

Our reference: SPD-0616-028403

29 July 2016

Shoreline Redlands Pty Ltd
PO Box 649
CLEVELAND QLD 4163

Dear Sir / Madam,

Notice of decision—changed approval (responsible entity)

(Given under section 376 of the *Sustainable Planning Act 2009*)

The Department of Infrastructure, Local Government and Planning (the department) received representations under section 369 of the *Sustainable Planning Act 2009* (the Act) on 2 June 2016 for the original concurrence agency response described below.

Applicant details

Applicant name:	Shoreline Redlands Pty Ltd
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Site details

Street Address	148-154, 156-168, 194-214, 218-236, 238-258, 260-280, 275-385, 282-302, 304-324, 326-336, 338-348, 362-372, 422-442, 466-486 Serpentine Creek Road, Redland Bay 47-91, 68-74, 74A, 90-92, 94-96 Scenic Road, Redland Bay 91-111 Orchard Road, Redland Bay
Real property description:	Lot 2 on RP149309 Lot 8 on R1291 Lots 69, 70, 71, 72, 73 & 74 on S31102 Lot 1 on RP133830 Lots 1, 3 & 4 on RP105915 Lot 11 on SP268704 Lot 2 on SP226358 Lot 1 on RP212251 Lot 1 on RP103265 Lots 1 & 2 on RP140163 Lot 1 on RP71630 Lots 83, 84, 86, 247, 252, 255, 256, 257 & 269 on S312432
Local government area:	Redland City

Application details

Proposed development: Preliminary approval under section 242 of *Sustainable Planning Act 2009* for a Material Change of Use to vary the effect of a local planning for a master planned residential community

Original Concurrence Agency Response

Date of original decision: 28 October 2015
 Original decision details: Concurrence agency response for preliminary approval only subject to conditions

Original Decision

Date of original decision: 18 November 2015
 Original decision details: Approved subject to conditions

A notice of a changed concurrence agency response for this request is attached.

Copies of the following documents are also attached:

- relevant appeal provisions in the Act; and
- any plans and specifications approved in relation to the decision notice.

For further information, please contact Ashleigh Slater, Principal Planning Officer, Planning and Development Services – SEQ South on 07 5644 3212 or via email GCSARA@dilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Kim Kirstein
 Manager - Planning

cc. Redland City Council, Attn: Emma Martin, DAmailbox@redlands.qld.gov.au (ref MCU013287)

enc: Notice of changed concurrence agency response
 Attachment 1—Changed Concurrence agency conditions
 Attachment 2—Reasons for decision to impose changed conditions
 Attachment 3—Further advice
 Attachment 4—Changed approved plans and specifications
 Attachment 5—SPA appeal provisions

Our reference: SPD-0616-028403

Notice of changed concurrence agency response

(Given under section 376 of the *Sustainable Planning Act 2009*)

Applicant details

Applicant name: Shoreline Redlands Pty Ltd
 Applicant contact details: PO Box 649
 Cleveland QLD 4163

Application details

Date of request for change: 2 June 2016

Site details

Street Address 148-154, 156-168, 194-214, 218-236, 238-258, 260-280, 275-385, 282-302, 304-324, 326-336, 338-348, 362-372, 422-442, 466-486 Serpentine Creek Road, Redland Bay
 47-91, 68-74, 74A, 90-92, 94-96 Scenic Road, Redland Bay
 91-111 Orchard Road, Redland Bay

Real property description: Lot 2 on RP149309
 Lot 8 on R1291
 Lots 69, 70, 71, 72, 73 & 74 on S31102
 Lot 1 on RP133830
 Lots 1, 3 & 4 on RP105915
 Lot 11 on SP268704
 Lot 2 on SP226358
 Lot 1 on RP212251
 Lot 1 on RP103265
 Lots 1 & 2 on RP140163
 Lot 1 on RP71630
 Lots 83, 84, 86, 247, 252, 255, 256, 257 & 269 on S312432

Local government area: Redland City

Nature of the changes

The nature of the changes agreed to relate to the timing and sequencing of the required roadworks in order to align these works with the relevant stages of the development. Specifically, the changes are to:

1. amend Condition 2 to reflect the revised development staging plan;
2. amend the timing of Condition 3 to stage the road upgrades works to be consistent with the revised development staging plan;
3. amend Condition 4 to sequence approved intersection upgrade works;
4. amend the timing of Condition 4 to stage the approved intersection (internal) upgrade works and define when the works must occur; and

5. amend the timing of Condition 5 to stage the approved intersection (external) upgrade works and define when the works must occur.

Original concurrence agency response

Date of original decision:	28 October 2015
Original decision details:	Concurrence agency response for preliminary approval only subject to conditions

Original decision

Date of original decision:	18 November 2015
Original decision details:	Approved subject to conditions

Changed concurrence agency response

Date of changed decision:	29 July 2016
Changed decision details:	Approved

Aspects of development and development approval granted

Preliminary approval under section 242 of *Sustainable Planning Act 2009* for a Material Change of Use to vary the effect of a local planning for a master planned residential community.

Conditions

This approval is subject to:

- the changed concurrence agency conditions in **Attachment 1**.

The department has, for particular conditions of this approval, nominated an entity to be the assessing authority for that condition under section 255D(3) of the Act.

Reasons for decision to impose conditions

Under section 289(1) of the Act, the department must set out the reasons for the decision to impose conditions. These reasons are set out in **Attachment 2**.

Further advice

Under section 287(6) of the Act, the department offers advice about the application to the assessment manager—see **Attachment 3**.

Approved plans and specifications

Copies of the following approved plans and specifications are attached in **Attachment 4**:

Drawing/Report Title	Prepared by	Date	Reference no.	Version/Issue
Aspect of development: preliminary approval				
Precinct Plan [Draft]. Shoreline	Lat 27	22 October 2015	14009_SK015	[20]
Access and Movement. Shoreline	Lat 27	22 October 2015	14009_SK019	[9] (as amended in red, 28 October 2015)
Development Staging Plan. Shoreline	Lat 27	24 May 2016	14009_SK027	[11]
Beenleigh-Redland Bay Road and Bryants Road Intersection Draft Preliminary 2031 Functional Layouts (signed by Stuart Holland RPEQ 05611)	Civil Dimensions Pty Ltd	10 December 2014	CD14-038-SK.05	
Beenleigh-Redland Bay Road and California Creek Road Intersection Draft Preliminary 2031 Functional Layouts (signed by Stuart Holland RPEQ 05611)	Civil Dimensions Pty Ltd	10 December 2014	CD14-038-SK.06	
Beenleigh-Redland Bay Road, Mt Cotton Road and Skinners Road Intersection Draft Preliminary 2031 Functional Layouts (signed by Stuart Holland RPEQ 05611)	Civil Dimensions Pty Ltd	10 December 2014	CD14-038-SK.07	
Cleveland-Redland Bay Road and Serpentine Creek Road Intersection Layout Plan (signed by Stuart Holland RPEQ 05611, 17 February 2015)	Civil Dimensions Pty Ltd	17 February 2015	CD14-038-SK.12	
Cleveland-Redland Bay Road and German Church Road Intersection Draft Preliminary 2031 Functional Layouts (signed by Stuart Holland RPEQ 05611)	Civil Dimensions Pty Ltd	10 December 2014	CD14-038-SK.08	
Cleveland-Redland Bay Road and Gordon Road Intersection Draft Preliminary 2031 Functional Layouts (signed by Stuart Holland RPEQ 05611)	Civil Dimensions Pty Ltd	10 December 2014	CD14-038-SK.09	
Cleveland-Redland Bay Road and Boundary Street Intersection Draft	Civil Dimensions Pty Ltd	10 December 2014	CD14-038-SK.10	

Preliminary 2031 Functional Layouts (signed by Stuart Holland RPEQ 05611)				
Cleveland-Redland Bay Road and Double Jump Road Intersection Layout Plan (signed by Stuart Holland RPEQ 05611, 17 February 2015)	Civil Dimensions Pty Ltd	17 February 2015	CD14-038-SK.11	
Referral Agency Response (Vegetation) Plan	Queensland Government	15 September 2014	RARP SDA-0714-012691 Sheet 1 of 3 (Map Ref: 9542)	
Referral Agency Response (Vegetation) Plan	Queensland Government	15 September 2014	RARP SDA-0714-012691 Sheet 2 of 3 (Map Ref: 9542)	
Referral Agency Response (Vegetation) Plan	Queensland Government	15 September 2014	RARP SDA-0714-012691 Sheet 3 of 3 (Map Ref: 9542)	

Rights of appeal

The rights of applicants to appeal to the Planning and Environment Court against decisions about a development application are set out in chapter 7, part 1, division 8 of the Act. For particular applications, there may also be a right to appeal to the Building and Development Dispute Resolution Committee (see chapter 7, part 2 of the Act).

Copies of the relevant appeal provisions are attached in **Attachment 5**.

Native title considerations

Not applicable—Native title notification for the request was not required and as a result there were no submissions and no considerations.

