

# City of Parramatta Current Legal Cases & Status for the period of September 2023

## **Executive Summary**

Advice on Council Court proceedings for the period of 1 September 2023 – 30 September 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

• 9 x Council Prosecutions

## Finalised Legal Matters Statistics

Land and Environment Court

• 2 x Class 1 Appeals

Local Court

• NIL

### Legal Services Status Report

As at 30 September 2023

	and Environment Court proceedir • Property Address:	Description:	Status:
	29 Camelot Court, Carlingford	Appeal against order to demolish cubby house and remove fence which encroaches on Council reserve.	Appeal is listed for Section 34 Conciliation Conference on <b>31 January 2024.</b>
	• Applicant:	Issues:	Solicitors:
	Chenglong Huang	Encroachment on Council Land, development without consent of cubby house.	In-House Legal
1.	• Proceedings No.:	Prospects: Good	<b>External experts</b> : Surveyor
	265675/23	Fluspects. Good	Internal experts:
	• <u>New Matter</u>		Nil
	Property Address:	Description:	Status:
	68 Kirby Street, Rydalmere	Appeal against the Delegated deemed refusal of DA/295/2023 seeking approval for the demolition, tree removal and construction of a three-	Appeal is listed for first directions hearing on <b>3</b> October 2023.
	• Applicant:	storey, 66 place childcare centre with basement parking for 16 vehicles.	Solicitors:
	• Applicant: Rydalmere Group Pty Ltd	Issues:	In-House Legal
	• Proceedings No.:	Bulk, Scale, Character, Visual Privacy, Traffic and Parking, Site Suitability	External experts:
2.	281662/23	Prospects: Good	Nil
	• <u>New Matter</u>		Internal experts:
			Planner Development Engineer
			Traffic Engineer Accessibility Officer
	<ul> <li>Property Address:</li> <li>57 Ballandella Road,</li> </ul>	Description:	Status: Appeal is listed for first directions hearing on <b>10</b>
	Toongabbie	Appeal against the deemed refusal of DA/70/2023 seeking approval for demolition of existing structures and construction of a two storey, 72	October 2023.
	• Applicant:	center based childcare facility	Solicitors:
2	J Group Pty Ltd	Issues:	Matthews Folbigg
3.	• Proceedings No.: 281662/23	NSW Department of Education concurrence, Outdoor Unencumbered Space, Acoustic Impacts, Landscaping and Deep Soil,	External experts: Nil
	281002/23	Bulk, Scale, Character, Solar Access, Overshadowing	
	• <u>New Matter</u>	Prospects: Good	Internal experts: Planner
			Landscape Officer
	Property Address:	Description:	Status:
	21B-23 Barangaroo Road, Toongabbie	Appeal against the Delegated refusal of DA/961/2022 seeking approval for the demolition of existing childcare centre, tree removal and construction	Appeal is listed for first return date on <b>13</b> October 2023
	• Applicant:	of a new 72 place childcare centre with at grade parking for 18 vehicles, signage and front fence. The development is Nominated Integrated	Solicitors:
	Pankhurst & Anor	Development pursuant to the Water Management Act 2000.	Pikes & Verekers
	• Proceedings No.:	Issues:	External experts:
4.	293029/23	Aims of LEP, Zone objectives, Site Suitability and Location, Character, Bulk & Scale, Landscaping, Acoustic and Visual Privacy, Noise and Air	Nil
	• <u>New Matter</u>	Pollution, Flooding, Traffic & Parking, Biodiverity.	Internal experts:
		Prospects: Good	Planning Biodiversity
			Landscape Flood
			Traffic

			Traffic
	• Property Address: 37 Hillcrest Avenue,	Appeal against a Development Control Order requiring the demolition of	<b>Status:</b> Appeal is listed for section 34 conciliation conference on <b>18 December 2023</b> .
	• Applicant:		
	Trevor Staveley	Issues:	
		Consent required but not obtained	Solicitors:
5.	• Proceedings No.:		In-House Legal
	237592/23	Prospects: Good	
	, -		External experts:
	Existing Matter		Nil
			<b>Internal experts</b> : Planner

