



City of Parramatta Council Current Legal Cases & Status for the period of April 2023

Executive Summary

1. Advice on Council Court proceedings for the period of 1 April 2023 – 30 April 2023 inclusive, is contained in this report.

Current Legal Matter Statistics

Land and Environment Court

- 32 x Class 1 Appeals
- 1 x Class 3 Appeal

Local Court

- 13 x Council Prosecutions

Finalised Legal Matters Statistics

Land and Environment Court

- 0 x Class 1 Appeals

Local Court

- 0 x Local Court

Win/Loss Record for previous and current financial year

Note: The Win record includes appeals upheld as a result of a section 34 conciliated agreement entered into due to the Applicant amending the application to resolve issues.

Land and Environment Court

Matter Type	Financial Year	Total Cases	Wins	Losses	Comments
Inhouse	21/22	10	6	4	One (1) of the Appeals won was subject to a section 34 conciliated agreement with amended plans that resolved the issues
External	21/22	16	13	3	Six (6) of the Appeals won were subject to a section 34 agreement with amended plans that resolved the issues
Inhouse	22/23	6	6	0	Four (4) of the Appeals won were subject to a section 34 conciliated agreement with amended plans that resolved the issues
External	22/23	10	9	1	Three (3) of the Appeals won were subject to a section 34 conciliated agreement with amended plans that resolved the issues

Local Court

Matter Type	Financial Year	Total Cases	Wins	Losses	Comments
Inhouse	22/23	10	10	0	
External	22/23	0			

Legal Status List
as at 30 April

Land and Environment Court proceedings – Class 1 Appeals			
1.	<ul style="list-style-type: none"> • Property Address: 14 Windermere Avenue, Winston Hills • Applicant: Monique Barakat • Proceedings No.: 107525/23 <p><u>New Matter</u></p>	<p>Description: Paramatta Local Planning Panel (PLPP) deemed refusal of DA/964/2022 seeking approval for the demolition of existing structures, tree removal and construction of a three-storey, 88-place Child Care Facility.</p> <p>Issues: Bulk & Scale/Height/Heritage/Solar Access/Natural Light and Ventilation/Landscape/stormwater/emergency evacuation</p>	<p>Status: Appeal is listed for first directions hearing on 4 May 2023</p>
2.	<ul style="list-style-type: none"> • Property Address: 7-7A Gaggin Street North Parramatta • Applicant: Albert Sahyoun • Proceedings No.: 125558/23 <p><u>New Matter</u></p>	<p>Description: Delegated refusal of DA/670/2022 seeking approval for the demolition, tree removal and construction of a two (2) storey, forty-three (43) place childcare centre with basement carparking.</p> <p>Issues: Site selection/Bulk & Scale/Landscape/Privacy Impacts/Stormwater/Accessibility/Earthworks</p>	<p>Status: Appeal is listed for first directions hearing on 18 May 2023</p>
3.	<ul style="list-style-type: none"> • Property Address: 73 Murray Farm Road, Carlingford • Applicant: Joshua Glanville • Proceedings No.: 115894/23 <p><u>New Matter</u></p>	<p>Description: Delegated refusal of DA/116/2023 seeking approval for the demolition of existing structures and construction of a two storey 65 place childcare centre with 16 basement car parking spaces.</p> <p>Issues: Bulk & Scale/Non-compliance with Education and Childcare Regulations/Traffic and Parking/Landscaping/stormwater</p>	<p>Status: Appeal is listed for first s34 conciliation conference on 7 September 2023</p>

