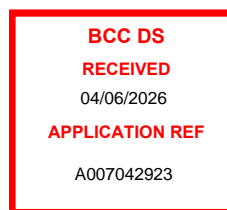


Extension Application Town Planning Assessment



1. Introduction

This town planning assessment is prepared in respect of an Extension Application (request to extend a currency period) made to Brisbane City Council (the responsible entity) pursuant to section 86 of the *Planning Act 2016* (**Planning Act**).

The Extension Application relates to the current development approval granted by Brisbane City Council, by way of a Decision Notice dated 24 July 2023, over land at 48 & 58 Ormskirk Street, Calamvale for a Development Permit for Reconfiguring of a Lot (**Council Reference: A006236396**). The current development approval is included within **Attachment A**.

The Extension Application is made in accordance with the requirements for Extension Applications pursuant to section 86(1)-(3) of the Planning Act, as it is made in the approved form and accompanied by the written consent of the owners and the required fee will be paid upon receipt of Council's fee quote to be issued following lodgement.

2. Background

2.1 Site Details

The site is located at 48 & 58 Ormskirk Street, Calamvale and is more properly described as Lot 1 on SP172123 and Lot 84 on SP172137.

The extension application relates to a residential subdivision outcome over the land at 58 Ormskirk Street. The land at 48 Ormskirk Street forms part of the approval for the purpose of accommodating the new road that is facilitated as part of this approval and a separate residential subdivision approval over 48 Ormskirk Street (Council Reference: A005342883).

The land at 58 Ormskirk Street comprises a rectangular shaped land parcel with a total site area of 6,093m². The land is subject to one (1) road frontage comprising Ormskirk Street to the north of approximately 50m.

Having regard to the Certificate of Title (**Attachment B**) the registered owner of the site is Great Revival Pty Ltd, Hung Siong Sia and Golden Amoy Pty Ltd.

2.2 Approval Background

2.2.1 Original Development Approval

The original development approval (Council Reference: A005443134) over the site was granted by Brisbane City Council by way of a Decision Notice on 10 November 2022. The development approval was for a Development Permit for a Reconfiguration of a Lot.

The development approval facilitated the creation of four (4) residential lots, one (1) balance lot and the provision of part of a new road connecting with Moira Crescent.

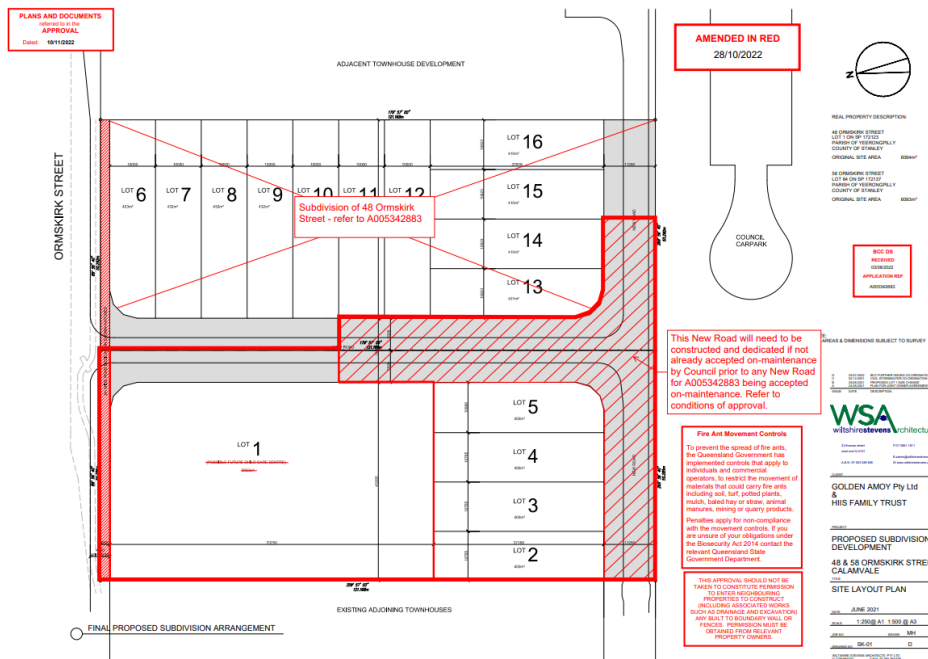


Figure 1: Approved Subdivision Plan (Council Ref: A005443134)
Source: Wiltshire Stevens Architecture, 2020

The development application was subject to Impact Assessment (as a consequence of being within the Emerging Community Zone), with no properly made submissions received during the public notification period. The application did not trigger referral to the State Assessment and Referral Agency or any other authority.