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Attachment 1—Changed concurrence agency conditions

No.	Conditions	Condition timing
Preliminary approval under section 242 of SPA		
1.	<p>The development must be undertaken generally in accordance with the following plans, except as modified by these conditions:</p> <ul style="list-style-type: none"> • Precinct Plan [Draft]. Shoreline, prepared by Lat 27, dated 22 October 2015 and plan reference 14009_SK015 [20]; and • Access and Movement. Shoreline, prepared by Lat 27, dated 22 October 2015 and plan reference 14009_SK019 [9] (as amended in red, 28 October 2015). 	At all times.
2.	<p>The staging of the development must be undertaken in accordance with the Development Staging Plan. Shoreline, prepared by Lat 27, dated 10 December 2014 24 May 2016 and plan reference 14009_SK027 [511].</p>	At all times.
<p>Schedule 7, Table 3, Item 1 & Schedule 7, Table 3, Item 2 (State Transport Infrastructure) — Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i>, the chief executive administering the Act nominates the Director-General of Department of Transport and Main Roads to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):</p>		
3.	<p>a) Road works comprising, the upgrade of Beenleigh-Redland Bay Road (Serpentine Creek Road) along the frontage of the subject site, for which approval under section 33 of the <i>Transport Infrastructure Act 1994</i> must be obtained, must be provided by the applicant.</p> <p>The road works must be designed and constructed to a four (4) lane urban cross section with a nominal width 40.0m wide road reserve, in accordance with the Department of Transport and Main Road's Road Planning and Design Manual and the Manual of Uniform Traffic Control Devices, including:</p> <ul style="list-style-type: none"> i. a 6.0m median; ii. 3.5m minimum traffic lanes; iii. 2.0m minimum outer shoulders to allow for on-road cyclists; iv. 5.0m minimum road verges to allow for an off-road shared use path, and services including pits, poles and street light supports; v. batters as required; and vi. tapering. 	<p>(a)</p> <p>Prior to the commencement of any use or prior to submitting the Plan of Survey for the first lot to the local government for approval, whichever comes first, for the relevant stage as shown on the Development Staging Plan. Shoreline, prepared by Lat 27, dated 24 May 2016 and plan reference 14009_SK027 [11].</p>

No.	Conditions	Condition timing
	<p>b) The design and construction of the works outlined in (a) above (including, but not limited to, additional land requirements, all adjustments and/or relocations to existing services) is to be at no cost to the State of Queensland.</p>	
4.	<p>a) Road works comprising intersection upgrades at locations identified as [A], [B], [C], [D], and [E] on the <i>Access and Movement. Shoreline</i>, prepared by Lat 27, dated 22 October 2015 and plan reference 14009_SK019 [9] (as amended in red, 28 October 2015), for which approval under section 33 of the <i>Transport Infrastructure Act 1994</i> must be obtained, must be provided by the applicant.</p> <p>The road works must be designed and constructed in accordance with the Department of Transport and Main Road's Road Planning and Design Manual and the Manual of Uniform Traffic Control Devices, to provide the following:</p> <ul style="list-style-type: none"> i. Location [A] – a four way all movement signalised intersection ii. Location [B] – an un-signalised T-intersection with movement restricted to left in/left out only iii. Location [C] – a four way all movement signalised intersection iv. Location [D] – a four way all movements signalised intersection v. Location [E] – a un-signalised T-intersection with movement restricted to left in/left out only i. An all turns un-signalised T-intersection, at locations [B] and [C]. ii. The signalisation of the T-intersection at location [C]. iii. A 4-way signalised intersection at location [C], construct modifications to the intersection at location [B] to physically prohibit right turns from the minor road toward Serpentine Creek Road to the north, and link the intersection at location [C] with the intersection at location [B] by an internal road. iv. A 4-way signalised intersection at location [D]. v. A 4-way signalised intersection at location [A]. vi. An un-signalised T- intersection which physically prohibits right turns from the minor road towards Serpentine Creek Road to the north at location [E]. 	<p>a)</p> <ul style="list-style-type: none"> i. Location [A] – Prior to submitting the Plan of Survey to the local government for approval of the first allotment of Stage 4 as shown on the <i>Development Staging Plan. Shoreline</i>, Lat 27, 10 December 2014, 14009_SK027 [5]. ii. Location [B] – Prior to the commencement of any use or prior to submitting the Plan of Survey to the local government for approval for the first allotment, whichever comes first. iii. Location [C] – Prior to the commencement of any use or prior to submitting the Plan of Survey to the local government for approval for the first allotment, whichever comes first. iv. Location [D] – Prior to submitting the

No.	Conditions	Condition timing
	<p>b) The design and construction of the works outlined in (a) above (including, but not limited to, additional land requirements, all adjustments and/or relocations to existing services) is to be at no cost to the State of Queensland.</p>	<p>Plan of Survey to the local government for approval for the first allotment of Stage 2 as shown on the <i>Development Staging Plan</i>. <i>Shoreline</i>, Lat 27, 10 December 2014, 14009_SK027 [5].</p> <p>v. Location [E] - Prior to submitting the Plan of Survey to the local government for approval for the first allotment of Stage 3 as shown on the <i>Development Staging Plan</i>. <i>Shoreline</i>, Lat 27, 10 December 2014, 14009_SK027 [5].</p> <p>Timing:</p> <p>i. Prior to the commencement of a use or prior to submitting the Plan of Survey to the local government for sealing of the first allotment, whichever comes first.</p> <p>ii. Prior to submitting the Plan of Survey to the local government for sealing of the 350th lot of the</p>

No.	Conditions	Condition timing
		<p>development.</p> <p>iii. Prior to, whichever comes first:</p> <ol style="list-style-type: none"> 1. Submitting the Plan of Survey to the local government for the sealing of the 350th lot of the development on the eastern side of Serpentine Creek Road, or 2. Submitting the Plan of Survey to the local government for the sealing of the 700th lot of the development , or 3. The commencement of a use on Lot 74 on S31102, or 4. Submitting the Plan of Survey to the local government for the sealing of allotments on Lot 74 on S31102.

No.	Conditions	Condition timing
		<p>iv. Prior to submitting the Plan of Survey to the local government for sealing of the 1,540th lot of the development.</p> <p>v. Prior to submitting the Plan of Survey to the local government for sealing of the 2,891st lot of the development.</p> <p>vi. Prior to submitting the Plan of Survey to the local government for sealing of the 3,191st lot of the development.</p> <p>b) At all times</p>
5.	<p>a) Road works comprising intersection upgrades at following intersections, for which approval under section 33 of the Transport Infrastructure Act 1994 must be obtained, must be provided by the applicant:</p> <ul style="list-style-type: none"> i. Beenleigh-Redland Bay Road and Bryants Road; ii. Beenleigh-Redland Bay Road and California Creek Road; iii. Beenleigh-Redland Bay Road, Mt Cotton Road and Skinners Road; iv. Cleveland-Redland Bay Road and Serpentine Creek Road; v. Cleveland-Redland Bay Road and German Church Road; vi. Cleveland-Redland Bay Road, Giles Road and Gordon Road; vii. Cleveland-Redland Bay Road and Boundary Street; 	<p>a) Prior to the commencement of any use or prior to submitting the Plan of Survey to the local government for approval for the first allotment, whichever comes first.</p> <p>Timing:</p> <p>i. Prior to submitting the Plan of Survey to the local government for sealing of the 1350th lot of the development.</p>

No.	Conditions	Condition timing
	<p>and</p> <p>viii. Cleveland-Redland Bay Road and Double Jump Road.</p> <p>The road works must be designed and constructed in accordance with the Department of Transport and Main Road's Road Planning and Design Manual and the Manual of Uniform Traffic Control Devices, and generally in accordance with the following:</p> <ul style="list-style-type: none"> • Beenleigh-Redland Bay Road and Bryants Road Intersection, Civil Dimensions Pty Ltd, 10 December 2014, CD14-038-SK.05 (Draft Preliminary 2031 Functional Layouts), signed by Stuart Holland RPEQ 05611. • Beenleigh-Redland Bay Road and California Creek Road Intersection, Civil Dimensions Pty Ltd, 10 December 2014, CD14-038-SK.06 (Draft Preliminary 2031 Functional Layouts), signed by Stuart Holland RPEQ 05611. • Beenleigh-Redland Bay Road, Mt Cotton Road and Skinners Road Intersection, Civil Dimensions Pty Ltd, 10 December 2014, CD14-038-SK.07 (Draft Preliminary 2031 Functional Layouts), signed by Stuart Holland RPEQ 05611. • Cleveland-Redland Bay Road and Serpentine Creek Road Intersection, Civil Dimensions Pty Ltd, 17 February 2014⁵, CD14-038-SK.12, signed by Stuart Holland RPEQ 05611, 17 February 2015 • Cleveland-Redland Bay Road and German Church Road Intersection, Civil Dimensions Pty Ltd, 10 December 2014, CD14-038-SK.08 (Draft Preliminary 2031 Functional Layouts), signed by Stuart Holland RPEQ 05611. • Cleveland-Redland Bay Road and Gordon Road Intersection, Civil Dimensions Pty Ltd, 10 December 2014, CD14-038-SK.09 (Draft Preliminary 2031 Functional Layouts), signed by Stuart Holland RPEQ 05611. • Cleveland-Redland Bay Road and Boundary Street Intersection, Civil Dimensions Pty Ltd, 10 December 2014, CD14-038-SK.10 (Draft Preliminary 2031 Functional Layouts), signed by Stuart Holland RPEQ 05611. • Cleveland-Redland Bay Road and Double Jump Road Intersection, Civil Dimensions Pty Ltd, 17 February 	<p>ii. Prior to submitting the Plan of Survey to the local government for sealing of the 1000th lot of the development.</p> <p>iii. Prior to submitting the Plan of Survey to the local government for sealing of the 250th lot of the development.</p> <p>iv. Prior to submitting the Plan of Survey to the local government for sealing of the 500th lot of the development.</p> <p>v. Prior to submitting the Plan of Survey to the local government for sealing of the 1541th lot of the development.</p> <p>vi. Prior to submitting the Plan of Survey to the local government for sealing of the 150th lot of the development.</p> <p>vii. Prior to submitting the Plan of Survey to the local government for sealing of the</p>

No.	Conditions	Condition timing
	<p>20145, CD14-038-SK.11, signed by Stuart Holland RPEQ 05611, 17 February 2015.</p> <p>b) The design and construction of the works outlined in (a) above (including, but not limited to, additional land requirements, all adjustments and/or relocations to existing services) is to be at no cost to the State of Queensland.</p>	<p>150th lot of the development.</p> <p>viii. Prior to submitting the Plan of Survey to the local government for sealing of the 150th lot of the development.</p> <p>b) At all times</p>
6.	All existing access arrangements between Beenleigh-Redland Bay Road (Serpentine Creek Road) and lots which are not part of the subject site must be maintained.	At all times.
7.	<p>a) All existing vehicular property accesses located between the subject site and Beenleigh-Redland Bay Road (Serpentine Creek Road) must be permanently closed and removed by the applicant.</p> <p>b) Direct access is not permitted between Beenleigh-Redland Bay Road (Serpentine Creek Road) and the subject site at any location other than the permitted road access location(s).</p> <p>Note: To remove any doubt, intersections are not permitted road access locations.</p>	<p>a) Prior to the commencement of any use or prior to submitting the Plan of Survey for the first lot to the local government for approval, whichever comes first.</p> <p>b) At all times.</p>
8.	Construct a three (3) metre high acoustic (noise) wall for the full extent of the sites frontage with Beenleigh-Redland Bay Road (Serpentine Creek Road), in accordance with <i>Access and Movement. Shoreline</i> , prepared by Lat 27, dated 22 October 2015 and plan reference 14009_SK019 [9] (as amended in red, 28 October 2015, to show location of acoustic (noise) wall).	Prior to the commencement of any use or prior to submitting the Plan of Survey for the first lot to the local government for approval, whichever comes first and to be maintained.
9.	<p>a) Stormwater management of the development must ensure no worsening or actionable nuisance to the State-controlled road network.</p> <p>b) Any works on the subject site must not:</p> <ul style="list-style-type: none"> i. create any new discharge points for stormwater runoff onto the State-controlled road; ii. interfere with and/or cause damage to the existing stormwater drainage on the State-controlled road; 	<p>a) and b)</p> <p>At all times.</p>