4.	<p>• Property Address: 11-17 Shirley Street, Carlingford</p> <p>• Applicant: Shirley Street Projects Pty Ltd</p> <p>• Proceedings No.: 127732/23</p> <p><u>New Matter</u></p>	<p>Description: Sydney Central Planning Panel (SCCPP) deemed refusal of DA/843/2022 seeking approval for Demolition of existing buildings, tree removal and construction of a 12 storey mixed use development consisting of a future 76 place centre based childcare centre with 87 residential units above 3 levels of basement parking. The proposal is a Nominated Integrated development pursuant to the Water Management</p> <p>Issues: Minimum Site Area/Height/Floor Space Ratio/Earthworks/Site Compatibility/Natural Ventilation/Character/Building Orientation, Envelope & Design/ Landscaping/Traffic & Parking/Design Quality/stormwater/Accessibility</p>	<p>Status: Appeal is listed for first s34 conciliation conference on 3 October 2023</p>
5.	<p>• Property Address: 11-17 Shirley Street, Carlingford</p> <p>• Applicant: Carlingford Projects Pty Ltd</p> <p>• Proceedings No.: 13483/23</p> <p><u>New Matter</u></p>	<p>Description: SCCPP deemed refusal of DA/845/2022 seeking approval for demolition of existing buildings, tree removal and construction of a 12 storey mixed use building comprising retail and restaurant on the ground floor, 91 apartments above and 4 levels of basement parking for 134 vehicles. The proposal is a Nominated Integrated development pursuant to the Water Management Act 2000.</p> <p>Issues: WaterNSW Concurrence/Height/Floor Space ratio/ Natural Ventilation/Character/Building Orientation, Envelope & Design/Water Management</p>	<p>Status: Appeal is listed for first s34 conciliation conference on 3 October 2023</p>

6.	<ul style="list-style-type: none"> • Property Address: 19 Tracey Street, Carlingford • Applicant: St Joseph Company Pty Ltd • Proceedings No.: 61648/23 <p><u>Existing Matter</u></p>	<p>Description: PLPP deemed refusal of DA/5/2023 seeking approval for the Demolition, tree removal and construction of a part one and part three storey, 42 place childcare centre with basement parking.</p> <p>Issues: Bulk & Scale/Transport & Infrastructure SEPP/stormwater/Landscape/accessibility/acoustics</p>	<p>Status: Appeal is listed for first s34 conciliation conference on 17 August 2023</p>
7.	<ul style="list-style-type: none"> • Property Address: 50 Thane Street, Wentworthville • Applicant: Canniesburn Pty Ltd ATF Sydn Recon Trust v CoP • Proceedings No.: 31179/23 <p><u>Existing Matter</u></p>	<p>Description: Delegated refusal of DA/1023/2021 seeking approval of a Staged development: Stage 1 - Torrens Title subdivision of existing lot into three (3) lots with retention of the existing dwelling on Lot 1, demolition of the existing swimming pool and outdoor shades, and tree removal; Stage 2 - Construction of two (2) dual occupancy developments on Lot 2 and Lot 3; Stage 3 - Torrens Title subdivision of the two (2) dual occupancies into four (4) lots.</p> <p>Issues: Biodiversity, minimum lot size, traffic, design and amenity</p>	<p>Status: Appeal is listed for Section 34 Conciliation Conference on 20 July 2023</p>
8.	<ul style="list-style-type: none"> • Property Address: 79-79A Kissing Point Road & 7 St Andrews Street Dundas • Applicant: HVH Investments Pty Ltd • Proceedings No.: 63219/23 <p><u>Existing Matter</u></p>	<p>Description: PLPP deemed refusal of DA/14/2023 seeking approval for Demolition, tree removal, site consolidation and construction of two part 5 and part 6 storey residential flat buildings with 3 levels of basement carparking. The application is Nominated Integrated development pursuant to the Water Management Act 2000.</p> <p>Issues: WaterNSW and Transport for NSW concurrence, Bulk and Scale, Height, Earthworks.</p>	<p>Status: Appeal is listed for section 34 Conciliation Conference on 31 July 2023</p>

9.	<ul style="list-style-type: none"> • Property Address: 379 Kissing Point Road, Ermington. • Applicant: Ermington Projects Pty Ltd • Proceedings No.: 268544/22 <p><u>Existing Matter</u></p>	<p>Description: Appeal seeking to modify Development Consent DA/399/2020 granted by the Land and Environment Court on 8 June 2021, approving the demolition, tree removal and construction of a two storey 78 place childcare centre over basement parking. The modification seeks deletion of the deferred commencement conditions relating to stormwater.</p> <p>Issues: Stormwater, impact on adjoining properties</p>	<p>Status: Appeal is listed for Section 34 Conciliation Conference on 15 May 2023</p>
10.	<ul style="list-style-type: none"> • Property Address: Shop 1/109 – 113 George St Parramatta • Applicant: Soumaya Trad t/as All Grit Crossfit • Proceedings No.: 362499/22 <p><u>Existing Matter</u></p>	<p>Description: Appeal against a Noise Prevention Notice issued by City of Parramatta Council pursuant to s96 of the Protection of the Environment Operations Act 1997.</p> <p>Issues: Noise.</p>	<p>Status: Appeal is listed for Directions Hearing on 24 May 2023</p>
11.	<ul style="list-style-type: none"> • Property Address: 134-136 Thomas St Parramatta. • Applicant: Thomas Jr Pty Ltd. • Proceedings No.: 31179/22 <p><u>Existing Matter</u></p>	<p>Description: Appeal against the deemed refusal of DA/893/2022 seeking approval for the amalgamation of 2 lots, demolition of existing structures, tree removal and construction of a 2 storey 120 place 'Child Care Facility' with 30 parking spaces within a basement level.</p> <p>Issues: Heritage, planning, traffic, acoustics</p>	<p>Status: Appeal is listed for its section 34 conciliation conference on 14 July 2023.</p>