The currency period for the original development approval was identified in the decision notice as **9 February 2027**.

2.2.2 Current Development Approval

On 22 March 2023 the Applicant submitted a Change Application (Minor Change) to the Brisbane City Council to change the development approval over the site.

The Change Application proposed to increase the number lots to include an additional two (2) residential lots. The fundamental design and operational aspects of the development remain consistent with the approved development. The change resulted in a 1 into 8 lot subdivision, including seven (7) residential lots and a balance lot, and the development of part of a new road.

The Minor Change approval was granted by Brisbane City Council by way of a Decision Notice dated 24 July 2023 (Council Reference: A006236396).

<p>Overlays</p>	<ul style="list-style-type: none"> • Airport Environs Overlay • Biodiversity Areas Overlay • Bushfire Overlay • Community Purposes Network Overlay • Critical Infrastructure and Movement Network Overlay • Flood Overlay • Road Hierarchy Overlay • Streetscape Hierarchy Overlay 	<ul style="list-style-type: none"> • Airport Environs Overlay • Biodiversity Areas Overlay • Bushfire Overlay • Community Purposes Network Overlay • Critical Infrastructure and Movement Network Overlay • Flood Overlay • Road Hierarchy Overlay • Streetscape Hierarchy Overlay 	<ul style="list-style-type: none"> • Airport Environs Overlay • Biodiversity Areas Overlay • Bushfire Overlay • Community Purposes Network Overlay • Critical Infrastructure and Movement Network Overlay • Flood Overlay • Road Hierarchy Overlay • Streetscape Hierarchy Overlay
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Having regard to the above comparison, there have been no changes to the City Plan designations applicable to the site.

Since the original development application was made, the State Development Assessment Mapping System (DAMS) has been updated to include a portion of the site as being subject to the Core Koala Habitat Area (KHA) Refer to **Figure 3** below.



Figure 3: Core Koala Habitat Area (Source: Development Assessment Mapping System, 2026)

On 31 March 2026, the Applicant received prelodgement advice from the State Assessment and Referral Agency (SARA) in respect of the KHA mapping. The advice was sought in relation to both a change to the current development approval and potentially a new development application. SARA confirmed that the mapped vegetation can be cleared under the exemptions of the Planning Regulation (related to the approval and other works). A copy of the advice is included in **Attachment C**.

3. Request to Extend the Currency Period

The purpose of this correspondence is to formally request an extension to the currency period prior to the end of the currency period for the development approval (i.e. **09 February 2027**).

An extension of three (3) years (or 36 months) is requested to provide the Applicant with sufficient time to coordinate the delivery of the development approval (which must be coordinated with the land owner of 48 Ormskirk Street), undertake demolition works over the site and construct and complete the approved development. Consequently, the Applicant requests that the currency period for the development approval be extended to **09 February 2030**.

3.1 Grounds for Request

The grounds for the request to extend the currency period include the following:

- The Applicant, who has recently contracted to purchase the property at 58 Ormskirk Street, is seeking additional time as a consequence of the complexities associated with the structure of this development approval and its relationship to the separate residential subdivision approval over 48 Ormskirk Street.

The development approval relates to a residential subdivision over the land at 58 Ormskirk Street, however the approval also extends over the land at 48 Ormskirk Street for the purpose of the shared construction of the road connecting Moria Crescent to Ormskirk Street, noting that this approval (the subject of this extension request) is responsible for the partial construction of the road and therefore relies upon the approval at 48 Ormskirk Street to be able to realise the full development opportunity for 58 Ormskirk Street.

Because of the relationship between the two approvals it has impacted the construction of the approval to date as both landowners need to reach an agreement in respect of the timing for the delivery. The Applicant (who has recently contracted to purchase the land at 58 Ormskirk Street) is currently engaging with the landowner at 48 Ormskirk Street, to resolve the delivery of the development, demonstrating a commitment to the delivery of the development outcome.