	Property Address:		
	- Troperty / duressi	Description:	Status:
	52 Hammers Road,	Appeal against the PLPP deemed refusal of DA/314/2023 for demolition,	Appeal is listed for further section 34
	Northmead	tree removal and construction of a 76 place child care centre with basement parking.	conciliation conference on <b>3 October 2023</b>
	Applicant:		
	Nortmead P Pty Ltd	Issues:	Solicitors:
		ТВА	In-House Legal
6.	• Proceedings No.:		
0.	180452/23	Prospects: TBA	External experts:
			Nil
	<u>Existing Matter</u>		
			Internal experts:
			Planner
			Traffic
			Landscape
	Property Address:	Description:	Status:
	135 Victoria Road, North	Appeal against the deemed delegated refusal of DA/330/2023 for	Appeal is listed for section 34 conciliation
	Parramatta	demolition of the existing dwelling, tree removal and construction of a two	conference on <b>29 January 2024.</b>
		storey boarding house with basement parking and Strata Title subdivision	
	• Applicant:	into 10 lots.	
	J S Architects	l terreret	Solicitors:
-	<b>_</b>	Issues:	In-House Legal
7.	• Proceedings No.:	Non-Compliance with Housing SEPP, Transport for NSW concurrence,	External experter
	268375/23	Stormwater.	External experts: Nil
		Breamenter Cood	NII
	<u>Existing Matter</u>	Prospects: Good	Internal experts
			Internal experts: Planner
			Engineer
	• Property Address:	Description:	Status:
	<ul> <li>Property Address:</li> <li>7 Yates Avenue, Dundas Valley</li> </ul>	Appeal against the PLPP deemed delegated refusal of DA/7/2023 for the	Appeal is listed for section 34 conciliation
	, rates Avenue, Dunuas valley	amalgamation of two separate land parcels, tree removal, demolition of	conference on <b>11 March 2024</b>
	• Applicant:	existing structures and construction of a two storey 83 place centre-based	
	• Applicant: M Group Invest Pty Ltd	childcare facility with 22 parking spaces on the lower ground floor.	
			Solicitors:
_	• Proceedings No.:	Issues:	In-House Legal
8.	260699/23	LEP Objectives. Non-compliance with childcare Regulations and Guidelines,	
		Site Suitability and streetscape.	External experts:
	Existing Matter		Nil
		Prospects: Good	
			Internal experts:
			Internal experts: Planner
	• Property Address:	Description:	
	• <b>Property Address:</b> 45-49 Asquith Street,	<b>Description:</b> Appeal against the s8.3 Review of the delegated refusal of DA/159/2021 for	Planner Status: Appeal is listed for further section 34
		<b>Description:</b> Appeal against the s8.3 Review of the delegated refusal of DA/159/2021 for demolition of the existing dwellings, tree removal, and construction of a	Planner Status:
	45-49 Asquith Street,	<b>Description:</b> Appeal against the s8.3 Review of the delegated refusal of DA/159/2021 for demolition of the existing dwellings, tree removal, and construction of a multi dwelling housing development containing eleven townhouses with	Planner Status: Appeal is listed for further section 34
	45-49 Asquith Street, Silverwater • Applicant:	<b>Description:</b> Appeal against the s8.3 Review of the delegated refusal of DA/159/2021 for demolition of the existing dwellings, tree removal, and construction of a	Planner Status: Appeal is listed for further section 34 conciliation conference on <b>30 October 2023</b>
	45-49 Asquith Street, Silverwater	<b>Description:</b> Appeal against the s8.3 Review of the delegated refusal of DA/159/2021 for demolition of the existing dwellings, tree removal, and construction of a multi dwelling housing development containing eleven townhouses with	Planner Status: Appeal is listed for further section 34 conciliation conference on <b>30 October 2023</b> Solicitors:
	45-49 Asquith Street, Silverwater • Applicant:	<b>Description:</b> Appeal against the s8.3 Review of the delegated refusal of DA/159/2021 for demolition of the existing dwellings, tree removal, and construction of a multi dwelling housing development containing eleven townhouses with basement level parking for twenty-two resident vehicles and three visitor spaces.	Planner Status: Appeal is listed for further section 34 conciliation conference on <b>30 October 2023</b>
9.	45-49 Asquith Street, Silverwater • <b>Applicant:</b> ACFU International Pty Limited	Description:         Appeal against the s8.3 Review of the delegated refusal of DA/159/2021 for demolition of the existing dwellings, tree removal, and construction of a multi dwelling housing development containing eleven townhouses with basement level parking for twenty-two resident vehicles and three visitor spaces.         Issues:	Planner Status: Appeal is listed for further section 34 conciliation conference on <b>30 October 2023</b> Solicitors: In-House Legal
9.	45-49 Asquith Street, Silverwater • <b>Applicant:</b> ACFU International Pty Limited	<b>Description:</b> Appeal against the s8.3 Review of the delegated refusal of DA/159/2021 for demolition of the existing dwellings, tree removal, and construction of a multi dwelling housing development containing eleven townhouses with basement level parking for twenty-two resident vehicles and three visitor spaces.	Planner Status: Appeal is listed for further section 34 conciliation conference on <b>30 October 2023</b> Solicitors: In-House Legal External experts:
9.	45-49 Asquith Street, Silverwater • Applicant: ACFU International Pty Limited & Ors	Description:         Appeal against the s8.3 Review of the delegated refusal of DA/159/2021 for demolition of the existing dwellings, tree removal, and construction of a multi dwelling housing development containing eleven townhouses with basement level parking for twenty-two resident vehicles and three visitor spaces.         Issues:         Stormwater	Planner Status: Appeal is listed for further section 34 conciliation conference on <b>30 October 2023</b> Solicitors: In-House Legal
9.	<ul> <li>45-49 Asquith Street, Silverwater</li> <li>Applicant: ACFU International Pty Limited &amp; Ors</li> <li>Proceedings No.: 180452/23</li> </ul>	Description:         Appeal against the s8.3 Review of the delegated refusal of DA/159/2021 for demolition of the existing dwellings, tree removal, and construction of a multi dwelling housing development containing eleven townhouses with basement level parking for twenty-two resident vehicles and three visitor spaces.         Issues:	Planner Status: Appeal is listed for further section 34 conciliation conference on <b>30 October 2023</b> Solicitors: In-House Legal External experts: Nil
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9.	<ul> <li>45-49 Asquith Street, Silverwater</li> <li>Applicant: ACFU International Pty Limited &amp; Ors</li> <li>Proceedings No.: 180452/23</li> </ul>	Description:         Appeal against the s8.3 Review of the delegated refusal of DA/159/2021 for demolition of the existing dwellings, tree removal, and construction of a multi dwelling housing development containing eleven townhouses with basement level parking for twenty-two resident vehicles and three visitor spaces.         Issues:         Stormwater	Planner Status: Appeal is listed for further section 34 conciliation conference on 30 October 2023 Solicitors: In-House Legal External experts: Nil Internal experts: Planner
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9.	45-49 Asquith Street, Silverwater • Applicant: ACFU International Pty Limited & Ors • Proceedings No.: 180452/23 Existing Matter	Description:         Appeal against the s8.3 Review of the delegated refusal of DA/159/2021 for demolition of the existing dwellings, tree removal, and construction of a multi dwelling housing development containing eleven townhouses with basement level parking for twenty-two resident vehicles and three visitor spaces.         Issues:         Stormwater         Prospects: Good	Planner Status: Appeal is listed for further section 34 conciliation conference on 30 October 2023 Solicitors: In-House Legal External experts: Nil Internal experts: Planner Development Engineer
9.	<ul> <li>45-49 Asquith Street, Silverwater</li> <li>Applicant: ACFU International Pty Limited &amp; Ors</li> <li>Proceedings No.: 180452/23</li> <li>Existing Matter</li> <li>Property Address:</li> </ul>	Description:         Appeal against the s8.3 Review of the delegated refusal of DA/159/2021 for demolition of the existing dwellings, tree removal, and construction of a multi dwelling housing development containing eleven townhouses with basement level parking for twenty-two resident vehicles and three visitor spaces.         Issues:         Stormwater         Prospects: Good         Description:	Planner Status: Appeal is listed for further section 34 conciliation conference on 30 October 2023 Solicitors: In-House Legal External experts: Nil Internal experts: Planner Development Engineer Status:
9.	45-49 Asquith Street, Silverwater • Applicant: ACFU International Pty Limited & Ors • Proceedings No.: 180452/23 Existing Matter	Description:         Appeal against the s8.3 Review of the delegated refusal of DA/159/2021 for demolition of the existing dwellings, tree removal, and construction of a multi dwelling housing development containing eleven townhouses with basement level parking for twenty-two resident vehicles and three visitor spaces.         Issues:         Stormwater         Prospects: Good         Description:         Appeal against the refusal of DA/210/2023 for demolition and construction	Planner Status: Appeal is listed for further section 34 conciliation conference on 30 October 2023 Solicitors: In-House Legal External experts: Nil Internal experts: Planner Development Engineer Status: Appeal is listed for section 34 conciliation
9.	45-49 Asquith Street, Silverwater • Applicant: ACFU International Pty Limited & Ors • Proceedings No.: 180452/23 Existing Matter • Property Address: 132 Victoria Road, Rydalmere	Description:         Appeal against the s8.3 Review of the delegated refusal of DA/159/2021 for demolition of the existing dwellings, tree removal, and construction of a multi dwelling housing development containing eleven townhouses with basement level parking for twenty-two resident vehicles and three visitor spaces.         Issues:         Stormwater         Prospects: Good         Description:         Appeal against the refusal of DA/210/2023 for demolition and construction of a 7-storey mixed use development to be comprised of 3 retail tenancies	Planner Status: Appeal is listed for further section 34 conciliation conference on 30 October 2023 Solicitors: In-House Legal External experts: Nil Internal experts: Planner Development Engineer Status:
9.	<ul> <li>45-49 Asquith Street, Silverwater</li> <li>Applicant: ACFU International Pty Limited &amp; Ors</li> <li>Proceedings No.: 180452/23</li> <li>Existing Matter</li> <li>Property Address: 132 Victoria Road, Rydalmere</li> <li>Applicant:</li> </ul>	Description:         Appeal against the s8.3 Review of the delegated refusal of DA/159/2021 for demolition of the existing dwellings, tree removal, and construction of a multi dwelling housing development containing eleven townhouses with basement level parking for twenty-two resident vehicles and three visitor spaces.         Issues:         Stormwater         Prospects: Good         Description:         Appeal against the refusal of DA/210/2023 for demolition and construction of a 7-storey mixed use development to be comprised of 3 retail tenancies and 45 residential apartments, including affordable apartments, over 3	Planner Status: Appeal is listed for further section 34 conciliation conference on 30 October 2023 Solicitors: In-House Legal External experts: Nil Internal experts: Planner Development Engineer Status: Appeal is listed for section 34 conciliation
9.	45-49 Asquith Street, Silverwater • Applicant: ACFU International Pty Limited & Ors • Proceedings No.: 180452/23 Existing Matter • Property Address: 132 Victoria Road, Rydalmere	Description:         Appeal against the s8.3 Review of the delegated refusal of DA/159/2021 for demolition of the existing dwellings, tree removal, and construction of a multi dwelling housing development containing eleven townhouses with basement level parking for twenty-two resident vehicles and three visitor spaces.         Issues:         Stormwater         Prospects: Good         Description:         Appeal against the refusal of DA/210/2023 for demolition and construction of a 7-storey mixed use development to be comprised of 3 retail tenancies and 45 residential apartments, including affordable apartments, over 3 levels of basement parking. The application is made pursuant to the State	Planner Status: Appeal is listed for further section 34 conciliation conference on <b>30 October 2023</b> Solicitors: In-House Legal External experts: Nil Internal experts: Planner Development Engineer Status: Appeal is listed for section 34 conciliation conference on <b>29 January 2024</b>
9.	45-49 Asquith Street, Silverwater • Applicant: ACFU International Pty Limited & Ors • Proceedings No.: 180452/23 Existing Matter • Property Address: 132 Victoria Road, Rydalmere • Applicant: J S Architects Pty Ltd	Description:         Appeal against the s8.3 Review of the delegated refusal of DA/159/2021 for demolition of the existing dwellings, tree removal, and construction of a multi dwelling housing development containing eleven townhouses with basement level parking for twenty-two resident vehicles and three visitor spaces.         Issues:         Stormwater         Prospects: Good         Description:         Appeal against the refusal of DA/210/2023 for demolition and construction of a 7-storey mixed use development to be comprised of 3 retail tenancies and 45 residential apartments, including affordable apartments, over 3 levels of basement parking. The application is made pursuant to the State Environmental Planning Policy (Housing) 2021. The development is	Planner         Status:         Appeal is listed for further section 34         conciliation conference on 30 October 2023         Solicitors:         In-House Legal         External experts:         Nil         Internal experts:         Planner         Development Engineer         Status:         Appeal is listed for section 34 conciliation         conference on 29 January 2024         Solicitors:
