

SUMMARY OF PLANNING & ENVIRONMENT COURT APPEALS & APPLICATIONS AT 30 SEPTEMBER 2025

1.	File Number:	1647 of 2024
	Council Application Number:	RAL23/0021
	Appellant:	MPR Properties No. 2 Pty Ltd
	Respondent:	Redland City Council
	Co-Respondent:	Lipoma Pty Ltd, Sutgold Pty Ltd, Edgarange Pty Ltd
	Proposed Development:	Preliminary approval for a material change of use of premises for a shopping centre, including a variation request, in respect of land located at 2-6 and 8-12 School of Arts Road, Redland Bay, and described as Lot 4 and Lot 5 on SP186484.
	Appeal Details:	Appeal against the decision of Council.
	Current Status:	• Appeal filed on 17 June 2024. • Council filed an entry of appearance on 27 June 2024. • A directions hearing was held on 19 August 2024. The second and third co-respondent were given leave to withdraw from the proceeding. • On 19 August 2024 Council filed its particularised list of reasons for refusal. • On 9 September 2024 the first co-respondent filed and served its grounds for refusal. • On 25 September 2024 the appellant filed and served its additional grounds for approval. • A review was held on 27 September 2024. At the review it was ordered that the parties were to attend a without prejudice mediation and nominate experts by 18 October 2024, experts should meet (other than town planning) by 25 October 2024 with reports to be completed by 22 November 2024, town planning experts to meet by 8 November 2024 and prepare a joint expert report by 29 November 2024, by 6 December 2024 attend a second without prejudice mediation, by 7 February 2025 the appellant was to identify any changes to the development application it proposes and any conditions of approval that are said to address a nominated reason for refusal, by 21 February 2025 changes to nominated reasons for refusal were to be made by the respondent and co-respondents, by 7 March 2025 parties were to exchange any individual trial reports, and by 14 March 2025 the appellant was to provide a draft hearing schedule and index to a draft appeal book. The appeal was listed for review on 13 December 2024. • An order was handed down on 6 December 2024. The order vacated paragraphs 2 to 11 of the 27 September 2024 order which required the abovementioned events to be completed. This is a result of the Appellant intending to make a change to the application by 17 January 2025. The appeal was listed for review on 31 January 2025. • An order was handed down on 31 January 2025. The order required the Appellant to file by 31 January 2025 its affidavit material in support of the application in pending proceeding (the Change Application) filed on 30 January 2025. The order also required the Respondent and Co-Respondent to file by 21 February 2025 their respective positions in relation to the Change Application and file and serve any affidavit material that will be relied upon at the Change Application hearing. The appeal was listed for review on 3 March 2025. • An order was handed down on 3 March 2025. The appeal was to proceed to be heard on the basis the development application amended by the Change. By 17 March 2025, the Respondent and Co-Respondent were to notify each other party of any changes to the grounds the development application should be refused because of the change. By 24 March 2025, the Appellant was to notify each other party of any changes to the grounds the development application should be approved because of the change. The appeal was listed for review on 31 March 2025.