No.	Conditions	Condition timing
	<ul style="list-style-type: none"> iii. surcharge any existing culvert or drain on the State-controlled road; and iv. reduce the quality of stormwater discharge onto the State-controlled road. 	
10.	<ul style="list-style-type: none"> a) The streets labelled 'Sub-arterial Road - State-controlled road' shown on <i>Access and Movement. Shoreline</i>, prepared by Lat 27, dated 22 October 2015 and plan reference 14009_SK019 [9] (as amended in red, 28 October 2015), must be designed and constructed to be in accordance with the Schedule – Code for IDAS, Part 2 – Development Standards of the Transport Planning and Coordination Regulation 2005 for a single unit rigid bus of 14.5m in length. b) Any road identified as containing a future bus route must be designed and constructed to be in accordance with the Schedule – Code for IDAS, Part 2 – Development Standards of the Transport Planning and Coordination Regulation 2005 for a single unit rigid bus of 14.5m in length. 	Prior to submitting the Plan of Subdivision to the local government for approval for the relevant stage.
Schedule 7, Table 3, Item 5 (Coastal Management District) — Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of Environment and Heritage Protection to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
11.	The 'Foreshore Subprecinct' as shown on <i>Precinct Plan [Draft]. Shoreline</i> , prepared by Lat 27, dated 22 October 2015 and plan reference 14009_SK015 [20], must be maintained as a development free buffer, except for infrastructure and non-habitable structures provided as part of the development's open space dedications or as otherwise the subject of a development approval.	At all times.
Schedule 7, Table 3, Item 10 (Vegetation Clearing) — Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of Natural Resources and Mines to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
12.	Clearing of native vegetation associated with this material change of use must not occur within Area A (A1- A6) as shown on the attached Referral Agency Response (Vegetation) Plan RARP SDA-0714-012691.	At all times.
13.	New infrastructure associated with this material change of use must not be located within Area A (A1- A6) as shown on the attached Referral Agency Response (Vegetation) Plan RARP SDA-0714-012691.	At all times.

No.	Conditions	Condition timing
14.	New infrastructure associated with this material change of use must not be located in Area B (B1- B6) as shown on the attached Referral Agency Response (Vegetation) Plan RARP SDA-0714-012691 unless the infrastructure is a fence, road, driveway, effluent area, a sediment, detention or bio-retention basin, retaining wall or for underground services.	At all times.

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Attachment 2—Reasons for decision to impose changed conditions

The reasons for this decision are:

- To ensure the development is carried out generally in accordance with the plans of development submitted with the application.
- To manage the impacts of development on the safety and efficiency of the state-controlled road.
- To ensure that the impacts of stormwater events associated with development are minimised and managed to avoid creating any adverse impacts on the state transport corridor.
- To ensure the development avoids or minimises adverse impacts on coastal resources and their values.
- To ensure the natural processes and the protective function of landforms and vegetation are maintained in coastal hazard areas.
- To ensure the clearing works are carried out in the location and to the extent specified on the approved plans.

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Attachment 3—Further advice

General advice	
1.	<p>Road Traffic Noise</p> <p>With regards to assessing road traffic noise, the following material should be referred to and considered as part of any future development:</p> <ul style="list-style-type: none"> • Mandatory Part (MP) 4.4 of the Queensland Development Code (QDC) - <i>Buildings in a Transport Noise Corridor</i>. MP4.4 seeks to ensure that the habitable rooms of Class 1, 2, 3 and 4 buildings located in a transport noise corridor are designed and constructed to reduce transport noise. • Department of Transport and Main Roads' <i>State Development Assessment Provisions Supporting Information – Community Amenity (Noise)</i>.

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Attachment 4—Changed approved plans and specifications

The following depicts the changed approved plans and specifications:

Drawing/Report Title	Prepared by	Date	Reference no.	Version
Aspect of development: Preliminary Approval				
Precinct Plan [Draft]. Shoreline	Lat 27	22 October 2015	14009_SK015	[20]
Access and Movement. Shoreline	Lat 27	22 October 2015	14009_SK019	[9] (as amended in red, 28 October 2015)
Development Staging Plan. Shoreline	Lat 27	10 December 2014 24 May 2016	14009_SK027	[511]
Beenleigh-Redland Bay Road and Bryants Road Intersection Draft Preliminary 2031 Functional Layouts (signed by Stuart Holland RPEQ 05611)	Civil Dimensions Pty Ltd	10 December 2014	CD14-038-SK.05	
Beenleigh-Redland Bay Road and California Creek Road Intersection Draft Preliminary 2031 Functional Layouts (signed by Stuart Holland RPEQ 05611)	Civil Dimensions Pty Ltd	10 December 2014	CD14-038-SK.06	
Beenleigh-Redland Bay Road, Mt Cotton Road and Skinners Road Intersection Draft Preliminary 2031 Functional Layouts (signed by Stuart Holland RPEQ 05611)	Civil Dimensions Pty Ltd	10 December 2014	CD14-038-SK.07	
Cleveland-Redland Bay Road and Serpentine Creek Road Intersection Layout Plan (signed by Stuart Holland RPEQ 05611, 17 February 2015)	Civil Dimensions Pty Ltd	17 February 2015	CD14-038-SK.12	
Cleveland-Redland Bay Road and German Church Road Intersection Draft Preliminary 2031 Functional Layouts (signed by Stuart Holland RPEQ 05611)	Civil Dimensions Pty Ltd	10 December 2014	CD14-038-SK.08	
Cleveland-Redland Bay Road and Gordon Road Intersection Draft Preliminary 2031 Functional Layouts (signed by Stuart Holland RPEQ 05611)	Civil Dimensions Pty Ltd	10 December 2014	CD14-038-SK.09	

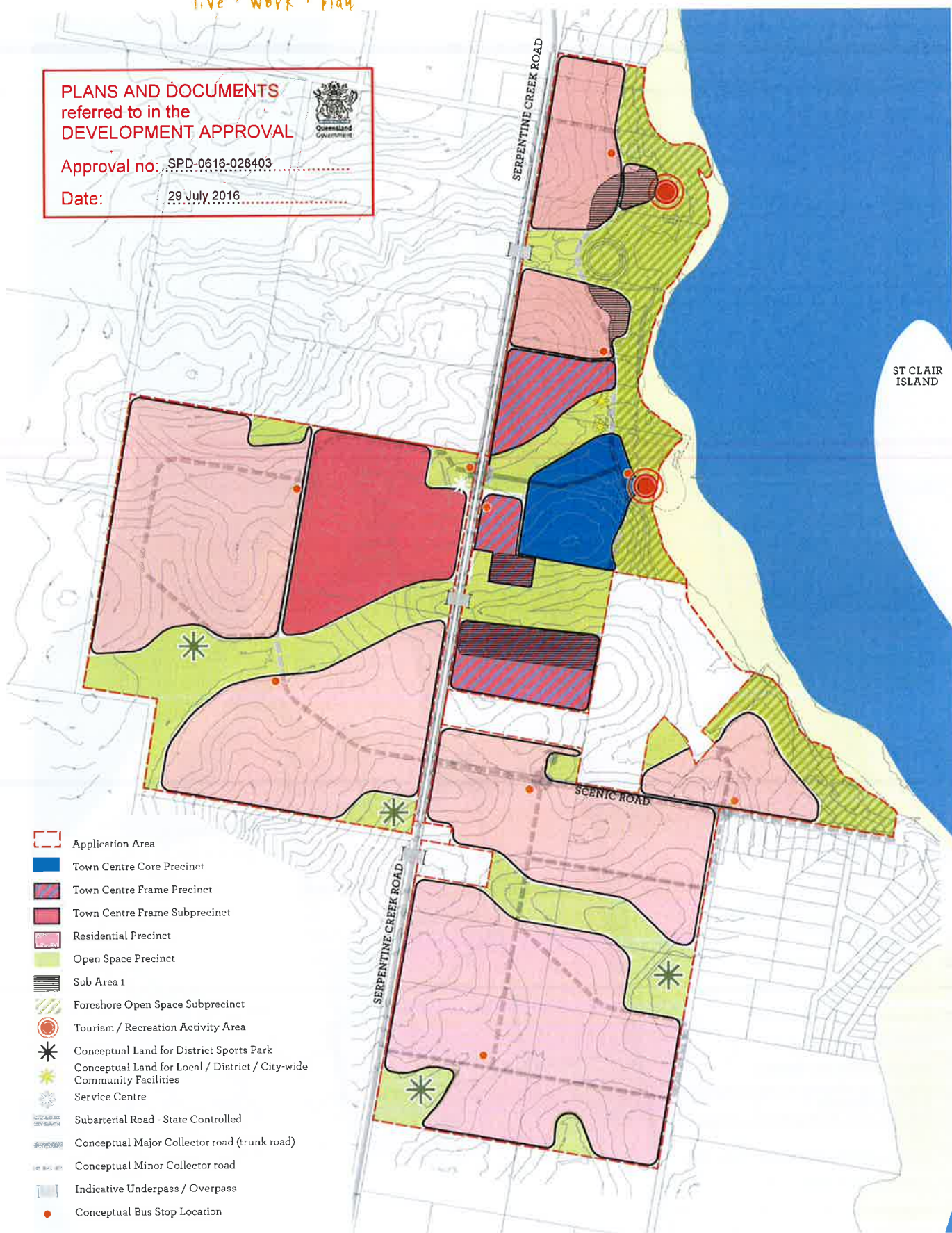
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Cleveland-Redland Bay Road and Boundary Street Intersection Draft Preliminary 2031 Functional Layouts (signed by Stuart Holland RPEQ 05611)	Civil Dimensions Pty Ltd	10 December 2014	CD14-038-SK.10	
Cleveland-Redland Bay Road and Double Jump Road Intersection Layout Plan (signed by Stuart Holland RPEQ 05611, 17 February 2015)	Civil Dimensions Pty Ltd	17 February 2015	CD14-038-SK.11	
Referral Agency Response (Vegetation) Plan	Queensland Government	15 September 2014	RARP SDA-0714-012691 Sheet 1 of 3 (Map Ref: 9542)	
Referral Agency Response (Vegetation) Plan	Queensland Government	15 September 2014	RARP SDA-0714-012691 Sheet 2 of 3 (Map Ref: 9542)	
Referral Agency Response (Vegetation) Plan	Queensland Government	15 September 2014	RARP SDA-0714-012691 Sheet 3 of 3 (Map Ref: 9542)	