9.	<ul> <li>45-49 Asquith Street, Silverwater</li> <li>Applicant: ACFU International Pty Limited &amp; Ors</li> <li>Proceedings No.: 180452/23</li> <li>Existing Matter</li> <li>Property Address: 132 Victoria Road, Rydalmere</li> <li>Applicant: J S Architects Pty Ltd</li> <li>Proceedings No.:</li> </ul>	Description:         Appeal against the s8.3 Review of the delegated refusal of DA/159/2021 for demolition of the existing dwellings, tree removal, and construction of a multi dwelling housing development containing eleven townhouses with basement level parking for twenty-two resident vehicles and three visitor spaces.         Issues:         Stormwater         Prospects: Good         Description:         Appeal against the refusal of DA/210/2023 for demolition and construction of a 7-storey mixed use development to be comprised of 3 retail tenancies and 45 residential apartments, including affordable apartments, over 3 levels of basement parking. The application is made pursuant to the State	Planner Status: Appeal is listed for further section 34 conciliation conference on <b>30 October 2023</b> Solicitors: In-House Legal External experts: Nil Internal experts: Planner Development Engineer Status: Appeal is listed for section 34 conciliation conference on <b>29 January 2024</b>
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9.	<ul> <li>45-49 Asquith Street, Silverwater</li> <li>Applicant: ACFU International Pty Limited &amp; Ors</li> <li>Proceedings No.: 180452/23</li> <li>Existing Matter</li> <li>Property Address: 132 Victoria Road, Rydalmere</li> <li>Applicant: J S Architects Pty Ltd</li> <li>Proceedings No.: 200193/2023</li> </ul>	Description:         Appeal against the s8.3 Review of the delegated refusal of DA/159/2021 for demolition of the existing dwellings, tree removal, and construction of a multi dwelling housing development containing eleven townhouses with basement level parking for twenty-two resident vehicles and three visitor spaces.         Issues:         Stormwater         Prospects: Good         Description:         Appeal against the refusal of DA/210/2023 for demolition and construction of a 7-storey mixed use development to be comprised of 3 retail tenancies and 45 residential apartments, including affordable apartments, over 3 levels of basement parking. The application is made pursuant to the State Environmental Planning Policy (Housing) 2021. The development is Nominated Integrated pursuant to the Water Management Act 2000.         Issues:	Planner Status: Appeal is listed for further section 34 conciliation conference on 30 October 2023 Solicitors: In-House Legal External experts: Nil Internal experts: Planner Development Engineer Status: Appeal is listed for section 34 conciliation conference on 29 January 2024 Solicitors: In-House Legal External experts:
	<ul> <li>45-49 Asquith Street, Silverwater</li> <li>Applicant: ACFU International Pty Limited &amp; Ors</li> <li>Proceedings No.: 180452/23</li> <li>Existing Matter</li> <li>Property Address: 132 Victoria Road, Rydalmere</li> <li>Applicant: J S Architects Pty Ltd</li> <li>Proceedings No.:</li> </ul>	Description:         Appeal against the s8.3 Review of the delegated refusal of DA/159/2021 for demolition of the existing dwellings, tree removal, and construction of a multi dwelling housing development containing eleven townhouses with basement level parking for twenty-two resident vehicles and three visitor spaces.         Issues:         Stormwater         Prospects: Good         Description:         Appeal against the refusal of DA/210/2023 for demolition and construction of a 7-storey mixed use development to be comprised of 3 retail tenancies and 45 residential apartments, including affordable apartments, over 3 levels of basement parking. The application is made pursuant to the State Environmental Planning Policy (Housing) 2021. The development is Nominated Integrated pursuant to the Water Management Act 2000.         Issues:         Height/FSR/Design Quality/landscaping/ ground water/geotechnical	Planner         Status:         Appeal is listed for further section 34         conciliation conference on 30 October 2023         Solicitors:         In-House Legal         External experts:         Nil         Internal experts:         Planner         Development Engineer         Status:         Appeal is listed for section 34 conciliation         conference on 29 January 2024         Solicitors:         In-House Legal         External experts:         Hydraulic and geotechnical engineering - Dr
	<ul> <li>45-49 Asquith Street, Silverwater</li> <li>Applicant: ACFU International Pty Limited &amp; Ors</li> <li>Proceedings No.: 180452/23</li> <li>Existing Matter</li> <li>Property Address: 132 Victoria Road, Rydalmere</li> <li>Applicant: J S Architects Pty Ltd</li> <li>Proceedings No.: 200193/2023</li> </ul>	Description:         Appeal against the s8.3 Review of the delegated refusal of DA/159/2021 for demolition of the existing dwellings, tree removal, and construction of a multi dwelling housing development containing eleven townhouses with basement level parking for twenty-two resident vehicles and three visitor spaces.         Issues:         Stormwater         Prospects: Good         Description:         Appeal against the refusal of DA/210/2023 for demolition and construction of a 7-storey mixed use development to be comprised of 3 retail tenancies and 45 residential apartments, including affordable apartments, over 3 levels of basement parking. The application is made pursuant to the State Environmental Planning Policy (Housing) 2021. The development is Nominated Integrated pursuant to the Water Management Act 2000.         Issues:	Planner Status: Appeal is listed for further section 34 conciliation conference on 30 October 2023 Solicitors: In-House Legal External experts: Nil Internal experts: Planner Development Engineer Status: Appeal is listed for section 34 conciliation conference on 29 January 2024 Solicitors: In-House Legal External experts:
	<ul> <li>45-49 Asquith Street, Silverwater</li> <li>Applicant: ACFU International Pty Limited &amp; Ors</li> <li>Proceedings No.: 180452/23</li> <li>Existing Matter</li> <li>Property Address: 132 Victoria Road, Rydalmere</li> <li>Applicant: J S Architects Pty Ltd</li> <li>Proceedings No.: 200193/2023</li> </ul>	Description:         Appeal against the s8.3 Review of the delegated refusal of DA/159/2021 for demolition of the existing dwellings, tree removal, and construction of a multi dwelling housing development containing eleven townhouses with basement level parking for twenty-two resident vehicles and three visitor spaces.         Issues:       Stormwater         Prospects: Good       Pescription:         Appeal against the refusal of DA/210/2023 for demolition and construction of a 7-storey mixed use development to be comprised of 3 retail tenancies and 45 residential apartments, including affordable apartments, over 3 levels of basement parking. The application is made pursuant to the State Environmental Planning Policy (Housing) 2021. The development is Nominated Integrated pursuant to the Water Management Act 2000.         Issues:       Height/FSR/Design Quality/landscaping/ ground water/geotechnical impacts of excavation	Planner         Status:         Appeal is listed for further section 34         conciliation conference on 30 October 2023         Solicitors:         In-House Legal         External experts:         Nil         Internal experts:         Planner         Development Engineer         Status:         Appeal is listed for section 34 conciliation         conference on 29 January 2024         Solicitors:         In-House Legal         External experts:         Hydraulic and geotechnical engineering - Dr         Daniel Martens
	<ul> <li>45-49 Asquith Street, Silverwater</li> <li>Applicant: ACFU International Pty Limited &amp; Ors</li> <li>Proceedings No.: 180452/23</li> <li>Existing Matter</li> <li>Property Address: 132 Victoria Road, Rydalmere</li> <li>Applicant: J S Architects Pty Ltd</li> <li>Proceedings No.: 200193/2023</li> </ul>	Description:         Appeal against the s8.3 Review of the delegated refusal of DA/159/2021 for demolition of the existing dwellings, tree removal, and construction of a multi dwelling housing development containing eleven townhouses with basement level parking for twenty-two resident vehicles and three visitor spaces.         Issues:         Stormwater         Prospects: Good         Description:         Appeal against the refusal of DA/210/2023 for demolition and construction of a 7-storey mixed use development to be comprised of 3 retail tenancies and 45 residential apartments, including affordable apartments, over 3 levels of basement parking. The application is made pursuant to the State Environmental Planning Policy (Housing) 2021. The development is Nominated Integrated pursuant to the Water Management Act 2000.         Issues:         Height/FSR/Design Quality/landscaping/ ground water/geotechnical	Planner         Status:         Appeal is listed for further section 34         conciliation conference on 30 October 2023         Solicitors:         In-House Legal         External experts:         Nil         Internal experts:         Planner         Development Engineer         Status:         Appeal is listed for section 34 conciliation         conference on 29 January 2024         Solicitors:         In-House Legal         External experts:         Hydraulic and geotechnical engineering - Dr         Daniel Martens         Internal experts:
	<ul> <li>45-49 Asquith Street, Silverwater</li> <li>Applicant: ACFU International Pty Limited &amp; Ors</li> <li>Proceedings No.: 180452/23</li> <li>Existing Matter</li> <li>Property Address: 132 Victoria Road, Rydalmere</li> <li>Applicant: J S Architects Pty Ltd</li> <li>Proceedings No.: 200193/2023</li> </ul>	Description:         Appeal against the s8.3 Review of the delegated refusal of DA/159/2021 for demolition of the existing dwellings, tree removal, and construction of a multi dwelling housing development containing eleven townhouses with basement level parking for twenty-two resident vehicles and three visitor spaces.         Issues:       Stormwater         Prospects: Good       Pescription:         Appeal against the refusal of DA/210/2023 for demolition and construction of a 7-storey mixed use development to be comprised of 3 retail tenancies and 45 residential apartments, including affordable apartments, over 3 levels of basement parking. The application is made pursuant to the State Environmental Planning Policy (Housing) 2021. The development is Nominated Integrated pursuant to the Water Management Act 2000.         Issues:       Height/FSR/Design Quality/landscaping/ ground water/geotechnical impacts of excavation	Planner Status: Appeal is listed for further section 34 conciliation conference on 30 October 2023 Solicitors: In-House Legal External experts: Nil Internal experts: Planner Development Engineer Status: Appeal is listed for section 34 conciliation conference on 29 January 2024 Solicitors: In-House Legal External experts: Hydraulic and geotechnical engineering - Dr Daniel Martens Internal experts: Planner
	<ul> <li>45-49 Asquith Street, Silverwater</li> <li>Applicant: ACFU International Pty Limited &amp; Ors</li> <li>Proceedings No.: 180452/23</li> <li>Existing Matter</li> <li>Property Address: 132 Victoria Road, Rydalmere</li> <li>Applicant: J S Architects Pty Ltd</li> <li>Proceedings No.: 200193/2023</li> </ul>	Description:         Appeal against the s8.3 Review of the delegated refusal of DA/159/2021 for demolition of the existing dwellings, tree removal, and construction of a multi dwelling housing development containing eleven townhouses with basement level parking for twenty-two resident vehicles and three visitor spaces.         Issues:       Stormwater         Prospects: Good       Pescription:         Appeal against the refusal of DA/210/2023 for demolition and construction of a 7-storey mixed use development to be comprised of 3 retail tenancies and 45 residential apartments, including affordable apartments, over 3 levels of basement parking. The application is made pursuant to the State Environmental Planning Policy (Housing) 2021. The development is Nominated Integrated pursuant to the Water Management Act 2000.         Issues:       Height/FSR/Design Quality/landscaping/ ground water/geotechnical impacts of excavation	Planner         Status:         Appeal is listed for further section 34         conciliation conference on 30 October 2023         Solicitors:         In-House Legal         External experts:         Nil         Internal experts:         Planner         Development Engineer         Status:         Appeal is listed for section 34 conciliation         conference on 29 January 2024         Solicitors:         In-House Legal         External experts:         Hydraulic and geotechnical engineering - Dr         Daniel Martens         Internal experts:

