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- (b) the applicant fails to give MEDQ any of the requested information within—
 - (i) the period stated in the notice included in the information request under section 83(3); or
 - (ii) a longer period agreed between the applicant and MEDQ.
 - (2) The application lapses.

83B Notice of compliance with information request

- (1) This section applies if—
 - (a) an information request has been made in relation to the application; and
 - (b) MEDQ is satisfied the applicant has complied with the information request within the period mentioned in section 83A(1)(b)(i) or (ii).
- (2) MEDQ must give the applicant a notice stating that—
 - (a) the applicant has complied with the information request; and
 - (b) if section 84 applies for the application—the applicant may start to comply with section 84(2).

84 Notice of application

- (1) This section applies only if—
 - (a) the relevant development instrument for the relevant priority development area requires public notice of any part of the PDA development application; or
 - (b) the relevant development is—
 - (i) PDA-associated development declared for the relevant priority development area by MEDQ under section 40C(1); and
 - (ii) PDA assessable development; or

- (c) MEDQ, within 20 business days after the properly made date for the application, gives the applicant notice that the applicant must comply with this section.
- (2) The applicant must—
- (a) publish a notice about the application in a newspaper circulating in the area of the relevant local government; and
 - (b) place the notice on the relevant land in the way prescribed under a regulation; and
 - (c) give a copy of the notice to—
 - (i) MEDQ; and
 - (ii) the owners of all land that adjoins the relevant land; and
 - (iii) each entity MEDQ requires the applicant to give a copy to.
- (3) However, if an information request has been made in relation to the application, the applicant must not start to comply with subsection (2) until the applicant has been given a notice under section 83B in relation to the request.
- (4) The notice must—
- (a) state that—
 - (i) the applicant has made a PDA development application; and
 - (ii) the application may be inspected on the department's website; and
 - (b) describe the relevant land; and
 - (c) generally describe the relevant development; and
 - (d) invite anyone to make submissions to MEDQ about the application within a stated period (the *submission period*); and

- (e) state that the making of a submission does not give rise to a right of appeal against a decision about the application.
- (5) The submission period—
 - (a) must not start before subsection (2) is complied with; and
 - (b) must be at least 20 business days; and
 - (c) must not include any business day from 20 December in a particular year to 5 January in the following year, both days inclusive.
- (6) A requirement under subsection (2)(c)(iii) may be made only if MEDQ considers the entity has an interest in the outcome of the application.

84A MEDQ must give notice of requirement to give compliance statement

- (1) This section applies if the applicant is required to comply with section 84 for the application.
- (2) MEDQ must give the applicant a notice stating that the application will lapse if the applicant does not, within a stated period of at least 40 business days after the notice is given, give MEDQ a compliance statement in relation to the application.
- (3) However, the notice may not be given before—
 - (a) if an information request has been made in relation to the application—the applicant is given a notice under section 83B in relation to the request; or
 - (b) otherwise—the end of 20 business days after the properly made date for the application.

84B Lapsing of application—failure to give compliance statement

- (1) This section applies if the applicant does not give MEDQ a compliance statement in relation to the application within—
 - (a) the period stated in the notice given to the applicant under section 84A(2); or
 - (b) a longer period agreed between the applicant and MEDQ.
- (2) The application lapses.
- (3) Subsection (2) applies whether or not the applicant has complied with section 84 for the application.

84C MEDQ must decide whether applicant has complied with s 84

- (1) This section applies if the applicant gives MEDQ a compliance statement in relation to the application within—
 - (a) the period stated in the notice given to the applicant under section 84A(2); or
 - (b) a longer period agreed between the applicant and MEDQ.
- (2) MEDQ must decide whether the applicant has substantially complied with section 84 for the application.
- (3) If MEDQ decides the applicant has not substantially complied with section 84 for the application, it must give the applicant a notice stating—
 - (a) that the applicant has not substantially complied with section 84 for the application; and
 - (b) particulars of the applicant's noncompliance; and
 - (c) that MEDQ may refuse the application if the applicant does not, within a stated period of at least 40 business days after the notice is given—
 - (i) comply with section 84 for the application; and

- (ii) give MEDQ a further compliance statement in relation to the application; and
- (d) that for deciding under section 84D(2) whether the applicant has substantially complied with section 84 for the application, an action taken by the applicant to comply with section 84 before the notice is given is taken not to have happened.

Example—

An applicant is given a notice under this section stating that the applicant has not substantially complied with section 84 because of a failure to give a notice required under section 84(2)(c)(ii). Although the applicant had taken action to comply with the other requirements of section 84, including publishing a notice under section 84(2)(a), for section 84D(2), the other actions are taken not to have happened. To substantially comply with section 84, the applicant must, after receiving the notice under this section, publish a new notice under section 84(2)(a) and substantially comply with the other requirements of section 84.

84D MEDQ must decide whether applicant given s 84C(3) notice has complied with s 84

- (1) This section applies if the applicant—
 - (a) has been given a notice under section 84C(3); and
 - (b) gives MEDQ a further compliance statement in relation to the application within—
 - (i) the period stated in the notice; or
 - (ii) a longer period agreed between the applicant and MEDQ.
- (2) MEDQ must decide whether the applicant has substantially complied with section 84 for the application.
- (3) For subsection (2), an action taken by the applicant to comply with section 84 before the notice under section 84C(3) was given is taken not to have happened.

84E MEDQ may refuse application—failure to give further compliance statement or comply with s 84

- (1) This section applies if the applicant has been given a notice under section 84C(3) and either of the following applies—
 - (a) the applicant fails, within the relevant period, to give MEDQ a further compliance statement in relation to the application;
 - (b) the applicant gives MEDQ a further compliance statement in relation to the application within the relevant period but MEDQ decides, under section 84D(2), that the applicant has not substantially complied with section 84 for the application.
- (2) MEDQ may refuse the application.
- (3) However, MEDQ may refuse the application only if it has given the applicant at least 10 business days notice of its intention to do so.
- (4) In this section—

relevant period, in relation to a notice given under section 84C(3), means—

 - (a) the period stated in the notice; or
 - (b) a longer period agreed between the applicant and MEDQ.

84F Notice of refusal of application

- (1) If MEDQ decides to refuse the application under section 83(4) or 84E(2), it must, within 5 business days after the decision is made, give the applicant notice of the decision.
- (2) The notice must—
 - (a) be in the approved form; and
 - (b) state that MEDQ has decided to refuse the application; and
 - (c) state the reasons for the decision.