

15 June 2026

Chief Executive Officer
Brisbane City Council
GPO Box 1434
Brisbane QLD 4001

GPC Job Reference: 26.2527

Dear Sir / Madam,

RE: EXTENSION APPLICATION UNDER SECTION 86 OF THE *PLANNING ACT 2016*

34, 40 AND 44 UNION STREET AND 15 AMISFIELD AVENUE, NUNDAH QLD 4012 AND DESCRIBED AS LOT 11 ON RP865471, LOTS 11 AND 12 ON RP33956 AND LOT 0 ON BUP3776

COUNCIL APPLICATION REFERENCE: A004848800

1. INTRODUCTION

This correspondence has been prepared by Gaskell Planning Consultants on behalf of Lutheran Services Queensland ('the applicant') in accordance with Section 86 of the *Planning Act 2016* ('the Act') to request an extension to the currency period of development permit A004848800 by two (2) years to 5 May 2029.

The development permit was approved by Brisbane City Council ('Council') on 1 February 2019 over land located at 34, 40 and 44 Union Street and 15 Amisfield Avenue, Nundah QLD 4012 and described as Lot 11 on RP865471, Lots 11 and 12 on RP33956 and Lot 0 on BUP3776 (hereafter referred to as the 'subject land'). The original currency period for development approval A004848800 was 5 May 2025.

Since the approval was granted, the State Government introduced 'applicable event' provisions within the Act in response to the COVID-19 pandemic, extending currency periods for certain development approvals. These extensions apply cumulatively and have extended the currency period for development approval A004848800 to 5 May 2027.

Further details of this currency period extension request, including relevant background information and justification is outlined in the sections below.

2. EXISTING DEVELOPMENT APPROVAL

2.1 Overview

Development approval A004848800 was granted by Council on 1 February 2019 for a Development Permit for a Material change of use for a residential care facility and food and drink outlet. The approval permits the construction of an eight (8) storey aged care building with basement car parking, and ground floor facilities including a restaurant, kitchen, lobby, gym, pool, amenities, storage and building services. An extract of the approved site plan is included at **Figure 1** below.

In accordance with Section 85(1) of the Act, the currency period for development approval A004848800 would ordinarily lapse on 5 May 2025.

Figure 1: A004848800 Approved Site Plan



Source: BVN Architecture, 2017.

2.2 Currency Period and Extensions

Since the approval was granted, three (3) Ministerial Notices have been issued extending certain development approval currency periods in response to COVID-19. These notices apply cumulatively where the approval was “in effect” at the relevant trigger dates.

A summary of the applicable notices is provided below:

- Notice #1: Extension to Currency Period (July 2020)
 - » Extended currency periods by six (6) months.
 - » Applies to approvals in effect on 8 July 2020, or that came into effect between 8 July 2020 and 31 October 2020.

Development approval A004848800 was in effect on 8 July 2020. Accordingly, this notice applies, extending the currency period to 5 November 2025.

- Notice #2: Extension to Currency Period (September 2021)
 - » Provided a further 6 month extension to currency periods, in addition to the July 2020 extension.
 - » Applies to approvals in effect on 1 September 2021, or that came into effect between 1 September 2021 and 30 September 2021.

With the benefit of the first extension, the approval remained in effect on 1 September 2021. Accordingly, this notice applies, extending the currency period to 5 May 2026.

- Notice #3: Extension to Currency Period (April 2022)
 - » Extended currency periods by a further 12 months and is in addition to the previous extensions.
 - » Applies to approvals in effect on 28 April 2022, or that came into effect between 28 April 2022 and 24 June 2022.

With the benefit of the previous extensions, the approval remained in effect on 28 April 2022. Accordingly, this notice applies, extending the currency period to 5 May 2027.

In summary, the development approval benefits from cumulative extensions totalling two (2) years (6 months + 6 months + 12 months). Accordingly, the cumulative extensions result in a revised currency period of 5 May 2027.

3. EXTENSION REQUEST

3.1 Basis for Extension Request

Due to prevailing economic conditions over the past several years, the applicant has not been in a position to proceed with the approved development. In particular, fluctuations in market demand, rising interest rates, escalation in construction costs and broader economic uncertainty associated with the COVID-19 pandemic have delayed the ability to commence the development.

In response to these conditions, the applicant is currently reviewing the development approval to ensure it aligns with contemporary market demand within the Nundah locality. It is anticipated that a future change application may be submitted to refine aspects of the approved development, however the approved use and overall development intent will remain consistent with the existing approval.

An extension of the currency period by two (2) years to 5 May 2029 is therefore sought to provide sufficient time for the applicant to review the approval, prepare the necessary documentation and lodge a change application with Council.

The applicant has continued to actively progress the project since the approval was granted, including ongoing feasibility assessment, master planning and review of the approved design to ensure alignment with current market and operational requirements. These activities demonstrate a genuine and continuing intention to proceed with the development within the extended currency period.

3.2 Relevant Matters for Consideration

The Act sets out the framework for Council's assessment of an extension application. Section 87(1) of the Act states the following:

"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."

The matters considered relevant to the assessment of this application to extend the currency period are as follows:

- A two (2) year extension is considered reasonable to allow the applicant sufficient time to review the current approval, finalise financing arrangements and progress the development

- The requested extension reflects the current economic environment, including elevated construction costs and broader market uncertainty experienced in recent years
- If the application were remade today, assessment by GPC confirms that the proposal would continue to achieve the relevant assessment benchmarks, no new/revised conditions would apply, and would likely be approved subject to similar/the same conditions as the original approval
- There are no known proposed amendments to the Brisbane City Plan 2014 ('City Plan') that would materially affect the subject land or the approved development
- The approved development remains consistent with current City Plan requirements
- The existing approval continues to align with the communities' reasonable expectations for development within the locality
- Lutheran Services Queensland invested considerable funds in the preparation of architectural plans and numerous supporting technical reports. They are keen to ensure that future change applications are able to be made that can rely on the extensive inputs into the site's future development
- The subject land remains appropriately zoned for the approved development and no changes to the Brisbane City Plan 2014 or relevant overlays have occurred that would materially affect the suitability of the development
- There have been no material changes to infrastructure, servicing or access arrangements that would affect the ability to deliver the approved development
- The proposed development continues to respond appropriately to the surrounding urban context and built form outcomes envisaged for the locality.

In light of the above, there are no planning grounds that would prevent Council from extending the currency period of the development approval by two (2) years to **5 May 2029**.

4. CONCLUSION

This correspondence has been prepared by Gaskell Planning Consultants on behalf of Lutheran Services Queensland in accordance with s86 of the Act to request an extension to the currency period of development approval A004848800 by two (2) years to **5 May 2029**.

The approved development remains consistent with the relevant City Plan provisions and the planning intent for the subject land. Economic conditions, including increased construction costs and the impacts of COVID-19, have delayed the ability to proceed with the development within the existing currency period.

The applicant remains committed to progressing the approved development and considers that the requested extension will facilitate the orderly and efficient delivery of the project in accordance with the existing approval. The requested extension will allow the applicant sufficient time to review the approval, prepare the necessary documentation and lodge a future change application with Council. The requested extension is therefore considered reasonable and appropriate in these circumstances.

We look forward to receiving Council's written agreement to extend the currency period as requested. Please do not hesitate to contact Sophie Phillips from Gaskell Planning Consultants on (07) 3392 1911 should you have any questions.

Yours sincerely,



Sophie Phillips
Senior Planner