<p>12.</p>	<p>• Property Address: 18 Burke Street, Telopea.</p> <p>• Applicant: A & A Australian Investments Pty Ltd.</p> <p>• Proceedings No.: 378493/22.</p> <p><u>Existing Matter</u></p>	<p>Description: Appeal against the Part Approval of a Building Information Certificate - BC/42/2022 - for pergola and deck to the side of the existing dwelling only – BIC excluding any portion of the works that encroach within 900mm to the private property boundary.</p> <p>Issues: Planning, deep soil planting and non-compliance with landscaping requirements.</p>	<p>Status: Appeal is listed for Section 34 Conciliation Conference on 31 May 2023</p>
<p>13.</p>	<p>• Property Address: 435 Wentworth Avenue, Toongabbie</p> <p>• Applicant: J S Architects Pty Ltd</p> <p>• Proceedings No.: 284501/22</p> <p><u>Existing Matter</u></p>	<p>Description: Appeal against the refusal of DA/178/2022 seeking approval for demolition of existing structures, tree removal and construction of a multi housing development consisting of 8 Townhouses over basement parking with strata subdivision.</p> <p>Issues: Solar Access, Dwelling size, Accessibility, Parking and Water Management</p>	<p>Status: Decision Reserved. On 21 April 2023 the matter was listed for further s34 conciliation conference at which time the parties filed a s34 agreement with the Court. As a result, the Commissioner reserved her decision.</p>
<p>14.</p>	<p>• Property Address: 441-443 Wentworth Avenue, Toongabbie</p> <p>• Applicant: J S Architects Pty Ltd</p> <p>• Proceedings No.: 286544/22</p> <p><u>Existing Matter</u></p>	<p>Description: Appeal against the refusal of DA/178/2022 seeking approval for demolition of existing structures, tree removal and construction of a multi housing development consisting of 12 x 2 storey plus attic dwellings (4 of which are to be used as 'affordable housing')</p> <p>Issues: Bulk and Scale, Privacy, Overshadowing, Building Separation, Solar Access and Accessibility</p>	<p>Status: Appeal is listed for hearing on 10-12 July 2023.</p>

15.	<ul style="list-style-type: none"> • Property Address: 40 & 42-44 Wetherill St North, Silverwater • Applicant: Shahin Nourozi Pty Ltd • Proceedings No.: 2279871/22 <p><u>Existing Matter</u></p>	<p>Description: Appeal against the refusal of DA/156/2022 for Demolition, tree removal and construction of a multi-dwelling housing development comprising 9 x 4 bedroom and 4 x 3-bedroom dwellings over basement parking for 27 vehicles and strata subdivision. The application is being re-notified as amended plans have been submitted.</p> <p>Issues: Height, Earthworks, Building Separation, Unit mix, Landscaping and Tree removal, Solar Access, Stormwater and Access and Accessibility.</p>	<p>Status: Decision reserved</p> <p>Appeal was listed for further s34 conciliation conference on 21 April 2023, at which time the parties handed up a s34 conciliated agreement.</p>
16.	<ul style="list-style-type: none"> • Property Address: 5 Buller Street, Parramatta • Applicant: Electric Pty Ltd • Proceedings No.: 171718/22 <p><u>Existing Matter</u></p>	<p>Description: Appeal against the PLPP refusal of DA/100/2021 seeking approval for demolition of existing structures, removal of six (6) trees and construction of a three-storey boarding house with 18 single occupancy rooms with modified at-grade car parking for eight (8) vehicles and associated earthworks and landscaping.</p> <p>Issues: Solar Access, Setbacks, Water Management</p>	<p>Status: Decision Reserved</p> <p>Appeal was listed for section 34 conciliation conference on 17 April 2023, at which time the parties handed up a s34 conciliated agreement.</p>
17.	<ul style="list-style-type: none"> • Property Address: 14 Cunningham Road, Telopea • Applicant: Tham Wan Wong • Proceedings No.: 229334/22 <p><u>Existing Matter</u></p>	<p>Description: Appeal against the refusal of DA/968/2021 seeking approval for the demolition, tree removal and construction of a five storey boarding house comprising of 26 rooms with at-grade parking and 2 levels of basement parking. The application is Nominated Integrated Development under the Water Management Act 2000.</p> <p>Issues: State Infrastructure contributions, Character, Design Excellence, Deep Soil/Landscaping, Bulk and Scale, Setbacks, Room sizes.</p>	<p>Status: Appeal is listed for directions hearing on 9 May 2023</p>