	• Property Address: 14 Windermere Avenue, Northmead	<b>Description:</b> Appeal against deemed refusal by the PLPP of DA/964/2022 seeking approval for the demolition of existing structures, tree removal and	<b>Status:</b> Appeal is listed for further section 34 conciliation conference on <b>11 October 2023</b>
	• Applicant: Monique Barakat	construction of a three-storey, 88-place Child Care Facility.	Solicitors:
11.	• Proceedings No.: 107525/2023	Bulk & Scale/Height/Heritage/Solar Access/Natural Light and Ventilation/Landscape/stormwater/emergency evacuation	In-house Legal Services External experts:
	Existing Matter	Prospects: Good	Nil Internal experts:
			Planner Development Engineer Landscape Officer Accessibility Officer
	• Property Address: 7-7A Gaggin Street North Parramatta	<b>Description:</b> Appeal against refusal by Council 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.	<b>Status:</b> Appeal is listed for section 34 conciliation conference on <b>10 October 2023</b>
	<ul> <li>Applicant: Albert Sahyoun</li> <li>Proceedings No.:</li> </ul>	Issues: Site selection/Bulk & Scale/ Landscape/Privacy Impacts/Stormwater/Accessibility/Earthworks	Solicitors: In-house Legal Services
12.	125558/2023 <i>Existing Matter</i>	Prospects: Good	External experts: Nil
			Internal experts: Planner Development Engineer
			Landscape Officer Accessibility Officer
	<ul> <li>Property Address:</li> <li>19 Tracey Street,</li> <li>Carlingford</li> </ul>	<b>Description:</b> Appeal against the deemed refusal by the PLPP of DA/5/2023 seeking approval for the Demolition, tree removal and construction of a part one	Status: Appeal is listed for Hearing on 4-5 April 2023
	• Applicant: St Joseph Company Pty Ltd	and part three storey, 42 place childcare centre with basement parking. Issues: Bulk & Scale/Transport & Infrastructure	Solicitors: In-house Legal Services External experts:
13.	• Proceedings No.:	SEPP/stormwater/Landscape/accessibility/acoustics	Dan Dang (Acoustic Consultant)
	61648/2023 <u>Existing Matter</u>	Prospects: Good	Planner Development Engineer Landscape Officer Accessibility Officer
	• Property Address: 79-79A Kissing Point Road & 7 St Andrews Street Dundas	<b>Description:</b> Appeal against the deemed refusal by the PLPP 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	<b>Status:</b> Appeal is listed for resumed section 34 Conciliation Conference on <b>27 October 2023</b>
	• Applicant: HVH Investments Pty Ltd	basement carparking. The application is Nominated Integrated development pursuant to the Water Management Act 2000.	Solicitors: In-House Legal
14.	Proceedings No.: 63219/2023	WaterNSW and Transport for NSW concurrence, Bulk and Scale, Height, Earthworks	<b>External experts</b> : Matthew McCarthy - Traffic consultant
	Existing Matter	Prospects: Good	Internal experts: Planner Urban Design Accessibility Stormwater management
	• Property Address: 379 Kissing Point Road, Ermington.	<b>Description:</b> 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	Status: Appeal is listed for hearing on 27 and 28 September 2023 with the court standing the matter over for further hearing on 6 November
	• Applicant: Ermington Projects Pty Ltd	over basement parking. The modification seeks deletion of the deferred commencement conditions relating to stormwater.	2023 Solicitors:
15	• Proceedings No.: 382243/2022	Issues: Stormwater, impact on adjoining properties	In-house Legal Services Counsel: Matt Harker
	Existing Matter	Prospects: Good	External experts: Nil
			<b>Internal experts</b> : Stormwater engineer Planner
			Landscape (horticulturalist/arborist)