- The Applicant is committed to the delivery of the development, having delivered a number of similar residential subdivisions throughout South East Queensland.
- The Applicant has attended a prelodgement meeting with Brisbane City Council regarding the development approval to discuss the opportunities to be able to progress the delivery of the development, demonstrating their commitment to the development of the site.
- There is approximately nine (9) months remaining until the approval lapses, which is insufficient time to resolve the delivery and coordination with the adjoining landowner, commence and receive approval for the required operational works and complete the construction of the development. The Applicant is therefore seeking an extension to the currency period to reflect the time required to undertake the abovementioned actions, with comfort regarding the statutory timing of the approval.
- If approved, the extended currency period will allow for the timely delivery of the development approval, being a subdivision outcome within an area that has an emerging context for similar development outcomes.
- The development outcome will facilitate efficient use of the land and is in keeping with the community expectations for the context which is characterised by low to low-medium density residential development. As discussed above, original development application did not receive any properly made submissions. Therefore, no objections were received in respect of the proposed development.

- Approval of the Extension Application would advance the purpose of Planning Act, which is to establish an efficient, effective, transparent, integrated, coordinated and accountable system of land use planning, development assessment and related matters.
- The development outcome complies with the South East Queensland Regional Plan. The Regional Plan notably recognises the current housing supply issues faced in South East Queensland and identifies that a target of 210,800 additional homes are to be provided within the Brisbane Local Government Area from 2021 – 2046. The development will facilitate the opportunity to contribute to the supply of housing within Brisbane.
- In the current economic circumstances, it is crucial that development be facilitated, in particular without undue cost imposition. Approval of the Extension Application would enable the development to proceed in a timely manner.
- As demonstrated within **Table 1** above, the current development approval (assessed under Version 25.00 / 2022) is consistent with the assessment benchmarks of the current City Plan (v. 35.00 / 2025), as demonstrated by **Section 4** below.
- The preparation, lodgement and assessment of a new application for the development of the site, based on the discussion within **Section 4**, would therefore represent an onerous and time-consuming repetition of an assessment process that has already been completed, with no material difference in outcome.

4. Assessment of Request

Under section 87(1) of Planning Act, the assessment manager, in considering an extension application, is to have regard to the following:

87 Assessing and deciding extension applications

(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.

An assessment against section 87(1) of the Planning Act is provided as follows:

- As outlined within **Section 3** above, the extension request is required to allow sufficient time to implement the proposal.
- As demonstrated within **Table 1** above, the current development approval was assessed under version 25.00 / 2022. The extension application is assessable under version 35.00 / 2025, however the designations applicable to the site have remained unchanged and therefore would not change the assessment of the development.
- The site is subject of a consistent zoning, being the Emerging Community Zone. The development continues to deliver outcomes consistent with the expectations for the Emerging Community Zone, and in keeping with existing residential development in the surrounding context.
- The Neighbourhood Plan has not changed since the original development approval. The development continues to deliver outcomes consistent with the expectations for the Calamvale District Neighbourhood Plan.
- A review of the zone code, primary codes and the neighbourhood plan code has confirmed that there have been no substantive changes to the Overall Outcomes and assessment benchmarks that apply to the development of the site.

- Having regard to the above, the development continues to comply with relevant Overall Outcomes, Acceptable Outcomes and Performance Outcomes (where an AO is not provided or an alternative outcome was originally approved), under the applicable codes.
- If the application was remade it would be subject to Impact Assessment, consistent with the level of assessment that applied for the original development application. As discussed above, original development application did not receive any properly made submissions. Therefore, no objections were received in respect of the proposed development.
- The extension application does not interfere with current State policies and interests. The development continues to comply with and advance the outcomes of the State Planning Policy and the Regional Plan. Notably (and as outlined within **Section 3** above), the proposed development will contribute to the supply of housing within Brisbane, in line with the key intentions sought within Shaping SEQ 2023.
- Prelodgement engagement with SARA has confirmed that the mapped KHA vegetation can be cleared under the exemptions of the Planning Regulation. Consequently the introduction of the mapping over the site is not a concern in the assessment of this extension application.

5. Summary

On the basis of the above assessment, a decision to extend the currency period for the development approval would not, in our opinion, allow development to be carried of a type, form or scale that is not reasonably contemplated by the current planning scheme. The preparation, lodgement and assessment of a new application for the development of the site would represent an onerous and time-consuming repetition of an assessment process that has already been completed (pursuant to A006236396).

With regards to the above matters, the requested extension to the currency period ought to be approved given:

- The planning framework applicable at the time the current approval is consistent with the planning framework applicable at the time this request was made, and the development complies with the relevant aspects of the planning framework applicable at the time this request was made;
- The extension request does not interfere with current State policies or interests beyond that outlined above; and
- The current circumstances relevant to the site and assessment of the Extension Application.