<p>18.</p>	<ul style="list-style-type: none"> • Property Address: 188-190 Junction Road, Winston Hills • Applicant: MNM Brothers Pty Ltd • Proceedings No. 87808/23 <p><u>Existing Matter</u></p>	<p>Description: Delegated refusal of DA/13/2023 seeking approval for demolition, tree removal and construction of a two (2) storey, one-hundred (100) place childcare centre with basement carparking.</p> <p>Issues: Bulk and Scale/Site Suitability/unencumbered outdoor play area/air pollution/parking</p>	<p>Status: Appeal is listed for s34 conciliation conference on 25 July 2023</p>
<p>19.</p>	<ul style="list-style-type: none"> • Property Address: 51 Railway Street, Granville • Applicant: Railway 51 Pty Ltd • Proceedings No.: 87203/23 <p><u>Existing Matter</u></p>	<p>Description: Delegated refusal of DA/880/2021 seeking approval for Demolition and construction of a 5 storey residential flat building containing 4 units and basement parking.</p> <p>Issues: Bulk and Scale/flood/height</p>	<p>Status: Appeal is listed for s34 conciliation conference on 24 August 2023</p>
<p>20.</p>	<ul style="list-style-type: none"> • Property Address: 52 Essex Street, Granville • Applicant: Archian Pty Ltd • Proceedings No.: 96466/23 <p><u>Existing Matter</u></p>	<p>Description: PLPP refusal of DA/416/2022 seeking approval for Tree removal and construction of an 88 place child care centre with basement car parking. The development proposal has been re-notified in relation to modification to the site layout and external changes to the building and reduction in number of children from 88 places to 80 places.</p> <p>Issues: Contamination/Heritage Conservation/Traffic</p>	<p>Status: Appeal is listed for directions hearing and return of applicant's motion to amend on 18 May 2023</p>

21.	<ul style="list-style-type: none"> • Property Address: 71-73 Thomas Street, Parramatta • Applicant: Ausino Group • Proceedings No.: 192691/22 <p><u>Existing Matter</u></p>	<p>Description: Appeal against the refusal of DA/10362021 seeking approval for demolition of existing dwellings and construction of new boarding house development with basement parking and associated landscaping.</p> <p>Issues: Character, Bulk and Scale, Height, FSR, stormwater, traffic and accessibility</p>	<p>Status: Appeal is listed for s34 conciliation conference on 2 June 2023.</p>
22.	<ul style="list-style-type: none"> • Property Address: 378-380 Church Street, Parramatta • Applicant: APPWAN Pty Ltd • Proceedings No.: 57580/23 <p><u>Existing Matter</u></p>	<p>Description: Delegated refusal of DA/878/2021 seeking approval for the demolition of the existing building and construction of an 8 storey mixed used building consisting of a boarding house development with ground floor commercial/retail space over 1 level of basement parking.</p> <p>Issues: Inadequate information regarding BCA compliance/streetscape/public domain</p>	<p>Status: Appeal is listed for first s34 conciliation conference on 28 June 2023</p>
23.	<ul style="list-style-type: none"> • Property Address: 9 Mars Street, Epping • Applicant: Hilton Thomas Brown • Proceedings No.: 69039/23 <p><u>Existing Matter</u></p>	<p>Description: Delegated refusal of DA/648/2021 seeking approval for Demolition of the existing structures, tree removal, and construction of a dual occupancy with Torrens Title subdivision into 2 lots.</p> <p>Issues: Flooding, Aims of the LEP</p>	<p>Status: Appeal is listed for s34AA conciliation conference and hearing on 15-16 August 2023</p>

