

Ref: PL2396/03

11 May 2026

Brisbane City Council  
GPO Box 1434  
BRISBANE, QLD 4001  
Via Online Lodgement Portal

RE: Extension Application  
95 & 129 Birdwood Rd, Holland Park West, Qld 4121 (Lot 4 on RP144634 and Lot 250 on RP803270) – Council ref: A006675795

Dear Sir/Madam,

On behalf of the applicant, Philip Usher Constructions, Therefor Group hereby make an extension application to extend the currency period of the above-described development approval in accordance with section 86 of the *Planning Act 2016* (**Planning Act**).

An extension of **two (2) years** is requested, extending the currency period until **10 June 2028**.

In accordance with section 86 of the Planning act, we confirm this application:

- is made by written to notice to Council (i.e., this letter and the supporting material);
- will be accompanied by the required fee, once Council's invoice has been received;
- is accompanied by the written consent of the owner of the premises.

On this basis, we request Council confirm their acceptance of the application in accordance with section 86(3) of the Planning Act.

#### Application Fees

In accordance with Council's current Schedule of Fees and Charges, we have calculated the Council application fee for this request in this instance to be \$2,145.

#### Conclusion

In conclusion, and based on the facts and circumstances contained herein, it is recommended that the requested extension to the currency period be approved.

Thank you for your attention to this matter. Should you have any queries, please feel welcome to contact the undersigned on (07) 3666 5200.

Yours sincerely,



Marnie Wood  
ASSOCIATE - PLANNING

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# Extension Application

## 1. Background

### Original Approval

On 8 June 2012, Brisbane City Council (Council) granted a Preliminary Approval and Development Permits over the land at 95 and 129 Birdwood Road, Holland Park West QLD 4121 (also referred to as Lot 250 on RP803270 and Lot 4 on RP144634) (Council Reference: A003076477) for the following aspects of development:

- Carry out Building Work - Preliminary Approval under s241 – Retirement Village (Multi-unit Dwelling)
- Material Change of Use - Development Permit – Retirement Village (Multi-unit Dwelling – 218 Dwelling Units)
- Reconfigure a Lot - Development Permit – Subdivision of Land (2 into 2 Lots)

All aspects of the original development approval were subject to a relevant period of four (4) years (48 months), with the relevant period set to lapse on 8 June 2016.

### Other Applications

Since this time, the approval has been subject to the following:

- Extension Application 1 – On 14 July 2016, Council granted an extension of four (4) years to the relevant period, extending it until 8 June 2020 (Council Ref: A004413929).
- Minor Change Application 1 – On 19 July 2018, Council granted a Change Application (minor) (Council Ref: A004827145);
- Extension Application 2 – On 22 June 2020, Council granted an extension of four (4) years to the relevant period, extending it until 10 June 2024 (Council Ref: A005451906).
- Minor Change Application 2 – On 5 April 2024, Council granted a Change Application (minor) (Council Ref: A006321628).

Several operational works and compliance assessment applications have been approved by Council since the site was purchased in 2003, which have enabled the construction of the retaining wall along part of the western and southern boundaries and the bridge over Norman Creek from Birdwood Road. Norman Creek was also rehabilitated by the property owner at this time. Construction of the approved development has otherwise not commenced.

### Minor Change Application 3 (Current Approval)

On 24 February 2025, Council granted a Change Application (minor) that involved amendments to dwelling layouts to formalise multi-purpose rooms, updated infrastructure charges, and updated conditions to reflect this (Council Reference: A006675795).

### COVID-19 Applicable Event Extensions

On 20 March 2020, pursuant to section 275E of the Planning Act, the Planning Minister declared an applicable event related to the COVID-19 pandemic (COVID-19 applicable event). During the COVID-19 applicable event, a sequence of extensions were granted to eligible development approvals.

- On 8 July 2020, the Minister issued an extension notice under s 275R of the Planning Act, extending currency periods by six (6) months. This extended the currency period for the above-mentioned application through to 10 December 2024.
- On 1 September 2021, the Minister issued an extension notice under s 275R of the Planning Act, further extending currency periods by six (6) months. This extended the currency period for the above-mentioned application through to 10 June 2025.
- On 29 April 2022, the Minister issued a final extension notice under s 275R of the Planning Act, extending currency periods by twelve (12) months. This extended the currency period for the above-mentioned application through to 10 June 2026.

Due to extension application approvals and the COVID-19 applicable event extensions, the currency period of the underlying development application is set to lapse on **10 June 2026**<sup>1</sup>.

## 2. Grounds for Extension

As stated, the applicant is seeking an extension to the currency period for an additional **two (2) years** is requested, extending the currency period until **10 June 2028**.

In accordance with section 87(1) of the Planning Act, when assessing an extension application, the assessment manager may consider any matter that the assessment manager considers to be relevant, even if the matter was not relevant to assessing the development application.

In that respect, we consider the following to be relevant points for Council's assessment of the request:

- The development is currently under construction, with substantial progress made with the completion of the basement excavation and all earth works on site.
- The applicant has been working through matters raised during the detailed design process which requires additional time to resolve.
- The ongoing impacts of COVID-19, such as increased building costs and labour shortages, placed delays on the availability and price of building materials and therefore delayed the construction commencement for the approved development. Additional time is required to ensure that a high-quality build can be completed without cutting corners.

## 3. Conclusion

In conclusion, and based on the facts and circumstances contained herein, it is recommended that the requested extension to the currency period be approved. The currency period is proposed to be extended by **two (2) years** and will end on **10 June 2028**.

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<sup>1</sup> This lapse date has been confirmed through correspondence with Brisbane City Council (Council Ref: A006499309).