

Extension Application Town Planning Assessment

M E W I N G
P L A N N I N G
C O N S U L T A N T S

BCC DS
RECEIVED
14/07/2026
APPLICATION REF
A007068205

1. Introduction

This town planning assessment is prepared in respect of an Extension Application 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 development approval granted by Brisbane City Council on 18 May 2018 at 58 Jennifer Street, Seventeen Mile Rocks (BCC Ref: A004456411) (**development approval**). The Development Approval was for a Development Permit for Material Change of Use for a Place of Worship (including ancillary dormitory, office, shop and kitchen).

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 owner (**Attachment B**) and the required fee will be paid upon receipt of Council's fee quote to be issued following lodgement.

2. Background

2.1 Existing Development Approval

On 17 May 2018, Brisbane City Council granted a Development Approval (Council Reference: **A004456411**) over the site for a Development Permit for Material Change of Use for a Place of Worship (Temple). The development approval comprises a two (2) storey building which accommodated the temple and ancillary facilities / spaces (including dormitory, office, shop and kitchen) within the southern extent of the site, and car parking and landscaping provided within the northern extent of the site, fronting Jennifer Street.

The development application was subject to Impact Assessment procedures, with one (1) submissions received during the public notification period.

In accordance with Section 71 of the Planning Act 2016, and to our knowledge and understanding, the development approval took effect on or about the **17 May 2018**.

Pursuant to the Development Approval and Section 85(1)(b) of the Planning Act, the currency period is taken to be four (4) years after the approval starts to have effect (being the 17 May 2022), except where otherwise extended (see below).

On the 4 March 2022, Brisbane City Council granted an Extension Approval to the currency period of the development approval pursuant to Section 86 of the Planning Act (BCC Ref.: **A005932481**), extending the relevant period for a further period of three (3) years (or 36 months) until **17 July 2025**.

Furthermore, the development approval is subject to the third Ministers extension notice during the COVID-19 pandemic, as follows:

- The Third Notice dated 29 April 2022, which provided a further twelve month extension to any development approval that was in effect as of 29 April 2022.

As such, this development approval was provided with an automatic 12 month (1 year) extension to the currency period. The currency period for the development approval is therefore **17 July 2026**.

2.2 Currency Periods

The original development approval was granted on the 17 May 2018. However, the application was subject to Impact Assessment procedures and there was one (1) properly made submission made during the public notification period. In accordance with Section 71 of the Planning Act 2016, and to our knowledge and understanding, the approval took effect on or about 4 July 2018 (taking into consideration the applicant appeal period and the submitted appeal period).

The original approval's decision notice provided the following currency period:

- DA – Material Change of Use – Development Permit (ref DAMC329457216) – 4 years.

On 4 March 2022, Brisbane City Council granted an extension approval (BCC Ref.: **A005932481**), extending the relevant period as follows:

- Three (3) years, or 36 months until **17 July 2025**.

Furthermore, and as described in Section 2.1 of this report, the third Minister's Extension Notice automatically extended the currency period by 12 months (1 year) to the **17 July 2026**.

2.3 Comparison of Relevant Planning Designations

Table 1 provides a comparison of the town planning designations applicable to the site at the time the current approval was granted and at the time that this extension application was made.

Table 1 – Town Planning Designations		
	Brisbane City Plan 2014 (v03.00/2016) ¹	Brisbane City Plan 2014 (v36.00/2024) ²
Zone	Emerging Community Zone	Emerging Community Zone
Neighbourhood Plan	Centenary Suburbs Local Plan Jennifer Street Precinct (NPP-007)	Centenary Suburbs Neighbourhood Plan Jennifer Street Precinct (NPP-006)
Overlays	• Airport Environs Overlay ◦ OLS, PANS, BBS, LI • Biodiversity Areas Overlay ◦ Biodiversity interface area sub-category ◦ General ecological significance sub-category • Bushfire Hazard Overlay ◦ High hazard buffer area sub-category • Critical Infrastructure and Movement Network Overlay • Heritage Overlay ◦ Area adjoining heritage sub-category • Industrial Amenity Overlay	• Airport Environs Overlay ◦ OLS, PANS, BBS, LI • Bicycle Network Overlay ◦ Secondary Cycle Route • Biodiversity Areas Overlay ◦ High ecological significance sub-category ◦ High ecological significance strategic sub-category ◦ Matters of state environmental significance (MSES) sub-category • Bushfire Overlay ◦ High hazard buffer area sub-category • Community Purposes Network Overlay