<p>24.</p>	<p>• Property Address: 8 Melville Street, Parramatta.</p> <p>• Applicant: DJCN Pty Ltd and Sarkis.</p> <p>• Proceedings No.: 24656/22</p> <p><u>Existing Matter</u></p>	<p>Description: Appeal against the refusal of a Building Information Certificate - BC/63/ 2022 - For family and dining area, bedroom 4, deck, garage and carport.</p> <p>Issues: Insufficient certificates to a BIC being issued.</p>	<p>Status: Appeal is listed for section 34 conciliation conference on 19 May 2023</p>
<p>25.</p>	<p>• Property Address: 14-20 Lake Street and 55 – 57 Pennant Hills Road, North Parramatta</p> <p>• Applicant: Malouf & Malouf</p> <p>• Proceedings No.: 72317/23</p> <p><u>Existing Matter</u></p>	<p>Description: Delegated refusal of DA/221/2022 seeking approval for demolition of existing structures, removal of trees, reconfiguration of subdivision creating 9 lots, construction of 7x two storey dual occupancies and 1x dwelling house, retention of existing dwelling house on proposed Lot 9 and a new road. The proposal is Integrated Development under the Rural Fires Act 1997.</p> <p>Issues: Bushfire Prone Land, Transport for NSW Concurrence, stormwater.</p>	<p>Status: Appeal is listed for s34 conciliation conference on 23 August 2023</p>
<p>26.</p>	<p>• Property Address: 94 Bettington Road, Telopea</p> <p>• Applicant: Mirvac (Residential) NSW Developments Pty Ltd</p> <p>• Proceedings No.: 99224/23</p> <p><u>Existing Matter</u></p>	<p>Description: SCCPP deemed refusal of DA/1001/2022 seeking approval for demolition of existing buildings and structures, tree removal and remediation works and construction of a temporary club house and associated temporary car parking spaces. Construction of seven (7) buildings (3 to 8 storeys) containing 155 independent living units for the purposes of seniors housing (including people with a disability); construction and operation of a new registered club (Oatlands Golf Club); and 405 car parking spaces over 2 basement levels (200 club and 205 residential spaces); and landscaping and ancillary facilities. Torrens title subdivision into 2 lots (to separate the site from the golf course land) and further, subdivision of one of the subject lots into 17 lots in a</p>	<p>Status: Appeal is listed for s34 conciliation conference on 7 July 2023 and for hearing on 27 November 2023 to 1 December 2023.</p>

		<p>community scheme and strata subdivision of the independent living units. The application is Integrated Development under the Rural Fires Act 1997 and Nominated Integrated Development under the Water Management Act 2000.</p> <p>Issues: Site Compatibility Certificate/Heritage/Impact on Vineyard Creek/Non-compliance with SEPP Seniors/Design Quality/Solar Access/Building Orientation, Public Domain Interface and Overshadowing/ Communal Open Space/ Visual Privacy/Pedestrian and Vehicle Access/Water Management/Landscape</p>	
27.	<ul style="list-style-type: none"> • Property Address: 37-41 Oxford Street Epping • Applicant: Karimbla Properties (No.59) Pty Limited • Proceedings No.: 142281/22 <p><u>Existing Matter</u></p>	<p>Description: Appeal against the deemed refusal of DA/1128/2021 seeking approval for early site works (earthworks, excavation, tree removal, shoring, retaining walls and drainage works) associated with construction of a mixed-use tower (which requires separate consent)</p> <p>Issues: Excessive depth of basement, tree removal, stormwater</p>	<p>Status: Appeal is listed for hearing on 19-21 April 2023</p>
28.	<ul style="list-style-type: none"> • Property Address: 37-41 Oxford Street Epping • Applicant: Karimbla Properties (No.59) Pty Limited • Proceedings No.: 142290/22 <p><u>Existing Matter</u></p>	<p>Description: Appeal against the SCCPP refusal of Development Application no. DA/314/2017/A for a Section 4.55(2) modification to approved mixed use tower concept, specifically changes to building envelope, landscaping and conditions of consent</p> <p>Issues: Height, parking, Urban Design, Landscaping and Design Excellence.</p>	<p>Status: Appeal is listed for hearing on 19-21 April 2023</p>