16.	<ul> <li>Property Address: 441-443 Wentworth Avenue, Toongabbie</li> <li>Applicant: JS Architects Pty Ltd</li> <li>Proceedings No.: 286544/2022</li> <li>Existing Matter</li> </ul>	Description:Appeal against the refusal of DA/145/2022 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')Issues: Bulk and Scale, Privacy, Overshadowing, Building Separation, Solar Access and AccessibilityProspects: Good	Status: Appeal was heard on 10 – 12 July 2023 and is listed for judgment on 5 October 2023 Solicitors: In-House Legal Services Counsel - Matt Harker External Experts: Nil Internal Experts: Planner Urban Designer Stormwater engineer Landscaper (borticulturalist/arborist)
17.	<ul> <li>Property Address: 14 Cunningham Road, Telopea</li> <li>Applicant: Tham Wan Wong</li> <li>Proceedings No.: 229334/2022</li> <li>Existing Matter</li> </ul>	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. Issues: State Infrastructure contributions, Character, Design Excellence, Deep Soil/Landscaping, Parking, Bulk and Scale, Setbacks, Groundwater management, Room sizes Prospects: Good	Landscaper (horticulturalist/arborist) Environmental expert (biodiversity) Accessibility expert Status: Appeal is listed for hearing on 13-15 September 2023 with the Commissioner reserving her decision Solicitors: In-House Legal Counsel -Matt Harker External Experts: Brendan Randles (Urban Design Expert) Internal Experts: Planner Traffic engineer
18.	<ul> <li>Property Address: 188-190 Junction Road, Winston Hills</li> <li>Applicant: MNM Brothers Pty Ltd</li> <li>Proceedings No.: 82808/2023</li> <li>Existing Matter</li> </ul>	Description:         Appeal against the 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.         Issues:         Bulk and Scale/Site Suitability/unencumbered outdoor play area/air pollution/parking         Prospects: Good	Stormwater engineer Accessibility expert Status: Appeal is listed for s34 conciliation conference status update via online Court on <b>13 October</b> 2023 Solicitors: In-House Legal Services External experts: Matt McCarthy (Traffic Consultant) Internal experts: Planner Health Officer Accessibility Officer Traffic Engineer
19.	<ul> <li>Property Address:</li> <li>51 Railway Street, Granville</li> <li>Applicant: Railway 51 Pty Ltd</li> <li>Proceedings No.: 87203/2023</li> <li>Existing Matter</li> </ul>	Description: Appeal against the refusal of DA/880/2021 seeking approval for Demolition and construction of a 5 storey residential flat building containing 4 units and basement parking. Issues: Bulk and Scale/flood/height Prospects: Good	Status: Appeal is listed for s34 conciliation conference