¹ Planning framework applicable to the current development approval.

² Planning framework applicable at the time of this extension application.

Table 1 – Town Planning Designations

	○ Industrial amenity investigations area sub-category • Road Hierarchy Overlay ○ Neighbourhood roads sub-category ○ Primary freight access sub-category • Streetscape Hierarchy Overlay ○ Neighbourhood street minor sub-category	• Critical Infrastructure and Movement Network Overlay • Heritage Overlay ○ Area adjoining heritage sub-category³ • Industrial Amenity Overlay ○ Industrial amenity investigation area sub-category • Road Hierarchy Overlay ○ Neighbourhood road sub-category • Streetscape Hierarchy Overlay ○ Neighbourhood street major sub-category
--	---	---

Having regard to the above comparison, there has been no significant change to the designations applicable to the site between the planning framework applicable at the time of the current development approval and the time of lodgement of this extension application.

Since the original development approval was granted, koala habitat mapping was introduced (February 2020) in order to address various inconsistencies in the way koala habitat was mapped across all local government areas in South East Queensland. Consequential of this change to the koala habitat mapping, there have been amendments to the Biodiversity Overlay mapping extent that applies to the subject land (being those areas identified as High ecological significance sub-category and Matters of State Environmental Significance (MSES) sub-category, as illustrated in **Figure 1** below.

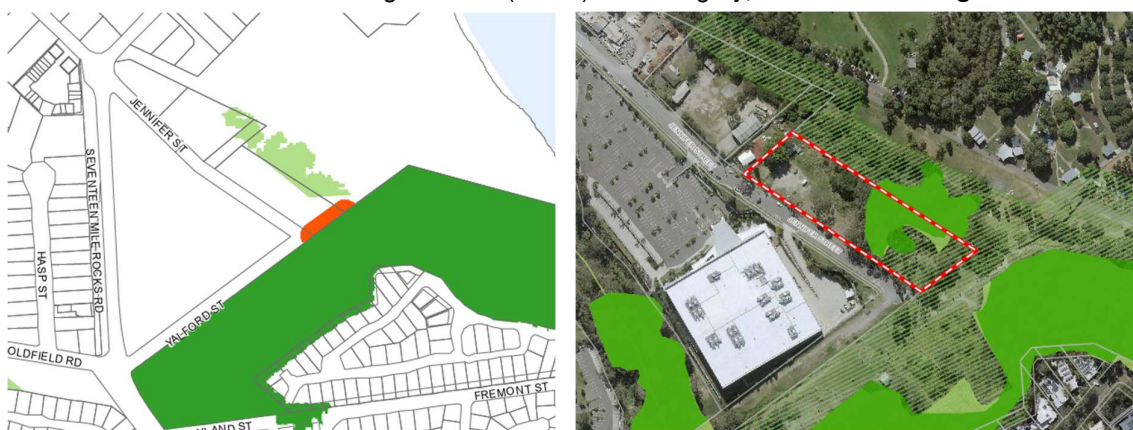


Figure 1: Amendments to Biodiversity Overlay (Source: Brisbane City Plan 2014)

The approved development provides for an outcome that appropriately responds to the changes in the biodiversity mapping, specifically those outcomes prescribed within Acceptable Outcome AO4.2 to AO4.4 of the overlay code. The approved development, including the approved development

³ Queensland Cement and Lime Company Conveyor Belt and Oxley Wharf Remnants – 531 Seventeen Mile Rocks Road, Seven Mile Rocks.

footprint and relevant works, were informed by an ecological assessment which was prepared by a suitably qualified person. Through the recommendations of the ecological assessment and collaboration with Brisbane City Council, the Applicant has resolved ecological matters through the integration of an 'environmental protection zone' which required the retention of vegetation within and adjacent to the mapped High ecological significance strategic sub-category mapping present along the northern and south-eastern extent of the site (largely within the Rocks Riverside Park).