PLANS AND DOCUMENTS
referred to in the
DEVELOPMENT APPROVAL



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- Application Area
- Town Centre Core Precinct
- Town Centre Frame Precinct
- Town Centre Frame Subprecinct
- Residential Precinct
- Open Space Precinct
- Sub Area 1
- Foreshore Open Space Subprecinct
- Tourism / Recreation Activity Area
- Conceptual Land for District Sports Park
- Conceptual Land for Local / District / City-wide Community Facilities
- Service Centre
- Subarterial Road - State Controlled
- Conceptual Major Collector road (trunk road)
- Conceptual Minor Collector road
- Indicative Underpass / Overpass
- Conceptual Bus Stop Location



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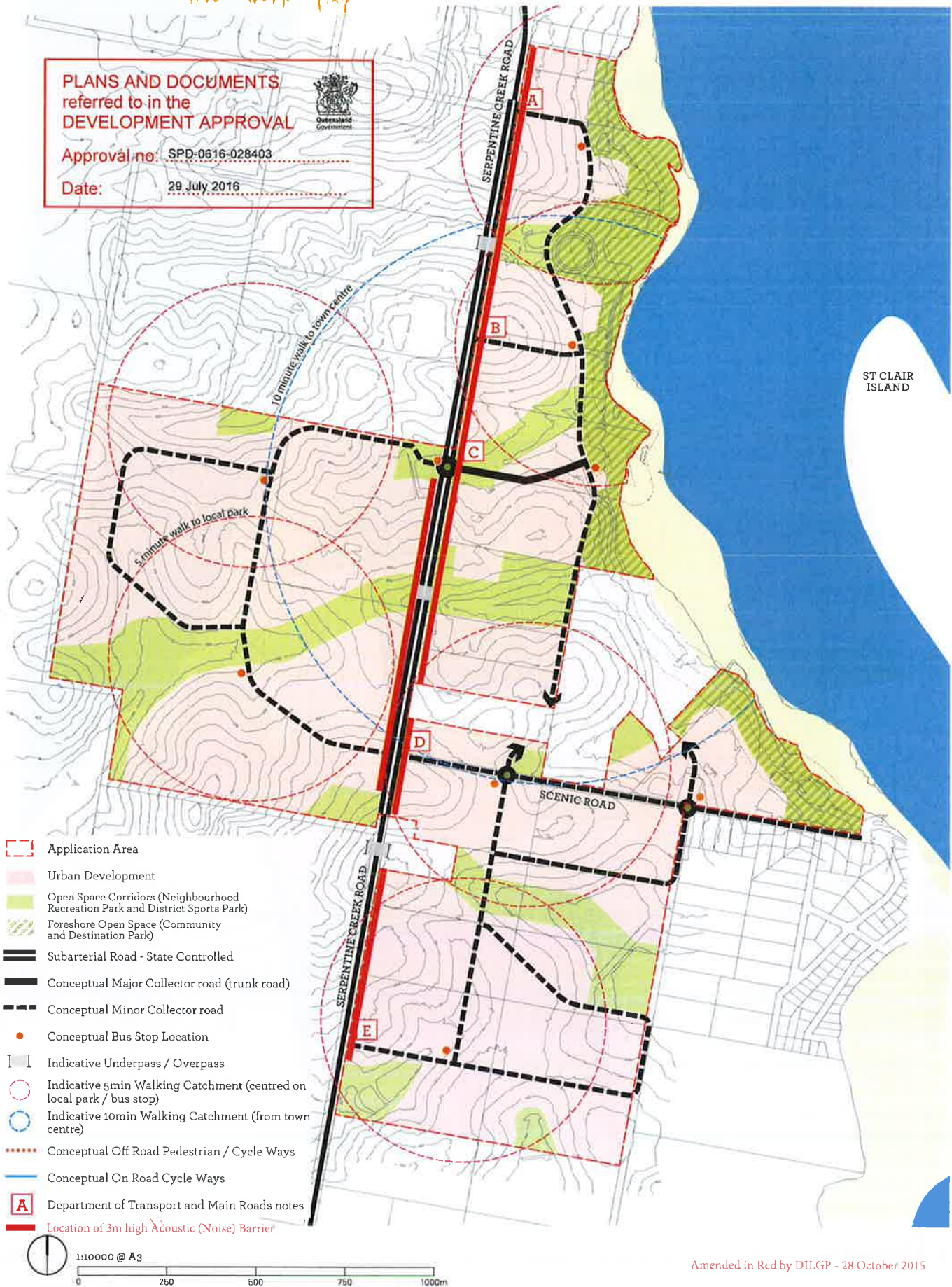
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PLANS AND DOCUMENTS
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DEVELOPMENT APPROVAL



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Amended in Red by DILGP - 28 October 2015

Access and Movement. Shoreline

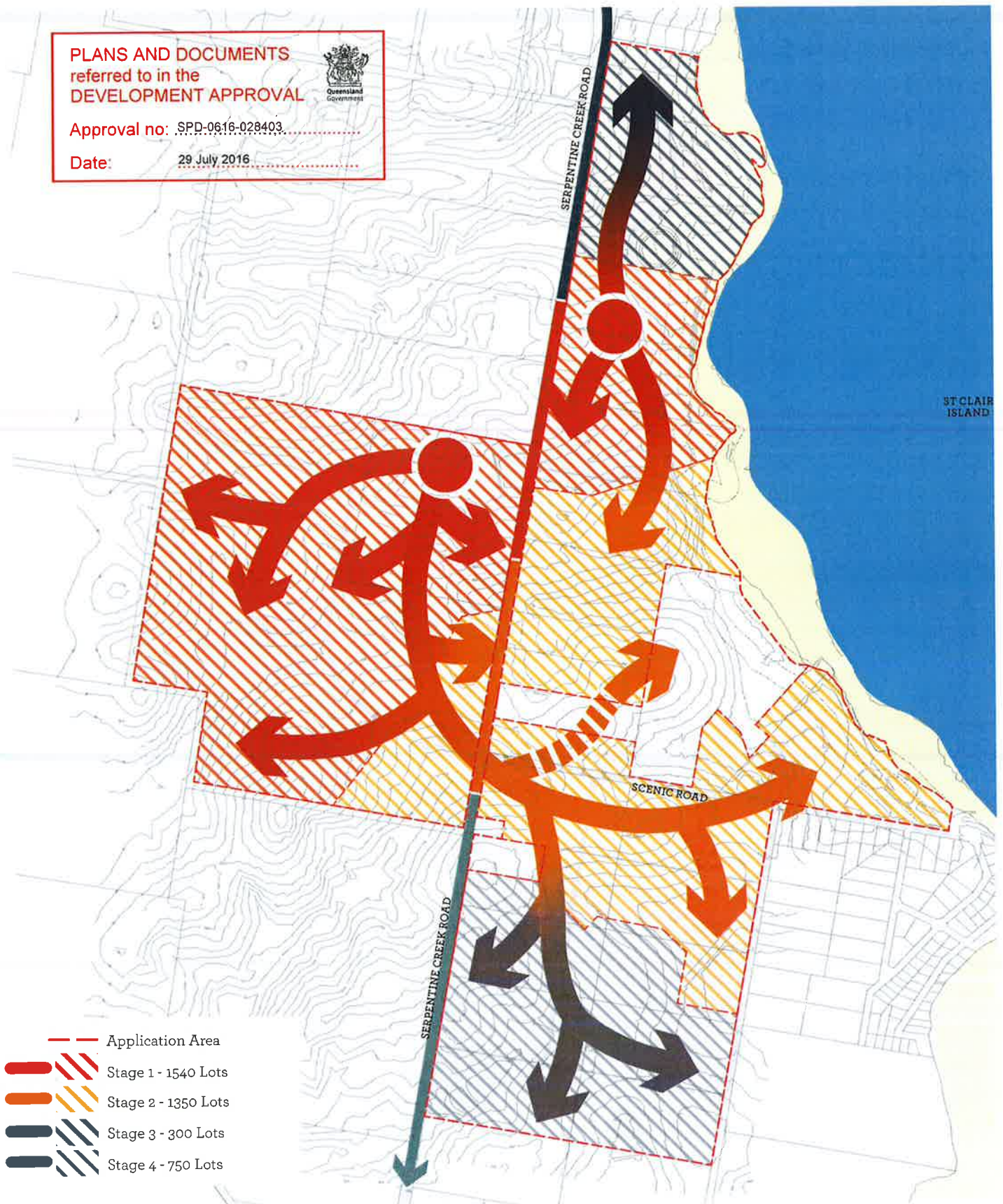
22.October.2015 . 14009_SK019 [9]

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- Application Area
- ▨ Stage 1 - 1540 Lots
- ▨ Stage 2 - 1350 Lots
- ▨ Stage 3 - 300 Lots
- ▨ Stage 4 - 750 Lots