29.	<ul style="list-style-type: none"> • Property Address: 37-41 Oxford Street Epping • Applicant: Karimbla Properties (No.59) Pty Limited • Proceedings No.: 142308/22 • <u>Existing Matter</u> 	<p>Description: Appeal against the SCCPP deemed refusal of Development Application no. DA/1/2022 for Stage 2 detailed design concept plan approval DA/314/20187 for a 30 storey mixed use building comprising 2 storey commercial podium (retail unit, 60 children centre-based child care facility and commercial office space) and a shop-top housing tower above comprising 211 apartments, 6 basement levels providing 317 car parking spaces, landscaping and public domain works. The proposal constitutes stage 2 detailed design of concept plan approval DA/314/2017.</p> <p>Issues: Height, FSR, Parking, Traffic/Access, Urban Design, Landscaping, Wind, Reflectivity</p>	<p>Status: Appeal is listed for hearing on 19-21 April 2023</p>
30.	<ul style="list-style-type: none"> • Property Address: 37A Grand Avenue Camelia • Applicant: Streamline Container Services P/L • Proceedings No.: 148562/22 • <u>Existing Matter</u> 	<p>Description: Appeal against a Development Control Order (Stop Use Order) requiring the use of the premises for the purposes of a freight transport facility</p> <p>Issues: Coastal wetlands, groundwater, contamination, noise.</p>	<p>Status: Appeal is listed for a s34 conciliation conference on 2 May 2023</p>
31.	<ul style="list-style-type: none"> • Property Address: 37A Grand Avenue Camelia • Applicant: Streamline Container Services P/L • Proceedings No.: 122548/22 • <u>Existing Matter</u> 	<p>Description: Appeal against the PLPP refusal of DA/1055/2021 for the change of use to a Freight Transport Facility. This Application has been identified as Designated under SEPP (Hazards and Resilience) 2021.</p> <p>Issues: Coastal wetlands, groundwater, contamination, noise.</p>	<p>Status: Appeal is listed for a s34 conciliation conference on 2 May 2023</p>

32.	<p>• Property Address: 189 Macquarie St Parramatta</p> <p>• Applicant: JKN Parra P/L and Toplace Pty Ltd</p> <p>• Proceedings No.: 286544/22</p> <p><u>Existing Matter</u></p>	<p>Description: Appeal against the SCCPP refusal of a Section 8.3 Review, of the decision to refuse DA/493/2020, which sought approval for the construction of two residential towers comprising 708 apartments above the existing seven storey podium (total of 54 storeys and 45 storeys), the use of existing basement levels 1-5 for residential parking and various adjustments to the existing building to allow for the integration of those towers.</p> <p>Issues: Design excellence under the LEP, Height, FSR, SEPP 65 – design quality, Wind shear impacts, Environmental Sensitive Design including: reflectivity, BASIX and ventilation.</p>	<p>Status: Appeal is listed for Section 34 Conciliation Conference on 13 June 2023.</p>
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Land and Environment Court Proceedings – Class 3 Appeal			
1.	<p>• Property Address: Horwood Place, Parramatta (land)</p> <p><u>Existing Matter</u></p>	<p>Description: Acquisition of Council land by Sydney Metro. Council has appealed the amount of compensation the Valuer General has estimated Sydney Metro is to pay Council for the land.</p> <p>Issues: How much compensation Council should be paid by Sydney Metro to Council for the land acquisition.</p>	<p>Status: The appeal is listed for hearing during 2023.</p>

Local Court			
1.	<p>• Property Address: 138 Bungaree Road, Pendle Hill</p> <p>• Defendant: PHBS Pty Ltd</p> <p><u>New Matter</u></p>	<p>Description: Penalty Infringement Notice – Court Elected – Fail to comply with development control order</p>	<p>Matter is listed before Parramatta Local Court for hearing 1 December 2023.</p>
	<p>• Property Address: 138 Bungaree Road, Pendle Hill</p>	<p>Description: Penalty Infringement Notice – Court Elected – Fail to comply with development control order</p>	<p>Matter is listed before Parramatta Local Court for hearing 1 December 2023.</p>

