request to extend the relevant period of a development approval completely or partially over land held or administered by the department.

Pursuant to section 86(2A) of the *Planning Act 2016* ('the Planning Act'), the consent of the owner of land that is the subject of an extension request is required. Under section 247 of the *Transport Infrastructure Act 1994*, the Chief Executive is taken to be the owner of rail corridor land for the purposes of the Planning Act. The department has considered your request and **provides owner's consent** for the lodging of the extension request under s86(2A) of the Planning Act. The development approval consists of:

- Brisbane City Council development approval ref: A005013244, which involves the following rail corridor land;
- Lot 1 on RP87971
- Lots 36 and 81 on RP18985
- Lot 37 on RP204859
- Lot 102 on SP214174
- Lot 2 on RP225450
- Lot 1019 on SL12760
- Lot 55 on SP299430 (formerly Lot 51 on SP122218)
- Lots 3 and 5 on RP225408
- Lot 55 on SP304916.

Property
Rail Corridor Management
Level 17, 61 Mary Street
Brisbane Qld 4000
GPO Box 1412 Brisbane Qld 4001

Telephone +61 7 3066 7430
Website www.tmr.qld.gov.au
Email RCM@tmr.qld.gov.au
ABN 39 407 690 291

TMR's owner's consent is only provided for the purposes of making the application and does not:

- constitute TMR's approval of, or support for, the development application for the purpose of the Development Assessment System (DAS);
- provide permission to undertake works on land held or administered by the department associated with a development approval without the permission of TMR;
- remove the requirement to obtain any other approvals from TMR or another government department;
- constitute owner's consent for any other development application over land owned or administered by the department; or
- constitute approval for any person to enter a rail corridor.

TMR regulates structures, works and activities that occur within land administered or owned by the department. It may be necessary to obtain TMR or Railway Manager approval prior to accessing or undertaking works within an existing or future transport corridor.

If you have any queries or wish to seek clarification about any of the details in this response, please contact Patrick Leys on 3066 7430.

Yours sincerely

A handwritten signature in black ink, appearing to be 'David Gleadow', with a stylized, flowing script.

David Gleadow
A/Manager (Rail Corridor Management)
Authorised Delegate of the Chief Executive