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APPLICATION REF
A007135748

Order as per draft, initialled by Her Honour and placed with the papers.

PLANNING AND ENVIRONMENT COURT QUEENSLAND
7 AUG 2025
FILED
BRISBANE

In the Planning and Environment Court **No. 2093 of 2025**

Held at: Brisbane

9 LP

Between:	**B & L CONSTRUCTIONS QLD PTY LTD ACN 110 775 561 & BESLIC CORP PTY LTD ACN 126 617 285 & MR DARIO VIDOSIC**	Applicants
And:	**BRISBANE CITY COUNCIL**	Respondent

JUDGMENT

Before her Honour Judge Kefford

Date of Hearing: 7 August 2025

Date of Judgment: 7 August 2025

THIS MATTER having come on for hearing by way of Originating Application filed on 28 July 2025 (**Originating Application**) seeking orders pursuant to s 37 of the *Planning and Environment Court Act 2016* in respect of development permits for a material change of use and to carry out building work for a multiple dwelling granted by the Respondent on 22 October 2015 (**Development Approval**) in respect of land located 41 Mayhew Street, Sherwood, described as Lot 3 on RP 75889 (**Land**).

AND UPON HEARING Counsel for the Applicants and the solicitor for the Respondent,

AND UPON READING:

1. the Originating Application filed 28 July 2025;
2. the Affidavit of Dario Vidosic filed 28 July 2025;
3. the Affidavit of Branislac Lujic filed 28 July 2025;
4. the Affidavit of Nikola Beslic filed 28 July 2025;
5. the Affidavit of Daniele Paulo Zilli filed 28 July 2025; and
6. the Affidavit of Teora Bombek filed 6 August 2025.

NJK 7.8.25

THE PLANNING AND ENVIRONMENT COURT BRISBANE

AND UPON THE COURT BEING SATISFIED THAT there has been compliance with the requirements of r 12 of the *Planning and Environment Court Rules 2018* with respect to service of the Originating Application,

WITH THE CONSENT OF THE PARTIES, IT IS ADJUDGED THAT:

1. The Applicants' failure to make an extension application to the Respondent to extend the currency period of the Development Approval before it lapsed be excused;

2. any application to extend the currency period of the Development Approval made within twenty (20) business days from the date of the final order in these proceedings be taken to have been made:

   (a) under s 86 of the *Planning Act 2016*; and

   (b) as if the Development Approval had not lapsed; and

3. each party bear its own costs.

Filed on:	7 August 2025
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Registrar