2.	<ul style="list-style-type: none"> • Defendant: PHBS Pty Ltd <p><u>New Matter</u></p>		
3.	<ul style="list-style-type: none"> • Property Address: 37A Grand Avenue, Camelia • Defendant: FCL Transport Pty Ltd <p><u>Existing Matter</u></p>	Description: Penalty Infringement Notice – Court Elected – Development without development consent	Matter is listed before Parramatta Local Court for sentencing on 3 May 2023 .
4.	<ul style="list-style-type: none"> • Property Address: 37A Grand Avenue, Camelia • Defendant: FCL Transport Pty Ltd <p><u>Existing Matter</u></p>	Description: Penalty Infringement Notice – Court Elected – Development without development consent	Matter is listed before Parramatta Local Court for sentencing on 3 May 2023 .
5.	<ul style="list-style-type: none"> • Property Address: 37A Grand Avenue, Camelia • Defendant: FCL Transport Pty Ltd <p><u>Existing Matter</u></p>	Description: Penalty Infringement Notice – Court Elected – Development without development consent	Matter is listed before Parramatta Local Court for sentencing on 3 May 2023 .
6.	<ul style="list-style-type: none"> • Property Address: 37A Grand Avenue, Camelia • Defendant: FCL Transport Pty Ltd <p><u>Existing Matter</u></p>	Description: Penalty Infringement Notice – Court Elected – Development without development consent	Matter is listed before Parramatta Local Court for sentencing on 3 May 2023 .
7.	<ul style="list-style-type: none"> • Property Address: 18 Kent Street Epping • Defendant: Liu <p><u>Existing Matter</u></p> <ul style="list-style-type: none"> • 	Description: Penalty Infringement Notice – Court Elected – Development without development consent	Matter is listed before Parramatta Local Court for hearing on 7 August 2022 .
8.	<ul style="list-style-type: none"> • Property Address: 18 Kent Street Epping • Defendant: Zhang 	Description: Penalty Infringement Notice – Court Elected – Development without development consent	Matter is listed before Parramatta Local Court for hearing on 7 August 2022 .

	<ul style="list-style-type: none"> • <u>Existing Matter</u> 		
9.	<ul style="list-style-type: none"> • Property Address: 18 Kent Street Epping • Defendant: Liu • <u>Existing Matter</u> 	Description: Penalty Infringement Notice – Court Elected – Development without development consent	Matter is listed before Parramatta Local Court for hearing on 7 August 2022.
10.	<ul style="list-style-type: none"> • Property Address: 99 Arthur Street, Rosehill • Defendant: Tony Makdissi • <u>New Matter</u> 	Description: Penalty Infringement Notice – Court Elected – Fail to comply with development control order	Matter is listed before Parramatta Local Court for mention on 3 April 2023.
11.	<ul style="list-style-type: none"> • Property Address: 8/24-26 Clyde Street, Rydalmere • Defendant: JJJ Invest • <u>Existing Matter</u> 	Description: Penalty Infringement Notice – Court Elected – Pollute Waters	Matter is listed before Parramatta Local Court for hearing on 14 June 2023.
12.	<ul style="list-style-type: none"> • Property Address: 255 Victoria Road, Rydalmere • Defendant: Franz Boench • <u>Existing Matter</u> 	Description: Penalty Infringement Notice – Court Elected – Park continuously for longer than indicated (9 Matters)	Matter is listed before Parramatta Local Court for hearing on 7 September 2023.
13.	<ul style="list-style-type: none"> • Property Address: 255 Victoria Road, Rydalmere • Defendant: Peter Leitmann • <u>Existing Matter</u> 	Description: Penalty Infringement Notice – Court Elected – Dog attack	Matter is listed before Parramatta Local Court for hearing 27 November 2023.

Finalised Matters

Land and Environment Court proceedings – Class 1 Appeal
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NIL			
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Finalised Matters

Local Court

NIL			
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Definitions:

- A section 34 conciliation conference is presided over by a Commissioner of the Land & Environment Court and explores options for the parties to resolve the appeal or narrow the issues.
- Section 34AA proceedings provides a fast appeal system for a limited range of residential development, which is presided over by a Commissioner of the Land & Environmental Court. If the parties do not reach an agreement onsite, the Commissioner will make a determination.
- A section 56A appeal may be made to a judge against a Commissioner’s decision - only on a point of law and not the merits of the development.
- PN stands for a Penalty Notice issued by Council officers for a breach of the law and the imposition of a fine.
- Court elected means that the recipient of a PN, choses to elect that the Local Court determine the alleged offence and the amount of fine, if any.