

Between:	BP AUSTRALIA PTY LTD ACN 004 085 616	First Applicant
And:	BASS MANAGEMENT PTY LTD ACN 637 635 262	Second Applicant
And:	TOOWOOMBA REGIONAL COUNCIL	Respondent

FINAL ORDER

Before: Her Honour Judge McDonnell
Date of Hearing: 23 July 2026
Date of Order: 23 July 2026



THIS MATTER HAVING on this day come on for hearing by way of Originating Application filed on 8 July 2026 in respect of a development approval given on 23 April 2015 for a Development Permit for a Material Change of Use for a Food and Drink Outlet (Council Ref: MCUI/2015/393) (the **Development Permit**) in respect of land located at 10783 Warrego Highway, Charlton and described as Lot 1 on SP281378 (previously known as Lot 202 on SP247509 and Lot 207 on AG3720 and also Lot 301 on SP277666).

UPON READING the Originating Application filed 8 July 2026, the Affidavit of Cameron Stanley filed 8 July 2026, the Affidavit of Scott Clark dated 8 July 2026, the Affidavit of Lauren Elizabeth Worth filed 9 July 2026, the second Affidavit of Lauren Elizabeth Worth filed 17 July 2026, and the second Affidavit of Cameron Stanley filed 22 July 2026.

AND UPON HEARING from Counsel for the First and Second Applicants and the solicitor for the Respondent.

AND UPON THE COURT BEING SATISFIED THAT there has been compliance with the requirements of the *Planning and Environment Court Rules 2018* (Qld) with respect to service of the Originating Application.

ORDER

Filed on behalf of the First and Second Applicants
Form PEC-7

MacDonnells Law

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Ref: TCB:LEW:260315

IT IS ORDERED THAT:

1. Pursuant to section 37(1) of the *Planning and Environment Court Act 2016* (Qld):
 - (a) the Applicants' failure to lodge an extension application with the Respondent to extend the currency period for the Development Permit pursuant to section 86(1) of the *Planning Act 2016* (Qld) (**Planning Act**) before it lapsed be excused; and
 - (b) any application to extend the currency period of the Development Permit made within 20 business days from the date of the final order in these proceedings be taken to have been made pursuant to section 86(1) of the Planning Act, as if the Development Permit had not lapsed;
2. Each party bear their own costs of this Application.

Filed on: 23 July 2026

Filed by: MacDonnells Law
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Registrar