0 250 500 750 1000m
1:10,000 @ A3

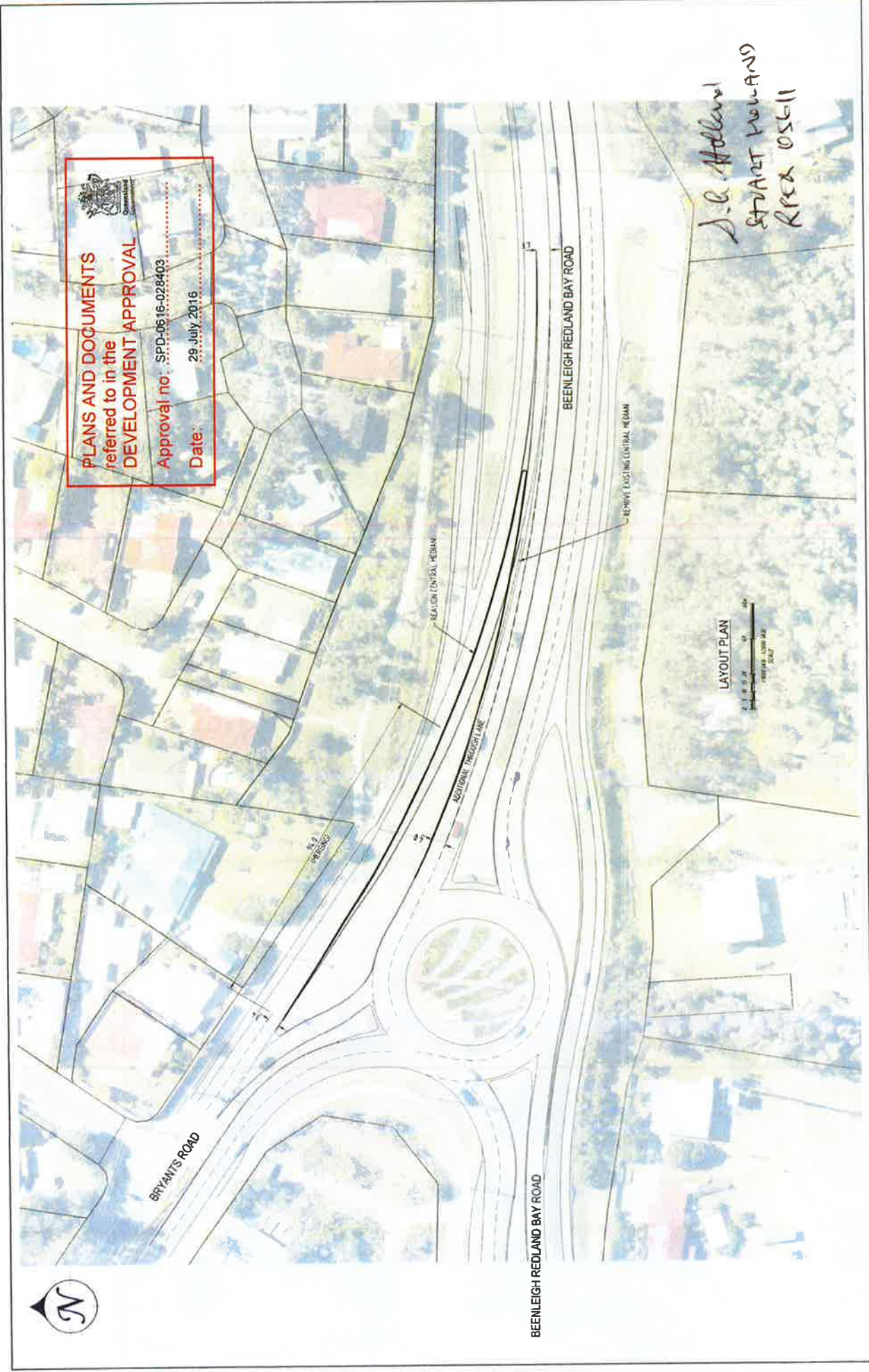
Development Staging Plan. Shoreline



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Beenleigh Redland Bay Road and Bryants Road Intersection
CD14-038-SK.05 - Date: 10/12/2014
(Draft Preliminary 2031 Functional Layouts)





shoreline



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Beenleigh Redland Bay Road and California Creek Road Intersection

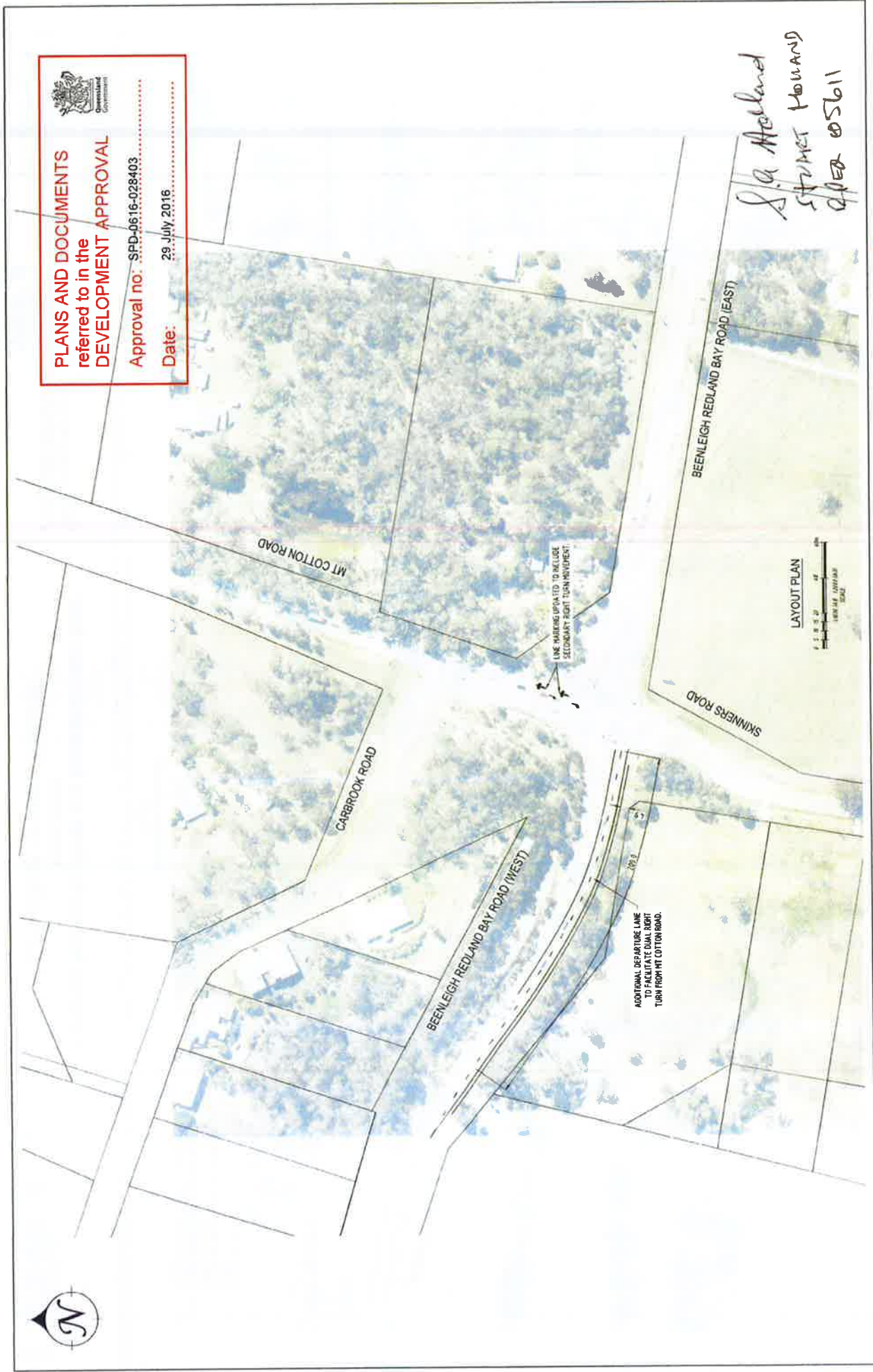
CD14-038-SK.06 - Date: 10/12/2014

(Draft Preliminary 2031 Functional Layouts)

shoreline

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*Sia McLeod
Skinner Howard
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Approval no: SPD-0616-028403

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**shoreline**
live work play

**Civil Dimensions**
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Beenleigh Redland Bay Road, Mt Cotton Road and Skimmers Road Intersection
CD14-038-SK.07 - Date: 10/12/2014
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Approval no: SPD-0616-028403

Date: 29 July 2016



J. L. Holland
STUART HILL
RPE 0564
17-2-15

CLEVELAND REDLAND BAY ROAD

SERPENTINE CREEK ROAD

SERPENTINE CREEK ROAD

LAYOUT PLAN



NOTE:
1. ALL PROPOSED LANES ARE PM 3.5m WIDE UNLESS NOTED OTHERWISE
2. ALL PROPOSED SHOULDERS WHERE SHOWN ARE PM 2.0m WIDE UNLESS SHOWN OTHERWISE