			Internal experts:
			Planner
			Urban Design Officer
			Senior Catchment and Development Engineer
	• Property Address:	Description:	Status:
	52 Essex Street, Granville	Appeal against refusal by PLPP of DA/416/2022 seeking approval for tree removal and construction of an 80 place child care centre with basement	Appeal is listed for Hearing on <b>10-12 April 2024.</b>
	• Applicant:	car parking. The development proposal has been re-notified in relation to	
	Archian Pty Ltd	modification to the site layout and external changes to the building and	Solicitors:
		reduction in number of children from 88 places to 80 places.	In-House Legal Services
20.	• Proceedings No.:		
	96466/2023	Issues:	External experts:
		Contamination/Heritage Conservation/Traffic	Ken Hollyoak – Traffic Consultant
	Existing Matter		
		Prospects: Good	Internal experts:
			Planner

Northmead       anisylamutation of 2 lots, demonition, there removal and construction of a two sequences of the second sequences of th			
21.       • Proceedings No.:       237489/23       Parking, Bulk & Scale, Visual Impacts       External experts:         New Matter       Prospects: Good       Prospects: Good       External experts:         22.       • Property Address:       Description:       Appel against the deemed retural of the PLPP of Dx/900/2022 for demolition, there removal and construction of a centre-date child care tack hattar       Appel against the deemed retural of the PLPP of Dx/900/2022 for demolition, there removal and construction of a centre-date child care tack hattar       Appel against the deemed retural of the PLPP of Dx/900/2022 for demolition, there removal and construction of a centre-date child care tack hattar       Appel against the deemed retural of the PLPP of Dx/900/2022 for demolition; there removal and construction of a centre-date child care tack hattar       Appel against the deemed retural of the PLPP of Dx/900/2022 for demolition; there removal and construction of a centre-date child care tack hattar       Appel against the deemed retural of the PLPP of Dx/900/2022 for demolition; the removal and construction of a centre-date child care tack hattar       Solicitor:         22.       • Proceedings No.:       Description:       Description:       Status:       Solicitor:         23.       • Property Address:       Description:       Description:       Solicitor:       Solicitor:         24.       • Property Address:       Description:       Description:       Solicitor:       Solicitor:         25.       # String Mester       Prospe	11-13 Campbell Street,Appeal agNorthmeadamalgam(2) storey• Applicant:23 vehicle	st the deemed delegated refusal of DA/996/2022 for the on of 2 lots, demolition, tree removal and construction of a two	Appeal is listed for section 34 conciliation conference on <b>22 January 2024</b> Solicitors:
New Matter         Internal experts: Planner Träffic           *Property Address: 32 Honiton Avenue, Carlingford         Description: Appela signist the deemed refusal of the PLPP of DA/900/2022 for demolition, tree removal and construction of a centre-based full care parking for 12 cars.         Status: Appela is listed for section 3 conference on 15 December parking for 12 cars.           22.         *Proceetings No:: 1822/47.3         Description: Character/Site selection/Bulk & Scale/Landscape/Privacy Impacts/ Accessibility/Earthworks         Solictors: Holding Redich           23.         *Property Address: To Murray farm Road, Carlingford         Description: Description: To Murray farm Road, Carlingford         Description: Description: To Murray farm Road, Carlingford         Description: Description: Description: To Status         Status: Status           23.         *Property Address: To Status         Description: Description: To Status         Status: Solictors: Bartier Perry External experts: Mill Marter           23.         *Property Address: To Status         Description: Description: Status: Solictors: Bartier Perry External experts: Mill Million Street, Epping         Status: Solictors: Bartier Perry External experts: Million of the cessing structures, tree removal, and construction of a dual accupancy with Torrens Title subdivision into 2 lots. Solictors: Bartier Perry External experts: Million description: Solictors: Bartier Perry External experts: Million Garcinge Structures, tree removal, and construction of a dual accupancy with Torrens Title subdivision into 2 lots. Status: Solictors: Bartier Perry External experts: Million themas Brown Million Status: Solictors: Bartier Perry External e	Proceedings No.: Parking, E 237489/23	•	External experts:
32 Honton Avenue, Carlingford       Appeal against the deemed refusal of the PLP of DA/300/2022 for facility to accommodate 67 children with ground and basement level parking for 17 cars.       Appeal is listed for section 3 carlingford       Appeal is listed for section 3 carling for 4 carling for development for period for the demolition of existing structures and construction of a two storey 6 carling for with 16 basement act parking spaces.       Satus: Appeal is listed for further s: conference on 4 October 20 conference on 4 Development Engineer Landscape Officer       Satus: Appeal is listed for s34AA co conference and hearing on 2 october 2023 Appeal is listed for s34AA co conference and hearing on 2 dostores: Bartier Perry         24.       Prosecti, Edouti       Description: Appeal against th		ood	<b>Internal experts</b> : Planner
22.       Issues: Proceedings No:: 122424/23       Issues: Character/Site Selection/Bulk & Scale/Landscape/Privacy Impacts/ Accessibility/Earthworks       Holding Redich         23.       Property Address: 73 Murray Farm Road, Carlingford       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.       Status: Appeal is listed for further si paner based construction of a two storey 65 place childcare existing Murray Farm Road, Carlingford       Status: Appeal is listed for further si solicitors: Bartier Perry         23.       Proceedings No:: 115894/23       Description: Prospects: Good       Solicitors: Bartier Perry         24.       Proceedings No:: existing Mutter       Description: Delegated refusal of DA/648/2021 seeking approval for Demoiltion of the existing structures, the removal, and construction of a dual occupancy with Hilton Thomas Brown       Status: Appeal is listed for s3AAA co conference and hearing on 2 Delegated refusal of DA/648/2021 seeking approval for Demoiltion of the existing structures, the removal, and construction of a dual occupancy with Hilton Thomas Brown       Status: Appeal is listed for s3AAA co conference and hearing on 2 Delegated refusal of DA/648/2021 seeking approval for Demoiltion of the existing structures, the removal, and construction of a dual occupancy with Hilton Thomas Brown       Solicitors: Bartier Perry         24.       Prosperty Address: Existing Mutter       Description: Prospects: Good       Status: Appeal is listed for s34 conc Ociference and hearing on 2 For exidential units, child care center for 110 children, 1,735s	32 Honiton Avenue,Appeal ageCarlingforddemolition• Applicant:parking for	st the deemed refusal of the PLPP of DA/900/2022 for ree removal and construction of a centre-based child care commodate 67 children with ground and basement level	Appeal is listed for section 34 conciliation conference on <b>15 December 2023</b>
Existing Matter       Prospects: Good       Internal experts: Planner Landscape Accessibility         *Property Address: Carlingford       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.       Status: Appelai Is listed for further s: conference on 4 October 20         23.       *Proceedings No.: 115894/23       Issues: Prospects: Good       Solicitors: Bulk & Scale/Non-compilance with Education and Childcare Prospects: Good       Solicitors: Bartler Perry External experts: Planner Development Engineer Landscape Officer Accessibility         24.       *Proceedings No.: explicant: Hilton Thomas Brown       Description: Delegated refusal of DA/648/2021 seeking approval for Demolition of a dual occupancy with Floading, Aims of the LEP Prospects: Good       Status: Appelaine Status: Appelaine: Hilton Thomas Brown         24.       *Proceedings No.: e9039/23 Existing Matter       Description: Delegated refusal of DA/648/2021 seeking approval for Demolition of a dual occupancy with Torrens Title subdivision into 2 lots.       Status: Appelaine Sisted for s34AA.co Solicitors: Bartier Perry         24.       *Property Address: Existing Matter       Description: Appeal against the SCCPP refusal of Development Application to Drospects: Good       Status: Appeal is listed for s34A.co Conference and hearing on 2 Torrens Title subdivision into 2 lots.         *Property Address: Existi	Proceedings No.:     Issues:     Characte		Holding Redlich External experts:
73 Murray Farm Road, Carlingford       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.       Appeal is listed for further si conference on 4 October 20         23.       • Applicant: Joshua Glanville       Issues: Bulk & Scale/Non-compliance with Education and Childcare Regulations/Traffic and Parking/Landscaping/Stormwater       Solicitors: Bartier Perry         23.       • Proceedings No.: 115894/23       Description: Description: 9 Mars Street, Epping       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.       Status: Appeal is listed for s34AA co conference and hearing on 2         24.       • Proceedings No.: 69039/23       • Prospects: Good       Status: Nul         • Property Address: 9 Mars Street, Epping       • Prospects: Good       Status: Nul         • Proceedings No.: 69039/23       • Prospects: Good       Solicitors: Bartier Perry         • Property Address: 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford       Description: Appeal against the SCCPP refusal of Development Application neighbourhood retail shops and 864 basement car parking spaces; Development Application on faven 10-13 storey buildings comprising Solicitors:       Status: Appeal is listed for s34 cone October 2023	<u>Existing Matter</u> Prospect	ood	<b>Internal experts</b> : Planner Landscape
Joshua Gianville     Joshua Gianville     Solicitors: Bulk & Scale/Non-compliance with Education and Childcare Regulations/Traffic and Parking/Landscaping/stormwater     Solicitors: Bartier Perry       23.     Froceedings No.: 115894/23     Prospects: Good     External experts: Planner Development Engineer Landscape Officer Accessibility Officer       24.     Property Address: 9 Mars Street, Epping     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.     Status: Solicitors: Bartier Perry       24.     Proceedings No.: 69039/23     Prospects: Good     Status: Flooding, Aims of the LEP       Prospects: Good     External experts: Flooding, Aims of the LEP     Solicitors: Bartier Perry       Prospects: Good     External experts: Flooding, Aims of the LEP     Solicitors: Bartier Perry       Prospects: Good     External experts: Flooding, Aims of the LEP     External experts: Nil       Prospects: Good     External experts: On DA/53/2022 for Construction of seven 10-13 storey buildings comprising Appeal is listed for s34 conc October 2023       263-273     Pennant Hills Road and 18 Shirley Street, Carlingford     Description: Appeal against the SCCPP refusal of Development Application no. DA/53/2022 for Construction of seven 10-13 storey buildings comprising reighbourhood retail shops and 864 basement car parking spaces; publicity accessible open spaces and through site links; roads; landscaping;	73 Murray Farm Road,DelegateCarlingfordexisting scentre with	ctures and construction of a two storey 65 place childcare	<b>Status:</b> Appeal is listed for further s34 conciliation conference on <b>4 October 2023</b>
Existing MatterInternal experts: Planner Development Engineer Landscape Officer Accessibility Officer• Property Address: 9 Mars Street, EppingDescription: 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.Status: Appeal is listed for s34AA co conference and hearing on 2 Torrens Title subdivision into 2 lots.24.• Proceedings No.: 69039/23Flooding, Aims of the LEP Prospects: GoodSolicitors: Bartier PerryProperty Address: 263-273Description: Appeal against the SCCPP refusal of Development Application no. DA/53/2022 for Construction of seven 10-13 storey buildings comprising Road and 18 Shirley Street, CarlingfordDescription: Appeal against the SCCPP refusal of Development Application no. DA/53/2022 for Construction of seven 10-13 storey buildings comprising neighbourhood retail shops and 864 basement car parking spaces; publicly accessible open spaces and through site links; reads; landscaping; Solicitors:	Joshua Glanville Issues: Bulk & Sc • Proceedings No.: Regulation 115894/23	Traffic and Parking/Landscaping/stormwater	Bartier Perry
9 Mars Street, Epping       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.       Appeal is listed for s34AA co conference and hearing on 2         • Applicant:       Hilton Thomas Brown       Issues:       Solicitors:         • Proceedings No.:       69039/23       Flooding, Aims of the LEP       Solicitors:         • Prospects: Good       Existing Matter       External experts:         • Property Address:       263-273 Pennant Hills       Description: Appeal against the SCCPP refusal of Development Application good of construction of seven 10-13 storey buildings comprising 620 residential units, child care centre for 110 children, 1,735qm of 17       Appeal is listed for s34 cond 0ctore 2023         • Property Address:       Description: Appeal against the SoccPP refusal of Development Application for Construction of seven 10-13 storey buildings comprising 620 residential units, child care centre for 110 children, 1,735qm of 17       Appeal is listed for s34 cond 0ctore 2023         • Property Address:       publicly accessible open spaces and through site links; roads; landscaping;       Solicitors:	· · · · ·	000	Planner Development Engineer Landscape Officer Accessibility
24.Issues: Flooding, Aims of the LEPSolicitors: Bartier Perry24.• Proceedings No.: 69039/23Flooding, Aims of the LEPBartier Perry• Prospects: Good• Prospects: Good• External experts: Nil• Property Address: 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford• Description: Appeal against the SCCPP refusal of Development Application no. DA/53/2022 for Construction of seven 10-13 storey buildings comprising 620 residential units, child care centre for 110 children, 1,735sqm of 17 neighbourhood retail shops and 864 basement car parking spaces; publicly accessible open spaces and through site links; roads; landscaping;Solicitors:50Solicitors:Solicitors:	9 Mars Street, Epping Delegate existing s	ctures, tree removal, and construction of a dual occupancy with	Appeal is listed for s34AA conciliation
Existing MatterProspects: GoodExternal experts: NilExisting MatterNilInternal experts: Planner Senior Catchment and Devel• Property Address: 263-273 Pennant Hills Road and 18 Shirley Street, CarlingfordDescription: Appeal against the SCCPP refusal of Development Application no. DA/53/2022 for Construction of seven 10-13 storey buildings comprising 620 residential units, child care centre for 110 children, 1,735sqm of 17 neighbourhood retail shops and 864 basement car parking spaces; publicly accessible open spaces and through site links; roads; landscaping;Status: Solicitors:	Proceedings No.:      Issues:     Flooding,	ns of the LEP	
263-273PennantHillsno. DA/53/2022 for Construction of seven 10-13 storey buildings comprisingAppeal is listed for s34 condRoad and 18 Shirley Street, Carlingford620 residential units, child care centre for 110 children, 1,735sqm of 17October 2023neighbourhood retail shops and 864 basement car parking spaces; publicly accessible open spaces and through site links; roads; landscaping;Solicitors:		Good	Nil Internal experts:
	263-273PennantHillsno. DA/53Road and 18 Shirley Street, Carlingford620 reside neighbou publicly a	D22 for Construction of seven 10-13 storey buildings comprising ial units, child care centre for 110 children, 1,735sqm of 17 od retail shops and 864 basement car parking spaces; essible open spaces and through site links; roads; landscaping;	Appeal is listed for s34 conciliation conference on <b>20</b> October 2023 Solicitors:
142308/22178916/23	Properties (No.59) Pty Limited Issues: He Access/A  Proceedings No.: 142308/22178916/23	nt/FSR/Urban Design/ Visual privacy/Solar nity/Sustainability/Transport for NSW/Traffic impacts/Water t	External Experts:
Existing Matter       Prospects: Good       Internal experts:         Planner       Planner		ood	•