In addition to the matters raised above, there have been other minor and inconsequential changes to the planning framework. These include:

- v03.00/2016 identified Jennifer Street within the Neighbourhood road sub-category and Primary freight route sub-categories pursuant to the Road Hierarchy Overlay. Pursuant to v36.00/2026 of the City Plan, Jennifer Street is identified as a Neighbourhood road. The approved development continues to appropriately advance the outcomes of the City Plan and provides a development outcome that will not compromise the function or operation of the existing road network (Jennifer Street).
- v36.00/2026 of the City Plan has been amended to include Jennifer Street as a Secondary Cycle Route, pursuant to the Bicycle Network Overlay. The approved development will appropriately contribute to the safe and efficient operation of the existing and planned bicycle network, pursuant to the Bicycle Network Overlay Code.

the provision of a land use that provides a sensitive transition between the industrial land uses to the north-west, through to the open space and recreational areas (i.e., Rocks Riverside Park) and residential uses to the south-east.

- The approved development provides for a land use outcome that will not *compromise existing industrial uses and the long-term industrial intent* as intended for the Jennifer Street Precinct, noting that the development approval granted a transitional land use that allowed for a buffer between existing and future industrial uses within the broader precinct and surrounding environmental, recreational and residential uses to the south-east (pursuant to Overall Outcome 9(a) of the Jennifer Street Precinct).

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 in **Section 3** above, the extension request is required to allow sufficient time to resolve a development outcome for the site that has due regard to the environmental considerations that were otherwise assessed and resolved in detail with Council as part of the original development application.
- As demonstrated within **Table 1** above, the current development approval was assessed under version 03.00 / 2016 of the *Brisbane City Plan 2014*. The extension application is assessable under 36.00 / 2026, however the designations applicable to the site have remained largely 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 the established industrial land uses present in the surrounding context (along Jennifer Street).
- The Neighbourhood Plan has not changed since the original development approval was granted, The development continues to deliver outcomes consistent with the expectations for the Jennifer Street Precinct (NPP-007) of the Centenary Suburbs Neighbourhood Plan Code.
- A review of the zone code, development codes and the neighbourhood plan code has confirmed that there have been no substantive changes to the Overall Outcomes and the assessment benchmarks that apply to the development of the site.
- Having regard to the above, the development continues to comply with the 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, the original development application received one (1) properly made submission.
- 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 South East Queensland Regional Plan (**ShapingSEQ 2023**). Since the original development approval was granted, koala habitat mapping was introduced (February 2020) in order to address various inconsistencies in the way koala habitat was mapped across all local government areas in South East Queensland.

Pursuant to Schedule 10, Part 10, Division 3, Subdivision 1, Item 17B, development is assessable development to the extent the development involves interfering with koala habitat in an area that is a koala habitat area (but not a koala priority area), however subsection (1) does not apply to the extent that the development is carried out under a development permit given for an application that was properly made before 7 February 2020. Thus, and on the basis that the approved development were to be carried out in accordance with the original approval, the development would not constitute assessable development pursuant to the *Planning Regulation 2017*.

- On the basis of the above points, 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, with no material difference in outcome.

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 out of a type, form or scale that is not reasonably contemplated by the current planning scheme.

With regards to the above matters, the requested extension to the currency period (i.e., **17 July 2028**) ought to be approved given that:

- The planning framework applicable at the time of 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; and
- The current circumstances relevant to the site and assessment of the Extension Application.