

Between: **CUECORP PROPERTY GROUP PTY. LTD.** Applicant
ACN 141 903 899

And: **COUNCIL OF THE CITY OF GOLD COAST** Respondent

FINAL ORDER

Before: Her Honour Judge Prskalo KC
Date of Hearing: 15 May 2026
Date of Order: 15 May 2026

THIS MATTER HAVING on this day come on for hearing by way of Originating Application filed on 14 April 2026 in respect of a development approval given on 3 December 2019 and as changed by minor change approval given on 13 February 2025 for a Development Permit for a Material Change of Use for Apartments (4 Apartments) (the **Development Approval**) in respect of land located at 37 and 37A Arthur Street, Mermaid Beach and described as Lot 23 on RP41194 and Lot 1 on RP85529.

UPON READING the Originating Application filed 14 April 2026, the Affidavit of Fleur Rochelle Vocale filed 14 April 2026, the Affidavit of David Ransom filed 14 April 2026 and the Affidavit of Lauren Elizabeth Worth filed 8 May 2026.

AND UPON HEARING from Counsel for the Applicant 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.

IT IS ORDERED, ~~WITH THE CONSENT OF THE PARTIES,~~ THAT:

1. Pursuant to section 37(1) of the *Planning and Environment Court Act 2016* (Qld):
 - (a) the Applicant's failure to lodge an extension application with the Respondent to extend the currency period for the Development Approval pursuant to section 86(1) of the *Planning Act 2016* (Qld) (**Planning Act**) before it lapsed be excused;
 - (b) any application to extend the currency period of the Development Approval 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 Approval had not lapsed;
 - (c) the Other Change Application made to the Respondent on 24 April 2025 prior to the Development Approval lapsing and steps taken by the Respondent in

ORDER

Filed on behalf of the Applicant
Form PEC-7

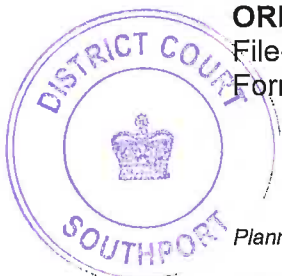
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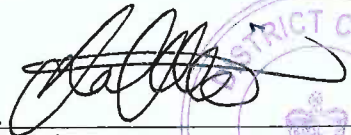
assessing the Other Change Application, be treated as validly made and undertaken until such time as any extension application under paragraph 1(b) is finally determined;

- (d) subject to the extension application to be made under paragraph 1(b) being approved, any subsequent decision made by the Respondent in respect of the Other Change Application be taken as a valid decision, notwithstanding the lapsing of the Development Approval;

2. Each party bears their own costs of this Application.

Filed on: 15 May 2026

Filed by: MacDonnells Law
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D/Registrar