26.	<ul> <li>Property Address:         <ul> <li>14-16 Hill Road, Wentworth Point</li> </ul> </li> <li>Applicant:         <ul> <li>SH Hill Road Development Pty Ltd</li> <li>Proceedings No.:                  <ul> <li>15776/23</li> </ul> </li> <li>Existin Matter</li> </ul> </li> <li>Property Address:                     <ul> <li>Address:</li> <li>Address Way, Winston Hills</li> </ul> </li> </ul>	Description:Appeal against the delegated deemed refusal of DA/597/2021 seeking approval of a Section 4.55(1A) modification to an approved residential flat building development seeking additional windows to apartments on Levels 03 to 08 of Building J, correction to the lot numbering in the plan of subdivision, the deletion of Conditions 14, 15 and 66 (TfNSW conditions), deletion of Condition 54 requiring a tanked basement and amending Condition 12 to reflect the current long service levy requirements.Issues: 	Status:         Appeal is listed for online court communication         on 5 October 2023.         Solicitors:         Marsdens Law Group         External experts:         Nil         Internal experts:         Planner         Catchment and Development Engineer         Status:         Appeal is listed for section 34 conciliation         conference on 19 October 2023
27.	<ul> <li>Applicant: Murphy Moses and Betty Moses</li> <li>Proceedings No.: 150924/23</li> </ul>	Issues: No development consent Prospects: Good	Solicitors: Marsdens Law Group External experts: Nil
	<u>Existing Matter</u>		Internal experts: Development Control Officer
28.	<ul> <li>Property Address:         <ul> <li>14-20 Lake Street and 55</li> <li>57 Pennant Hills Road, North Parramatta</li> </ul> </li> <li>Applicant:         <ul> <li>Malouf &amp; Malouf</li> <li>Proceedings No.:             <ul> <li>72317/23</li> </ul> </li> </ul></li></ul>	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.         Issues:         Bushfire Prone Land, Transport for NSW Concurrence, stormwater	Status:         Appeal is listed for resumed s34 conciliation         conference on 20 October 2023         Solicitors:         Marsdens Law Group         External experts:         Grahame Swain (Bushfire Consultant)
	Existing Matter	Prospects: Good	Internal experts: Planner Development Engineer
29.	<ul> <li>Property Address: 94 Bettington Road, Oatlands</li> <li>Applicant: Mirvac (Residential) NSW Developments Pty Ltd</li> <li>Proceedings No.: 99224/23</li> <li>Existing Matter</li> </ul>	<b>Description:</b> 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 lot into 17 lots in a 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.	Status:         Appeal is listed for s34 conciliation conference         on 7 July 2023 and for hearing on 27 November         2023 to 1 December 2023         Solicitors:         Marsdens Law Group         Counsel:         Nick Eastman         External experts:         Brendan Randall – Urban Design         Vanessa Hotham - Heritage
		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 Prospects: TBA	Internal experts: Planner Senior Catchment Engineer
30.	<ul> <li>Property Address: 11-17 Shirley Street, Carlingford</li> <li>Applicant: Shirley Street Projects Pty Ltd</li> </ul>	Description: 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 Issues: Minimum Site Area/Height/Eloor Space Batio/Earthworks/Site	<b>External experts</b> : Stephen Collier
	• Proceedings No.: 127732/23 <u>Existing Matter</u>	Minimum Site Area/Height/Floor Space Ratio/Earthworks/Site Compatibility/Natural Ventilation/Character/Building Orientation, Envelope & Design/ Landscaping/Traffic & Parking/Design Quality/stormwater/Accessibility <b>Prospects:</b> Good	Internal experts: Planner Development Engineer Landscape Officer Accessibility Officer

	• Property Address:	Description:	Status:
	9-11 Thallon Street,	SCCPP deemed refusal of DA/845/2022 seeking approval for demolition of	Appeal is listed for first s34 conciliation
	Carlingford	existing buildings, tree removal and construction of a 12 storey mixed use	conference on <b>3 October 2023</b>
	5	building comprising retail and restaurant on the ground floor, 91	
	• Applicant:	apartments above and 4 levels of basement parking for 134 vehicles. The	Solicitors:
	Carlingford Projects Pty	proposal is a Nominated Integrated development pursuant to the Water	Sparke Helmore
	Ltd	Management Act 2000.	
24			External experts:
31.	• Proceedings No.:	Issues:	Stephen Collier
	13483/23	WaterNSW Concurrence/Height/Floor Space ratio/ Natural	
		Ventilation/Character/Building Orientation, Envelope & Design/Water	Internal experts:
	Existing Matter	Management	Planner
	•		Development Engineer
		Prospects: Good	Landscape Officer
			Accessibility Officer
	Property Address:	Description:	Status:
	189 Macquarie St	Appeal against the against the SCCPP refusal of a Section 8.3 Review, of the	
	Parramatta.	decision to refuse DA/493/2020, which sought approval for the construction	2024.
		of two residential towers comprising 708 apartments above the existing	
	• Applicant:	seven storey podium (total of 54 storeys and 45 storeys), the use of existing	
	JKN Parra P/L and Toplace	basement levels 1-5 for residential parking and various adjustments to the	Sparke Helmore
	Pty Ltd	existing building to allow for the integration of those towers.	
32.			External experts:
	• Proceedings No.:	Issues:	Stuart MacDonald (Planner)
	286544/22	Design excellence under the LEP, Height, FSR, SEPP 65 – design	Stephen Collier (Urban Design)
		quality, Wind shear impacts, Environmental Sensitive Design	Che Wall (Environment Sensitive Design)
	<u>Existing Matter</u>	including: reflectivity, BASIX and ventilation	Michael Eaddy (Wind)
	•		
		Prospects: Good	Internal experts:
			Nil