**Cleveland Redland Bay Road and Serpentine Creek Road
Intersection**
CD14-038-SK.12- Date: 17/02/2015

DRAFT

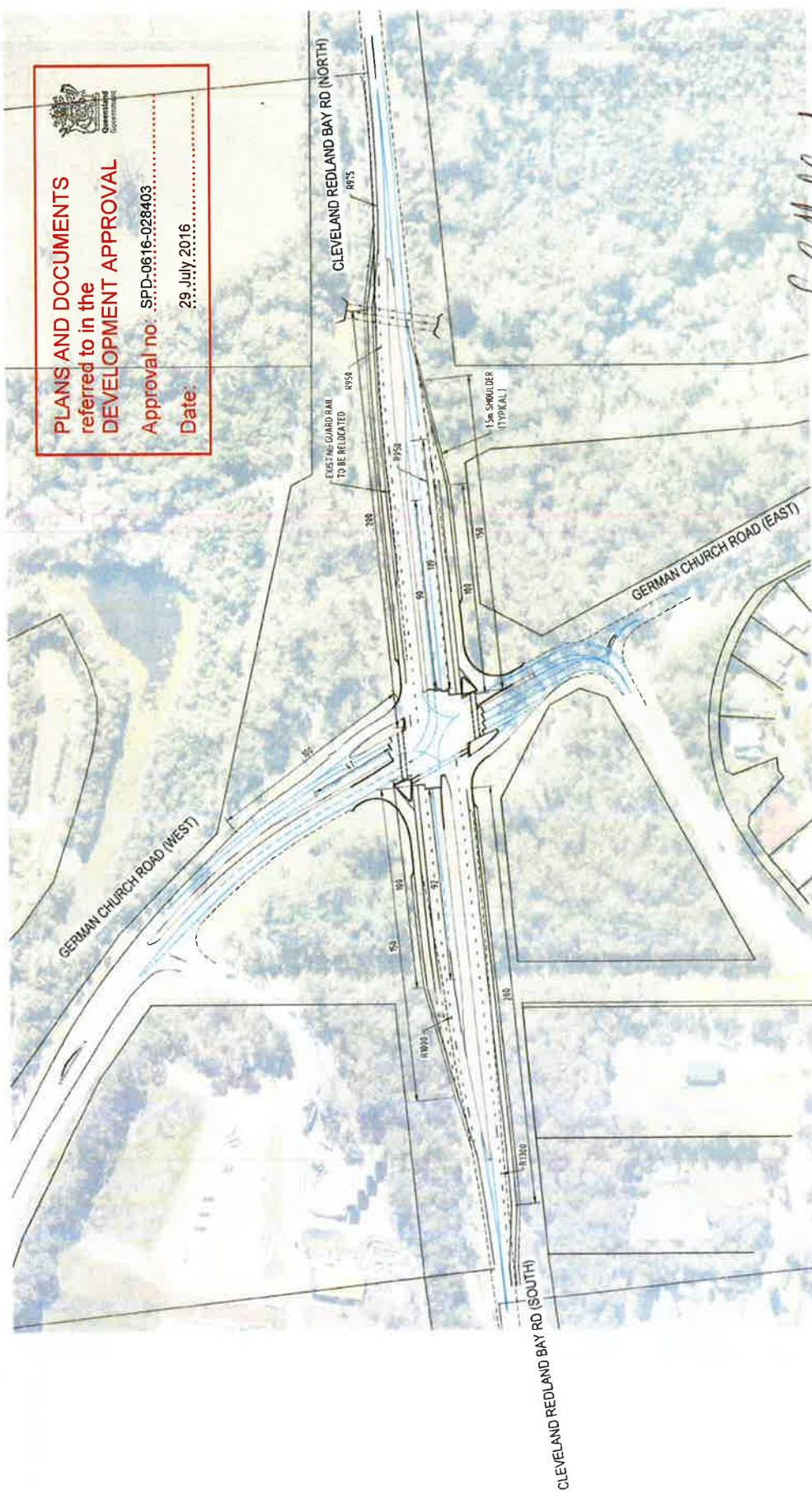


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Produced: 17/02/2015




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S. O. Halland
Stuart Newman
RPER 05611

Cleveland Redland Bay Road and German Church Road Intersection
CD14-038-SK.08 - Date: 10/12/2014
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shoreline

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Cleveland Redland Bay Road, Giles Road and Gordon Road Intersection
CD14-038-SK.09 - Date: 10/12/2014
(Draft Preliminary 2031 Functional Layouts)



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Date: 29 July 2016



Queensland
Government

Approval no: SPD-0616-028403

Date: 29 July 2016

CLEVELAND REDLAND BAY ROAD (NORTH)

ADDITIONAL DEPARTURE LANE
TO FACILITATE ONE-WAY
TURN FROM BOUNDARY STREET

BOUNDARY STREET

LINE MARKING UPDATED TO INCLUDE
SECONDARY RIGHT TURN MOVEMENT

CLEVELAND REDLAND BAY ROAD (SOUTH)

LAYOUT PLAN



J.C. Holland
STREET HOWARD
RSEA 0560

Cleveland Redland Bay Road and Boundary Street Intersection
CD14-038-SK.10 - Date: 10/12/2014
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Cleveland Redland Bay Road and Double Jump Road Intersection
CD14-038-SK.11 - Date: 17/02/2015





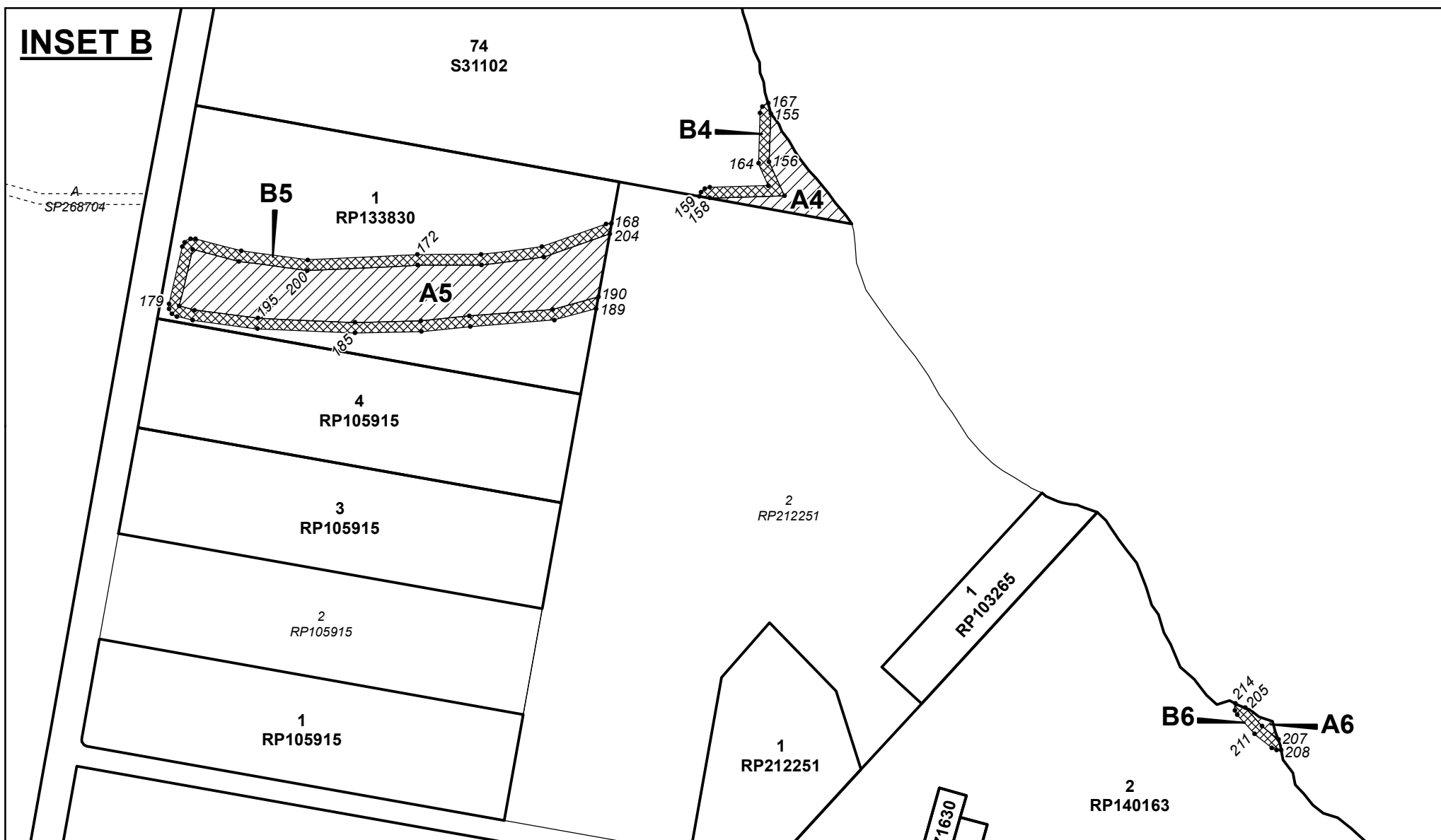
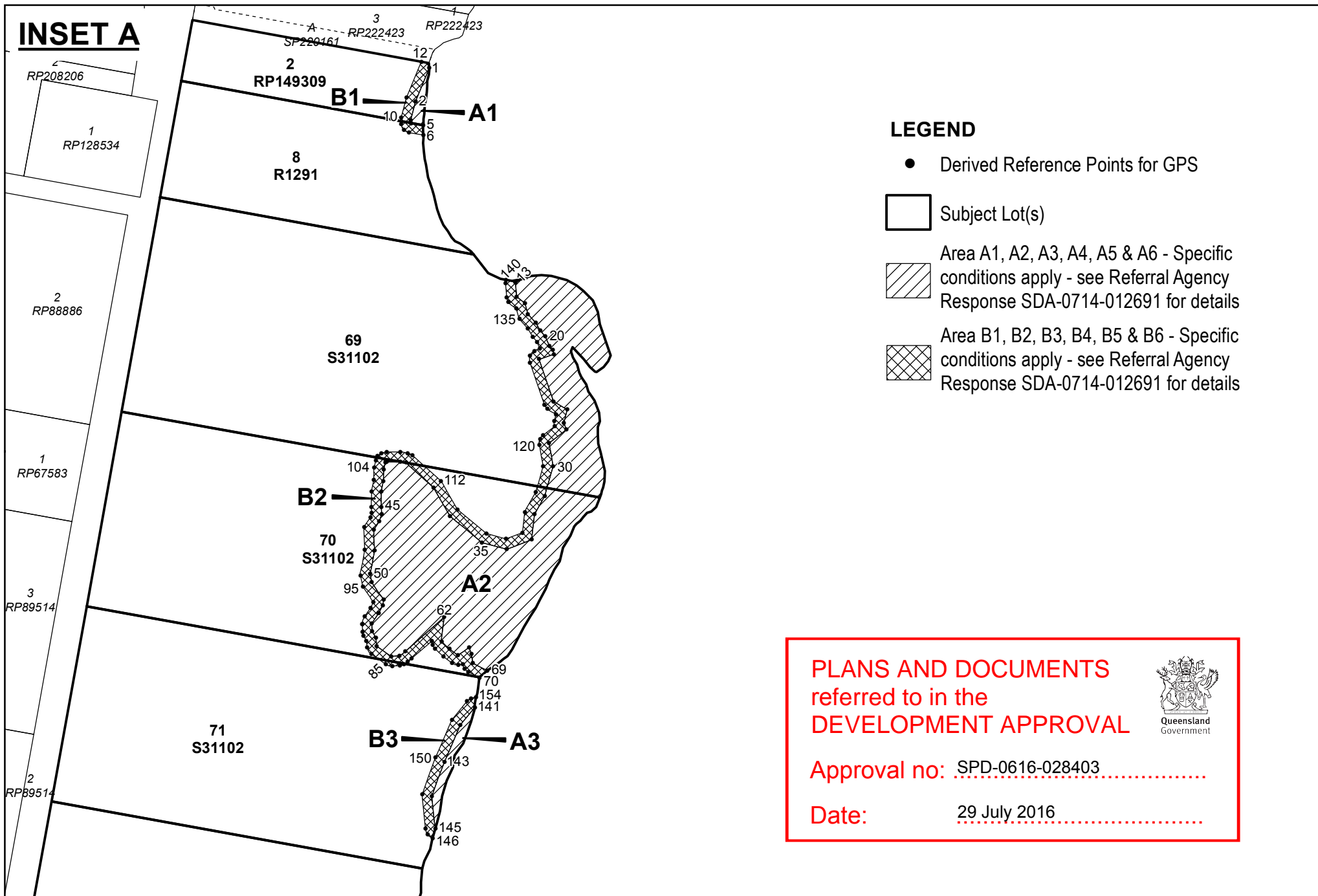
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Produced: 17/02/2015

