

*Project Ref: Akam\_Manly 2026-049*  
*6<sup>th</sup> May 2026*

**Attn: Brisbane City Council**  
The Chief Executive Officer  
Brisbane City Council  
GPO Box 1434  
BRISBANE QLD 4001

**Re: Extension Application under Section 86 of the Planning Act 2016**  
Request to Extend a Currency Period of A005285853  
358 Manly Road, Manly West, QLD, 4179 (Lot 1 on RP75264)

To Whom It May Concern,

This application has been prepared by Mayhill Planning and Architecture Pty Ltd on behalf of the applicant Akam Constructions Pty Ltd.

This **extension application** is made under Section 86 of the *Planning Act 2016* to the assessment manager (Brisbane City Council) to extend the currency period of the development approval (**A005285853**) before the approval lapses on the 7<sup>th</sup> May 2026.

This extension application seeks an extension to the currency period of the approval for 2 years.

## 1.0 Approval History

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On the 27<sup>th</sup> May 2013 an approval (A003575523) was issued over the subject site for Development Permit for Material Change of Use (6 Multiple Dwellings). These six multiple dwelling have been constructed, the use has commenced and this approval is taken to have commenced.

On the 7<sup>th</sup> February 2020 Brisbane City Council issued Development Permit for Reconfiguration of Lot (1 into 2 Lots) as approval reference **A005285853**. The approval allows the subdivision of existing Lot 1 on RP75264 into two lots (Proposed Lot 10 and Proposed Lot 11) and new road. The decision notice identifies the currency period for this approval would have ended at midnight on the 7<sup>th</sup> May 2024. However, this approval benefits from all three of the Ministers COVID-19 Extensions (First Extension had effect from 8 July 2020 to 31 October 2020; Second Extension had effect from 1 September 2021 to 30 September 2021; and the Third Extension had effect from 29 April 2022 to 24 June 2022) and therefore the currency period ends at midnight on the 7<sup>th</sup> May 2026.

It is relevant in considering this extension request that a subsequent development approval relies on **A005285853**. On the 19<sup>th</sup> October 2021 Brisbane City Council issued an approval (A005548780) for a Development Permit for Material Change of Use (29 Multiple Dwellings) and Operational Works over the southern part of the site. The relevant area of development aligns with Proposed Lot 11 described in A005285853 which is to the south of the proposed new road.

The currency period of A005548780 is to the 28<sup>th</sup> January 2028. Condition 1 of this approval states:

*Use for the development authorised by this Material Change of Use component of the development approval shall not commence until the plan of subdivision for the approved Reconfiguration of a Lot over the site A005285853 has been registered with the Registrar of Titles for the relevant Queensland State Government Authority.*

Therefore, the current approval for 29 Multiple Dwellings relies upon the completion of subdivision approval A005285853, and lapsing of that approval would negatively impact the delivery of A005548780.

## 2.0 Extension Request

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We request an extension to the currency period of **A005285853** for an additional 2 years in order to facilitate the delivery of the subsequent multiple dwellings by aligning the currency period with A005548780.

## 3.0 Supporting Documents

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A copy of approval **A005285853** which is subject to this extension application is attached as Appendix A.

A copy of approval A005548780 is attached as Appendix B. Condition 1 of this approval is relevant to this extension request.

A copy of the Property Title is attached as Appendix C.

## 4.0 Owners Consent

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Section 86 (2A) of the Planning Act 2016 states the extension application must be accompanied by the written consent of the owner of the premises the subject of the development approval to the extent (a)the applicant is not the owner.

The applicant is Akam Construction Pty Ltd and consent of the current owner (Capitalink Pty Ltd) is attached as Appendix D.

## 5.0 Assessment Benchmarks

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The original application for A005285853 was properly made on the 23<sup>rd</sup> September 2019 and was assessed under CityPlan 2014 v16. The current planning scheme is the CityPlan 2014 v35.

The respective assessment benchmarks of both versions of the planning scheme are generally consistent, as per the table below:

Table 01: Comparison of Planning Framework Applicable to the Site

	City Plan 2014 v16	City Plan 2014 v16	Comparison
<b>Address</b>	358 Manly Road, Manly West, 4179	358 Manly Road, Manly West, 4179	No Change
<b>Lot and Plan</b>	Lot 1 on RP75264	Lot 1 on RP75264	No Change
<b>Zone</b>	Emerging Community	Emerging Community	No Change
<b>Neighbourhood Plan</b>	Wynnum-Manly Neighbourhood Plan Lota Wetlands Precinct (NPP-007)	Wynnum-Manly Neighbourhood Plan Lota Wetlands Precinct (NPP-007)	No Change
<b>Overlays</b>	Airport Environs Overlay	Airport Environs Overlay	No Change
	Bicycle Network Overlay	Bicycle Network Overlay	No Change
	Biodiversity Areas Overlay	Biodiversity Areas Overlay	No Change
	Bushfire Overlay	Bushfire Overlay	No Change
	Community Purposes Network Overlay	Community Purposes Network Overlay	No Change
	Critical Infrastructure and Movement Network Overlay	Critical Infrastructure and Movement Network Overlay	No Change
	Potential And Actual Acid Sulfate Soils Overlay	Potential And Actual Acid Sulfate Soils Overlay	No Change
	Road Hierarchy Overlay	Road Hierarchy Overlay	No Change
	Streetscape Hierarchy Overlay	Streetscape Hierarchy Overlay	No Change
<b>LOA</b>	Impact	Impact	No Change
<b>Primary Assessment Benchmarks</b>	EC Zone Code Wynnum-Manly Neighbourhood Plan Code Subdivision Code	EC Zone Code Wynnum-Manly Neighbourhood Plan Code Subdivision Code	No Change

As per *Table 01* the planning provisions and primary assessment benchmarks applicable to the subject site and the Reconfiguration of Lot approval remain consistent.

The original application was subject to Impact Assessment, however no properly made submission were received to that application.

On the basis that the current approval **A005285853** remains consistent with the existing completed development on site (undertaken in accordance with A003575523), consistent with the subsequent planning approval for multiple dwellings (to be undertaken in accordance with A005548780), and that no material changes have occurred to the underlying planning provisions applicable to the site in the interim, an extension is considered appropriate.

An extension, if granted, will better align the currency periods of **A005285853** and A005548780 which are linked through Condition 1 of A005548780 and therefore result in a better planning outcome.

## 6.0 Application Fee

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As per the BCC Fees and Charges Schedule (2025/2026) the applicable fee for a Request to Extend a Currency Period (s86 PA) for a Reconfiguration of Lot is \$2,145.00.

We request that Council issue an invoice for the above amount for immediate payment.

## 7.0 Conclusion

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We request that Council grant an extension to **A005285853** for 2 years, to extend the current period of the approval to the 7<sup>th</sup> May 2028.

Please feel free to contact me if you have any questions.

Kind Regards,

**Michael Lowe (GD.URP)**

Partner + Senior Planner

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