and and En	vironment Court proceeding	s – Class 3 Appeal	
<ol> <li>Deservation</li> <li>2. Deservation</li> <li>pay</li> <li>3. Issu</li> <li>4. Stat</li> </ol>	Council for the land and relie e: How much compensation (	il land by Sydney Metro. Council has appealed the amount of compensation s upon its own valuation to dispute the amount. Council should be paid by Sydney Metro to Council for the land acquisition. February 2023 and is reserved for judgment. It is subject to separate advice.	There is a vast difference in each parties' valuations.
ocal Court			
1.	<ul> <li>Property Address: 138 Bungaree Road, Pendle Hill</li> </ul>	<b>Description:</b> Penalty Notice – Court Elected – Fail to comply with development control order	Matter is listed before Parramatta Local Court for hearing <b>1 December 2023</b>
	• Defendant: PHBS Pty Ltd	Prospects: Good	Solicitors: In-house Legal
	• <u>New Matter</u>		
2.	• Property Address: 138 Bungaree Road, Pendle Hill	<b>Description:</b> Penalty Notice – Court Elected – Fail to comply with development control order	Matter is listed before Parramatta Local Court for hearing <b>1 December 2023</b>
	• Defendant: PHBS Pty Ltd	Prospects: Good	In-house Legal
	• <u>New Matter</u>		
3.	Property Address:	<b>Description:</b> Penalty Notice – Court Elected – Development without	Hearing on 7 August 2022 vacated, as Council office

5.	18 Kent Street Epping	development consent	was unavailable to provide the brief.
	• Defendant: Liu	Prospects: Good	New hearing date of <b>3 April 2024</b>
	• Existing Matter		Solicitors:
			In-house Legal
4.	<ul> <li>Property Address:</li> </ul>	<b>Description:</b> Penalty Notice – Court Elected – Development without	Hearing on 7 August 2022 vacated, as Council officer
	18 Kent Street Epping	development consent	was unavailable to provide the brief.
	• Defendant:		New hearing date of <b>3 April 2024</b>
	Zhang	Prospects: Good	
			Solicitors:
	<ul> <li><u>Existing</u> Matter</li> </ul>		In-house Legal
5.	<ul> <li>Property Address:</li> </ul>	Description: Penalty Notice – Court Elected – Development without	Hearing on 7 August 2022 vacated, as Council officer
	18 Kent Street Epping	development consent	was unavailable to provide the brief.
	• Defendant:		New hearing date of <b>3 April 2024</b>
	Liu	Prospects: Good	

	• <u>Existing</u> Matter		Solicitors: In-house Legal
6.	<ul> <li>Property Address: 255 Victoria Road, Rydalmere</li> <li>Defendant: Peter Leitmann</li> </ul>	Description: Penalty Notice – Court Elected – Dog attack Legal yet to be provided with the information and are yet to provide a prospect advice	Matter is listed before Parramatta Local Court for hearing <b>27 November 2023</b> Solicitors: In-house Legal
	• <u>Existing</u> Matter	Prospects: TBA	
7.	• Property Address: 55-57 George Street, Clyde	Description: Development without consent	Matter is listed before Parramatta Local Court for mention <b>12 October 2023</b> Solicitors:
	• Defendant: Joa Management	Prospects: Good	In-house Legal
	• <u>New</u> Matter		
	•		
8.	Property Address:	Description: Dog Attack	Matter is listed before Parramatta Local Court for hearing on <b>5 March 2024</b>
	• Defendant:		
	Janet Addison	Presenter Cood	Solicitors:
		Prospects: Good	In-house Legal
9.	• <u>New</u> Matter	Description: Non-Compliance Unauthorised Works	The matter is listed for mention <b>9 November 2023.</b>
9.	• Property Address:	Description: Non-compliance on authorised works	The matter is listed for mention <b>9 November 2023.</b>
	• Defendant:		Solicitors:
	Manthan Gandhi		In-house Legal
		Prospects: Good	
	• <i>New</i> Matter		

### **Finalised Matters**

	• Property Address:	Description:	Status:			
	50 Thane Street,	Appeal against the refusal by Council of DA/1023/2021 seeking approval	Appeal upheld in line with s34 conciliated			
	Wentworthville	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,	agreement.			
	Applicant:	demolition of the existing swimming pool and outdoor shades, and tree				
	Canniesburn Pty Ltd	removal; Stage 2 - Construction of two (2) dual occupancy developments	Solicitors:			
	ATF Syd Recon Trust	on Lot 2 and Lot 3; Stage 3 - Torrens Title subdivision of the two (2) dual occupancies into four (4) lots.	In-house Legal Services			
L <b>.</b>	• Proceedings No.:		External experts:			
	44037/2023	Issues:	Nil			
	,	Biodiversity, minimum lot size, traffic, design and amenity				
	Existing Matter		Internal experts:			
		Prospects: Good	Planner			
			Biodiversity Officer			
			Traffic Engineer			
	Property Address:	Description:	Status:			
	378-380 Church	Delegated refusal of DA/878/2021 seeking approval for the demolition of	Appeal upheld in line with s34 conciliated			
	Street, Parramatta	the existing building and construction of an 8 storey mixed used building consisting of a boarding house development with ground floor	agreement			
	• Applicant:	commercial/retail space over 1 level of basement parking.	Solicitors:			
	APPWAN Pty Ltd		Bartier Perry			
		Issues:				
	• Proceedings No.:	Inadequate information regarding BCA compliance/streetscape/public	External experts:			
	Proceedings No.:	madequate mormation regarding ber compliance, streetscape, public	External experts.			

<u>Existing Matter</u>	Prospects: Good	<b>Internal experts</b> : Planner
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## **Finalised Matters**

Local Court		
1.	NIL	

#### **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.

#### Win/Loss Record for previous and current financial year:

<u>Note</u>: Total case number only relates to those court matters determined by the Court, in that financial year and does not relate the actual number of Land and Environment Court/Local Court matters received, in that financial year.

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 the issue.

Matter Type	Financial	Total Cases	Wins	Losses	Comments
	Year				
Inhouse	21/22	11	9	2	Three (3) of the Appeals won were subject to a section 34 conciliated agreement with amended plans that resolved the issues
External	21/22	19	13	6	Six (6) of the Appeals won were subject to a section 34 agreement with amended plans that resolved the issues
Inhouse	22/23	11	11	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	12	11	1	Four (4) of the Appeals won were subject to a section 34 conciliated agreement with amended plans that resolved the issues
Inhouse	23/24	5	3	2	Three (3) of the appeals won were subject to s34 agreement with amended documents.
External	23/24	5	2	3	Two (2) of the appeals won were subject to s34 agreement with amended documents

Matter Type	Financial	<b>Total Cases</b>	Wins	Losses	Comments
	Year				
Inhouse	22/23	10	10	0	
External	22/23	0	0	0	
Inhouse	23/24	4	4	0	
External	23/24	0	0	0	

#### Costs to date are as follows:

City of Parramatta Land & Environment Court Costs Summary	September 2023
Land & Environment Court Costs - Class 1,2,3,4,5	\$165,173
Land & Environment Court Costs - External Experts (Consultants fees)	\$25,187
Legal Fees & Charges for matters with Panel Firm Engagement	\$65,765
Local Court Prosecutions/Enforcements	\$0
Supreme Court Proceedings	\$0
Industrial Relations Commissions (IRC)	\$0
NSW Civil and Administrative Tribunal (NCAT)	\$0
Total	\$256,125

#### Land and Environment Court