	- An order was handed down on 31 March 2025. By 7 April 2025, the parties were to nominate their experts. By 23 April 2025, a meeting of experts (excluding town planners) shall participate in a meeting of experts. By 20 May 2025, joint expert reports are to be completed. By 27 May 2025, a meeting of experts (town planners) shall participate in a meeting of experts. By 17 June 2025, joint expert reports were to be completed. By 30 June 2025, the parties were to attend a mediation conducted by the ADR Registrar. By 21 July 2025, the Respondent and Co-Respondent were to notify changes to their reasons of refusal because of the joint reports. By 4 August 2025, the Appellant was to provide a draft hearing schedule and index to a draft appeal book. The Appeal was set down for a 7-day hearing in September 2025. The Appeal was listed for review on 27 June 2025. The Appeal was listed for pre-callover review on 6 August 2025. The Appeal was placed on the callover on 8 August 2025. - On 12 June 2025 it was ordered that the ecology experts must complete their joint expert report by 6 June 2025. It was ordered that the town planning experts must complete their joint expert report by 27 June 2025. - An order was handed down on 27 June 2025. Orders in relation to the completion of the joint expert reports (other than town planning experts) are vacated. The date in which the town planning experts are to prepare a joint expert report was extended to 14 July 2025. The date in which the parties are to attend a mediation chaired by the Alternative Dispute Registrar (ADR) was extended to 8 August 2025. By 18 August 2025, the Appellant was to provide any changes to the development application. By 25 August 2025, the Respondent and Co-Respondent are to notify any changes to their reasons for refusal. The Appeal was listed for review on 1 September 2025. - A without prejudice conference was held on 28 July 2025 between parties and before the Alternate Dispute Registrar (ADR) at the Planning and Environment Court. - On 29 August 2025, the Appellant submitted an application in pending proceeding to seek a minor change to the development application. - An order was handed down on 29 August 2025. The requirement for the Respondent and Co-Respondent to notify any changes to their reasons for refusal is vacated. By 10 September, the Appellant is to file and serve its avadavat material in support of the pending proceeding (change) application filed. By 1 October 2025, the Respondent and Co-Respondent are to notify each party whether they contend the change application and file any avadavat material they wish to rely upon. The review listed for 1 September 2025 was vacated. The Appeal is listed for review on 8 October 2025.
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2.	File Number:	2578 of 2024
	Council Application Number:	MCU23/0076
	Appellant:	McNamara-Healey Holdings Pty Ltd
	Respondent:	Redland City Council
	Co-Respondent:	Birkdale Child Care Centre Pty Ltd Louise Burroughs
	Proposed Development:	Development permit for a material change for a childcare centre in respect of land located at 83-87 and 89 Birkdale Road, Birkdale, and described as Lot 1 on RP95719 and Lots 22, 100 and 101 on RP817419.
	Appeal Details:	Appeal against the decision of Council.
	Current Status:	- Appeal filed on 13 September 2024. - Council filed an entry of appearance on 24 September 2024. - The first and second co-respondents filed a notice of election on 26 September 2024.

	• A directions hearing was held on 11 October 2024. • On 11 October 2024 Council filed its particularised list of reasons for refusal. • On 25 October 2024 the first and second co-respondents filed their grounds for refusal. • An order was handed down on 4 November 2024 which required by 6 November 2024 the Appellant was to refine their particulars as to how they support approval of the development application and the First and Second Co-Respondent's were to confirm if they are alleging impacts on the State-controlled road network. The order also required that preliminary joint expert reports be provided by 15 November 2024 regarding the catchment area (need) and visual amenity of the proposal. The matter was listed for review on 22 November 2024. • An order was handed down on 21 November 2024 which required the Appellant's photomontage expert prepare a photomontage report by 20 December 2024 and the visual amenity experts and traffic experts shall hold a meeting of experts and provide joint expert reports by 12 February 2025. • An order was handed down on 6 December 2024 for which the matter was listed for review on 29 January 2025. • A review was had on 29 January 2025 where the appeal was adjourned to 31 January 2025. • An order was handed down on 31 January 2025. By 21 February 2025 the following was required: the Appellant was to disclose additional information requested in the Preliminary Joint Expert Report (PJER); the First and Second Co-Respondents were to disclose the information sought in the PJER and the non-parties must disclose to the Appellant the documents filed as part of the Notice of Non-Party Disclosure filed on 19 November 2024. The matter was listed for review on 3 March 2025. • An order was handed down on 3 March 2025. By 19 March 2025, the parties were to exchange any lay witness statements. By 26 March 2025, the need experts shall have held a meeting of experts and by 30 April 2025 provide to the parties a joint expert report. By 16 May 2025, the town planning experts shall have held a meeting of experts and provide a joint expert report. By June 6 2025, the parties were to attend a without prejudice mediation chaired by the Alternative Dispute Registrar. By June 20, the parties were to exchange any separate reports they intend to rely on. The appeal was listed for a pre-callover review on 25 June 2025 and called on 27 June 2025. The appeal was allocated to the August 2025 sittings for 5 days. • An order was handed down on 30 May 2025. The requirement for town planning experts to provide a joint expert report was vacated. The requirement to attend a without prejudice conference was extended to 18 June 2025. • An order was handed down on 25 June 2025. The requirement for parties to exchange separate reports was extended to 24 June 2025. The requirement for a without prejudice conference to be attended was vacated. The appeal is listed for a 4-day hearing to commence on 26 August 2025. The appeal is listed for a pre-trial review on 18 August 2025. • A second order was handed down on 25 June 2025. By 15 August 2025, the parties are to deliver the relevant material to His Honour Judge Kent. • The hearing was held on 25 August to 28 August 2025. Parties are awaiting a decision from His Honour Judge Kent.
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3.	File Number:	2644 of 2024
	Council Application Number:	RAL24/0002
	Appellant:	Kerry Bridge
	Respondent:	Redland City Council
	Co-Respondent:	-

