



AJ&CO

Stuart
McCabe

Special Counsel
Land Use & Management



I take complex regulations
and turn them into practical
solutions that deliver real
results for my clients.

Stuart is a Special Counsel
in our Land Use &
Management team, with
robust expertise in
planning and
environmental law,
resumption, government
advisory, and regulatory
matters.

Introduction

Stuart regularly assists clients in navigating complex legislative frameworks, providing strategic legal guidance to both public and private sector organisations. His work is particularly valuable in large-scale projects requiring consideration of multiple factors and risks, including land use, infrastructure provisions, ecological impacts and intergovernmental coordination.

Stuart has extensive experience in litigation across a range of matters in both the Planning and Environment Court and the Land Court. He is known for his strong analytical and advocacy skills, which he applies effectively in both contentious and advisory contexts. He brings a practical and clear approach to his work, ensuring it is responsive to the complex regulatory and strategic needs of his clients.

Expertise

- Litigation & Dispute Resolution
- Planning & Developments
- Compulsory Acquisition & Valuations
- Environmental & Regulatory Advisory

Experience

Litigation & dispute resolution

- Managing complex planning and environment appeals in the Planning and Environment Court, including for developments such as:
 - Mixed-use precincts (e.g. retail, residential, and commercial);
 - High-density residential towers and master-planned communities;
 - Industrial and logistics hubs near transport corridors; and
 - Entertainment and sporting venues.
- Handling appeals involving complex overlays such as flood hazard, biodiversity, and heritage constraints, including advising on mitigation strategies, coordinating expert evidence, and negotiating with local and state authorities to achieve compliant and commercially viable outcomes to support development outcomes.
- Engaging in multi-party litigation involving developers, local governments, and community groups.
- Advising and representing clients in enforcement proceedings, including show cause notices, enforcement orders, and prosecutions under the Planning Act 2016 and Environmental Protection Act 1994.
- Acting in judicial review proceedings and declaratory relief applications involving local government decisions and development approvals.

Planning & developments

- Advising on development applications, infrastructure agreements, and conditions of approval under the Planning Act 2016 and local planning schemes.
- Representing proponents in negotiations with local and state government agencies, including for Priority Development Areas (PDAs) under the Economic Development Act 2012
- Providing strategic advice on land use planning, zoning, and development feasibility for large-scale residential, commercial, and industrial projects.
- Supporting clients through change applications and permissible change requests for existing approvals.
- Assisting with community consultation strategies and stakeholder engagement in contentious developments.
- Supporting due diligence for property acquisitions, from both a planning perspective and with a view to contaminated land and environmental risk.
- Drafting and negotiating infrastructure agreements including offsets and contributions under the Planning Regulation 2017.
- Advising on compliance with State Planning Policy and regional plans such as ShapingSEQ.

Compulsory Acquisition & Valuations

- Advising landowners, lessees, and developers on objections to Notice of Intention to Resume under the Acquisition of Land Act 1967.
- Managing compensation claims including:
 - expert valuation evidence and briefing valuation consultants for Land Court proceedings;
 - Advising on injurious affection and disturbance claims for full and partial resumptions.
- Representing clients in compensation claims under the Acquisition of Land Act 1967, including for:
 - Road and rail infrastructure projects;
 - Urban renewal and public transport corridors;
 - Special use venues; and
 - Utility and energy infrastructure (e.g. substations, pipelines).
- Negotiating compensation and settlement outcomes with constructing authorities and government agencies.
- Engaging with government agencies on early acquisition strategies.

Environmental and Regulatory Advisory

- Advising on environmental approvals and compliance under a range of legislation, including the Environmental Protection Act 1994 and Nature Conservation Act 1992.
- Supporting clients with environmental impact assessments (EIAs), offsets, and ecological constraints in project planning.
- Assisting with regulatory investigations and audits by the Department of Environment, Science and Innovation (DESI).
- Assisting with compliance strategies for regulated waste and water use under the Waste Reduction and Recycling Act 2011 and Water Act 2000.

Qualifications

- Solicitor – Supreme Court of Queensland
- Bachelor of Law (Hon), Queensland University of Technology
- Bachelor of Business (Finance), Queensland University of Technology

Memberships

- Queensland Law Society (MQLS)
- Member – Queensland Environmental Law Association



Stuart McCabe
Special Counsel

smccabe@ajandco.com.au
0457 078 248