REFERRAL AGENCY RESPONSE (Vegetation) PLAN



SCALE 1:5000 @ A3 paper size

0 50 100 200 300 400 500 m

Projection UTM (MGA94 Zone 56) Datum - GDA94

Note: Derived Reference Points are provided to assist in the location of the Referral Agency Response boundaries. Responsibility for locating these boundaries lies solely with the landholder and delegated contractor(s).

Note: This plan must be read in conjunction with Referral Agency Response SDA-0714-012691

RARP
SDA-0714-012691
Sheet 2 of 3

REFERRAL AGENCY RESPONSE (Vegetation) PLAN

Derived Reference Points
Projection: UTM (MGA Zone 56) Datum: GDA(94)
All GPS points continue sequentially when labels are not shown

Point	Easting	Northing	Parcel
1	530370	6941640	A1
2	530356	6941606	A1
3	530351	6941587	A1
4	530351	6941584	A1
5	530364	6941581	A1
6	530364	6941571	B1
7	530349	6941574	B1
8	530344	6941577	B1
9	530341	6941582	B1
10	530341	6941589	B1
11	530347	6941610	B1
12	530362	6941646	B1
13	530468	6941425	A2
14	530458	6941421	A2
15	530459	6941406	A2
16	530468	6941400	A2
17	530470	6941389	A2
18	530479	6941380	A2
19	530483	6941371	A2
20	530488	6941365	A2
21	530493	6941356	A2
22	530496	6941351	A2
23	530497	6941347	A2
24	530482	6941342	A2
25	530497	6941299	A2
26	530511	6941291	A2
27	530507	6941277	A2
28	530510	6941270	A2
29	530492	6941256	A2
30	530497	6941232	A2
31	530488	6941203	A2
32	530477	6941184	A2
33	530474	6941158	A2
34	530449	6941148	A2
35	530423	6941155	A2
36	530391	6941182	A2
37	530374	6941211	A2
38	530346	6941236	A2
39	530340	6941237	A2
40	530326	6941237	A2
41	530325	6941237	A2
42	530323	6941230	A2
43	530323	6941218	A2
44	530321	6941207	A2
45	530321	6941191	A2
46	530321	6941184	A2
47	530319	6941176	A2
48	530313	6941168	A2
49	530314	6941147	A2
50	530309	6941123	A2
51	530311	6941114	A2
52	530323	6941097	A2
53	530322	6941091	A2
54	530318	6941083	A2
55	530311	6941072	A2
56	530312	6941064	A2
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59	530331	6941038	A2
60	530340	6941039	A2
61	530345	6941043	A2
62	530385	6941078	A2
63	530382	6941053	A2
64	530391	6941046	A2
65	530399	6941039	A2
66	530411	6941047	A2
67	530413	6941041	A2
68	530414	6941032	A2
69	530429	6941024	A2
70	530421	6941017	B2
71	530410	6941023	B2
72	530406	6941026	B2

Point	Easting	Northing	Parcel
73	530404	6941031	B2
74	530400	6941029	B2
75	530393	6941031	B2
76	530384	6941038	B2
77	530376	6941046	B2
78	530373	6941050	B2
79	530372	6941054	B2
80	530352	6941036	B2
81	530348	6941033	B2
82	530344	6941030	B2
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86	530310	6941041	B2
87	530306	6941048	B2
88	530305	6941054	B2
89	530303	6941059	B2
90	530302	6941064	B2
91	530301	6941071	B2
92	530304	6941079	B2
93	530310	6941088	B2
94	530313	6941094	B2
95	530302	6941109	B2
96	530299	6941121	B2
97	530304	6941147	B2
98	530304	6941171	B2
99	530310	6941181	B2
100	530311	6941185	B2
101	530311	6941191	B2
102	530311	6941207	B2
103	530313	6941219	B2
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109	530340	6941247	B2
110	530348	6941246	B2
111	530353	6941244	B2
112	530382	6941217	B2
113	530399	6941188	B2
114	530428	6941164	B2
115	530448	6941158	B2
116	530465	6941165	B2
117	530468	6941186	B2
118	530479	6941207	B2
119	530486	6941233	B2
120	530482	6941255	B2
121	530483	6941261	B2
122	530486	6941264	B2
123	530498	6941274	B2
124	530498	6941279	B2
125	530499	6941286	B2
126	530490	6941291	B2
127	530488	6941296	B2
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133	530476	6941365	B2
134	530471	6941374	B2
135	530462	6941383	B2
136	530459	6941394	B2
137	530451	6941401	B2
138	530449	6941405	B2
139	530448	6941420	B2
140	530448	6941423	B2
141	530416	6940986	A3
142	530402	6940968	A3
143	530385	6940931	A3
144	530373	6940895	A3

Point	Easting	Northing	Parcel
145	530376	6940862	A3
146	530373	6940852	B3
147	530368	6940856	B3
148	530366	6940862	B3
149	530363	6940897	B3
150	530376	6940935	B3
151	530393	6940973	B3
152	530409	6940993	B3
153	530412	6940996	B3
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159	530345	6940207	B4
160	530346	6940211	B4
161	530350	6940214	B4
162	530355	6940216	B4
163	530409	6940217	B4
164	530400	6940238	B4
165	530402	6940285	B4
166	530404	6940291	B4
167	530409	6940295	B4
168	530263	6940182	B5
169	530258	6940182	B5
170	530197	6940160	B5
171	530141	6940153	B5
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173	529979	6940148	B5
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175	529874	6940168	B5
176	529869	6940168	B5
177	529864	6940165	B5
178	529862	6940160	B5
179	529849	6940107	B5
180	529849	6940102	B5
181	529852	6940098	B5
182	529856	6940095	B5
183	529871	6940091	B5
184	529932	6940083	B5
185	530023	6940079	B5
186	530085	6940081	B5
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190	530250	6940113	A5
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192	530130	6940096	A5
193	530085	6940091	A5
194	530023	6940089	A5
195	529932	6940093	A5
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202	530141	6940143	A5
203	530200	6940150	A5
204	530261	6940172	A5
205	530855	6939729	A6
206	530871	6939711	A6
207	530886	6939699	A6
208	530889	6939690	B6
209	530884	6939689	B6
210	530880	6939692	B6
211	530864	6939705	B6
212	530848	6939722	B6
213	530846	6939727	B6
214	530846	6939733	B6



PLANS AND DOCUMENTS
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Approval no: SPD-0616-028403
Date: 29 July 2016

Note: Plan at A3 paper size.

Note: Derived Reference Points are provided to assist in the location of the Referral Agency Response boundaries. Responsibility for locating these boundaries lies solely with the landholder and delegated contractor(s).

Note: This plan must be read in conjunction with Referral Agency Response SDA-0714-012691

RARP
SDA-0714-012691
Sheet 3 of 3

Our reference: SPD-0616-028403

Your reference:

Attachment 5—SPA Appeal Provisions

Sustainable Planning Act 2009—Representation and appeal provisions

The following relevant appeal provisions are provided in accordance with s336(a) of the *Sustainable Planning Act 2009*.

Chapter 6 Integrated development assessment system (IDAS)

Part 8 Dealing with decision notices and approvals

Division 1 Changing decision notices and approvals during applicant's appeal period

360 Application of div 1

This division applies only during the applicant's appeal period.

361 Applicant may make representations about decision

- (1) The applicant may make written representations to the assessment manager about—
 - (a) a matter stated in the decision notice, other than a refusal or a matter about which a concurrence agency told the assessment manager under section 287(1) or (5); or
 - (b) the standard conditions applying to a deemed approval.
- (2) However, the applicant can not make representations under subsection (1)(a) about a condition attached to an approval under the direction of the Minister.

362 Assessment manager to consider representations

The assessment manager must consider any representations made to the assessment manager under section 361.

363 Decision about representations

- (1) If the assessment manager agrees with any of the representations about a decision notice or a deemed approval, the assessment manager must give a new decision notice (the ***negotiated decision notice***) to—
 - (a) the applicant; and
 - (b) each principal submitter; and
 - (c) each referral agency; and
 - (d) if the assessment manager is not the local government and the development is in a local government area—the local government.
- (2) Before the assessment manager agrees to a change under this section, the assessment manager must consider the matters the assessment manager was required to consider in assessing the application, to the extent the matters are relevant.
- (3) Only 1 negotiated decision notice may be given.
- (4) The negotiated decision notice—
 - (a) must be given within 5 business days after the day the assessment manager agrees with the representations; and
 - (b) must comply with section 335; and
 - (c) must state the nature of the changes; and
 - (d) replaces—
 - (i) the decision notice previously given; or

- (ii) if a decision notice was not previously given and the negotiated decision notice relates to a deemed approval—the standard conditions applying to the deemed approval.
- (5) If the assessment manager does not agree with any of the representations, the assessment manager must, within 5 business days after the day the assessment manager decides not to agree with any of the representations, give written notice to the applicant stating the decision about the representations.