Proposed Development:	Development permit for reconfiguring a lot (1 into 6 lot subdivision) with respect to land located at 39 Dean Road, Alexandra Hills, and described as Lot 29 on RP88819.
Appeal Details:	Appeal against the decision of Council.
Current Status:	• Appeal filed on 20 September 2024. • Council filed an entry of appearance on 24 September 2024. • Council filed its particularised list of reasons for refusal on 14 November 2024. • The Appellant filed an application in pending proceeding seeking orders from the Court to progress the appeal on 28 January 2025. The appeal was set for review on 13 February 2025. • Council filed its amended particularised list of reasons for refusal on 12 February 2025. • An order was handed down on 13 February 2025. By 19 February 2025, the Respondent was to provide a response to the Appellant's request for particulars dated 7 February 2025. By 19 February 2025, the Appellant was to file and serve a consolidated list of reasons for approval. The appeal was listed for review on 4 March 2025. • The Appellant filed its list of reasons for approval on 19 February 2025. • An order was handed down on 4 March 2025. By 5 March 2025, the parties were to exchange their nominated experts. By 18 March 2025, the Respondent was to serve non-expert witness statements. By 21 March 2025, the experts were to meet with their corresponding experts. By 10 April 2025, the experts (other than town planners) were to produce a joint report. By 17 April 2025, the town planning experts were to produce a joint report. By 9 May 2025 the parties were to attend a without prejudice conference to be chaired by the ADR Registrar. By 6 June 2025, the parties were to serve any statements of evidence of their experts. By 13 June 2025, the Appellant was to circulate a draft hearing schedule and draft index for appeal book and the Respondent was to prepare a draft index to relevant planning scheme extracts. The appeal was listed for a pre-hearing review on 23 June 2025. • An order was handed down on 2 May 2025. The order related to amendments (enlargements) to key dates. By 30 April 2025, the experts (other than town planners) were to produce a joint report. By 7 May 2025, the town planning experts were to produce a joint report. By 2 June 2025 the parties are to attend a without prejudice conference to be chaired by the ADR Registrar. By 16 June 2025, the parties were to serve any statements of evidence of their experts. By 18 June 2025, the Appellant was to circulate a draft hearing schedule and draft index for appeal book and the Respondent was to prepare a draft index to relevant planning scheme extracts. • An order was handed down on 15 May 2025. The order related to amendments (enlargements) to key dates. By 21 May 2025, the experts (other than town planners) were to produce a joint report. By 28 May 2025, the town planning experts were to produce a joint report. • The parties attended a without prejudice conference chaired by the Alternative Dispute Registrar (ADR) on 2 June 2025. • An order was handed down on 20 June 2025. The requirements for joint expert reporting, without prejudice conference and hearing timetables were vacated from the 4 March 2025 order. By 4 July 2025, the Appellant was to identify any changes to the application and file and serve any application for a minor change. By 15 July 2025, the Respondent was to notify the Appellant whether it opposes any minor change and its position in respect to any conditions of approval put forward by the Appellant. The matter was listed for review on 17 July 2025. • An order was handed down on 16 July 2025. The requirement for the Appellant to identify any changes to the application and file and serve any application for a minor change was extended to 29 July 2025. The