364 Giving new notice about charges for infrastructure

- (1) This section applies if the development approved by the negotiated decision notice is different from the development approved in the decision notice or deemed approval in a way that affects the amount of an infrastructure charge, regulated infrastructure charge or adopted infrastructure charge.
- (2) The local government may give the applicant a new infrastructure charges notice under section 633, regulated infrastructure charges notice under section 643 or adopted infrastructure charges notice under section 648F to replace the original notice.

366 Applicant may suspend applicant's appeal period

- (1) If the applicant needs more time to make the representations, the applicant may, by written notice given to the assessment manager, suspend the applicant's appeal period.
- (2) The applicant may act under subsection (1) only once.
- (3) If the representations are not made within 20 business days after the day written notice was given to the assessment manager, the balance of the applicant's appeal period restarts.
- (4) If the representations are made within 20 business days after the day written notice was given to the assessment manager—
 - (a) if the applicant gives the assessment manager a notice withdrawing the notice under subsection (1)—the balance of the applicant's appeal period restarts the day after the assessment manager receives the notice of withdrawal; or
 - (b) if the assessment manager gives the applicant a notice under section 363(5)—the balance of the applicant's appeal period restarts the day after the applicant receives the notice; or
 - (c) if the assessment manager gives the applicant a negotiated decision notice—the applicant's appeal.

Chapter 7 Appeals, offences and enforcement

Part 1 Planning and Environment Court

Division 8 Appeals to court relating to development applications and approvals

461 Appeals by applicants

- (1) An applicant for a development application may appeal to the court against any of the following—
 - (a) the refusal, or the refusal in part, of the development application;
 - (b) any condition of a development approval, another matter stated in a development approval and the identification or inclusion of a code under section 242;
 - (c) the decision to give a preliminary approval when a development permit was applied for;
 - (d) the length of a period mentioned in section 341;
 - (e) a deemed refusal of the development application.
- (2) An appeal under subsection (1)(a), (b), (c) or (d) must be started within 20 business days (the **applicant's appeal period**) after—
 - (a) if a decision notice or negotiated decision notice is given—the day the decision notice or negotiated decision notice is given to the applicant; or
 - (b) otherwise—the day a decision notice was required to be given to the applicant.

- (3) An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

462 Appeals by submitters—general

- (1) A submitter for a development application may appeal to the court only against—
 - (a) the part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or
 - (b) the part of the approval relating to the assessment manager's decision under section 327.
- (2) To the extent an appeal may be made under subsection (1), the appeal may be against 1 or more of the following—
 - (a) the giving of a development approval;
 - (b) any provision of the approval including—
 - (i) a condition of, or lack of condition for, the approval; or
 - (ii) the length of a period mentioned in section 341 for the approval.
- (3) However, a submitter may not appeal if the submitter—
 - (a) withdraws the submission before the application is decided; or
 - (b) has given the assessment manager a notice under section 339(1)(b)(ii).
- (4) The appeal must be started within 20 business days (the **submitter's appeal period**) after the decision notice or negotiated decision notice is given to the submitter.

463 Additional and extended appeal rights for submitters for particular development applications

- (1) This section applies to a development application to which chapter 9, part 7 applies.
- (2) A submitter of a properly made submission for the application may appeal to the court about a referral agency's response made by a concurrence agency for the application.
- (3) However, the submitter may only appeal against a referral agency's response to the extent it relates to—
 - (a) development for an aquacultural ERA; or
 - (b) development that is—
 - (i) a material change of use of premises for aquaculture; or
 - (ii) operational work that is the removal, damage or destruction of a marine plant.
- (3) Despite section 462(1), the submitter may appeal against the following matters for the application even if the matters relate to code assessment—
 - (a) a decision about a matter mentioned in section 462(2) if it is a decision of the chief executive;
 - (b) a referral agency's response mentioned in subsection (2).

464 Appeals by advice agency submitters

- (1) Subsection (2) applies if an advice agency, in its response for an application, told the assessment manager to treat the response as a properly made submission.
- (2) The advice agency may, within the limits of its jurisdiction, appeal to the court about—
 - (a) any part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or
 - (b) any part of the approval relating to the assessment manager's decision under section 327.
- (3) The appeal must be started within 20 business days after the day the decision notice or negotiated decision notice is given to the advice agency as a submitter.
- (4) However, if the advice agency has given the assessment manager a notice under section 339(1)(b)(ii), the advice agency may not appeal the decision.

465 Appeals about decisions relating to extensions for approvals

- (1) For a development approval given for a development application, a person to whom a notice is given under section 389, other than a notice for a decision under section 386(2), may appeal to the court against the decision in the notice.
- (2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.

- (3) Also, a person who has made a request under section 383 may appeal to the court against a deemed refusal of the request.
- (4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

466 Appeals about decisions relating to permissible changes

- (1) For a development approval given for a development application, the following persons may appeal to the court against a decision on a request to make a permissible change to the approval—
 - (a) if the responsible entity for making the change is the assessment manager for the application—
 - (i) the person who made the request; or
 - (ii) an entity that gave a notice under section 373 or a pre-request response notice about the request;
 - (b) if the responsible entity for making the change is a concurrence agency for the application—the person who made the request.
- (2) The appeal must be started within 20 business days after the day the person is given notice of the decision on the request under section 376.
- (3) Also, a person who has made a request under section 369 may appeal to the court against a deemed refusal of the request.
- (4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

467 Appeals about changing or cancelling conditions imposed by assessment manager or concurrence agency

- (1) A person to whom a notice under section 378(9)(b) giving a decision to change or cancel a condition of a development approval has been given may appeal to the court against the decision in the notice.
- (2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.

Division 11 Making and appeal to Court

481 How appeals to the court are started

- (1) An appeal is started by lodging written notice of appeal with the registrar of the court.
- (2) The notice of appeal must state the grounds of the appeal.
- (3) The person starting the appeal must also comply with the rules of the court applying to the appeal.
- (4) However, the court may hear and decide an appeal even if the person has not complied with subsection (3).

482 Notice of appeal to other parties—development applications and approvals

- (1) An appellant under division 8 must give written notice of the appeal to—
 - (a) if the appellant is an applicant—
 - (i) the chief executive; and
 - (ii) the assessment manager; and
 - (iii) any concurrence agency; and
 - (iv) any principal submitter whose submission has not been withdrawn; and
 - (v) any advice agency treated as a submitter whose submission has not been withdrawn; or
 - (b) if the appellant is a submitter or an advice agency whose response to the development application is treated as a submission for an appeal—
 - (i) the chief executive; and
 - (ii) the assessment manager; and
 - (iii) any referral agency; and
 - (iv) the applicant; or
 - (c) if the appellant is a person to whom a notice mentioned in section 465(1) has been given—
 - (i) the chief executive; and

- (ii) the assessment manager for the development application to which the notice relates; and
 - (iii) any entity that was a concurrence agency for the development application to which the notice relates; and
 - (iv) the person who made the request under section 383 to which the notice relates, if the person is not the appellant; or
 - (d) if the appellant is a person mentioned in section 466(1)—
 - (i) the chief executive; and
 - (ii) the responsible entity for making the change to which the appeal relates; and
 - (iii) the person who made the request to which the appeal relates under section 369, if the person is not the appellant; and
 - (iv) if the responsible entity is the assessment manager—any entity that was a concurrence agency for the development application to which the notice of the decision on the request relates; or
 - (e) if the appellant is a person to whom a notice mentioned in section 467 has been given—the entity that gave the notice.
- (2) The notice must be given within—
- (a) if the appellant is a submitter or advice agency whose response to the development application is treated as a submission for an appeal—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.
- (3) The notice must state—
- (a) the grounds of the appeal; and
 - (b) if the person given the notice is not the respondent or a co-respondent under section 485—that the person may, within 10 business days after the notice is given, elect to become a co-respondent to the appeal by filing in the court a notice of election in the approved form.

485 Respondent and co-respondents for appeals under div 8

- (1) Subsections (2) to (8) apply for appeals under sections 461 to 464.
- (2) The assessment manager is the respondent for the appeal.
- (3) If the appeal is started by a submitter, the applicant is a co-respondent for the appeal.
- (4) Any submitter may elect to become a co-respondent for the appeal.
- (5) If the appeal is about a concurrence agency's response, the concurrence agency is a co-respondent for the appeal.
- (6) If the appeal is only about a concurrence agency's response, the assessment manager may apply to the court to withdraw from the appeal.
- (7) The respondent and any co-respondents for an appeal are entitled to be heard in the appeal as a party to the appeal.
- (8) A person to whom a notice of appeal is required to be given under section 482 and who is not the respondent or a co-respondent for the appeal may elect to be a co-respondent.
- (9) For an appeal under section 465—
 - (a) the assessment manager is the respondent; and
 - (b) if the appeal is started by a concurrence agency that gave the assessment manager a notice under section 385—the person asking for the extension the subject of the appeal is a co-respondent; and
 - (c) any other person given notice of the appeal may elect to become a co-respondent.
- (10) For an appeal under section 466—
 - (a) the responsible entity for making the change to which the appeal relates is the respondent; and
 - (b) if the responsible entity is the assessment manager—
 - (i) if the appeal is started by a person who gave a notice under section 373 or a pre-request response notice—the person who made the request for the change is a co-respondent; and
 - (ii) any other person given notice of the appeal may elect to become a co-respondent.

- (11) For an appeal under section 467, the respondent is the entity given notice of the appeal.

488 How an entity may elect to be a co-respondent

An entity that is entitled to elect to be a co-respondent to an appeal may do so, within 10 business days after notice of the appeal is given to the entity, by following the rules of court for the election.

490 Lodging appeal stops particular actions

- (1) If an appeal, other than an appeal under section 465, 466 or 467, is started under division 8, the development must not be started until the appeal is decided or withdrawn.
- (2) If an appeal is about a condition imposed on a compliance permit, the development must not be started until the appeal is decided or withdrawn.
- (3) Despite subsections (1) and (2), if the court is satisfied the outcome of the appeal would not be affected if the development or part of the development is started before the appeal is decided, the court may allow the development or part of the development to start before the appeal is decided.