	requirement for the Respondent to notify whether it opposes any minor change was extended to 12 August 2025. The appeal was listed for review on 18 August 2025. - On 31 July 2025, the Appellant submitted an application in pending proceeding to seek a minor change to the development application. - An order was handed down on 19 August 2025. The appeal was listed for a pre-callover review on 17 September 2025 and callover on 19 September 2025. The appeal was allocated to the November/December sittings for 4 days.
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4.	File Number:	2750 of 2024
	Council Application Number:	RAL23/0040
	Appellant:	Ballard Road Pty Ltd
	Respondent:	Redland City Council
	Co-Respondent:	Chief Executive, Department of Housing, Local Government, Planning and Public Works
	Proposed Development:	Development permit for reconfiguring a lot (3 into 16 lot subdivision) with respect to land located at 58-62 Finucane Road, Alexandra Hills, and described as Lots 3, 4 and 44 on RP79330.
	Appeal Details:	Appeal against the decision of Council.
	Current Status:	- Appeal filed on 2 October 2024. - Council filed an entry of appearance on 10 October 2024. - The co-respondent filed an entry of appearance on 17 October 2024. - A without prejudice conference was held on 18 November 2024 between parties and before the Alternate Dispute Registrar (ADR) at the Planning and Environment Court. - On 3 February 2025 Council filed its particularised list of reasons for refusal. - An order was handed down on 5 March 2025. By 21 March 2025, a second without prejudice conference was to be held between parties. The Appeal was listed for review on 31 March 2025, however, this was adjourned. - A second without prejudice conference was held on 20 March 2025 between parties and before the ADR at the Planning and Environment Court. - An order was handed down on 28 March 2025. The order required the Appellant to provide amended plans by 11 April 2025. The parties were to attend a further without prejudice conference by 24 April 2025. The matter was listed for review on 12 May 2025. - An order was handed down on 15 April 2025. The order vacated the previous requirements for the amended plans and attendance to a further without prejudice conference. The order required the Appellant to provide amended plans by 24 April 2025. The parties were to attend a further without prejudice conference by 1 May 2025. - An order was handed down on 2 May 2025. The order vacated the previous requirement to attend a further without prejudice conference. The order amended the date in which amended plans must be received to 23 May 2025. The date in which parties must attend a further without prejudice conference was 6 June 2025. The matter was listed for review on 11 June 2025. - An order was handed down on 27 May 2025. The order vacated the requirement for a review on 11 June 2025. The requirement for amended plans to be provided to the Appellant was extended to 6 June 2025. The requirement for a further without prejudice conference was extended to 20 June 2025. The matter was listed for review on 26 June 2025. - The review listed for 26 June 2025 was vacated. The matter was listed for review on 14 July 2025. - An order was handed down on 14 July 2025. It was ordered that the matter be listed for review on 4 August 2025.

	• The review for 4 August 2025 was adjourned by the alternative dispute registrar (ADR) to 19 August 2025. • The review for 19 August 2025 was adjourned by the ADR to 2 September 2025. • The review for 2 September 2025 was adjourned by the alternative ADR to 8 October 2025.
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5.	File Number:	3046 of 2024
	Council Application Number:	MCU24/0023
	Appellant:	Sulco Holdings Pty Ltd
	Respondent:	Redland City Council
	Co-Respondent:	-
	Proposed Development:	Other change to a development permit for material change of use for a vehicle depot with respect to land located at 529-531 Redland Bay Road, Capalaba, and described as Lot 23 on RP85146.
	Appeal Details:	Appeal against the decision of Council.
	Current Status:	• Appeal filed on 31 October 2024. • Council filed an entry of appearance on 5 November 2024. • The parties attended a without prejudice conference on 11 December 2024 with the Alternate Dispute Registrar (ADR) at the Planning and Environment Court. • An order was handed down on 30 January 2025. The order required the Appellant to provide to the Respondent a without prejudice submission by 7 March 2025 and that the Respondent provide to the Appellant a without prejudice response by 4 April 2025. The matter was listed for review on 15 April 2025. • An order was handed down on 14 April 2025. The order adjourned the review to now be held on 14 May 2025. • An order was handed down on 13 May 2025. The order adjourned the review to now be held on 11 June 2025. • The review set for 11 June 2025 was adjourned before commencement. The matter was listed for review on 14 July 2025. • An order was handed down on 14 July 2025. The order adjourned the review to now be held on 10 October 2025.